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Change, Continuity, and Contestations: Framing Domestic Abuse Policy in Scotland Since 1998

Leah McCabe
PhD Social Policy
University of Edinburgh
2021
Abstract

Mainstream and feminist scholars have grappled with the ‘big questions’ of how to understand and explain the dynamics of policy change and continuity. Policy-as-discourse and social movement theorists have offered some fruitful analytical frameworks, utilising frame theory, to elaborate on how policy ‘problems’ are interpreted and constructed by actors and to investigate the effects on policy outcomes. Yet, frame theory has largely lacked a feminist lens in exploring questions around policy change, continuity and contestations. This thesis sets out to fill this gap, evaluating the potential for synthesis between feminist and mainstream approaches and outlining my feminist institutionalist approach to studying frames and framing. Drawing on insights from feminist institutionalism, frame theory and intersectionality, it argues that to understand how the framing of policy problems changes over time, scholars must be attentive to the interconnected factors of frames, institutions, and actors. Moreover, it argues that to explore and explain how the framing of policy problems changes over time, scholars must be attentive to the discursive content of frames and the framing processes.

The thesis develops this theoretical framework through a single case study of domestic abuse policy-making in post-devolution Scotland. Drawing on multiple qualitative methods – including process tracing, semi-structured elite interviews, and critical frame analysis of policy documents – the thesis traces domestic abuse policy change and continuity over twenty years to explore how the problem of domestic abuse has been framed in national policy. Scotland is an empirically rich case in examining policy change, innovation, and continuity due to the opportunities posed by devolution and the incorporation of the women’s movement organisations in policy-making processes.

The Scottish case underscores the need for scholars to pay attention to how frames, debates, power, and contestations have changed (or continued) over time, with significant effects on policy outcomes. The thesis identifies some successes in institutionalising a gendered framing of the problem of domestic abuse but also finds that external resistance has (re)produced the real and perceived fragility of these frames. Moreover, this thesis highlights the emergence of contestations and power imbalances within the women’s movement in Scotland over the framing of domestic abuse, namely how children and young people and black and minority ethnic victims/survivors are represented. This research suggests that the effects of internal and external resistance are interlinked, (re)producing the ongoing neglect of (strong) intersectional frames and approaches, serving to weaken the ability to incorporate alternative frames in policy that reflects
the complexity of domestic abuse. As such, the thesis generates new theoretical and empirical insights into the gendered and intersectional dynamics of institutional and policy change (and continuity) that foregrounds the importance of actors, institutions and frames; and contributes to the ‘big questions’ around dynamics of power, inclusion and exclusion in institutional and movement framing processes.
Lay Summary

In 2000, Scotland became one of the first countries in the world to produce a national strategy on domestic abuse. It was unique in its application of a human rights and gendered framing of the problem of domestic abuse, which asserted that domestic abuse is a human rights violation and a cause and consequence of gender inequality. Starting in 1998 and tracing the framing of domestic abuse over twenty years, this study explores the conditions and arrangements that enabled this change to happen. I interviewed thirty key actors involved in domestic abuse policy-making, service provision, and public sector agencies; analysed Scottish domestic abuse policy and legislation documents; and employed process tracing to understand what happened, when, and its effects on policy change.

This study’s overarching argument is how policy problems are framed, whether institutions are amenable, and who is involved in policy debates and policy-making ‘matters’ for successfully introducing new ideas and frames to policy problems, such as domestic abuse, and embedding them into policy solutions. At first glance, Scotland appears to be a success story in its policy approaches to domestic abuse, with devolution providing women’s movement organisations and feminist actors opportunities to introduce gendered frames. However, this study complicates this further by highlighting how power inequalities within the movement impacted upon which frames were advanced and integrated into policy, and which frames and victims/survivors’ experiences were marginalised. It illuminates contestations and debates within the women’s movement as well as resistance by external actors, highlighting how they concurrently influenced the framing of policy and policy solutions. This study provides new empirical and theoretical insights into how and why change is complex and challenging in some contexts, pointing towards the difficulty of reshaping understandings of policy problems to integrate alternative and more inclusive frames in policy. It emphasises that who is included or excluded and what is (not) known about domestic abuse is important not only for scholarly debates but also on the effectiveness of policies and services and has real-life consequences for victims/survivors.
Acknowledgements

Wow! Writing a PhD during a pandemic was something else! I never thought I would ever be able to do a PhD after wanting to leave university during the first semester of my undergraduate at Edinburgh. I owe so much to all my friends and family who spurred me on and helped build up my self-confidence, respect and worth. My PhD journey was the most exhilarating, exhausting, intellectually stimulating, stressful, experience ever and I am so grateful for it.

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Finally, I dedicate this thesis, in part, to my granny (I miss you dearly) and grandad, who, without your support, my crazy dream of doing a PhD would never have been possible. Lastly, I dedicate this thesis to the strength and courage of past, current, and (unfortunately) future survivors of domestic abuse/VAWG. May the world be a better (and more feminist) place.
List of Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>4P's</td>
<td>Protection, Provision, Prevention, Participation</td>
</tr>
<tr>
<td>BME</td>
<td>Black and minority ethnic</td>
</tr>
<tr>
<td>CAF</td>
<td>Collective action frame</td>
</tr>
<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All forms of Discrimination Against Women</td>
</tr>
<tr>
<td>CFA</td>
<td>Critical Frame Analysis</td>
</tr>
<tr>
<td>COPFS</td>
<td>Crown Office and Procurator Fiscal Service</td>
</tr>
<tr>
<td>COSLA</td>
<td>Convention of Scottish Local Authorities</td>
</tr>
<tr>
<td>CYP</td>
<td>Children and young people</td>
</tr>
<tr>
<td>FGM</td>
<td>Female genital mutilation</td>
</tr>
<tr>
<td>FI</td>
<td>Feminist institutionalism</td>
</tr>
<tr>
<td>FDI</td>
<td>Feminist discursive institutionalism</td>
</tr>
<tr>
<td>FHI</td>
<td>Feminist historical institutionalism</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>LGBT+</td>
<td>Lesbian, gay, bisexual, transgender+</td>
</tr>
<tr>
<td>MARAC</td>
<td>Multi-Agency Risk Assessment Conference</td>
</tr>
<tr>
<td>MATAC</td>
<td>Multi-Agency Task and Coordination</td>
</tr>
<tr>
<td>MSP</td>
<td>Member of Scottish Parliament</td>
</tr>
<tr>
<td>NACWG</td>
<td>First Minister's National Advisory Council on Women and Girls</td>
</tr>
<tr>
<td>NHS</td>
<td>National Health Service</td>
</tr>
<tr>
<td>SNP</td>
<td>Scottish National Party</td>
</tr>
<tr>
<td>SPDA</td>
<td>Scottish Partnership on Domestic Abuse</td>
</tr>
<tr>
<td>SWA</td>
<td>Scottish Women’s Aid</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNCRC</td>
<td>United Nations Convention on the Rights of the Child</td>
</tr>
<tr>
<td>VAWG</td>
<td>Violence against women and girls</td>
</tr>
<tr>
<td>WMO</td>
<td>Women’s movement organisation</td>
</tr>
<tr>
<td>WPR</td>
<td>What’s the problem represented to be?</td>
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Chapter 1: Introduction

1.1 Introduction

How do we explain policy change? How can we measure change, and how do we know when it has happened? What are the contexts, conditions, and configurations that enhance or constrain efforts at generating policy change? Policy scholars and political scientists continue to grapple with these complex questions, drawing upon a range of concepts, theories, and empirical case studies to explain policy change and stability.

In doing so, some policy scholars have moved beyond simplistic assumptions that policies are ‘reactions to objective problems’ (Kulawik, 2009: 266). They have dispelled the notion that policy problems, such as poverty, substance abuse, and health inequalities, are simply ‘out there’ waiting to be discovered and solved by actors and governments (Bacchi, 2000: 48). Instead, they have drawn attention to the ways in which policy-makers and actors compete for power, resources, and influence to shape shared understandings of policy problems, integrate their interests and ideas in policy, and propose policy solutions. In other words, policy-making and policy change should be understood as a social, political and strategic process in which multiple actors with varying stakes, interests, and ideas interact with each other within particular institutions, resulting in a diversity of meanings, understandings of policy problems, and proposed policy solutions.

Yet, these more complex and nuanced conceptualisations of policy open up even more questions around the nature of policy change. For example, how do we explain why some issues are selected for attention and granted problem status, whereas others are marginalised and remain ‘untouched’ (see Bacchi, 1999)? How and why are some actors’ ideas and interests successfully translated to policy, and with what effects on current and future policy change? How should we understand contentious issues and problems, and how should we conceive disputes, contentions or backlash towards policy problems and their constructions? Lastly, what are the general and gendered challenges to effecting change? The aim of this thesis is to grapple with these ‘big questions’, drawing upon a single case study of domestic abuse policy-making in post-devolution Scotland to trace the (re)framing of the policy problem of domestic abuse over time, highlighting opportunities and obstacles to policy change.

1.2 Central puzzle: why frames, institutions, and actors?

This thesis elaborates on these ‘real world puzzles’ by drawing upon insights from feminist institutionalism (FI). It develops and applies an FI approach by integrating tools and insights
from feminist historical institutionalism, feminist discursive institutionalism, frame theory, and intersectionality. It argues that an FI approach provides a valuable lens to explore timing, discourses, power, history, and processes and their effects on enabling or constraining the (re)framing of policy problems. As such, this thesis builds upon and adds a valuable new case study to existing feminist empirical literature that employs a constructivist and institutionalist approach to understand institutional and policy change and continuity (see Björnehed and Erikson, 2018; Erikson, 2017).

Crucially, this thesis argues that to understand how and why some policy problems become ‘locked in’ and embedded in policy, scholars must be attentive to the interactive relationship between actors, frames, and institutions. Different sets of actors, including women’s movements, participate in discursive struggles over the interpretation of policy problems to translate their ideas to policy and generate policy and societal change. In doing so, they draw upon particular constructions of the problem – known as ‘frames’ – to attach particular meanings to problems, shape policies, and propose solutions. At the same time, frames are not ‘free-floating’ (Schön and Rein, 1994; Benford and Snow, 2000); rather, they are grounded in institutions, meaning that actors and their frames shape and are shaped by institutions, influencing their success or failure in advancing policy change (see Erikson, 2019b). Simply put, who is involved in the policy debates, how policy problems are framed, and whether institutions are amenable ‘matters’ – either opening up or foreclosing the possibilities of introducing new ideas, discourses, and approaches to policy problems and embedding them in policy solutions.

This thesis makes a distinct contribution to FI and policy change literature by examining policy frames and the framing process itself, thereby offering wider insights into the contexts and conditions in which policy change can occur (see Waylen, 2009). It argues that only by examining the framing process can we see the interaction between the complicated web of frames, institutions, and actors. Moreover, exploring processes over time draws attention to the ways in which these configurations and relationships change, develop, or continue and their subsequent effects on policy frames and the direction of policy development.

This thesis develops this theoretical approach through a single case study of domestic abuse policy-making in post-devolution Scotland. The single case study is invaluable in providing an in-depth tracing of the (re)framing of domestic abuse policy over time. It begins in 1998 when feminists introduced a gendered framing of the problem, ending in 2018 with the passing of the Domestic Abuse (Scotland) Act 2018, which experts have deemed as the new ‘gold standard’ for
This thesis makes three main contributions. First, it provides new empirical insights into the Scottish case on the configurations and conditions for advancing new policy frames, policy change, and innovative approaches to the problem of domestic abuse. It presents one of the most comprehensive and in-depth tracing of domestic abuse policy change over time through its extensive timeline and interviews with thirty key senior actors. Second, theoretically, it offers new crucial insights into the specific conditions that policy change can occur, drawing upon an FI approach that examines policy frames and the framing process. Third, it provides an invaluable case study employing a Critical Frame Analysis methodology, contributing to this literature through its intersectional and institutionalist lens and ‘thick descriptions’ (Geertz, 1973) of a complex and contentious policy problem.

1.3 Research questions

Women’s movement organisations and feminist actors successfully introduced a gendered framing of domestic abuse in Scotland in 1998 in the build-up to devolution. In 2000, a year after the establishment of the new Scottish Parliament and Scottish Executive, Scotland became one of the first countries in the world to produce a national strategy on domestic abuse. It was unique in its application of a human rights and gendered framing of the problem, which asserted that domestic abuse is a cause and consequence of gender inequality and a violation of human rights. As a result, Scotland has been hailed as world-leading in its approaches to addressing domestic abuse through policy development, much of which reflects a feminist agenda (Charles and Mackay, 2013; Brooks-Hay et al., 2018; Lombard and Whiting, 2018). The central research question of this study is concerned with how and why it was possible for Scotland to employ a fast-track path to addressing domestic abuse and framing the issue as a gendered problem. Yet, as policy problems are contested and resisted by various actors, this study also examines the effects of debates and disputes on the framing of domestic abuse policy. By tracing the problem over twenty years (1998-2018), it interrogates the so-called ‘feminist success story’ of the Scottish case, exploring and explaining how the framing of the problem has changed, prevailed, and been resisted over time, and with what effects on policy frames and solutions. Therefore, it asks: How has the problem of domestic abuse been framed in national policy in Scotland since 1998, and with what effects?

Previous research on the Scottish case has drawn attention to the ways in which women’s movement organisations mobilised around devolution to influence the political agenda and
pursue ‘women friendly’ policies (Charles and Mackay, 2013), while the broader literature on feminist policy change literature has emphasised that women’s movements are key agents of change in enhancing discursive and ideational change (Stetson and Mazur, 1995; Mazur et al., 2016; Stetson, 2001; Weldon, 2002b; McBride and Mazur, 2010). Therefore, to capture the role of the women’s movement in domestic abuse policy development in the case, this study asks: How has the women’s movement framed the problem, and how have they influenced policy-making over time?

Yet, while research on the Scottish case has predominately explored the successes of the women’s movement as a whole (Mackay, 2010; Charles and Mackay, 2013), this thesis complicates assumptions that women’s movements are united in their shared goals and objectives for gender equality and constructions of the policy problem (see Benford, 1993). Drawing upon an FI analytical approach, I explore how diversity, power inequalities, and contestations have operated within movements and their effects on policy frames and solutions. Scholars have mapped internal contestations within the women’s movement, highlighting that they are commonplace as gender equality is essentially a ‘contested concept’ (Squires, 1999: 54). Therefore, this study asks: Have there been any internal contestations over the construction of the movement’s framing of the problem, and what impact has this had on national domestic abuse policies?

Relatedly, previous studies on the Scottish case have emphasised that women’s movement organisations experienced enhanced power and access in new institutional arrangements, mechanisms, and participatory processes resulting from devolution, posing opportunities to influence policy development (Mackay et al., 2003, 2005; Mackay, 2010). Yet, it is unlikely that all movement actors were afforded the same level of power and influence within the movement and institutional framing processes. By examining framing processes, this study draws attention to the politics of inclusion and exclusion whereby some actors and their frames dominate and are successfully translated to policy, while others find themselves excluded and their frames marginalised. Thus, this thesis asks: Who has (bad) epistemic power in naming and framing domestic abuse policy, and (how) do these power dynamics impact upon policy outcomes? Has this changed over time, and if so, how and why?

Finally, this thesis argues that who is involved in the framing process and the frames they advance impacts upon what is known and done about the problem. However, it also determines which victims/survivors are visible and represented in policy and who is marginalised, erased, and invisible. Therefore, this study draws upon an intersectional lens to examine the inclusivity of dominant policy frames over time in the Scottish case. It asks: Who is included (or excluded) in the dominant framing(s) of the problem?
1.4 Why Scotland?

As already highlighted, devolution offered new opportunities for feminist campaigners to re-envision politics and policy-making in Scotland. Feminist scholars have emphasised the successes of feminist constitutional activism in embedding gender equality reforms in the blueprints and structures of the new political and policy-making institutions and engendering policy debates (Brown et al., 2002; Mackay et al., 2003; Mackay, 2010). The emergence of new institutions, institutional and arrangements due to devolution was of significance for women’s movement organisations and feminist actors in that it opened new discursive spaces to advance equality policies. Feminist historical institutionalists have theorised that feminist concerns and ideas may be easier to incorporate at the beginning of an institution’s life (Waylen, 2008), potentially allowing them to set the ‘rules of the game’ and integrating gender concerns into policy- and decision-making processes (Mackay, 2014). Therefore, the unique interaction between new institutions and new discursive spaces and opportunities makes Scotland an insightful case for exploring and explaining the contexts and configurations that enable or constrain the introduction and institutionalisation of feminist ideas, frames, and concerns. The repeated interest of feminist institutionalists in the Scottish case demonstrates the empirical and theoretical insights it generates in terms of the gendered dynamics of policy and institutional change and continuity (Mackay, 2010, 2014; Kenny, 2011, 2013; Charles and Mackay, 2013; Kenny and Mackay, 2020). Moreover, as this thesis traces change over the whole ‘life’ course of new institutions, it makes a distinct contribution to FI by providing ‘thick descriptions’ (Geertz, 1973) of how new feminist frames are introduced, contested, resisted, and institutionalised over time, and with what effects. It also provides insights into the extent to which new, alternative and progressive frames can be presented in the policy debate in later stages of the institutions ‘life’, providing room to develop and advance existing frames.

Yet, while scholars have emphasised the significant opportunities posed by devolution, drawing upon a historical approach to institutionalism, they have also qualified this success. Fiona Mackay (2014: 2-3) has drawn attention to the ways in which new institutions are ‘nested’ within existing gender regimes, with institutional innovation being actively resisted or passively neglected through a combination of ‘remembering the old’ and ‘forgetting the new’. As such, the Scottish case is valuable in elaborating on the effects of institutional and policy ‘legacies of the past’ (Lowndes and Wilson, 2001: 643) in constraining policy change and (re)framing of policy problems, providing insights into the conditions for (bounded) change.
1.5 Why domestic abuse?

Domestic abuse is commonly referred to as a ‘wicked problem’ (Rittel and Weber, 1973) insofar as it not an easy issue to solve; there is no one definitive solution; and various actors are involved in addressing the problem with different and competing understandings. Moreover, as emphasised by Rittel and Weber (1973: 163), due to the complexity and magnitude of ‘wicked problems’, it is difficult and risky to learn by trial and error, meaning that every implemented solution matters significantly and is consequential as it leaves ‘traces that cannot be undone’. This is particularly significant for domestic abuse as the framing of policy problems and proposed solutions directly impact the embodied lives of victims/survivors because how domestic abuse is conceptualised and defined will determine what is visible and known, understood and explained, and what is done and not done through policy and practice (Hanmer and Itzin, 2000; Itzin, 2000). Therefore, any unintentional and undesired consequences of policy frames and solutions have real-life implications and will be directly felt by women, children, and young people.

Therefore, the complexity of domestic abuse makes it an insightful policy case to explore and explain how policy problems have been (re)framed over time and with what effects. Moreover, the multiple and diverse sets of actors with varying interests, stakes, and understandings of the problem make domestic abuse policy a valuable lens through which to examine how actors intentionally and strategically shape their frames to legitimise their position and attempt to generate policy and societal change (see Bacchi, 2009). As a ‘wicked problem’, actors and agencies will likely have competing and conflicting understandings, framings, and responses to the policy problem. Thus, it provides crucial insights into contestations, resistance and disputes over the interpretation and construction of the problem in institutional and framing processes and their effects on policy frames and directions.

1.6 Structure of the thesis

Chapter 2, ‘Frames, Institutions, and Actors: An Analytical Framework’, introduces the analytical framework of this thesis. The chapter draws upon insights from feminist historical institutionalism, feminist discursive institutionalism, frame theory, and intersectionality to advance an integrated feminist institutionalist (FI) approach that is attentive to the discursive content of frames and the framing process. Its particular combination of discourse and history draws attention to frame contestations, their effects on policy representations, and how paths get locked in over time. It argues that to understand the possibilities or limits in advancing the framing of policy problems over time, scholars must be attentive to the interconnected factors of
frames, institutions and actors. Moreover, it argues that integrating an intersectional lens is crucial to assess how interlocking relations of power inform and shape the framing processes and influence the success (and constraints) of feminist policy frames and solutions.

Chapter 3, ‘Debates, Disputes, and Contestations in Framing Domestic Abuse’, explores academic framings, debates, and contestations around constructing the problem of domestic abuse. It argues that academic debates in framing domestic abuse have taken two distinct, but interconnected forms: (i) debates about feminism and (ii) contestations within feminism. Finally, the chapter makes the theoretical case for complicating feminist narratives and framings of domestic abuse and other forms of violence against women and girls by applying an intersectional approach.

Chapter 4, ‘Methods and Methodology’, addresses the methodological considerations involved in this research. This chapter outlines the research aims and questions that guided the research process and thesis. It justifies the strengths of the Critical Frame Analysis (CFA) methodology in exploring the framing of domestic abuse and discerning how power and contestations operate within framing processes. It introduces my research strategy, methods and analytical framework and highlights the contributions made by the thesis in terms of tracing policy change over time and employing Scotland as a single case study.

Chapter 5, ‘Process Tracing: The Scottish Case’, provides an in-depth analysis and thick ‘paper trail’ of developments and changes in domestic abuse policy and provision in Scotland since devolution. It ‘sets the scene’ of the Scottish case by tracing who the critical actors are, the institutions they shape and interact with, and how the policy problem has been framed since 1998.

Chapter 6, ‘Introducing Feminists and Feminist Frames to New Institutions’, applies my FI approach, focusing on how feminist actors and gendered frames were introduced into new institutions in the early days of devolution (1997-2003). It takes an in-depth look at both general and specific opportunity structures opened up by devolution for feminist campaigners. It explores how, to what extent, and with what effect women’s movement organisations placed domestic abuse as a gendered problem on the policy agenda. It argues that while Scotland employed a fast-track approach to domestic abuse policy development since devolution, hegemonic institutional logics constrained feminist strategies for change, establishing a particular ‘path’ for domestic abuse policy-making. Thus, the chapter complicates Scotland as a ‘feminist success story’.

Chapter 7, ‘External Debates, Contestations, and Resistance’, further applies my FI approach by tracing resistance and contestations towards gendered framings of domestic abuse from its introduction
in 1998. It argues that the gendered frames are ‘fragile’ as they have been open to debate, resistance, and misunderstandings, identifying some critical junctures where these disputes have intensified. I argue that some of these disputes can be traced back to institutionalised cultures, norms, and practices of key public agencies reluctant to address domestic abuse. I identify three mechanisms of continuity and resistance that explain the perceived fragility of domestic abuse: (mis)understandings, sanctioned ignorance, and active resistance. It concludes by highlighting how these mechanisms have affected policy frames and the direction of policy development.

Chapter 8, ‘Intramovement Contestations and the Politics of Inclusion and Exclusion’, delves into power inequities, disputes and diversity within and across women’s movement organisations to examine their effects on framing domestic abuse policy. It identifies two internal contestations around the dominant constructions of domestic abuse: the marginalisation of children and young people and black and minority ethnic victims/survivors. Identifying critical junctures to explore how these contestations have played out, I argue that these disputes share some similarities in the types of arguments and responses the most powerful movement actors employ to justify their frames and framing activities. It suggests that external resistance and internal contestations are interlinked, reproducing unintentional frames and short and long-term unintended consequences.

The final empirical chapter, Chapter 9, ‘Possibilities and Limits of Change: Intersectional Frames’, explores the possibilities and limits of advancing alternative and progressive frames in domestic abuse policy, drawing upon intersectionality as an illustrative example. In order to evaluate whether change has happened, it establishes and employs an intersectional analytical lens to assess the extent to which, and in which forms, intersectional frames have been articulated in policy. It traces change and continuity at the latter stages of my timeline (2009-18), exploring particular critical junctures and policy advancements. I argue that the early decisions and success in ‘fixing’ domestic abuse to a (dominant) gendered construction established a particular ‘path’ for policy, making the ‘stretching’ of these frames to incorporate intersectionality challenging. It highlights the importance of timing and sequencing of policy frames and draws attention to the ways in which policies are susceptible to dynamics of path-dependency.

Finally, Chapter 10 revisits the main findings and themes of the study and outlines the central theoretical, empirical, and methodological contributions of the thesis. It draws attention to the inferences we can make on institutional and policy change and the complexities of (re)framing policy problems over time, particularly within new institutions. It concludes by highlighting key areas of interest for future research.
1.7 Notes on terminology

This thesis is concerned with discursive constructions, contestations and the power of naming the problem of domestic abuse and therefore, it is essential to reflect upon the terminologies used throughout the research, including their implications and shortcomings.

1.7.1 Victims/survivors

Feminist literature and activism on domestic abuse/violence against women and girls (VAWG) have emphasised that both the ability to name violence and understand the implications of that naming can be ‘emancipatory’ (Donovan and Hester, 2010; see Boyle and Rogers, 2020). Feminists have critiqued the passive constructions of ‘victims’ and victimhood as it underplays their agency and resistance and is imbued in cultural narratives and assumptions around femininity (and heterosexuality). Instead, feminists have drawn upon the term ‘survivors’ or ‘victim/survivors’ to provide more empowering discursive identities and recognise the strength of those with lived experience of violence (Kelly and Radford, 1990; see Kelly et al., 1996). Victim/survivor is used throughout this thesis as it is the most common terminology in Scotland and aligns with feminist empowering discourses, but at the same time, it reflects civil and criminal justice discourses that primarily draws upon the framing of ‘victims’.

While children and young people experiencing domestic abuse is the standard nomenclature in Scottish domestic abuse/VAWG policy, I refrain from using this terminology as it reinforces the passivity of children (for example, that violence is something that is ‘done’ to them) and underplays their strategies of resistance and agency. Instead, I use the term ‘children and young people victim/survivors’ to signify their power and agency and reinforce that CYP are victims of violence in their own right.

1.7.2 Children and young people

This thesis draws upon the United Nations Convention on the Rights of the Child (UNCRC) definition of a child as those up to the age of 18. The recent passing of the UNCRC (Incorporation) (Scotland) Act 2021 in the Scottish Parliament provides the basis to incorporate the UNCRC in Scots law, and this, therefore, makes my use of terminology compatible with the dominant discourses in Scotland.

1.7.3 Black and minority ethnic

Throughout this thesis, I use the terminology Black and minority ethnic (BME), commonly used by the UK and Scottish governments, public sector agencies, media and social media, and third-sector organisations in Scotland, including those that work with and for ethnic minority
communities. Yet, just like many common terminologies, the term BME is not without its problems and tensions. Collective terminologies, such as BME, can have racializing and othering effects as they often oversimplify and homogenise ethnic communities (see Aspinall, 2020) and obscure and underplay diversity across and within ethnic groupings and communities. While I use the term BME, I am conscious of the power of naming and its exclusionary and othering effects, and thus I have reflected upon and interrogated my understandings and usages of the terminology.

1.7.4 Domestic abuse/violence against women and girls

Finally, while this thesis is concerned with domestic abuse, policy was re-framed in Scotland in 2009 to reflect the full spectrum of violence against women and girls (VAWG), which domestic abuse is a part of. Therefore, I use domestic abuse and domestic abuse/VAWG interchangeably to reflect this conceptual shift.

Some feminists have critiqued the term VAWG as it downplays the impacts of violence on boys1, whereas others have contended that terminology and dominant public story of violence marginalise the experiences of men and LGBT+ victims/survivors (see Jamieson, 1998; Donovan and Hester, 2014; Barnes and Donovan, 2018). This erasure is especially evident when actors frame the problem as men’s violence against women (as is the case in the Scottish Parliament cross-party group Men’s Violence Against Women and Children). However, I do not employ this terminology as it also does not provide the conceptual space to understand and recognise women as perpetrators of violence and reproduces intersectional subjugation. While it is not my intention to erase or marginalise some lived experiences of violence (especially as I employ an intersectional approach to the problem), for consistency and to prevent confusion, I use the most common nomenclature in Scottish policy, VAWG.

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1 Equally Safe (2016: 20), Scotland’s most recent national on VAWG, emphasises that boys and men can be victims/survivors of violence but reinforces its central focus on women and girls and use of the terminology VAWG.
Chapter 2: Frames, Institutions, and Actors: an Analytical Framework

2.1 Introduction

How are some frames and ideas introduced and embedded in policies and institutional responses? How does the framing of policy problems change and evolve over time, but also how do we explain why change can sometimes be so difficult to generate? Why do some frames dominate policy debates while others are ignored and silenced, and with what effects on the framing of policy? In seeking to answer these questions, this chapter adopts a feminist institutionalist (FI) approach to assess and explain how the framing of policy problems change over time and how this opens up and limits possibilities for change. This thesis adopts a pluralistic approach to FI, in line with recent studies (Kenny, 2013; Erikson, 2017; Mariani and Verge, 2021), by borrowing elements and insights from feminist historical institutionalism (FHI), feminist discursive institutionalism (FDI), and frame theory. As feminist institutionalism is a ‘broad church’, this thesis contributes to this scholarly work through its particular combination of discourse and history by pointing towards frame contestations and their effects on policy representations, but also how paths get locked in over time. Crucially, it argues that a FI approach must move beyond gender, adopting an intersectional lens to assess how interlocking relations of power inform and shape framing processes and influence the success and constraints of feminist policy frames and solutions. It argues that an FI approach allows us to first, examine how hegemonic frames, discourses, and norms operate within the institutional framing processes; second, establish intersectionality as a central dimension of policy-making institutions and framing processes; third, delve into the diversity among and within sets of actors to explore power imbalances, contestations, and resistance to policy frames and their effects on policy change.

My FI approach builds upon an existing and growing body of work interested in the discursive content of frames and the framing process itself (Erikson, 2017, 2019b; Björnehed and Erikson, 2018). Examining processes provides an in-depth exploration of the interplay between frames, institutions, and actors. Brining these elements together, and exploring processes over time, enables scholars to look at particular configurations of who is involved and who is not, what institutions matter, and which frames are most salient. It argues that without examining these aspects together, we would not fully understand the complex dynamics of change, continuity, and power in the framing process. Moreover, by focusing on framing processes and how policy
frames change over time, it moves beyond simplistic conceptualisations of policies as institutional outcomes or outputs. Instead, it points towards the intrinsic relationship between policy and institutional change and continuity whereby they shape and reinforce one another, potentially facilitating or constraining change, dependent on actors’ frames and intentions.

2.2 Synthesising frames and institutions

Before outlining the merits of my feminist institutionalist theoretical approach, this section highlights what frame theory and feminist institutionalism individually tell us about the ‘big questions’ around how the framing of policy problems change, evolve, and dominate over time.

2.2.1 Frame theory and policy change

Policy-as-discourse theorists have offered some fruitful analytical frameworks, largely drawing upon frame theory, to elaborate on how policy ‘problems’ are interpreted and constructed by actors and movements to investigate their effects on policy debates, the representation of policy problems, and proposed solutions. Frame theory arose from Goffman’s (1974) work on frame analysis and has been developed as a tool for exploring social movement activity (see Benford, 1997; Benford and Snow, 2000). Frames denote ‘schemata of interpretation’ that enable individuals or movements to ‘locate, perceive, identify, and label’ events and occurrences and social ‘reality’ as a whole (Goffman, 1974: 21). Frames, therefore, attach meaning to events and issues and provide an interpretative schema that simplifies and condenses the ‘world out there’ (Benford and Snow, 1992: 137). Policy frames are not simply descriptions of reality but specific constructions that shape understandings and give meaning to social ‘reality’ (Benford and Snow, 1992, 2000). Policy problems are, therefore, shaped and created with varying policy proposals and solutions (Bacchi, 2000: 48; see also Bacchi, 1999; Goodwin, 1996), and actors are engaged in discursive struggles over the framing of policy problems (Benford and Snow, 1992, 2000). The exploration of these discursive struggles is pertinent for scholars who take the role of ideas and interests seriously and are concerned with explaining policy change and stability (see John, 2018). It provides crucial insights into how some frames, ideas, and perspectives dominate policy-making, potentially facilitating or constraining efforts at policy change and innovation, thus explaining why change can be challenging to achieve in particular contexts.

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2 As commonly stylised in frame theory literature, the word ‘problems’ is in inverted commas to denote that some actors may not conceptualise the issue as a problem. Therefore, one of the first stages in framing policy problems is to establish its problem status. However, for ease of reading, subsequent references to policy problems will not be in inverted commas.
Frame theory draws upon the verb ‘framing’ to explain the process of meaning-making (Snow and Benford, 1988; Benford and Snow, 2000). Benford and Snow (1988) suggest three core framing tasks: (1) **diagnostic framing** involves the identification and construction of a social problem, including the attribution of blame or causality; (2) **prognostic framing** encompasses the process of constructing solutions to the problem and identifying the required strategies and tactics to enhance change; and (3) **motivational framing** involves a call for action and mobilisation to enact change. Framing is a strategic and social process (Ferree and Merrill, 2000) through the involvement of different sets of actors who have different (and sometimes conflicting) constructions of the problem (see Dalton et al., 1996; Bacchi, 1999, 2000), leading to different policy frames and solutions.

Frame theory has also increasingly been used by policy analysts to understand how actors draw upon certain discourses to accomplish the goal(s) they deem worthwhile (Bacchi, 2000) and how these discourses lead to different directions in policy-making, affecting the potential for change. As Carol Lee Bacchi (2000: 46) contends, policy-as-discourse theorists have an agenda for change as they engage with and ‘define discourse in ways that identify what they see to be constraints on change’. In seeking change, they actively shape discourses to draw attention to the process of meaning-making in framing policy debates and problems. This is salient for this thesis as it highlights strategies for change and conceptualises actors as key agents of change by being attentive to their discursive actions.

In grappling with the ‘big questions’ around dynamics of policy change and continuity, power, and inclusion and exclusion in policy-making, frame theorists have drawn upon the concept of master frames. It aids an understanding of how some frames, discourses and ideas are hegemonic and how they provide the discursive parameters for enabling or constraining change and innovation. Master frames are broad modes of attribution and articulation of policy problems operating on a large scale (Benford and Snow, 1992). They provide the discourses and linguistic codes required to establish shared articulations of policy problems (Benford and Snow, 1992) and operate within institutions as a ‘kind of master algorithmic’ which marks what actors and movements can and cannot achieve within them (Benford and Snow, 2000: 618).

Paying attention to these master frames can highlight how and why policy change has been enabled or constrained within particular institutional contexts, but it also provides insight into the extent to which the framing of policy problems has changed and evolved over time. The evolution of master frames is largely dependent on whether they are rigid or flexible and their levels of resonance and potency (Benford and Snow, 1992). According to Benford and Snow
master frames that are rigid - restricted master frames - tend to be more closed off with less opportunity for movements and actors to expand upon or extend them, and they often operate as narrow range of ideas. As such, it is more difficult to shape and change these frames. On the other hand, frames that are flexible - elaborated master frames - are often organised as a wider range of ideas and allow for ‘ideational amplification and extension’ (Benford and Snow, 1992: 140) and are more likely to enable change and innovation.

While frame theory provides invaluable conceptual and analytical tools for understanding policy change and continuity, it has largely lacked a feminist lens. Feminists have increasingly engaged with frame theory to explore the gendered and intersectional logics of frames and framing work (see Verloo, 2016; Verloo and Lombardo, 2017; Bacchi, 1999). Ferree and Merrill (2000) called for a synthesis between frame theory and feminist theory to offer more sharpened analytical tools to examine the implicit and explicit gendered assumptions and biases of frames. A feminist lens to frame theory offers a more enriched understanding of the gendered logics of frames and draws attention to the ways in which power operates within movements’ framing work and their effects on problem representations and solutions. Moreover, placing gender and gender politics in a ‘central position’ in frame theory (Ferree and Merrill, 2000: 455) illuminates how the process of meaning-making is inherently gendered and explains how and to what effects feminist frames are challenged, contested, and resisted.

However, to delve into these dynamics of change and continuity and explore how power operates within the framing processes, it is essential to place these frames and discursive struggles within the institutional contexts in which they operate. Drawing together frames and institutions is pertinent as frames are not free-floating; instead, they are grounded in the institutions that support them (Schön and Rein, 1994: 29; Benford and Snow, 2000). This grounding encompasses how actors perceive their institutional context (Erikson, 2019b) and policy problems. Björnehed and Erikson (2018: 113) contend that although specific contexts influence how frames are institutionalised, the institutional setting is a ‘common denominator for all contexts’ (emphasis my own). There are institutionally supported discourses that produce particular understandings and constructions of social problems (Bacchi, 2005a). Gendered and intersectional practices of institutional politics may not reflect the work of feminist actors involved (Ferree and Merrill, 2000). As such, feminist actors must contend with institutional arrangements to influence the framing of policy and generate policy change. Attentiveness towards frames and institutions provides insights into the gendered, raced, classed logics of institutions and how this influences the master frames and dominant ideas that could either pose opportunities or constraints for feminist actors attempting to effect policy and institutional
change. Thus, there is an interactive relationship between institutions and frames (Erikson, 2019b) as they mutually shape and reinforce one another and impact upon which frames take hold.

Yet, while some scholars have been attentive to institutions (Tarrow, 1988; Gamson, 1992a; Gamson and Meyer, 1996; Benford and Snow, 2000; Ferree et al., 2002), frame theory has been critiqued for its lack of conceptual clarity with regards to the relationship between institutions and discourses, often underplaying the role of institutions in enabling or constraining the (re)framing of policy problems (Kulawik, 2009). Some feminist scholars have begun to draw upon a constructivist and institutionalist approach to frame analysis to examine how frames gradually gain or lose influence within policy-making institutions and particular policy contexts (see Björnehed and Erikson, 2018; Erikson, 2017). Josefina Erikson’s (2017, 2019a, 2019b) case study of Swedish prostitution policy provides a fruitful synthesis between frame analysis and feminist discursive institutionalism - what she calls a dynamic frame analysis - in understanding gendered institutional change. Erikson’s analytical framework offers crucial insights into gradual ideational change and how ideas become institutionalised over time. It responds to and builds upon Ferree and Merrill (2000: 455) call to place gender in a ‘central position’ in frame analysis by examining gendered ideas, strategies and frames of meaning and situating these within gendered institutional dynamics of change. Yet, focusing solely on gender dynamic frame analysis obscures intersecting practices and logics of frames, which likely profoundly affect ideational and discursive change. Moreover, while it draws attention to how gendered institutional change is possible, it does not thoroughly examine the question of why dynamic change can be difficult.

Building upon this work, this thesis engages with feminist institutionalism (FI), drawing upon tools from feminist discursive institutionalism (FDI) and feminist historical institutionalism (FHI), to describe and explore how institutional and policy legacies, rules, norms, and practices provide discursive parameters for feminist actors and movements which can enable or constrain policy change and innovation. The following section explains what an integrated FI approach adds to understandings of institutional and policy change and continuity, pointing towards the necessity to examine configurations of timing, sequencing, processes, discourses, and power.

2.2.2 Feminist Institutionalism and policy change

FI approaches to institutional and policy change not only assert that institutions ‘matter’ in enabling or constraining change (see March and Olsen, 1984), but that gender shapes and is shaped by institutions (Acker, 1992; Lovenduski, 1998, 2005), affecting the daily ‘doing’ of politics and policy-making (Connell, 1987; Chappell, 2002; Kenney, 1996; Lovenduski, 1998,
2005; Kenny, 2013). FI frames gender as a crucial dimension in the study of institutions and political innovation as institutionalised gender relations form a ‘gender regime’ (Connell, 2002). This gender regime involves gender relations of power and reveals how control and authority are exercised along gender lines, which provides the context for particular relationships, norms, and practices (Connell, 2006). The gender regimes of policy-making and political institutions may or may not correspond to the overarching gender order, which are the historically and socially constructed patterns of power relations between men and women and conceptualisations of femininity and masculinity³ (Connell, 2002, 2006). Feminist concepts of gender order and gender regimes are particularly advantageous to feminist institutionalist scholars as it situates patriarchal power at the micro-level – at the hands of individual men against women – the meso-level – whereby institutions, norms and cultures (re)produce gender relations and power dynamics – and the macro-level – the wider structural power relations.

FI scholars have primarily focused on institutional reform and innovation, although there has been an increasing emphasis on policy change, mainly focusing on gender equality outcomes or policy outcomes (Chappell, 2011; Chappell and Waylen, 2013). Yet, policies are much more than institutional outputs; they signal to actors what can and cannot be done within institutions (Pierson, 2000a, 2004), which is why they have a particular stickiness and power behind them. As such, policies and institutions shape and reinforce each other, and depending on the existing institutional arrangements, this relationship may enable actors to institutionalise their frames or constrain their efforts. A feminist lens is fruitful in examining the relationship between policies and institutions by discerning the degree to which actors and movements can bring to attention new ideas and frames to provide innovative policy solutions (see Schmidt, 2010).

Moreover, Hašková and Saxonberg (2011) posit that it is necessary to understand how institutional structures influence policies, which in turn, influences gendered relations. Hašková and Saxonberg illustrate this through their comparative case study of Czech and Slovak family policies and argue that family policies shape and influence the ability of women to compete with men in the labour market. Therefore, policies influence and reproduce gender relations by either promoting or hindering gender equality. They shape, and are shaped by, constructions of masculinity and femininity and offer opportunities to subvert gendered power relations and marginalisation in society. As such, gender cannot be conceptualised simply as a ‘factor’ that affects policy change (see Kenny, 2011). It is integral to how we understand institutional settings, specifically.

what can and cannot be done within institutions, and how power operates and is manifested in
the everyday interactions within institutions (Acker, 1992; Chappell, 2006; Mackay et al., 2010;
Kenny, 2011). Therefore, it is vital to understand the gendered logics of institutions to gain a
fuller examination of the discursive struggles over meaning-making and how institutional
arrangements can either constrain or enable feminist policy change.

Some FI scholars propose a feminist variant of the various schools of new institutionalism
(Lovenduski, 2011; Mackay, 2011; Mackay and Waylen, 2009), whereas others borrow and adapt
tools from different strands of new institutionalism (Beyeler and Annesley, 2011; Vickers, 2011b;
Kenny, 2013). This thesis applies a pluralistic adoption of feminist discursive institutionalism
(FDI) and feminist historical institutionalism (FHI) to provide crucial insights into how and why
policy change and the subversion of institutional hegemonic norms, practices, rules, and frames
is difficult. FDI provides strong conceptual and theoretical frameworks on power and discourse
and the ways in which institutional logics can generate (or constrain) policy change. At the same
time, FHI provides a temporal framework to aid our understandings of the complexity of
change, especially in new institutions, pointing towards the ways in which institutions resist or
passively neglect change by ‘remembering the old’ and ‘forgetting the new’ (Mackay, 2014: 2-3),
reinforcing the stickiness of institutions, frames, and policies. Together, an integrated FI
approach moves beyond categorising politics of change as ‘politics as usual’ by engaging with the
role of ideas in initiating political action, the (re)construction of interests, and (re)framing of
policy (Schmidt, 2010). At the same time, it is attentive to the possibility of path-dependent
frames, structures and institutions which can preclude feminist policy change.

2.2.3 Feminist Discursive Institutionalism: discourse, ideas and policy change

FDI scholars take the role of ideas and discourse seriously and posit that they help understand
institutional and policy change processes and the gradual institutionalisation of new frames and
ideas (Schmidt, 2011; Campbell and Pederson, 2010). FDI has been described as an interpretive
or constructivist approach (Schmidt, 2011) which includes discourse analysis and theoretical
contributions of some post-structural scholars, such as Foucault (Bacchi and Rönnblom, 2014).
In line with recent studies (Erikson, 2017, 2019b), this thesis approaches FDI from a
constructivist lens by emphasising the interactive relationship between frames, institutions, and
actors. It draws attention to how actors strategically draw upon ideas, discourses and frames to
construct and legitimise social problems to generate change, while institutional contexts shape
actors’ political behaviour and strategies. Interrogating this interactive process, particularly by
being attentive to how power operates within institutional settings (Schmidt, 2011), helps identify
why some ideas, frames, and discourses successfully become codified or institutionalised while others do not (Hay, 2006, 2011). Therefore, rather than viewing policies as ‘reactions to ‘objective’ problems’, a constructivist approach points towards how policy problems are instead a result of interpretation (Kulawik, 2009: 266).

Moreover, a constructivist approach to FDI highlights the power dynamics in policy-making by exploring the complex discursive struggles over interpretation and representation of policy problems, identities and needs (Kenny and Mackay, 2009; Kulawik, 2009; Kenny, 2013) and reveals the continual reinterpretation and reworking of ideas and discourse in ‘webs of meaning’ (see Bevir and Rhodes, 2003; Schmidt, 2011). Attentiveness to power is crucial as it highlights the potential for non-hegemonic discourses and strategic agency (Kenny, 2013: 55). Although ideas and discourses can be sources of institutional change, the gendered dynamics of institutions through the informal and formal rules and practices can enable or constrain the effects of political reform strategies as they shape discourses (Kulawik, 2009; Freidenvall and Krook, 2011; Kenny, 2013).

Situating frames and framing within the institutional setting highlights how ‘framing as a process challenges, even as it is constrained by, discursive logics’ (Ferree and Merrill, 2000: 461). It draws attention to the degree to which actors can challenge meanings and frames embedded within institutional discourses and practices in attempts to subvert them. These discursive challenges can be transformative in constructing ‘new words’, which may result in ‘new worlds’ emerging (Ferree and Merrill, 2000: 461). Even as feminist actors attempt to subvert hegemonic power relations embedded within institutions, they must do so within the discursive parameters of institutions and need to contend with the existing master frames and dominant ‘ways of working’.

FDI scholars emphasise the necessity in examining actors’ intentional and strategic actions in generating change and the unintentional frames that unconsciously influence the framing process and discursive content of frames (Bacchi, 1999, 2009; see also Ferree and Merrill, 2000). Lombardo and Forest (2015: 230) draw attention to the ways in which norms may ‘slip’ into actors’ representations of the problem, which in turn, may be unintentionally incorporated within the framing of policies. Drawing upon the example of family policies, they illustrate how hegemonic norms and discourses which prioritise the labour market may attempt to reconcile the relationship between family and work by framing it as a market productivity problem rather than a gender equality problem (Lombardo and Forest, 2015: 230). Nevertheless, despite the
unintentionality of these frames, they (re)produce hegemonic discourses and norms, likely with detrimental effects in advancing equality.

Hegemonic discourses and norms influence what frames are ‘available in a certain context and moment’ (Lombardo and Forest, 2015: 230) and which ones are successful, and therefore actors who attempt to subvert these gender regimes may find themselves unconsciously and unintentionally upholding these discursive logics. Moreover, as actors and movements must navigate institutional spaces (see Schmidt, 2010, 2008), their aspirations may be compounded by the realities of operating within different institutional spaces and contending with hegemonic discourses, norms and practices in particular contexts (Bacchi, 2005a; Bacchi, 2009; Hašková and Saxonberg, 2011; Lombardo and Forest, 2015). Even the most influential actors with considerable legitimacy and power in the framing process must contend with existing discourses, frames and gender regimes in the institutional space, and these, in turn, influence the directions and discourses of actors and their actions (Bacchi, 2009; Chappell, 2006; Lombardo et al., 2009).

Unintentional frames are particularly likely to constrain feminist policy change if embedded within path-dependent structures and institutions. Thus, an FHI approach to frame theory is necessary to explore these dynamics of change and continuity, and how actors and movements can be constrained by previous framing and discursive strategies and tactics.

2.2.4 Feminist Historical Institutionalism: path dependency, continuity and policy

Alongside FDI, the thesis’ theoretical approach adopts tools from feminist historical institutionalism (FHI). FHI scholars’ focus on the meso- and macro-levels to explore and explain institutional and policy change, highlighting the consequences of policy trajectories and the ways in which ‘institutions mediate politics’ (Grace, 2011: 97). FHI scholars’ conceptualisation of institutions, change and continuity – especially their attentiveness to timing and sequencing - is advantageous in understanding policy change as it emphasises how particular institutions and regimes arise, how they are gendered, raced, classed (and so on), and why it is often difficult to change them (Chappell, 2006). The emphasis on timing and sequencing highlights that what happens and when ‘matters’ for enhancing change. Paul Pierson (2000: 72) argues that to enrich understandings of the complexity of change and continuity, scholars must place politics in time, ‘systematically situating particular moments in a temporal sequences of events and processes’.

Thus, an FI approach situates frames within the institutions that support them (Schön and Rein, 1994; Benford and Snow, 2000) and draws attention to the processes of timing and sequencing in enabling or constraining the (re)framing of policy problems over time.
FHI’s attentiveness to timing and sequencing makes a synthesis between frame theory and FHI possible and invaluable. Social movement literature has long been interested in the relationship between political opportunity structures - such as changes in institutional structures or establishment of new institutions and arrangements - and movement mobilisation (Benford and Snow, 2000; Ferree et al., 2002; Meyer, 2004; McCammon et al., 2007; Giugni, 2011; McCammon and Brockman, 2019). McAdam (1996: 27) identifies four dimensions of political opportunity structures, helping to understand how they impact upon the effectiveness of social movements: (1) openness or closure of institutionalised political system; (2) the stability or instability of that broad set of elite alignments that typically undergird a polity; (3) the presence or absence of elite allies; (4) the state’s capacity and propensity for repression. Frame theorists thus emphasise the necessity of political opportunity structures to offer new discursive spaces for movements and actors to influence policy and effect social change (Schön and Rein, 1994; Gamson and Meyer, 1996). They point towards the interactive relationship between new opportunities and social movements, highlighting how opportunities shape or constrain movements, but that movements also create opportunities (Gamson and Meyer, 1996: 276).

FHI scholars have also become increasingly interested in the possibilities of constitutional change and institutional restructuring, such as devolution, in providing new political opportunity structures to re-gender political and policy-making institutions and offer new discursive spaces for feminist actors to influence policy development (Mackay, 2010; Celis et al., 2013). There has been considerable empirical and theoretical interest in the Scottish case in highlighting the relationship between new political opportunity structures and new discursive spaces for feminists to enhance positive gender change (Mackay et al., 2003; Mackay, 2010; Charles and Mackay, 2013; Kenny, 2013; Kenny and Mackay, 2020).

However, opportunities for policy and political change should not be overstated as FHI scholars highlight that past choices often hinder future developments and institutional change through the concept of ‘path-dependency’ (Mackay, 2014; Kenny, 2013; Waylen, 2009; Chappell, 2011; Björnehed and Erikson, 2018). Path-dependency relates to the idea that choices made early on in an institution’s ‘life’ determine or restrict future choices. The crucial feature of this historical process is the notion of positive feedback, as it highlights how once a particular path becomes established, self-reinforcing processes make reversal very difficult (Pierson, 2004). Simply put, positive feedback means that ‘history is remembered’ (Pierson, 2000b). Thelen (1999) has rightly cautioned against the deterministic application of path-dependency and the tendency to overstate implications of critical junctures (Pierson, 2000b). As Pierson (2000a: 76, 2000b) argues, path-dependency does not ‘freeze’ existing institutional arrangements, but any change that does occur
is ‘bounded change’ – as existing paths make change difficult. Due to the interconnected nature of frames and institutions (Schön and Rein, 1994; see Benford and Snow, 2000), institutional legacies are likely to impact upon and (re)produce policy legacies.

Even new institutions are products of past practices (Goodin, 1996), and therefore synthesising an FHI approach and frame theory highlights the complexities of framing and reframing policy problems over time. Empirical research emphasises that change in one institutional arena may be enabled or constrained by the effects of another, which highlights the difficulties in embedding gender reform (Waylen, 2007; Chappell, 2011; Kenny, 2013; Mackay, 2014). New institutions are informed by ‘legacies of the past’, which include material legacies and existing patterns of power relations and distribution (Lowndes and Wilson, 2001: 643), and normative legacies – ‘frames of mind’ and ‘habits of heart’ (Goodin, 1996; Mackay, 2014). Mackay (2014) emphasises that the gender regime is a part of the ongoing dynamics in which reform efforts are ‘nested’ and which they must contend, resulting in the coexistence of change and continuity. Drawing upon post-devolution Scotland as a case study, Mackay demonstrates the relationship between old and new institutions, highlights the ways in which the Westminster model has acted as a ‘drag’ to innovation and change in new institutions established through devolution. The concept of ‘nested newness’ is advantageous in exploring and explaining the possibilities and limits of change by highlighting how institutional and policy innovation is actively resisted or passively neglected through a complex combination of ‘remembering the old’ and ‘forgetting the new’ (Mackay, 2014: 2-3).

Policies can also be susceptible to path-dependent dynamics, but this is a rather unorthodox approach as FHI literature has predominately focused on institutional continuity and change (Pierson, 1993, 2000a). Policies are assumed to be more susceptible to change than the rules of formal institutions; however, they are still extremely ‘prominent constraining features of the political environment’ (Pierson, 2000: 35) and can be surprisingly durable (Rose, 1990). Policies backed by the power of the state signal to actors what is possible to be done and what cannot be done, and they establish rewards or penalties associated with particular activities and behaviours (Pierson, 1993, 2000a). Drawing upon a feminist institutionalist approach, Annica Kronsell (2016) illustrates the path-dependency and durability of both policies and gendered relations through the example of the European Union’s (EU) Security and Defense policy. Kronsell argues that despite advancements in EU gender mainstreaming and equality policies, the historic and hegemonic ‘gender war roles’ feature of policy-making, military organisations, and institutions has persisted, proving challenging for actors to shift.
Perhaps less developed in policy studies is the exploration of the effects of the sequencing of frames on future policy change. Scholars employing a constructivist and institutionalist approach have highlighted the enabling effects of the sequencing of frames on future policy development and (re)framing of policy problems. Josefina Erikson (2017: 160) illustrates this in her case study on the Swedish prostitution policy. She argues that the institutionalisation of an abolitionist frame prior to introducing and institutionalising a gendered frame was critical in shaping the direction of policy development and reducing resistance. Additionally, it enabled debate and advancement of approaches and frames to the problem over time, leading to Sweden’s distinct and novel approach to the policy problem.

However, the sequencing of frames can also have constraining effects on future policy directions and developments. As mentioned, actors and their frames must operate within the discursive parameters of institutions and existing policy arrangements, and dominant discourses and master frames often shape the resources and incentives of actors and organisations (Pierson, 1993, 2000a). As a result, policy problems can become anchored – or ‘fixed’ - to one particular construction and definition, therefore losing its dynamism and limiting opportunities for change (Lombardo et al., 2009). The fixing of concepts and definitions has the potential to oversimplify social problems and policy solutions, and the path-dependent structures of policy can close off opportunities to focus on other aspects or constructions of the problem (Squires, 2009). The unintended consequences of frames and their effects on future (re)framing and policy change is illustrated by Emma Björnehed’s (2012) case study of the Nepal conflict and peace. She highlights how the adoption and institutionalisation of a terrorism frame, which labelled Maoists as terrorists, was originally instrumental for actors in achieving their desired ideational and discursive change. Yet, actors later became entrapped and restricted by the frame, resulting in unintended consequences during the negotiation stages by preventing the initiation of dialogue (Björnehed, 2012: 136-138).

In sum, a synthesis between frame theory, feminist discursive institutionalism, and feminist historical institutionalism highlights the interaction between frames, institutions, and actors. It is valuable in providing critical insights into the roles of discourse, power, history, timing, and sequencing in enabling or constraining policy change. However, to provide sharper analytical tools in exploring power and inequalities within framing processes, my FI approach employs an intersectional lens. It argues that scholars must move beyond analyses of gender to explore and explain how intersecting power relations operate and shape framing processes, impacting upon which frames are ‘locked in’ policy over time.
2.3 Applying an intersectional lens

Feminist scholars have increasingly engaged with intersectionality to move beyond singular analyses of gender to conceptualise and understand interlocking structural inequalities. At the same time, there has been a recent trend in ‘stretching’ the concept of gender to apply intersectionality in equality policies (Verloo, 2007; see Dombos et al., 2012). This increased popularity of intersectionality can be traced back to critical race scholar Kimberlé Crenshaw (1989; 1991), who first coined the term to address and scrutinise the single-axis framework in legal doctrines, anti-racism, and feminist activism and scholarship. In exploring the intersection of race and gender, Crenshaw critiques practices that treat these axes of difference as mutually exclusive categories of oppression as it erases the experiences of minority women.

Crenshaw’s contribution to intersectionality scholarship has been significant, particularly in offering the terminology and analytical tools to describe and examine interlocking social inequalities, but there has been a long history of Black feminist scholarship and activism emphasising the interconnected systems of discrimination (Hill Collins, 1990; hooks, 1984; Lorde, 1984; Matsuda, 1991; Combahee River Collective, 1977). This scholarship has emphasised that structural systems of oppression are ‘reciprocally constructing phenomena’ rather than mutually exclusive and additive (Collins, 2015: 2; Bilge, 2013; Crenshaw, 1989; Hancock, 2016; Hill Collins, 1990; Hill Collins and Bilge, 2016). Therefore, intersectionality is advantageous in examining the oppression of individuals or marginalised groups and highlighting the complexity of experiences, social life, and divisions. This focus on the micro-individual level illuminates how individuals and groups embody various interlocking categories of difference marked by privilege or oppression and how this impacts what people can see and do (see Rich, 1987) and their experiences of the social world.

Moving towards the meso and micro-levels, an intersectional lens provides crucial insights into how power, inclusion, and exclusion operate within framing processes. These power imbalances impact upon which frames are most salient and which actors are included or excluded from framing processes. This is accomplished by focusing on what Rita Kaur Dhamoon (2011: 233) coins as the ‘processes of differentiation’ and the ‘systems of domination’. Examining processes highlights the ways in which discourses, practices, and institutional processes produce social groups, differences and inequalities through the processes of gendering, racializing, classing, sexualising, and so on. At the same time, being attuned to systems emphasises the interconnected structures of domination, such as racism, sexism, heterosexism, ableism, and so on (Dhamoon, 2011: 234). Therefore, an intersectional lens to the study of policy change
provides crucial insights into the ‘systematic way that social norms, law, practices, and institutions advantage certain groups and forms of life and disadvantage others’ (Weldon, 2006a: 236). It enables analyses of how groups of women, children, and young people are situated vis-à-vis other individuals and social groups by social norms, processes, rules and institutions and the extent to which they can mobilise and effect policy change (Hurtado, 1989).

To provide a fuller picture of how institutions and framing processes (re)produce marginalisation, inequalities, and systems of domination, and how this impacts upon policy change and continuity, this thesis looks at the intersection of race and gender, building off the work of Crenshaw (1989, 1991) and Hill Collins (1990, 1998). It also takes a novel approach to intersectionality by being attentive to the marginalisation and exclusion of children and young people (CYP). These intersections reflect the two main trends in Scottish domestic abuse policy around frame contestations, the politics of inclusion and exclusion, and the under interrogation and inarticulation of intersectional marginalisation (as will be demonstrated in later chapters).

Firstly, exploring the intersection of race and gender, intersectional feminists have critiqued ‘hegemonic’ feminist theory for advancing simplistic assumptions around the universality of women, which has been predominately centred around white, middle class, heterosexual women (Hill Collins, 1991; Lorde, 1984). This homogenisation of women and (re)production of single-axis framings erases Black women as it focuses on the most privileged groups (Crenshaw, 1989). Furthermore, intersectionality scholars have shed light on circumstances where white feminists have been afforded epistemic power in defining policy problems, including domestic abuse (Crenshaw, 1989, 1991; Hill Collins, 1998), resulting in the marginalisation of intersectional frames. Moreover, focusing further on processes and change, Aaronette White (1999), through her case study of Black feminist mobilisation against rape in the United States, demonstrates how the framing process is shaped by race and gender and negotiated around racialized and gendered hierarchies. These social hierarchies are evident in policy-making institutions whereby some policies and practices advantage some social groups whilst marginalising others (Weldon, 2006a: 236).

This thesis is also concerned with the subordination of children and young people (CYP) in policy and institutions. The inclusion of CYP is accomplished in two interconnected ways: first, it employs a structural framing of age, moving beyond naturalised and physiological conceptualisations of age/youth, to understand how unequal power relations and marginalisation of CYP in institutional framing processes impacts upon effective policy outcomes and innovation. Framing childhood in structural terms highlights the dynamics of continuity and
change in the construction of children and youth (Qvortrup, 2009). While children grow up and enter adulthood, childhood remains a permanent segment of society (Olk, 2009: 25; Qvortrup, 2009). This structural perspective on childhood must be perceived in generational terms whereby children and adults are positioned differently in the social order, with differential levels of means, power, resources and influence, and thus they embody a social group or collective (Qvortrup, 2009). As such, it offers insights into how and to what extent CYP are excluded as a minority group from (adult) political and policy-making institutions (see James and James, 2004; Qvortrup, 1994).

Feminists have scrutinised the invisibility of CYP in policy-making and feminist theory (see Alanen, 1992, 1994; Thorne, 1987) and have attempted to ground childhood within power relations (Alanen, 2001, 2009; Honig, 2009). Building upon Jan Qvortrup’s (1985, 1987) structural conceptualisation of childhood, Lena Alanen’s (2009) concept of generational orders highlights how relations between adulthood and childhood are structured and ordered at the macro level through a hierarchal and institutionalised system insofar as childhood and adulthood are systematically produced and reproduced in relation to one another (Alanen, 2009; see Alanen, 1994; Qvortrup, 1994). The system of hierarchal ordering social categories is not too dissimilar from the notion of ‘gender orders’ in FI literature which examines the institutionalised gendered power relations between men and women (Connell, 1987, 2002) and their effects in enabling or constraining policy and institutional change and continuity. Thus, a structural approach to age that is attentive to institutions, discourses, everyday practices offers insights into how structural relations enhance power relations and (in)equalities (see Dickenson, 2011; Kustatscher et al., 2018) and affects the ability to generate policy change. These power relations are shaped at the macro-institutional levels through policies and legislation, as well as being (re)constructed in the micro-everyday interactions.

Second, an intersectional lens points to the diversity amongst CYP by including the dimension of age, which is often missing in feminist and intersectional scholarship (Thorne, 2004). Childhood studies offer an opportunity to further feminist theoretical debates around intersectionality and the politics of inclusion and exclusion in policy-making by considering how age interacts with other structures of oppression (Konstantoni and Emejulu, 2017). There has been a paradigm shift in sociological research and legislation in recognising age as an axes of difference (Hopkins and Pain, 2007) with attention paid to how it is socially constructed and how it interacts with other social structures to shape lives, childhood experiences, and experiences of policy problems. The social group of children and young people is heterogeneous as age intersects with race, gender and other axes of difference, impacting upon the significance of the child-adult relations
and power dynamics (Betz, 2008). The inclusion of age/youth as a structure of inequality provides a deeper analytical thinking of intersecting relations of power and how policies and laws regulate, frame and (re)produce inequalities in whose voice and experiences count in policy-making. Moreover, deepening understandings of children and their diversity in varied institutional contexts enhances feminist strategies for policy change and subverting power relations inherent in the production of knowledge and policy-making (Thorne, 1987).

In sum, an intersectional lens to my feminist institutionalist approach is attentive to diversity in identity, agency, and frames, alongside differences in structural positions and levels of power actors have in framing processes. An intersectional lens disaggregates actors by questioning assumptions around actors, particularly that they are unitary groups with shared goals, and points towards the necessity to look at inequalities within framing processes and groups of actors to understand what this means for reform and policy change. It highlights how some actors have epistemic power in naming and framing policy problems, whereas others do not and instead find their frames and voices marginalised. The following section brings together frames, institutions and actors to answer the ‘big questions’ around power, diversity, exclusion, and contestations.

2.4 Interconnections between frames, institutions, and actors

A feminist institutionalist (FI) approach offers a way forward for research on gender, intersectionality, and policy change, highlighting the inextricably interlinked factors of frames, institutions, and actors. Drawing on discursive, historical and intersectional approaches, it argues that an integrative approach is needed that recognises the diversity in identity, agency and frames, and how these shape power dynamics in institutional and movement framing processes. Building on these insights, I argue that an FI approach can take existing work on policy change and continuity forward in three additional ways. First, an FI approach complicates conceptualisations of actors by illuminating diversity and power inequities within different groups of actors - including women’s movements - in framing policy problems. It draws attention to how power inequalities within movements and across different sets of actors may become institutionalised through path-dependent structures, limiting the potential for future re-framing of policy problems. Second, it highlights the ways in which women’s movements collaborate with feminist actors, particularly those working within institutions, to enhance opportunities for policy change. Finally, an FI approach highlights the effects of institutional and external resistance to feminist frames, ideas, and discourses on policy change.
2.4.1 Women’s movements, collective action frames, and power inequities

Both frame theory and FDI assert the necessity in paying attention to actors, networks and movements to understand how they collectively construct ideas, frames and discourse, and how they navigate the discursive sites to generate policy and societal change. But who are these actors? How should we conceptualise and understand their role in generating new ideas, frames, and perspectives?

Frame theory provides fruitful insights into the relationship between frames and actors, especially social movements. Social movements are often key agents of policy and societal change. Feminist empirical literature suggests that strong and autonomous women’s movements, alongside strong women’s policy agencies, are crucial in influencing the political agenda to allow women’s issues to be acknowledged (Weldon, 2002a, 2002b). Through the collective process of interest articulation, women’s movements offer a strong form of representation of feminist and equality issues (Weldon, 2002a, 2002b). Without women’s movements, many issues, such as violence against women and girls, would rarely be raised as an issue (Weldon, 2002b). Frame theory literature has emphasised how social movements collectively negotiate and construct a shared understanding and construction of policy problems (Snow and Benford, 1988; Benford and Snow, 2000). At the same time, institutionally-focused feminist political scientists have become increasingly interested in women’s movements as sites of substantive representation of women – known as the process of ‘acting for’ women and their interests (Pitkin, 1967) - and in generating policy change (Stetson and Mazur, 1995; Mazur et al., 2016; Stetson, 2001; Weldon, 2002b; Celis et al., 2008).

Yet, FI, particularly FHI, has sometimes downplayed the importance of agency in enhancing policy change through its emphasis on continuity and path-dependent structures. This neglect has led to some FI scholars cautioning against underplaying the role of women as active agents in institutions (Freidenvall and Krook, 2011; Grace, 2011; Mackay, 2011; Vickers, 2011b), with Mackay and Waylen (2014) asserting the need to advance understandings of feminist strategies to consider the role they play in promoting or constraining institutional design, operation and change. An integrated FI approach takes a constructivist approach to define and engage with ‘agency’ by emphasising the ways in which actors and movements collectively draw upon ideas, frames and discourses to shape meanings and debates and (re)interpret policy problems in order to change policies and institutions (Bevir and Rhodes, 2003; Schmidt, 2008, 2011). It highlights how ‘who is speaking to whom about what where and why’ (Schmidt, 2011: 116) makes a
difference in enhancing policy change and developing policy frames over time, and how this process is imbued in power differentials.

By synthesising these approaches and drawing upon an intersectional lens, an integrated FI approach contributes to understanding how women’s movements influence the framing of policy problems. It provides crucial insights into how and why some frames are institutionalised and translated to master frames while others are unsuccessful and marginalised. To understand how movements generate policy change, it draws upon frame theory’s concept of collective action frames (CAF), which are ‘action-orientated sets of beliefs and meanings’ that ‘inspire and legitimise’ social movement activities and campaigns (Benford and Snow, 2000: 615).

Movement’s CAFs not only perform a ‘focusing and punctuating’ role by selecting and interpreting situations, events, discourses, and problems, but they simultaneously ‘function as modes of attribution and articulation’ (Benford and Snow, 1992: 137). They collectively propose diagnostic and prognostic attributions to problems – such as who or what is to blame for the social problem – and articulate the problem through a shared and unified understanding (Benford and Snow, 1992). As movements are central in generating policy change, it is salient to explore the discourses, frames, and actions they have selected to legitimise their position and increase the likelihood of policy change.

Yet, the construction of CAFs is not a straightforward process; it involves considerable negotiation and strategic shaping of policy problems. As such, it should be understood as a ‘contested process’ (Benford and Snow, 2000: 625), with the potential for internal conflicts – or intramovement contestations – over how the ‘reality’ of problems should be framed (Benford, 1997). Some scholars argue that these intramovement diagnostic disputes can be beneficial (Gerlach and Hine, 1970; Anderson and Dynes, 1973) as they result in reflection and elaboration of frames, which can enhance the movement’s ability to generate social change. On the other hand, some theorists contend that it can be detrimental in diverting attention away from the movement’s cause, and fragmentation can exacerbate resistance from policy opponents (Benford and Hunt, 1995).

Recent feminist engagement with frame theory has emphasised that internal diagnostic disputes within women’s movements is not surprising or novel as gender, intersectionality, and (in)equality are ‘essentially contested’ concepts (Squires, 1999: 54) and thus subject to multiple interpretations and applications in policy and practice (Jalušič, 2009). Rather than conceptualising women’s movements as united in their goal for equality, an intersectional lens highlights the diversity within women’s movements and points to the need to examine how privilege and
oppression influence what actors can see and do (Rich, 1987:198). It highlights how some actors have epistemic power in naming and framing policy problems, whereas others do not and find their frames and voices marginalised. Thus, discourses not only operate within dualistic power dynamics in that it impacts upon ‘what can be said, and thought’ (Ball, 2012: 17-18) but also ‘who can speak, when, where and with what authority’ (see also Bacchi, 2000).

Thus, an FI approach draws attention to the ways in which movement framing processes are imbued in power differentials and seeks to investigate how power inequalities around access and influence to policy-making may become institutionalised over time. It further emphasises that timing and sequencing are crucial to policy development. Sequencing highlights the contests over ‘political space’ in which potential actors seek ‘first-mover’ advantages, which has potential long-term impacts on the opportunities for those that arrive later (Pierson, 2004: 12). Some movement actors – especially those positioned as ‘early risers’ in the debate (see Minkoff, 1997: 780; Tarrow, 1998) – may be able to set the ‘rules of the game’ within movements and institutions (Pierson, 2004; Kenny and Mackay, 2009). These actors will therefore be able to take full advantage of the new institutional opportunities to frame policy, solidifying early advantages into lasting ones. In contrast, those that arrive later may find that particular institutional resources are ‘already committed to other patterns of mobilisation’ (Pierson, 2004: 71).

Path-dependency also shows how inequalities of power, including within movements, can be reinforced over time and become integrated and embedded into framing processes and institutional arrangements (Pierson, 2004). Thus, actors and movements may be locked into a current route as the option to exit is often unavailable, leading them to perceive that their voices and frames are marginalised by existing institutional arrangements (Pierson, 2000a). In turn, this impacts upon possibilities of policy change and (in)action as only the most powerful actors – or those with high positions within institutions and movements - can effectively translate their preferences and perspectives of the problem and frame the policy debate accordingly. Political and policy-making institutions, therefore, determine both the conditions and degree to which new policy solutions can be implemented. It also affects how intersectional issues, ideas, and frames are either promoted or constrained within particular institutional contexts (Franceschet, 2011: 82-3; Kenny, 2013) and movement framing processes.

Finally, who can and cannot speak in framing processes may also have repercussions in (un)intentionally marginalising subordinated groups, especially if policy is formulated by and with the most privileged groups in mind. An intersectional lens complicates understandings of interests and representative work by moving beyond essentialist assumptions of shared interests
(see Smooth, 2011; Phillips, 1995; Young, 2000) and asking which women, children and young peoples’ interests are articulated and examined. Crenshaw’s (1991) concept of political intersectionality is particularly advantageous in illuminating how women’s movements and policy-makers can often (re)produce the intersectional subordination of marginalised groups through their frames, strategic actions, and political tactics. The single-axis frameworks in some women’s and anti-racist movements have resulted in policies and priorities that have disregarded intersectional inequalities and erased the lived experiences of intersectionally marginalised women⁴, (re)producing ‘strategic silences’ (Crenshaw, 1991). Therefore, further demonstrating why it is essential to explore the framing process itself to uncover the power imbalances and framing activities that movements and actors employ to enhance opportunities for policy change.

### 2.4.2 Collaborations: movements and gender equity entrepreneurs

While women’s movements are integral in enhancing policy change, they do not exist in a vacuum, and for them to be successful in their goals, they must collaborate and network with actors who operate within policy-making and political institutions. Feminist literature on policy change has engaged with Alison Woodward’s (2003) concept of ‘velvet triangles’ to conceptualise the informal connections between feminist politicians, academics, and women’s movement organisations that work in partnership to develop and implement key strategies and policies. The term ‘velvet’ refers to the fact that almost all actors are women, working in a predominately male environment (Woodward, 2002). Therefore, policy-making ‘can be seen through the lens of the network and its personal relationships’ (Woodward, 2002: 385). Furthering this, FDI scholars have emphasised the necessity of women’s movements collaborating with feminist ‘insiders’ – bureaucrats and legislators who share feminist ideas, discourses and frames – to (re)gender political and policy-making institutions. FDI scholars have emphasised that actors are ‘sentient’ not just because they have ideas and thoughts but also because they share ideas that can result in communication and collective action to change their institutions and policy (see Schmidt, 2008, 2011).

Policy analysts and scholars that explore the politics of ideas have drawn upon the concept of ‘policy entrepreneurs’ to conceptualise actors who work collectively to initiate policy change (see Baumgartner and Jones, 1993; Kingdon, 1995, 1984; Mintrom and Vergari, 1996; Kingdon, 1995, 1984; Mintrom, 1997; Mintrom and Norman, 2009; Mintrom and Vergari, 1998; Schön, 1971). This conceptualisation of actors enables a more nuanced synthesis and interconnection between

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⁴ Crenshaw predominately focuses on minority women, but the concept of strategic silences could be expanded and applied to understand children and young people’s marginalisation in policy.
frames, institutions and actors as it necessitates how actors use several activities, tactics and strategies to translate their ideas and frames in policy within institutions (see Mintrom, 1997) and how there can be conflicts – including intramovement disputes – over the interpretation and framing of problems. Policy entrepreneurs play a crucial role in identifying policy problems in ways that attract the attention of decision-makers and indicate appropriate solutions to the problems. They are interested in selling their ideas which have been designed to influence dynamic policy change. Successful policy entrepreneurs are those who define the policy problem carefully and make effective networks and contacts so that their ideas are heard (Mintrom and Vergari, 1996) and are distinguished from other actors by their decision to take risks and their attempts to bring new policy ideas into ‘good currency’ (Schön 1971: 123). As policy literature emphasises, policy entrepreneurs can work individually, but they are more likely to be successful in instating policy change by collaborating with other actors and movements due to the ‘basic collective nature of ideational change’ (Lynggaard, 2007: 297).

However, empirical and theoretical applications of the concept of policy entrepreneurs have largely lacked a feminist and intersectional lens. Therefore, feminist scholars have built upon theories of policy entrepreneurs by gendering the concept. Louise Chappell (2006) uses the term ‘gender equity entrepreneurship’ as sources of institutional and policy change in her research on feminist strategies in multi-level institutions in Canada and Australia (see Chappell, 2002). Chappell (2002, 2006) asserts that political institutions shape feminist claims and strategies but cautions that this is not simply a top-down relationship as feminists also shape institutions. Yet, an intersectional lens reminds us to be attentive to interlocking social structures beyond gender. Therefore, this thesis applies an intersectional lens to its conceptualisations of ‘equity entrepreneurs’, enabling exploration of how institutional framing processes are shaped by intersectional power relations and how this impacts upon the success of actors frames and their tactics in generating policy change.

Yet, not all actors operating within and outside of actors are open to collaborating with women’s movements to introduce and integrate feminist frames in policy. Instead, some actors are resistant to feminist ideas, discourses, and norms, likely with profound effects on the success of institutionalising these frames. Therefore, an integrated FI approach draws attention to the effects of institutional and policy antagonists’ resistance to feminist frames, ideas, and discourses on women’s movements strategies and policy change.
2.4.3 External resistance and women’s movements

Women’s movements and equity entrepreneurs must contend with external resistance to their frames and ideas. External resistance is to be expected as actors do not systematically accept frames, and thus debates can occur, which are ‘essentially disputes over reality’ (Benford and Snow, 2000: 626). Feminists have transformative agendas in attempts to subvert hegemonic power relations embedded within institutions to promote women’s rights, gender equality (Jahan, 1995) and policies that enhance positive change. As such, feminists are continually entangled in discursive struggles over the interpretation and reinterpretation of policy problems, such as violence against women, abortion, and sexual health, at various levels of governance. These contestations are often steeped in gendered and intersectional assumptions around legitimacy, knowledge and power and backlashes towards feminist politics.

Schön and Rein (1994) distinguish between three types of policy contestations: (1) policy disagreements which can be overcome through negotiations of discourses and constructions of meaning; (2) policy disputes which are a form of stubborn resistance with no inherent conclusions; and (3) policy controversies whereby the framing process is a continual discursive struggle over the interpretation and reinterpretation of policy problems. Policy controversies exist where opposing actors hold contesting and contrasting frames that may be mutually incompatible with how actors and movements conceptualise the policy problem. Frames that are not perceived as promoting actors’ interests are conceptualised as ‘conflicting’, particularly as different frames generate different policy solutions to the policy problem (Schön and Rein, 1994).

However, policy contestations do not always negatively impact the ability of movements to enact social change; instead, they can enhance reflexivity and innovation. Frame reflection can help overcome policy conflicts by considering the limitations of frames and how others perceive them, thus preventing frame-induced blindness (see van Hulst and Yanow, 2016; Schön and Rein, 1994). Even more, engaging in this reflective process may enable actors and social movements to explore and grapple with how their frames could potentially be preventing them from generating dynamic policy change (van Hulst and Yanow, 2016). At the same time, the effects of external resistance should not be understated as it may also negatively impact upon the movement’s frames, activities and strategies and ability to affect policy change. It may result in movements (un)intentionally upholding the discursive logics of the institutions in which they operate within. Thus, an FI approach is attentive to the contentious and complex nature of framing policy within policy-making institutions and movements, focusing on both external and
internal contestations and their positive and negative effects in framing policy and generating change over time.

2.5 Conclusion

This chapter set out to evaluate the potential for synthesis between feminist and mainstream approaches to fill gaps in how they conceptualise and explore the complex dynamics of policy change and continuity, with particular attention to how policy problems are framed and re-framed over time. Drawing on insights from feminist historical institutionalism, feminist discursive institutionalism, frame theory, and intersectionality, this chapter presented an FI approach focused on answering and contributing to the ‘big questions’ around policy change, power, contestations, and inclusion and exclusion. It achieves this by drawing attention to processes, timing, sequencing, history, discourses, and power.

First, in line with other studies (Erikson, 2017, 2019b; Björnehed and Erikson, 2018), it argues the necessity of exploring the discursive content of frames and framing processes. It argues that delving into the framing processes highlights who is involved or excluded, which institutions matter, and which frames are most salient. Second, an FI approach draws attention to timing by examining policy frames and processes over time, highlighting the contexts and conditions which enable change. It also emphasises the importance of the sequencing of frames, illuminating how policy ‘paths’ become established and examining their effects in enabling or constraining future (re)framing of policy problems. Third, it points towards the importance of history, especially for new institutions, in exploring and explaining how and why change can be resisted or neglected and the effects of institutional and policy legacies on (re)framing policy problems. Fourth, an FI approach takes the role of discourse and power seriously, highlighting how hegemonic institutional rules, norms, and discourses can constrain or enhance feminist discursive strategies for change. Finally, through an intersectional lens, an FI approach delves further into the diversity of actors and their frames. It draws attention to how power operates within institutional and movement framing processes, resulting in power imbalances, contestations, and resistance and impacting upon the marginalisation or dominance of particular policy frames. I argue that without exploring all of these dimensions together, we would not be able to grapple with the complexity of policy change and stability.

This study develops this analytical framework through a single case study of domestic abuse policy-making in post-devolution Scotland. As a complex and contentious issue, domestic abuse offers an invaluable lens to demonstrates its analytical strengths in exploring and explaining how the framing policy problems change, develop, and dominate over time, and with what effects.
The following chapter illustrates the value of domestic abuse policy in exploring and explaining policy change over time by examining academic debates, contestations, and disputes around framing the problem and their effects in shaping policy and service provision.
Chapter 3: Debates, Disputes, and Contestations in Framing Domestic Abuse

3.1 Introduction

Having set out my feminist institutionalist approach, this chapter turns to the specific policy area of domestic abuse, exploring framings, debates, and contestations around constructing the ‘problem’. As Chapter 2 argued, being attuned to contestations and resistance within movements and institutions is crucial as it provides insights into their positive or negative impacts in effecting policy change. Domestic abuse offers a valuable lens in delving into these debates and their effects on (re)framing policy problems as it is a complex and contentious issue involving various sets of actors operating within and outside of institutions. These actors have diverse and often competing and conflicting framings of domestic abuse, which is vital as different frames generate different policy solutions to the problem (Schön and Rein, 1994). In focusing on debates and contestations in domestic abuse scholarship, this chapter provides insights into the ways in which academic knowledge influences and shapes policy and policy-making approaches.

This strong relationship between feminist academic concepts and policy is especially the case in framing domestic abuse policy and legislation in the Scottish context as there has been considerable learning and transference from feminist theoretical approaches to policy practice, which the thesis explores further in subsequent chapters.

This chapter argues that academic debates around framing domestic abuse have taken two distinct but interconnected forms as they simultaneously affect policy discourses and directions and may concurrently strengthen or weaken the ability for actors to draw upon and incorporate alternative frames in policy and enhance opportunities for feminist policy change. The first debate is about feminism and the suitability of gendered frames in explaining violence and is predominately voiced by non-feminist scholars, most notably family violence theorists (see Gelles and Straus, 1979; Straus et al., 1996; Straus and Gelles, 1990). The second encompasses debates and contestations within feminism over the limitations of gendered frames in reflecting the diverse and multifaceted dimensions of violence, resulting in the marginalisation of intersectionally subordinated victims/survivors. In doing so, the chapter makes the theoretical case for complicating single-axis thinking and approaches to the problem of domestic abuse (cf. Crenshaw, 1991; Nixon and Humphreys, 2010; Sokoloff and Dupont, 2005). Re-conceptualising domestic abuse through intersectionality challenges the (gendered) assumptions rooted in policy and practice and offers a more complex approach to understanding the dynamics of violence.
(see Hill Collins, 1998), preventing the erasure of subordinated individuals and social groups. Moreover, intersectionality provides the analytical tools to explore the wider questions of inclusion and exclusion in framing domestic abuse by discerning what is seen as a problem, what should be done about it, and who has epistemic power in naming and framing the problem.

3.2 Disputes in framing domestic abuse: about feminism

‘Violence’ and ‘abuse’ are socially constructed phenomena as who and what is framed as violent or abusive, as well as the causes and consequences of violence, reflects the socio-cultural, political and historical conditions in particular contexts (de Haan, 2008). Violence is, therefore, a ‘slippery term’ (Levi and Maguire, 2002; see also de Haan, 2008) which can be filled in and shaped by different actors in attempts to give meaning to it (see Benford and Snow, 2000). The meaning of violence is constructed by the process of naming and framing whereby certain aspects are selected and named for attention to fit the frame of the situation (Schön and Rein, 1994). This process pinpoints certain aspects to focus on in an ‘overwhelmingly complex reality’, enabling coherent organisation and mobilisation of the policy problem (Schön and Rein, 1994: 30).

As emphasised in Chapter 2, debates can occur over the interpretation and construction of policy problems (Benford and Snow, 2000). Therefore, unsurprisingly, disputes and contestations exist in signifying and defining domestic abuse. The most apparent contestations in domestic abuse policy-making, academia and activism are those between feminist and non-feminist actors – which I conceptualise as debates about feminism. By ‘apparent’, I mean that there are fundamental differences in their constructions of the reality of domestic abuse, and each ‘side’ draws upon opposing and different methodologies, analyses, and evidence to construct the diagnosis and prognosis of the problem in attempts to influence policy change. These differences primarily centre around the position of gender, more specifically patriarchy, in defining and explaining violence. Non-feminist family violence perspectives draw upon gender-neutral explanatory theories, while feminists broadly assert the necessity of gendered frames to effectively reflect the dynamics of abuse. The differences in standpoint over the value of gendered frames in explaining domestic abuse is not a form of contestation that can be ‘settled by reasoned discourse’ (Schön and Rein, 1994: 3), but instead is an enduring dispute over the naming and framing of the problem.

Before delving into these debates, the chapter discerns how feminist scholars have framed domestic abuse as a gendered problem and explores how discourses, frames, and approaches have changed since the 1970s. The following section engages with family violence theories and
their claims of gender neutrality. The chapter then examines debates around the gender
(a)symmetry of domestic abuse, engaging with feminist responses towards these gender-neutral
claims. It considers whether we can bridge the gap between these contesting standpoints and
evaluates the impact these disputes have on policy discourses, change, and continuity.

3.2.1 Framing domestic abuse: feminist theory
Since the 1970s, there has been an increase in feminist attention and awareness of the problem
of domestic abuse. Rebecca and Russell Dobash’s (1979) book Violence Against Wives was ground-
breaking in highlighting the gendered problem of domestic abuse. Conducted in Scotland, the
research with women victims/survivors documented how women were more likely to be abused
or killed by their husbands than a stranger and situated this violence within the historical, social,
and political context of patriarchy. Feminists have continued to draw upon gendered discourses,
frames and definitions to raise awareness of the dynamics of violence, and in doing so, they have
attached a gendered meaning to the problem (Bacchi, 1999). According to feminist empirical
research, domestic abuse is overwhelmingly perpetrated by men against women and is associated
with embedded cultural assumptions of the roles of men and women and constructions of
masculinity and femininity (Hearn and McKie, 2010; McFeely et al., 2013; Lombard and
McMillan, 2013). Therefore, domestic abuse is framed as both a cause and consequence of
gender inequality (Dobash and Dobash, 1979; Radford et al., 2000; Brownmiller, 1976).
Feminists emphasise the necessity of framing domestic abuse as gendered as it considers social
structures, gender roles, gender dichotomies, and how they impact and increase women and girls’
vulnerability to violence (Kelly, 1988).

This framing of domestic abuse also takes into account how institutions, systems and social
structures (re)produce gender inequality and violence. The role of institutions and
institutionalised gender regimes (Connell, 2002) in enabling, normalising, and reproducing
domestic abuse echoes feminist institutionalist scholars’ attentiveness to patriarchal power and
gender relations and how these institutional structures influence ideas, frames, and policies (as
discussed in Chapter 2). Situating framings of domestic abuse within their institutional context
highlights how the problem is not a deviation of the gender order but rather an enforcement of
it (Connell, 1987). As such, it is deeply embedded in institutionalised power inequalities and male
privilege. The attentiveness to the relationship between institutions, frames, and domestic abuse
moves analyses of the causes and consequences of violence from the gendered micro-level
(individual misogyny and identities) to the gendered meso- and macro-level (gender interactions,
social structures, institutions, discourses and norms) (Johnson, 2008). It prevents the
individualisation and pathologisation of domestic abuse evident in some sociological theories of violence (see family violence theories below) as it frames violence as a systemic gendered problem that pervades all parts of society. It is systemic as it accepted and perpetuated in everyday life and interactions, which bell hooks (1984: 120) characterises as ‘the most blatant expression of the use of abusive force to maintain domination and control.’ Thus, feminists have emphasised that domestic abuse and other forms of violence should be conceptualised as rooted in patriarchal rule that supports the domination of women (Millett, 1977). As such, it emphasises that gender explicitly ‘matters’ and frames inequality as a political problem that requires state interventions, institutional responses, and policy solutions (see Jalušić, 2009).

This gendered framing of domestic abuse has also been embedded in service provision and policy-making in the United Kingdom (UK) and further afield. Since the 1980s, feminist academics, practitioners and policy-makers have drawn upon the Duluth Model (also called the Domestic Abuse Intervention Programme) to offer a more nuanced conceptualisation and framing of domestic abuse. The Duluth Model was created in the United States in 1981 to protect domestic abuse victims/survivors and reduce violence. Scholars documented the tactics within the Power and Control wheel as the most common abusive behaviours or tactics that were used against women in the programme and that were the most universally experienced (see Shepard and Pence, 1999) (see Figure 3.1). The model is grounded in feminist framings of domestic abuse and centres around how men use violence and abuse to enact power and control over their partners in everyday life.
Feminists have drawn on the Duluth model and different terminologies to describe violence against women and highlight that abuse is not just physical but can also be emotional, psychological, sexual, and financial. Feminists have argued that the term ‘domestic abuse’ better reflects the range of behaviours that perpetrators use to control and dominate their partners (Lombard and Whiting, 2018), and some countries have adopted this terminology in policy and legislation, including Scotland. The shift in terminology reflects the lived experiences of victims/survivors who felt that their deprivation of freedom and rights were more detrimental to their wellbeing than acts of violence (Stark, 2007; Stark and Flitcraft, 1996; Jones and Schechter, 1993). The epistemic power of terminologies should not be understated as rather than simply neutral descriptors of policy problems; they attach meanings to problems impacting upon proposed solutions, change, and innovation (Bacchi, 1999). Therefore, shifting terminologies in line with victims/survivors experiences of domestic abuse may positively impact the effectiveness of proposed solutions and policy in addressing the problem. It highlights the necessity of involving victims/survivors in policy-making processes to bridge the gap between lived experiences and policies. Moreover, scholars have emphasised that policy frames are more
efficient and have more potency when actors framing the problem directly experience the issue (Benford and Snow, 1992, 1988).

Most recently, feminists have drawn upon the concept and terminology of ‘coercive control’ (Stark, 2007, 2018; Stark and Hester, 2019) to conceptualise the continuum of abuse that perpetrators subject victims/survivors to. Scholars frame coercive control as gendered as it relies on women’s vulnerability as women through their sexual subordination (Stark, 2007). Evan Stark (2007: 23) postulates that the primary harm that abusive men inflict is political, not physical, and reflects the deprivation of rights and resources that are ‘critical to personhood and citizenship’ and that the entrapment of abuse is gendered in its ‘construction, delivery and consequences’ (Stark, 2007: 205). Tactics of coercive control include controlling and constraining partners’ socialising, time, spending, and psychological or gaslighting (Stark and Hester, 2019). These tactics of coercive control build off gendered norms (in heterosexual relationships) in the household whereby men are afforded the major financial decisions and women predominately tend to the devalued household chores and childcare. Abusive men use these ‘hidden’ tactics to enact further control over their partner – they are hidden as the gendered segregation of tasks is normalised in many societies.

Moving beyond single forms of violence, Liz Kelly (1988), in her ground-breaking text *Surviving Sexual Violence*, framed violence as a continuum of women’s subordination. Kelly argued for connections between everyday interactions and forms of violence, such as domestic abuse, sexual violence, and sexual harassment, and grounded this within power and control. Likewise, feminists have drawn upon the concept of the continuum of violence to emphasise and explore how power and social control are (re)produced and normalised within the family and by the state, culture, and political and policy-making institutions (Millett, 1977; Kelly, 1988). Feminists assert the necessity of employing a unified approach to the problem in policy and practice, using the term violence against women and girls to conceptualise and demonstrate the links between all forms of gendered violence and patriarchal structures and inequalities. Yet, some actors and academic fields contest the gendered framing of violence, particularly family violence theorists.

### 3.2.2 Family violence theories: gender-neutral frames

Family violence theorists contest the gendered framing of domestic abuse and instead employ a gender-neutral approach to the problem. Rather than locating violence within patriarchal structures, family violence theorists frame violence as an expression of everyday life and gender-neutral conflict within the family (see Gelles and Straus, 1979; Straus et al., 1996; Straus and Gelles, 1990). It is framed as a ‘normal part of family life in most societies’ (Gelles and Straus,
1979: 549) and as just one expression of conflict with the family structure. These theories refer to family violence rather than intimate partner violence (which is the predominant focus in feminist theory) as the family is framed as the principal unit of analysis. Therefore, family violence theorists draw similarities between all forms of violence within the family, such as elder abuse, child abuse, sibling abuse, arguing they are all expressions of family conflict (Lawson, 2012).

The aim for scholars employing a family violence perspective is to understand how and why family members use violence to resolve conflict, and to do so, they draw upon multiple theories within the family violence framework (Lawson, 2012). Lawson (2012), in her detailed scoping of the sociological theories of violence, distinguishes these as systems theory (Straus, 1973; Giles-Sims, 1983); ecological theory (Dutton, 2006); social control theory (Gelles, 1983, 1999); and resource theory (Goode, 1971; Allen and Straus, 1979). Systems theory espouses the overarching argument that violence within the family is the norm and that violent conflict is a ‘systemic product’ rather than a result of individual characteristics (Straus, 1973). Therefore, to understand violence, scholars must be attentive to the characteristics of the family structure and system and how they impact the perpetration of violence (Giles-Sims, 1983). Ecological theory asserts that rather than focusing on structural factors, psychological and individual factors (while situating these within social environments and relationships) such as personality disorders, can explain violence, especially in cultures where there is relative gender equality (Dutton, 2006). For social control theorists, the perpetration of violence is explained through the principles of costs and rewards (Gelles, 1983) insofar as individuals use violence when the rewards outweigh the costs (Gelles, 1999). Social control theory is similar to feminist theories in its focus on the role of institutions in influencing violence, but they conceptualise this role and its effects in different ways. For social control theorists, they take institutions into account by considering the extent to which social institutions and agencies intervene in the private sphere of the family and contend that cultural normalisations of violence raise the rewards for violence (Gelles, 1999). Finally, resource theory proposes that people draw upon various available resources, such as income, education, and social status, to achieve their goals. The more resources one has, the more powerful one is. As Goode (1971) asserts, violence is used as a resource, but predominately by those who have restricted access to other resources and limited power. Violence is therefore used as a resource to assert dominance and control within the family and between partners.

The various strands of family violence theories rarely take gender into account. They critique feminist framings of violence for employing a single-variable analysis of patriarchy and for ignoring other socio-economic factors that may exacerbate and explain the perpetration of
violence between partners and in families (Gelles, 1993; Gelles and Straus, 1988; see also Anderson, 1997). These ontological and epistemological debates on the root causes, consequences, and meanings of violence have been ongoing for decades and are still evident today. As mentioned, these frame disputes are, in part, a result of feminist and family violence theorists drawing upon different evidential bases and interpretations and employing different strategies to frame the problem (Schön and Rein, 1994). These differences are especially apparent in the debates around the perpetration of abuse, known as the ‘(a)symmetry debate’ (Dobash and Dobash, 2004; McFeely et al., 2013).

3.2.3 The (a)symmetry of violence

Family violence researchers construct violence as symmetrical, with men and women equally likely to be victims or perpetrators of abuse. They primarily rely on an incident-based approach when measuring abuse and violence (Dobash and Dobash, 2004). Violence measured through an incident-based approach sometimes reveals that men are as likely to report abuse as their female partners (Straus and Gelles, 1990; Straus et al., 1996). However, measuring violence this way fails to consider the contextual factors and dynamics of abuse that result in differential experiences, nature, and risk of abuse and does not provide a detailed picture of the dynamics of domestic abuse (see McFeely et al., 2013). Instead, feminist scholars employ a descriptive approach to domestic abuse, which considers the impact, motivation, and context of violence to understand the phenomenon (Dobash and Dobash, 2004). Feminist research has revealed that men do not experience domestic abuse to the same extent or scale as women (Gadd et al., 2002) and that women are more likely to fear their partner, be more seriously injured, and feel trapped in the relationship (see Hester, 2013; Johnson, 2008). That is not to say that men cannot be victims of domestic abuse, but it is simply that the experiences are largely different and require different services and approaches. Yet, it must be noted that the perpetration of domestic abuse in LGBT+ relationships remains under-researched as feminist theories of violence have primarily examined abuse in heterosexual relationships (I return to intersectional critiques below).

Michael Johnson (2008, 2006, 2005) evaluates the asymmetry debate and the possibility of bridging the two theoretical frameworks. Johnson argues that these ontological disagreements are due to conceptualising the problem of violence as a unitary phenomenon rather than understanding the multiplicity of the forms and causes of violence. Johnson draws upon a typology to distinguish the different forms of violence: intimate terrorism, violent resistance,
mutual violent control⁵ and situational couple violence. The first three types of violence are
rooted within the dynamics of power and control, whereas situational couple violence is not
about control but instead is an escalation of conflict, although one should not downplay the
physical harm from this type of violence. Johnson maintains that family violence theorists
primarily focus on situational couple violence in their arguments that women are just as violent
as men, whereas feminist approaches research intimate terrorism and investigate the gendered
dynamics of coercive control. Johnson argues that intimate terrorism is what feminist researchers
mean by domestic abuse - it is violence embedded in patterns of coercive control. Johnson’s
typology focuses predominately on heterosexual couples and argues that intimate terrorism is
perpetrated almost entirely by men. The gender imbalance in the perpetration of intimate
terrorism is rooted in gendered micro, meso, and macro levels and is supported through
‘traditional or hostile attitudes towards women’ (Johnson, 2008: 106). The concept of violent
resistance is particularly advantageous in explaining how and why some actors may perceive the
perpetration of abuse as symmetrical as men are just as likely to be victims/survivors of abuse.
According to Johnson, violent resistance explains situations where the partner is violent and
controlling – they are an intimate terrorist - and the resister’s violence is in reaction to the control.

Bridging the gap between these conceptualisations of domestic abuse and furthering knowledge
of the causes and consequences of violence is pertinent for enhancing policy change and
innovation. Differences in the interpretations in the diagnosis and prognosis of the problem are
among the most significant problems associated with domestic abuse policy-making and service
provision (James-Hanman, 2000). The seriousness of differing epistemological constructions of
domestic abuse should not be underestimated as it impacts upon the diagnostic and prognostic
frames employed by actors and the effectiveness of policy outcomes in preventing and
eradicating domestic abuse. Feminists have emphasised that policies and services that do not
employ a gendered framing or approach to domestic abuse will be ineffective in supporting men
and women victims/survivors as it does not capture the realities of domestic abuse (Hearn and
McKie, 2010; McFeely et al., 2013; Lombard and McMillan, 2013). Moreover, embedding
gender-neutral frames and assuming that men and women experience violence in the same or
similar ways in policies and service provision will not guarantee ‘equality of outcome’ (McFeely et
al., 2013: 4). Instead, it renders the gendered dynamics of domestic abuse invisible. As what is
understood and known about a policy problem impacts upon the proposed solutions, gender-

⁵ Mutual violence control involves both partners striving for power and control in the relationship,
although Johnson argues that this only apparent in small number of cases and has been relatively under-
researched.
neutral frames are potentially dangerous and will likely have severe and real-world consequences for victims/survivors (Hanmer and Itzin, 2000; Itzin, 2000).

Moreover, in some cases, the asymmetry debate has been utilised by non-feminist actors to mobilise and shut down debates and discussions on domestic abuse to impede feminist policy and legislative change. Thus, as argued in Chapter 2, it is essential for scholars interested in (re)framing domestic abuse to explore how, and to what effect non-feminist actors resist and block the institutionalisation of feminist ideas, discourses, and frames. Therefore, the focus on domestic abuse further highlights how frames, institutions, and actors are inextricably interlinked and how they work together in enabling or constraining policy change.

Furthermore, as will be discussed further in Chapter 7, these policy disputes and contestations by non-feminist actors have impacted the perceived validity of gendered frames and the framing decisions and activities of feminists. For example, some feminist scholars have resisted or been reluctant to acknowledge that women might perpetrate abuse in same-sex relationships (Barnes and Donovan, 2018). This resistance is likely due to the attempts to limit the backlash against the gendered framing of domestic abuse, but this has ramifications on the extent to which victims/survivors feel they can report their abuse and their ability to secure support from domestic abuse services (Donovan and Hester, 2014; Barnes and Donovan, 2018). These implications highlight the interconnected attributions and effects of the disputes about feminism and contestations within feminism surrounding the legitimacy and effectiveness of gendered frames.

3.3 Contestations in framing domestic abuse: within feminism

The second frame contestation exists and operates within feminism and is similarly centred around the limitations of the gendered framing of domestic abuse. However, unlike the first policy dispute, the gendered dynamics of domestic abuse are not necessarily up for debate. Instead, intersectional scholars contest single-axis frameworks in feminist theory, policy, and service provision and emphasise the need to complicate gendered frames to reflect the multidimensional and intersectional dynamics of violence (Crenshaw, 1991; Sokoloff and Dupont, 2005; Nixon and Humphreys, 2010). Scholars exploring the intersection of race and gender have highlighted the marginalisation and silencing effects of single-axis gendered frames on victims/survivors who are intersectionally subordinated through interlocking systems of sexism and racism (Crenshaw, 1991; see Hill Collins, 1998). Moreover, the call for complicating dominant gendered narratives also echoes feminist and childhood theorists’ criticisms of the
central focus on women and gender in framing domestic abuse as it has (re)produced the passivity and exclusion of children and young people (CYP) in policy (see Mullender et al., 2002; Callaghan et al., 2018; Katz, 2016, 2019).

These debates should be conceptualised as policy controversies insofar as there is a continual discursive struggle within feminism over the interpretation of domestic abuse. As emphasised in Chapter 2, these policy controversies may be beneficial for the movement and policy-making as it encourages actors to reflect upon their frames by considering how others perceive them, what it enables them to do and see, and their limitations in generating social and policy change (see van Hulst and Yanow, 2016; Schön and Rein, 1994). In turn, this can prevent frame-induced blindness and may enable the women’s movements and equity entrepreneurs to elaborate their frames, positively impacting policy outcomes and enhancing the likelihood of feminist policy change and innovation.

This section explores feminist critiques of the single-axis framing of domestic abuse and asserts the advantages of employing intersectional frames to complicate our understanding of the problem. It begins with an overview of intersectional critiques of single-axis framings, drawing upon examples of intersectional research of domestic abuse. It then explores the intersection of race and gender and the marginalisation of children and young people in dominant framings of the problem. It examines these intersectional locations and subjugation as these are the most relevant to my study, as per my data.

### 3.3.1 Complicating the gendered framing of domestic abuse: intersectionality

In the same way that gender-neutral frames are inadequate and potentially dangerous as they obscure the realities of domestic abuse, intersectional scholars have argued single-axis framings of domestic abuse are dangerous for intersectionally marginalised victims/survivors. This is because it assumes that women are unified in their experiences of gender oppression and that women are at the same level of risk of domestic abuse (Richie, 2000; hooks, 1984; Hill Collins, 1998). In contrast, intersectional feminists draw attention to the ways in which power relations and interlocking structures of oppression influence the experiences, level of risk, and the ability of victims/survivors to seek help (Hill Collins, 1998; Sokoloff, 2005; Sokoloff and Dupont, 2005; Donovan and Hester, 2014). Thus, downplaying these intersectional dynamics in policy solutions and services will only serve victims/survivors who solely experience gender oppression (hooks, 1984), rendering minority women and children victims/survivors invisible.

There has been a growing demand for intersectional perspectives to be integrated into domestic abuse policy, activism and scholarship to pay greater attention to differences between and
amongst women, children, and young people (Nixon and Humphreys, 2010). Employing an intersectional lens in research has enabled scholars to describe and explore the additional and interconnected structural barriers that intersectionally marginalised victims/survivors face, which single-axis and gendered framings of the problem largely miss. For example, scholars interested in the intersection of gender and (dis)ability have found that perpetrators often further isolate disabled women, as their abusive partner is often their main caregiver and increases the opportunity for coercive control (Breckenridge, 2018), with the abuse ‘dressed up’ as caring (Thiara et al., 2011). Researchers exploring race, gender, and immigration status have highlighted how abusive partners often use women’s immigration status and their unfamiliarity with the law and policies as a means to exert control (Batsleer et al., 2002; Chantler et al., 2017). Research exploring violence in LGBT+ relationships have shown how abusive partners often threaten to ‘out’ their partner to their friends and families (Barnes and Donovan, 2018) and have critiqued the ‘heterosexism’ of gendered framings of coercive control (Hassouneh and Glass, 2008; see also Stark and Hester, 2019). Models on coercive control and intimate terrorism (see Johnson, 2008; Stark, 2007) have been based on heterosexual relationships, resulting in limited knowledge and research on the dynamics, severity and impacts of coercive control in same-sex relationships (Stark and Hester, 2019). The application of intersectional frames and approaches in this scholarly work is invaluable in highlighting the ways in which intersectional structural inequalities shape the meaning and nature of domestic abuse (Bograd, 1999).

### 3.3.2 Intersection of race and gender

There have been particular debates in feminist academia and policy-making in the UK around the intersectional marginalisation of black and minority ethnic (BME) victims/survivors in dominant narratives, framings, and definitions of domestic abuse. These debates and contestations have largely centred around the limitations of the gendered frames. Interestingly, these internal debates are similar to the external debates about feminism as they both centre on the contestation of the construction of perpetrators. As mentioned earlier, framing domestic abuse as gendered roots the problem in patriarchal rule and domination (Millett, 1977) and constructs the problem as a cause and consequence of gender inequality. As such, it is often framed as men’s violence against women, and in some contexts, this has been translated to policy, such as in Scotland.

Yet, the narrow focus on partners and men as perpetrators does not reflect the lived experiences of all victims/survivors. Research has highlighted that South Asian women, children and young people may experience abuse from extended family members – notably their in-laws – to control them to comply with patriarchal norms and structures (see Chantler and McCarry, 2019; Gill and
Anitha, 2011; Mirza, 2017a; Thiara and Gill, 2010). The dominant feminist narratives and framings of domestic abuse, through their focus on men’s violence against women, largely do not consider abuse perpetrated by extended family members, which remains a contentious point for women’s movement organisations that support minority women (as will be discussed in Chapter 8). This is significant as the definitions, frames and terminologies of a problem ‘provide parameters… as to what may, or may not be considered or highlighted in policy work’ (Hearn and McKie, 2010: 138), and often reflect the power inequities within the framing process (Hearn and McKie, 2010; Code, 1995; Richie, 2000) (see Chapter 2). Feminists have therefore advocated for more sophisticated approaches to conceptualisations of domestic abuse that reflect the structures of oppression that exacerbates violence and abuse in minority communities (Gangoli and Rew, 2011; Rew et al., 2013). Mirza (2017) argues that these approaches should be inclusive of family structures and relationships while still recognising the gendered dynamics of abuse as violence perpetrated by extended family members (including women family members) is grounded in patriarchal kinship structures, power differentials, and norms and discourses of honour and shame.

Sokoloff and Dupont (2005) offer an advantageous conceptual way of approaching the problem of domestic abuse and intersectionality, predominately focusing on the intersection of race, gender, and class (see Sokoloff, 2005). They argue that an intersectional approach to domestic abuse can be embedded while remaining sensitive to the gendered dynamics of violence. Scholars and policy-makers can achieve this by emphasising the structural underpinnings of domestic abuse whilst not denying individual lived experiences, structural inequalities, and the existence of (cultural) differences among women, children, and young people. This emphasis on diversity should not apply simplistic and problematic notions of culture, which often runs the risk of pathologising minority communities and upholding ‘difference’ (see Phoenix, 1987). The culturalist framings of domestic abuse often view violence in minority communities as endemic to their cultures, leading to ‘culture blaming’ (Chantler, 2018) and ineffective policy and practitioner responses. Policies that frame domestic abuse in minority communities as purely a cultural and/or religious issue lose the ability to examine the wider structural and systemic inequalities, such as racism, sexism, capitalism, and so on (Batsleer et al., 2002; Chantler and Thiara, 2017; Gill, 2018), and has wider implications on how actors frame the problem and institutional and state solutions and responses. Instead, Sokoloff and Dupont (2005: 45) argue that there should be an understanding of how ‘different communities’ cultural expressions of violence are mediated through structural forms of oppression’. This recognises how power relations and structural inequalities position communities and social groups in relation to one
another (Chantler, 2018) and the power relations rooted in institutional responses (see Harding, 1987; hooks, 1984; Lorde, 1981).

Moreover, this intersectional approach should employ a broader analysis of interlocking systems of oppression rather than a mutually exclusive or an additive approach (Sokoloff and Dupont, 2005) to enhance effective policy outcomes and change. An intersectional lens enables scholars and policy-makers to acknowledge individual’s experiences without losing the emphasis on the systemic patterns of oppression and inequality in which domestic abuse is perpetrated (Nixon and Humphreys, 2010). Losing sight of minority women, children, and young people’s narratives may result in the frame and solutions of domestic abuse being constructed too tightly and risks further marginalising victims/survivors’ experiences (Nixon and Humphreys, 2010: 150).

3.3.2 (In)visibility of children and young people

Alongside intersectional critiques of the dominant framings of domestic abuse, there have also been ongoing internal debates and contestations around the invisibility and marginalisation of CYP in domestic abuse literature and policy-making. The framing of domestic abuse policy and legal definitions have largely omitted children and young people (CYP) as victims/survivors (Houghton, 2015, 2018; Callaghan et al., 2018) or have conceptualised them as ‘secondary victims’ (Peled, 1998), passive witnesses, or ‘collateral damage’ (Callaghan et al., 2018: 1555; see Callaghan, 2015). This neglect is despite the wealth of feminist and childhood research, which highlights that the presence of domestic abuse can be a risk factor for direct physical abuse of children (Mullender et al., 2002; Humphreys and Stanley, 2006; Holt et al., 2008, 2017; Stanley, 2011; Mackay, 2018) and that CYP are negatively and directly affected by perpetrator’s coercive and controlling behaviours and tactics (Stark, 2007; Katz, 2016, 2019; Callaghan et al., 2018; Øverlien, 2013). Research on CYP’s experiences of domestic abuse have pointed to the culture of fear that they constantly have to negotiate, the coping strategies they employ, and their perspectives on abuse (Kelly, 1994; Mullender et al., 2002; Øverlien, 2013; Callaghan, 2015; Katz, 2015a; Fellin et al., 2019).

Mainstream approaches to domestic abuse that frame violence as a means to exert patriarchal rule and power do not fully explain the relational power dynamics between adults and children. The institutionalised and normalised power hierarchy embedded within the generational orders results in children being ‘marginalized as a source of information about their own lives’ and ‘readily ignored in the design and delivery of policy and practice responses’ (Mullender et al., 2002: 3). The construction of CYP as the incompetent ‘other’ (Skolnick, 1975; Fitz, 1981; Hood-Williams, 1990) naturalises and normalises the dominance of adult perspectives in defining and
framing violence. Moreover, while feminist actors have been particularly conducive in advancing positive change in how CYP are represented in policy to challenge hegemonic social and political relations (Therborn, 1993; James, 2009), they have also at times (un)intentionally (re)produced the subordination of CYP in policy. This has been achieved through functionalist and adult-centred perspectives of the problem (Alanen, 1994) and by centring gender and women’s experiences of violence.

Feminist researchers have attempted to disrupt normative and passive constructions of childhood and responses to CYP victims/survivors (Houghton, 2015, 2018; Katz, 2015b, 2019; Callaghan et al., 2018; Fellin et al., 2019), but there is still limited research and policy-making approaches that work with CYP. Participatory research with CYP has highlighted that they want to be involved in decision-making and policy-making processes, but policy responses do not reflect this (Mullender et al., 2002; Stanley et al., 2012; Houghton, 2015, 2018). Involving CYP’s voices and experiences in policy and practice responses can serve to dispel myths, such as the cycle of violence theory which contends that violence and abuse is an outcome of men abused as children (Ellis, 2006). CYP have expressed anxiety about ‘inheriting’ family violence (Fellin et al., 2019) while others actively reject it, especially boys (Øverlien, 2010; Houghton, 2015).

Callaghan et al. (2018) argue that to help CYP, we need more complex framings of the problem that constructs them as victims/survivors and active agents to consider how they make sense of their experiences, their coping strategies, and resilience. This echoes Mullender et al.’s (2002: 4) prior call for a ‘radical rethink’ on how policy, legislation and practice represent children to (re)frame them as victims/survivors in their own right. Stark and Hester (2019: 96) posit that new understandings and framings of coercive control can offer a more complex and nuanced understanding of the ‘nature, causes, dynamics, and consequences of child harms in abusive situations’ as well as ascertaining children’s responses. Research carried out with CYP on their experiences of coercive control has emphasised that children are targets of coercive control and exhibit a range of strategies to cope and resist abuse (Katz, 2016; Callaghan et al., 2018; Fellin et al., 2019) and that coercive control was the most defining and dominant characteristic of violence perpetrators subject CYP to (Øverlien, 2013).

Anne Morris’s (2009: 420) concept of abusive household gender regimes offers a particularly interesting and nuanced framing of coercive control and its causes and consequences for mothers and CYP. Morris conceives of households as gender regimes (Connell, 1987, 2000) to consider the gendered dynamics, practices and symbols of violence. This conception emphasises that there is ‘always meaning-making inherent in both the perpetration of violence and the
experiences of victims’ (Morris, 2009: 420). Morris highlights the tactics that perpetrators, predominately fathers, draw upon to control, undermine, and break down the mother-child relationship and reinforce maternal alienation, which is detrimental to both women and children (see Humphreys et al., 2011; Thiara and Humphreys, 2017; Katz, 2015a, 2015b). Therefore, it recognises the impact that both targeted and non-targeted abuse has on CYP, situates them as victims/survivors, and calls for practices that integrate child protection with women’s protection. The concept of abusive gender household regimes focuses predominately on gender configurations and patterns of coercive control, but Morris (2009: 424) recognises that the interconnections with other systems of oppression, such as racism and classism, can ‘transform a household into a context in which women and children’s safety and space for action are profoundly compromised’ (see Kelly, 1988). Joan Acker’s (2006) concept of inequality regimes offers an expansion of this conceptual framework by exploring how intersecting inequalities are (re)produced through family structures and institutional practices and how this interacts with coercive control. Acker (2006: 443) defines inequality regimes as ‘interrelated practices, processes, actions and meanings that result in and maintain class, gender and racial inequalities within particular organisations’. Inequality regimes highlight how there are systemic disparities between perpetrators and victims/survivors (including CYP) in power, access to and control over resources within the family, and how dominant constructions of gender, race, and class support, (re)produce, and normalise these inequalities and hierarchies (see also Hearn et al.’s., 2020 concept of violence regimes). Inequality regimes could, therefore, also be drawn upon to understand and represent South Asian women, children, and young people’s experiences of family abuse by incorporating family structures and relationships within the framing of the problem.

Stark and Hester (2019: 98) argue that recent studies on coercive control lay the ‘groundwork’ for reconceptualising coercive control as a strategy for establishing power, control and dominance across various relationships, including CYP. This reconceptualization calls into question the passive construction of CYP as ‘witnesses’ of abuse and instead emphasises the various ways in which CYP are weaponised and targeted by the abusive parent and/or family member (Stark and Hester, 2019; Callaghan et al., 2019, 2018). While scholars have argued for the extension of coercive control to include CYP and presented the conceptual and empirical tools to do so (Stark and Hester, 2019; Callaghan et al., 2019, 2018; Katz, 2016), domestic abuse literature has not (up to now) brought CYP into intersectional approaches. Yet, (re)conceptualisations of coercive control will only be effective if they consider wider structural and systemic inequalities and how they impact domestic abuse. Therefore, this thesis adds to
recent calls to incorporate intersectional approaches and frames to prevent a one-size-fits-all approach to CYP and domestic abuse (Etherington and Baker, 2018; Ferguson et al., 2020). As outlined in Chapter 2, it accomplishes this by employing a structural understanding of age/youth, highlighting the unequal and institutionalised power relations between children and adults and positioning CYP as a minority group. At the same time, this conceptualisation of CYP is attentive to the diversity within the social group.

Therefore, intersectional frames are essential to reflect the complexities and diversity of CYP’s identities and to take into consideration how interconnected systems of oppression impact their vulnerability to domestic abuse, how they make sense, cope and resist the abuse, and any additional needs required to protect them (Etherington and Baker, 2018; Ferguson et al., 2020; Pentaraki, 2018; Nixon and Humphreys, 2010). Explanatory frameworks of domestic abuse have, to some extent, become increasingly aware of the interconnected systems of oppression that adult victims/survivors navigate and experience. However, CYP have not been afforded this attention despite research emphasising that they are affected by their social locations (Etherington and Baker, 2018). Incorporating intersectional frames in policy should recognise how children are uniquely positioned in systems of power due to their age (Alanen, 2016; Etherington and Baker, 2018) (see Chapter 2), and as Etherington and Baker (2018) emphasise, their positions become more complex when additional and interconnected layers of oppression exist, such as racism, sexism, and classism. Therefore, recognising CYP's diverse needs and intersecting systems of oppression can strengthen the effectiveness of policies and preventative actions as it moves beyond framing domestic abuse as a monolithic phenomenon that can be explained simply through gender inequality (Erevelles and Minear, 2010; Etherington and Baker, 2018; Bograd, 1999; Crenshaw, 1989). As domestic abuse is a complex ‘wicked problem’, it requires more than one explanatory framework to address the problem adequately. Therefore, employing intersectional frames and approaches opens up space to complicate these narratives and better reflect and represent the diverse experiences of victims/survivors, including CYP.

Additionally, as emphasised in Chapter 2, institutions, discourses, everyday practices, and actors (re)frame childhood which shapes who is constituted as victim/survivors in policy and practice (see Dickenson, 2011; De Graeve and Bex, 2017 on Belgian care system policies). CYP’s social location in the systems of power through their age means that they are not afforded direct status as victims (Callaghan et al., 2018). How CYP are represented not only influences policy outcomes and services responses, but it also has a direct impact on how children and young people victim/survivors see themselves and makes sense of their own experiences (Kelly, 1994; Mullender et al., 1998, 2002; Houghton, 2015, 2018; Katz, 2016). Ineffective domestic abuse
policy and practitioner responses can exacerbate CYP’s sense of powerlessness and their willingness to seek help for domestic abuse in the future (Stanley et al., 2012).

Moreover, deepening understandings of CYP is beneficial to them, but it also enhances feminist discursive strategies for change and the subversion of power relations inherent in policy-making (Thorne, 1987). As women and children are bound together, the state often blames mothers for domestic abuse and reprimands them for ‘failing to protect’ children (Humphreys and Stanley, 2006; Humphreys, 2007; Mackay, 2018). A narrow focus on safeguarding children often results in reducing the accountability of the abusive parent, it limits the consideration of CYP’s views, and it leads to ineffective responses for women and children (Mullender et al., 2002; see also Radford and Hester, 2001; Humphreys, 2006; Kelly, 1994). Ferguson et al. (2020) posit that intersectional frames are advantageous for both women and children as it moves the focus and narrative of domestic abuse and child protection away from individual families, their needs and capacity to parent. Instead, it grounds explanatory frameworks of domestic abuse within wider socio-economic factors, such as poverty and austerity, and interconnected systems of oppression that impact the vulnerability, risk and perpetration of violence.

3.4 Conclusion
This chapter set out and evaluated disputes, debates, and contestations in framing domestic abuse. As a contentious and ‘wicked problem’ involving multiple sets of actors, domestic abuse provides crucial insights into contestations, change, inclusion, and exclusion and is therefore rich in applying my feminist institutionalist approach to highlight the interactive relationship between frames, institutions, and actors.

It examined two distinct and interconnected debates. The first encapsulates debates about feminism and the suitability of gendered frames, whereas the second encompasses the contestations within feminism regarding the complexity of the problem. It argued that attentiveness to these debates and contestations is crucial as they impact upon policy frames and proposed policy solutions, affecting policy development and service provision. Yet, rather than abstract debates, I argue that these contestations have direct and potentially detrimental effects on victims/survivors, dependent on the frames and policy solutions proposed and how close they reflect their embodied lives and experiences of violence, inequality, and oppression.

To prevent the (un)intentional marginalisation of victims/survivors, specifically BME and CYP victims/survivors, this chapter makes the theoretical case that scholars and policy-makers must move beyond simplistic and exclusionary single-axis gendered frames to employ an intersectional approach attentive to how policies regulate, frame and (re)produce inequalities. This is not to say

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that a gendered analysis and framing of the problem is not essential in understanding the patriarchal dimensions of domestic abuse. However, a structural approach to gender analysis (Weldon 2006a) is more advantageous in examining how groups of women, children and young people are situated vis-à-vis each other through social norms, rules and institutions, and the extent to which they can mobilise and frame policy (Hurtado, 1989). Moreover, an intersectional lens enables policy-makers to emphasise domestic abuse’s structural underpinnings while not denying the intersecting identities and systems of oppression that women, children, and young people experience (Sokoloff and Dupont, 2005). Therefore, redefining domestic abuse through intersectionality offers a more complex approach to understanding domestic abuse and enables the transformation of policy and practice with historically and socially constructed hierarchies.

The next chapter addresses the methodological issues involved in ‘translating’ these theoretical debates on framing domestic abuse into empirical research. It discusses and justifies the methodological perspective and case study approach of the thesis and introduces the methods and sources used in this project.
Chapter 4: Methods and Methodology

4.1 Introduction

Chapter 2 set out my feminist institutionalist (FI) approach, which emphasised the necessity of exploring the interconnectedness of frames, institutions, and actors to understand the complex dynamics of policy change and continuity, this chapter addresses the methodological considerations in translating this into practice. The first section of this chapter sets out a distinctive toolkit for analysis, integrating Critical Frame Analysis (CFA) and an intersectional lens to explore the framing of domestic abuse in policy and investigate how power and contestations operate within framings processes as well as their impact on policy solutions. Second, I discuss and justify the dissertation’s single case study research strategy – focusing on post-devolution Scottish domestic abuse policy-making – and emphasises the strengths of employing within-case analysis to systematically trace and analyse policy change trajectories over time. Third, I outline the methods and sources used in the thesis, outlining my process-tracing approach and methods of data collection (including document analysis and interviews) and my analytical framework. The final section elaborates on how I applied feminist research principles in practice by outlining my application of a feminist ethics of care, reflexivity, and intersectional evaluations of power dynamics throughout the research process.

4.2 Critical Frame Analysis (CFA) methodology

Chapter 2 outlined a feminist institutionalist (FI) approach to studying policy and institutional change and innovation, which centres on power, inclusion, exclusion, resistance, contestations, and change over time. In keeping with this approach, this chapter outlines a distinctive toolkit for institutional analysis that integrates a broadly feminist historical institutionalist approach with discursive and intersectional frameworks in order to better understand the ‘big questions’ of policy change and continuity, and the ways in which feminist policy change is facilitated or constrained in new institutions.

Feminist scholars interested in policy discourses and change have increasingly employed a discursive methodological approach, largely drawing upon Carol Bacchi’s (1999; 2009) ‘What’s the problem represented to be?’ (WPR) approach. WPR has been employed by feminist discursive institutionalist (FDI) theorists as it offers an analysis of how language, concepts and categories shape the content and conduct of politics and policies and enables an evaluation of how gender and other social structures are constituted within institutions (Bacchi and Rönnblom, 2014). The WPR approach employs analytical tools of diagnosis (what is the problem?) and prognosis (what is
the solution?). It provides a systematic methodology for teasing out questions on aspects that are taken for granted (Bacchi, 2009). A set of six questions accomplishes the critical mode of analysis:

1. What presuppositions or assumptions underlie this representation of the problem?
2. How has this representation of the problem come about?
3. What is left unproblematic in this problem representation? Where are the silences? Can the problem be thought about differently?
4. What effects are produced by this representation of the problem?
5. How/where has this representation of the problem been produced, disseminated and defended. How could it be questioned, disrupted and replaced?
6. How/where has this representation of the problem been produced, disseminated and defended. How could it be questioned, disrupted and replaced?

These questions enable an analysis of how ideas and discourses are (not) transferred to policy and, importantly for this research, how different sets of actors contest policy problems. This is especially so as some actors describe an issue as a problem, whereas others may deny the same issue the problem status (Bacchi, 1999). Thus, there are competing constructions of meaning, and in turn, these contestations can result in some issues remaining ‘untouched’ or not fully explored (Bacchi, 1999). Debates can occur over the representation of the problem, and proposed solutions and policy is, therefore, a ‘strategic and politic[al] process’ (Dalton et al., 1996: 16) that operates within institutional spaces. Significantly, the WPR approach moves beyond simplistic presumptions that achieving social problem status is a success in itself, as how the problem is framed has a bearing on policy solution proposals (Bacchi, 1999). For example, domestic abuse may be framed as a policy problem, but if there is limited attention to the role of patriarchal and intersecting power relations in causing, normalising, and (re)producing violence, then the solutions will not effectively prevent and eradicate the problem (see Chapter 3).

Over the last decade, this discursive methodological approach has been developed further by a group of feminists researching gender+ policies in EU countries (Lombardo et al., 2009b; Dombos et al., 2012; Verloo, 2016). This research has drawn upon Bacchi’s WPR approach (Bacchi, 1999; Bacchi, 2009) alongside the work of other ‘mainstream’ policy-as-discourse and social movement theorists (Gamson, 1992b; Benford, 1993; Schön and Rein, 1994; McAdam et al., 1996; Tarrow, 1998; Benford and Snow, 2000) to establish a critical frame analysis (CFA)
methodology to policy analysis. The MAGEEQ⁶ Project (Verloo, 2007) and QUING⁷ Project (Quality in Gender+ Equality Policies; Dombos et al., 2012) have been pivotal in establishing this CFA methodology and various feminist discursive research projects have employed their approach.

In line with these studies (Dombos et al., 2012; Verloo, 2016), this thesis employs a CFA methodology to discern how the problem of domestic abuse has been (re)framed in Scotland since 1998. A CFA approach starts with the assumption that there are multiple interpretations of a policy problem and therefore enables an in-depth exploration of the ‘institutionally supported and culturally influenced’ (Bacchi, 2005: 198) interpretations and framings of domestic abuse in the Scottish context. As argued in Chapter 2, institutionalised hegemonic discourses, norms and practices can reinforce unintentional frames and constrain dynamic ideational and discursive change, and therefore the CFA methodology is advantageous in examining both intentional and unintentional frames (see Bacchi, 2009; Kulawik, 2009). These unintentional frames can unconsciously influence the framing process and discursive content of frames (Bacchi, 1999, 2009; see also Ferree and Merrill, 2000), and the realities of operating within institutions mean that feminist actors may find themselves upholding these hegemonic frames and practices. As the thesis is concerned with highlighting underlying continuities that constrain policy change and innovation within the Scottish context, the CFA approach is advantageous in exploring these unintentional frames and their consequences on policy frames and generating policy change.

Moreover, feminist scholars have drawn upon and developed a CFA methodology in order to explore and explain the effects of discursive struggles over meaning-making in policy-making processes on policy frames and change, pointing towards the different interpretations that actors offer about the problem and solutions (Verloo and Lombardo, 2007). This emphasis on competing interpretations and contestations is especially salient for gender+ equality policies like domestic abuse as gender is an ‘essentially contested’ concept (Squires, 1999: 54) and has always been marked by ‘slippery terms’ (Eveline and Bacchi, 2005: 497) and linked to other concepts.

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⁶ MAGEEQ, funded within the European Commission’s Fifth Framework Programme, conducted comparative research on the framing of gender inequality as a policy problem in EU states over three years (2003-2005). MAGEEQ created a frame analysis methodology tailored to gender equality policies. See online: http://www.mageeq.net.

⁷ QUING (Quality in Gender+ Equality Policies) project, funded by the European Commission’s 6th Framework Programme, conducted research on the diversity and inclusion of EU member states with by comparing gender equality policies across Europe over a period of 54 months (2006-2011). The project built upon the methodology of Critical Frame Analysis that had been developed for the MAGEEQ project. See online: http://www.quing.eu/
such as (in)equality and diversity (Jalušič, 2009). As such, a CFA approach is well-suited to this thesis’s aims to address and explain resistance to feminist frames by policy opponents and how contestations and controversies impact upon policy frames, outcomes, change, and continuity. As demonstrated in Chapter 3, there are historical and ongoing internal and external debates and contestations around the interpretation and construction of the problem of domestic abuse. Therefore, CFA offers the methodological tools to delve into these disputes, controversies, and resistance in domestic abuse policy-making in Scotland and evaluate their effects on the framing of policy and possibilities for change.

For this thesis, the real strength of applying a CFA methodology is aiding an understanding and exploration of the emergence of diagnostic disputes within the women’s movement over how domestic abuse is and should be framed in policy, drawing upon semi-structured interviews to explore these questions. CFA offers an insight into the complexity involved in negotiating shared meanings of the problem and constructions of collective action frames (Gamson, 1992b). As discussed in Chapter 2, collective action frames require the intentional shaping of claims and strategic framing of problems (Bacchi, 2009, Verloo, 2001), so movements must select the discourses and actions required to push their agenda and enact change, and this can spark intra-movement disputes and contestations. Drawing on a CFA methodology, particularly through the elaboration of the six sets of questions outlined in the WPR approach, allowed me to investigate these contestations and translate this into my interview schedule (see below on research methods).

Furthermore, feminist scholars have employed a CFA methodology to highlight implicit and explicit biases and power imbalances embedded in the design of public policies (Meier, 2008). As Lombardo et al. (2009a: 10) assert, what makes this methodology critical is through the identification of who has a voice and a role in naming and framing policy problems and proposing policy solutions, and therefore who is included or excluded in the framing process. This thesis builds upon frame analysis research by being attentive to the critical role of various sets of actors, and the effects of power imbalances, in generating change. By exploring framing processes, this study draws upon CFA to examine who is included and excluded in these processes, the frames and perspectives that have been privileged or neglected, and the extent to which these discursive power dynamics have changed over time. In doing so, it answers research questions on the politics of inclusion and exclusion in the framing processes and the discursive content of frames and its effects on policy solutions and change in the Scottish case.
4.3 Integrating an intersectional lens to CFA

An intersectional approach to CFA methodology is imperative in answering the research questions, particularly research question four: *Who is included (or excluded) in the dominant framing(s) of the problem? Has this changed over time, and if so, how and why?* Adopting a CFA methodology enables me to assess the construction and operationalisation of intersectional frames in policy and an exploration of who or what policy-makers are ‘privileging or neglecting in their policy design’, especially through the construction of master frames (Lombardo and Rolandsen Agustin, 2012: 484). It is, therefore, necessary to question the extent to which (dominant) policy discourses articulate intersectionality as part of the diagnosis and prognosis of the problem and whether and how biases and exclusions have constrained the articulations of intersectionality in Scottish domestic abuse/VAWG policies, largely drawing upon semi-structured interviews to do so (Verloo, 2007: 33; Lombardo and Rolandsen Agustin, 2012). Scholars employing CFA have explored how the concept of gender has been ‘stretched’ to encapsulate the multiple forms of discrimination in framing equality policies (Ferree, 2009; Lombardo and Verloo, 2009a) and evaluated the quality of the articulations of intersectionality in policies. Yet, much of this work has explored gender equality policies and gender mainstreaming and treated intersectionality as a dimension of the diagnosis and prognosis of policy problems rather than central to policy discourses and outcomes (Verloo, 2007; see Dombos et al., 2012). There have been some feminist scholars employing a CFA methodology who have been explicitly concerned with the question of the quality of intersectionality in equality policies (Lombardo and Rolandsen Agustin, 2012a), and this thesis builds upon this by employing an intersectional project by threading intersectionality throughout the research’s methodology.

Rather than seeing intersectionality as a dimension of the discursive content of frames, this thesis is grounded in, and informed by, intersectional scholarship and thinking to assess both discursive policies and framing processes. In doing so, this study draws upon McCall’s (2005) typology of intersectionality to offer a complex approach to ‘doing’ intersectional research. McCall presents three methodological approaches in using analytical categories to study the interlocking and multifaceted forms of oppression (and privilege): anticategorical, intercategorical and intracategorical. The first approach, anticategorical complexity, is a methodological approach that deconstructs analytical categories and posits that social life is too complex to categorise structures and subjects. On the other end of the continuum, intercategorical complexity (which McCall positions her research) provisionally retains and centres existing analytical categories to understand relationships of inequality among and across social groups and how these change over time. Finally, the last approach, intracategorical complexity, is conceptually situated in the
middle of the continuum. Researchers who apply this approach tend to focus on particular social groups at neglected points of intersection to conceptualise the lived experiences and structural inequalities within particular groups.

I position this thesis within the intracategorical complexity approach through my extended study of the extent to which the dominant framings of domestic abuse have represented CYP and BME women victims/survivors. In conducting this research, I was cautious of upholding analytical categories and support the call for their deconstruction as collective terminologies can have othering effects that oversimplify, obscure, and homogenise communities and social groups (see Aspinall, 2020). Nevertheless, I contend that retaining these existing analytical categories was crucial in enabling in-depth exploration of the extent to which dominant policy frames and solutions represent the diversity of experiences of domestic abuse and marginalised social groups and individuals. In exploring these dynamics, this thesis conceptualises children and young people and BME victims/survivors as ‘neglected points of intersection’ in domestic abuse policy in Scotland due to the (dominant) gendered framing of the problem and its inability to fully represent those marginalised at the intersections. Thus, the intracategorical complexity approach to frame analysis enables me to ‘delve into the complexities of social life’ (McCall, 2005: 1782) to reveal the diversity within and across social groups and the marginalisation effects of dominant policy frames. It also provides the lens to explore the complexities of representative work, particularly of women’s movements and equity entrepreneurs, and how their claims may unintentionally (re)produce and uphold the neglect of marginalised groups (see Chapter 2).

4.4 Single case study

Research projects employing a CFA methodology have often taken a comparative approach to encapsulate the diversity in framing gender+ equality policies across various contextual and geographical locations (such as the QUING and MAGEEQ projects). This thesis, however, is more concerned with ‘thick descriptions’ (Geertz, 1973) of how debates, power and contestations over the construction of policy problems have changed and developed over time within a specific context. Moreover, feminist scholars have asserted that case studies are advantageous in studying intersectionality, especially in revealing and scrutinising the marginalisation of social groups at the intersection of multiple axes of difference, but also in asserting the diversity within social groups (McCall, 2005: 1782; Davis, 2014; Fotopoulou, 2012). Therefore, a single case study of post-devolution Scotland and domestic abuse policy was employed to trace the temporal dimensions of (re)framing policy. The research case study’s twenty-year timeframe (1998-2018) was selected to encompass key policy and institutional
changes, innovations, and continuities. The research begins in 1998 with the Scottish Office’s establishment of the Scottish Partnership on Domestic Abuse (SPDA), as this is considered one of the most notable starting points for future strategies and policy solutions on domestic abuse. Additionally, starting in the aftermath of the 1997 referendum, which delivered Scottish devolution, but before the establishment of the new political and policy-making institutions in 1999, the research’s starting point is unique in providing an examination of the debates, discussions, and visions for Scottish politics, policy-making, and institutional design, and the set-up of new institutions (see Chapter 5). The timeframe ends in 2018 with the passage of the ‘ground-breaking’ Domestic Abuse (Scotland) Act 2018, which created a specific criminal offence of domestic abuse for the first time in Scotland. This long-term attention to how domestic abuse has been (re)framed in Scotland was advantageous as it is a complex and contentious issue (Mintrom and Norman, 2009) requiring in-depth tracing of the problem. The historical and temporal dimensions to this research enabled an exploration of how actors and social movements have influenced change through ideas and discourses over time (Schmidt, 2010) and the extent to which there has been a reconfiguration of power dynamics, enabling (minority) frames to move from ‘margin to centre’ in policy-making (hooks, 1984). 

There are, however, some methodological criticisms of the application of single case studies in social research. Critics of single case studies argue that they cannot be generalised (see Giddens, 1984) and that the findings would be much stronger if compared to other cases (George and Bennett, 2005). The claim to generalisability in single case studies is often more limited than large-N quantitative research, but the aim of generalisability was not central to this research aims and objectives. Instead, the goal of this research was to provide a ‘force of example’ through an in-depth understanding of framing policy problems in the Scottish context and to provide and identify causal mechanisms that can ‘travel’ to other contexts and to develop theories of policy change (Flyvbjerg, 2007; 395; Paterson, 2010; Pierson, 2004). The objective of this research is to achieve the richest information and deepest analysis of policy change and continuity possible; therefore, the Scottish case was ‘information-oriented selected’ (Flyvbjerg, 2006) as it was expected to provide insightful information on how feminist frames become (or are constrained from being) institutionalised in policy.

There have been significant developments in addressing domestic abuse in Scotland since the 1990s, reflecting a feminist agenda and framing of the problem (Breitenbach and Mackay, 2001b;}

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8 As Flyvbjerg (2007: 395) contends, formal generalisation is considerably overrated as the main source of scientific progress, and that the ‘force of example’ is underestimated.
Breitenbach, 2006; Mackay, 2010). Since 2000, Scotland has applied the United Nations Convention on the Elimination of Discrimination Against Women (CEDAW) General Recommendation 19 (1992) definition of gender-based violence in national policy, which framed violence as a cause and consequence of gender inequality and a violation of human rights. It remains one of the select few countries that have done so. Scotland is recognised as a leader in addressing domestic abuse through policy and legislation (Charles and Mackay, 2013; Brooks-Hay et al., 2018; Lombard and Whiting, 2018), especially through the criminalisation of coercive control in the most recent legislation, Domestic Abuse (Scotland) Act 2018, which Professor Evan Stark has labelled as the new ‘gold standard’ (Brooks-Hay et al., 2018; Scott, 2020). Unlike other cases (see Erikson, 2019b, 2019a, 2017; Björnehed and Erikson, 2018), a gendered framing of domestic abuse was institutionalised in Scottish policy as it was afforded problem status. This sequencing of frames makes Scotland an ‘extreme case’ (Flyvbjerg, 2006) through its uniqueness and ability to provide a ‘unique wealth of information’ (Flyvbjerg, 2006: 233; Gerring, 2009) on how feminist frames are institutionalised over time and the role of the women’s movement in enabling feminist policy change.

One of the methodological strengths of this thesis lies in its in-depth within-case analysis and tracing of how the problem of domestic abuse has been framed in Scotland over time. Feminist historical institutionalist (FHI) scholars have asserted that expanding the timeframe of social research can overcome and compensate for the problems and criticisms associated with single case studies (Kenny, 2013). Critiques of single case studies are generally based on the definition of a single case study having only one observation on the dependent variable observations (King et al., 1994: 210-11), but the temporal and historical dimension to this research resulted in the emergence of multiple observations (Pierson and Skocpol, 2002; Kenny, 2013). The single case study privileged ‘depth’ over ‘breadth’, so I employed within-case analysis to systematically analyse and trace policy change trajectories and causation over time (Collier, 2011). As FHI scholars assert, sequencing and timing (when things happen and the order in which they happen) are crucial in understanding the emergence of particular outcomes over time; therefore, the within-case analysis enabled an examination of the ‘complex causal patterns’ in framing the problem of domestic abuse over time (Waylen, 2011, see also Waylen, 2009; Kenny, 2013, 2014).

Scholars employing a discursive approach to policy analysis have also echoed this attentiveness to institutions as they have emphasised the importance of institutional and discursive opportunity structures in progressing gender+ policies (Ferree, 2009; Björnehed and Erikson, 2018; Lombardo et al., 2017). Therefore, a within-case analysis of policy change over twenty years was more valuable in providing an in-depth description and fuller understanding of the
case and the themes within it (Creswell, 1998; George and Bennett, 2005) and in developing a context-dependent knowledge of the discursive struggles over meaning-making within the framing processes (Eysenck, 1976; Flyvbjerg, 2007). Scholars who employ within-case analysis and process tracing emphasise that an in-depth knowledge of the case is essential to understand complex causality, and therefore a single or small-N study is more likely to capture this complexity (Hall, 2003; Falleti, 2006).

The Scottish case was particularly interesting in studying how the problem of domestic abuse has been framed within a new institution over its whole ‘life’ course. Through the extensive timeline, the case develops an understanding of the role that constitutional change plays in enabling policy change and innovation and the extent to which the ‘newness’ of an institution enables the reconfiguration of power dynamics in the framing process (Ferree et al., 2002; Gamson and Meyer, 1996; McAdam et al., 1996). At the same time, I caution against oversimplified narratives of Scotland as a ‘success story’ as FHI scholars assert that even new institutions are often informed by ‘legacies of the past’ (Lowndes and Wilson, 2001: 643), and path-dependent structures can constrain policy change and innovation (Wilsford, 1994; Pierson, 2000b, 2004).

The historical narrative of the Scottish case builds on this theoretical and conceptual framework by developing an understanding of how change within the new institutions is ‘nested’ (Mackay, 2014) and how existing hegemonic discourses can reinforce the exclusion of some actors and frames in the framing processes. Therefore, Scotland offers an empirically rich case that furthers our understanding of the discursive struggles over meaning-making within policy-making institutions and the women’s movement and how the construction of collective action frames and master frames are imbued in power dynamics (past and present).

4.5 Research methods

The application of a multi-method process tracing approach ensured that the case study contained a multitude of observations to trace and understand domestic abuse policy change in Scotland since 1998. In most single case study analyses, researchers begin with a preliminary understanding of the literature and context and then begin to ‘poke’ through the case to uncover causal mechanisms and interactions that the researcher did not anticipate (Paterson, 2010). My within-case analysis began with a thick description of the data through a historical timeline of national policy documents and legislation in Scotland since 1998 (see Appendix F) to reveal both the ‘contextual nature of the case’ and the ‘richness of the case data’ (Paterson, 2010: 3). In employing my process-tracing method, I collected data through several tools, including semi-structured interviews with thirty critical actors and document analysis of policy and legislative
documents. Venesson (2008: 234) details that intensive open-ended interviews and document analysis aids in understanding the ‘meaning and role of established regularities’ and can help ‘suggest ways to uncover previously unknown relations between factors’.

4.5.1 Process tracing

George and Bennett (2005: 206) define process tracing as the ‘method [that] attempts to identify the intervening causal process – the causal chain and causal mechanism – between an independent variable (or variables) and the outcome of the dependent variable’. Process tracing has increasingly been used as a research method in qualitative studies as it is advantageous in highlighting and tracing the causal processes and temporal changes in institutions and policymaking, especially when the phenomenon has been previously understudied (George and Bennett, 2005; Tansey, 2007). Feminist institutionalist (FI) scholars (Thomson, 2018; Kenny, 2009, 2013; Waylen, 2007) have also increasingly employed a process tracing method to explore institutional change and continuity over time. Process tracing requires collecting and analysing large amounts of data from various sources, and therefore a multi-method approach was employed (George and Bennett, 2005; Falleti, 2006). The multi-method approach offered an in-depth exploration of the Scottish case and gained multiple interpretations and accounts through different data sources (Kenny, 2013), including documentary analysis and elite in-depth interviews.

Some scholars contend that process tracing should be used to test theories (George and Bennett, 2005), but this thesis better aligns with feminist applications of the process tracing method by focusing on theory-building (Kenny, 2009, 2013). The aim of the case study was, therefore, to explore how the framing of domestic abuse in post-devolution Scotland has changed over time and to build upon existing feminist and policy-as-discourse theoretical and conceptual frameworks on ideational and discursive change within new institutions. Preliminary scoping of the literature and context revealed the possibility of devolution as a factor in influencing the (re)framing of domestic abuse. However, the process tracing method enabled a fuller exploration of the critical junctures that impacted domestic abuse policy discourses, outcomes, and change in Scotland. The in-depth knowledge produced by this single case study enabled me to discern these processes, and in doing so, expand upon feminist and mainstream theories of policy change (Paterson, 2010). As such, this thesis can be labelled as an example of ‘theory-guided process tracing’ method (Falleti, 2006) through its attempts to provide ‘theoretically explicit narratives that carefully trace and compare the sequences of events constituting the process’ of interest (Aminzade, 1993: 108).
This thesis employed an interpretivist perspective to process tracing to focus on \textit{what} happened and \textit{how} it happened (Venesson, 2008). In doing so, it remained attentive to time and sequencing (Pierson, 2000b, 2004). Scholars have emphasised the benefits of process tracing in enabling temporal analyses of change by being attentive to the small or large events that led to change and when it happened (timing) and the order in which change happened (sequencing) (Pierson, 2000b; Bleich, 2002; Hall, 2003; Kenny, 2013; Williams and Gemperle, 2017). This thesis employs a historical and temporal approach to process tracing in order to explore and explain the mechanisms that have enabled change, but also to understand how and why change has been so difficult due to particular temporal sequencing of events and frames and established policy and institutional ‘paths’ (see Chapter 2). This study is therefore sensitive to the complexities in generating ideational and discursive change within new institutions and is attentive to how dominant discourses, gender regimes and ‘ways of working’ can constrain policy innovation and change. Semi-structured interviews, particularly with actors involved in domestic abuse policy-making pre and post-devolution, enabled me to grapple with these institutional logics and their effects on policy frames. As scholars employing a historical approach to institutions assert, choices made early on in an institution’s ‘life’ has an impact on determining or restricting future choices through positive feedback (Hall and Taylor, 1996: 942), and once a particular path becomes established, self-reinforcing processes can make reversal challenging (Pierson, 2004). These path-dependent structures and positive feedback is also apparent within new institutions, as they are often products of past practices (Goodin, 1996), potentially limiting possibilities for change and innovative frames and approaches to policy-making. Therefore, this thesis builds upon existing approaches to process tracing by ‘placing politics in time’ to enrich understandings of the complexities of policy change and stability over time (Pierson, 2000: 72).

Moreover, process tracing is advantageous in exploring causal mechanisms and processes and evaluating actors’ perspectives, frames, goals, and values, thus uncovering (in)directly what actors want, know and compute (Simon, 1985: 295; see also Falleti, 2006). This often involves reconstructing how actors recount, understand, and participate within particular contexts, as well as researchers developing their own theories of the phenomenon (George and McKeown, 1985). In employing this approach, predominately through semi-structured interviews, I focused on the reasons actors gave for the (re)framing of domestic abuse and their involvement in policy change over time (see Jervis, 2006). In-depth process tracing does not assume actors’ preferences and goals. Instead, it attempts to ‘flesh out causal mechanisms’ by applying an inductive approach to knowledge production and theory development whereby all factors were evaluated and explored.
to gain a fuller picture of the phenomenon (Venesson, 2008: 234; see also Bennett and Checkel, 2015).

4.5.2 Document analysis

In line with previous research employing a CFA methodology to policy analysis (Verloo, 2007; Dombos et al., 2012), this study carried out a systematic frame analysis of key national domestic abuse/VAWG policies and legislation in post-devolution Scotland using NVivo. Previous CFA research enabled me to understand the questions that I should consider as I analysed the documents, and I edited these so that the questions were relevant to the research questions and policy-making context (Appendix E). I used this as a codebook, and through the dimensions of diagnosis and prognosis, I examined:

- how the policy problem is represented
- why it is seen as a problem
- who or what is seen to cause it
- what should/could be done to solve it
- who should solve it
- the extent to which gender and intersectionality are related to both the diagnosis and prognosis of the problem (Lombardo et al., 2009a; Verloo, 2007).

As the research employs a temporal and historical dimension to policy analysis, I examined how these dimensions of diagnosis and prognosis have changed over time by comparing my codes and analysis across the policy documents, making notes on any substantive or transformative changes, for example, the first time that intersectionality was explicitly referenced. Employing this systematic and historical approach to frame analysis enabled me to develop an understanding of when policy changes happened in the Scottish case, such as the broadening of the problem, and I made a note of these to discuss in my interviews to provide more context of the sequencing of events, and framing decisions, activities and tactics that led to these changes.

I coded the frames, terminologies and definitions employed in policies and whether and how these changed over time. I also coded the documents on their formulation of the gendered framing of domestic abuse. For example, I coded the dichotomies in the policy documents, such as men/women, masculine/feminine. I also coded sections that discussed power dynamics, privilege and the causes and consequences of domestic abuse. This method also enabled an examination of the critical actors involved in the framing of domestic abuse policy by exploring who was referenced as having a role in policy-making and provision, what the roles were, and
whether these evolved over time, as well as the emergence of new actors, institutions, and bodies (such as the establishment of Police Scotland in 2013). During the documentary analysis, exploring the roles of actors provided insights into who has a voice and role in naming and framing the policy problem and proposing policy solutions.

The document analysis also enabled an examination of my research question on dominant framings (and whom they include and exclude). To explore the visibility and representation of CYP and BME victims/survivors, I coded every reference and discussion of children, age, youth, race, and ethnicity. The CFA approach to policy analysis is attentive to how intersectionality has been articulated in the diagnosis and prognosis of the problem. However, to provide a deeper conceptualisation and analysis of how policy documents engaged with intersectionality, I also drew upon feminist research, which evaluates the visibility of multiple inequalities and intersectionality in policy (Strid et al., 2013). This approach identified three different forms of visibility of the multiple inequalities and intersectionality evident in policy: (1) naming the multiple inequalities; (ii) intersecting inequalities, fields and domain; (iii) voice in the policy process and outcomes. The first of which is the weakest form of visibility as it simply outlines that multiple inequalities exist. The second form of visibility is stronger as it acknowledges that these multiple inequalities intersect and explicitly uses this term. The last is the strongest form of visibility as it gives a voice to women’s experiences in policy processes and policymaking. Taking all of this into consideration, I coded the policy documents based on the presence (or absence) of multiple inequalities; how these inequalities were represented (for example, a focus on the micro or macro levels); what was seen to have caused these inequalities and how they interacted with domestic abuse/VAWG. I also coded based on the form and quality of intersectional frames articulated in the diagnosis and prognosis of the problem, such as the primary level of analysis (individual, institutional, structural).

4.5.3 Sample of policy documents

The sampled policy documents included national strategies, delivery plans and training strategies produced between 1998-2019. I referred to previous research and literature on domestic abuse policy in Scotland to ensure that I analysed all of the key documents (see Greenan, 2005; Mackay, 2010). I identified further policy documents and legislation through the Scottish Government and Scottish Parliament websites.

The policy documents were mainly produced by the Scottish Executive/Government from 1998 to 2018, with some additional texts produced by the Convention of Scottish Local Authorities (COSLA) and public agencies such as the National Health Service (NHS) Scotland, Police
Scotland, and the Crown Office and Procurator Fiscal Service (COPFS). The policy documents did not simply ‘occur’. Rather, they were produced, organised, consumed and circulated in social settings; thus, I examined the documents in relation to how textual ‘facts’ were produced and how they ‘worked’ (Plummer, 2001). I analysed the documents as ‘actors’ that achieve goals and objectives and are written with a particular audience in mind (Prior, 2010). The policy documents were produced with the aim of policy, practice and societal change to enable effective prevention and eradication of domestic abuse.

I also analysed Scottish and UK legislation on domestic abuse, family law, sexual offences, vulnerable witnesses and criminal procedures. The analysis of legislation enabled me to develop a familiarity with the legislative context in Scotland, which was advantageous when interviewing critical actors as it ensured I had a sound understanding of legal procedures and protections. I found this especially helpful as I do not have a background in law, and the interview respondents also clarified any misunderstandings or confusion that I had when analysing the various legislative documents. I also analysed some international treaties and policies as Scotland does not produce policy and legislation in a vacuum. Since 1998 there has been considerable policy learning and transference of definitions and frames, particularly from CEDAW and the United Nations Convention on the Rights of the Child (UNCRC).

4.5.4 Interviews

A limitation of the CFA approach is that although it is helpful in mapping policy discourses in domestic abuse policy, it is not useful in understanding how and why existing frames emerged (Verloo and Lombardo, 2007). In-depth elite interviews were conducted with thirty senior actors involved in domestic abuse policy-making and service provision in Scotland since 1998 to complement the frame analysis, making it one of the most extensive and comprehensive studies of domestic abuse policy-making in the Scottish case. The interviews enabled me to contrast my interpretations of the policy frames from the document analysis with the context in which policy frames, discourses, and ideas originated. These interviews ensured that I was not conceptualising domestic abuse frames that did not correspond to ‘reality’.

I created a domestic abuse/VAWG policy and legislation timeline from my document analysis and used this as a visual prompt during the interviews (see Appendix F). The interviewees were exceptionally responsive to the visual timeline⁹, and it was advantageous in encouraging

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⁹ Some respondents asked to keep the timeline so that they could share it with their colleagues, and others seemed enjoy the visual representation of the developments in domestic abuse policy and action since devolution.
narratives of the framing process as well as enabling them to remember dates and events. The respondents also highlighted any policies or legislation that I had omitted (for example, the Forced Marriage etc. (Protection and Jurisdiction) (Scotland) Act 2011), which ensured that I had the complete account of Scottish domestic abuse policy-making and that I had analysed all of the key policy documents.

The elite interviews also added more depth to the within-case process tracing by providing narratives on how and why discursive and political windows of opportunities emerged and their impact on policy frames and change. In-depth interviews were an essential method in process tracing for this thesis as they enabled me to establish the framing decisions, strategies and actions within the women’s movement and policy-making and service provision. The interviews also illuminated the hidden elements or debates that would not have been captured by analysing policy documents (Tansey, 2007), particularly the diagnostic intramovement contestations and disputes from policy opponents. The first-hand accounts from my interview participants strengthened my understanding of the framing processes and the causal mechanisms in enabling (or constraining) policy change (Tansey, 2007), especially as many of my respondents had worked in the domestic abuse/VAWG sector and policy-making throughout my whole timeline. Therefore, the elite interviews offered an insight into the ‘way things are done’ (Bjarnegård, 2013; Kenny, 2013; 2014) within the institutional and discursive struggles over meaning-making.

Interviews were conducted with both men and women, as the literature emphasises that equity entrepreneurs are not necessarily only women (see Celis, 2008). The interview sample included civil servants, Members of Scottish Parliament (MSPs), WMO actors (including specialist BME/faith WMOs and national and generalist feminist organisations), academics, and public sector actors (in social work, police, criminal justice, health, and education). Many of them referenced each other’s work and accomplishments, enabling me to use snowball sampling and ensure that I interviewed the most ‘critical’ equity entrepreneurs involved in domestic abuse policy-making. I ended every interview by asking the respondents to recommend actors to interview. Many of the respondents introduced me to their colleagues and friends in person or via email, which was advantageous as I had previously struggled to access some of them.

I classify the respondent as ‘experts’ due to their profound knowledge and experience of domestic abuse policy and service provision. In elite interviews, the elite respondents are ‘in the know’ and can be positioned as ‘experts’, therefore lessening power asymmetry in my research between researcher and researched (Mikecz, 2012: 487). In a couple of cases, the respondents were able to influence and shape the interview through the power they held due to their expertise.
and experience in the field (see Lee, 1995). I also believe that my perceived youth\(^{10}\) was also a factor in the respondents’ ability to influence the interviews, particularly when discussing the political context – especially devolution – as I was only born six years before the establishment of the Scottish Parliament. However, this asymmetry of the power of knowledge did not pose limitations. Instead, it strengthened the research’s historical and temporal dimensions as respondents highlighted events or factors that I had not had been aware of. This, therefore, enabled a more in-depth discussion of devolution, administrations, and political institutions and how they influenced the (re)framing of policy, strengthening the examination of causal mechanisms.

The interviews lasted on average between fifty and ninety minutes, although some were significantly longer\(^{11}\). The interviews were semi-structured, and I used an interview schedule as a reference point and a reminder of my topics (see Appendix C). Semi-structured interviews were employed as they are flexible in process (Bryman, 2015) and allowed me to explore the respondents’ perspectives on framing the problem. Interviews have been used in feminist research to explore language, discourses, and power and to produce knowledge through narratives and by respondents ‘telling about [their] experience[s]’ (DeVault and Gross, 2012: 209). The interview schedule included questions on how the policy frames have changed over time, whether any frames or perspectives had been marginalised in policy-making, who the main actors in the framing process have been, and the most significant milestones and challenges in domestic abuse policy-making.

Some interviews were more unstructured in style, determined mainly by the respondents’ personality, interviewing style, and level of experience in domestic abuse policy-making and service provision. The unstructured interviews were most advantageous in eliciting narratives from actors who had been involved in the domestic abuse/VAWG sector the longest as they were willing to share their wealth of experience and perspectives (including criticisms of the discursive content of frames and framing process more freely). These interviews were more conversationalist in nature and driven by the respondents’ narratives, but I always had my research questions and interview schedule in mind so that I was able to shape the discussions. The narrative style of interviewing enabled the respondents to reflect upon their accomplishments and how far policy has changed since devolution (but also the shortfalls), and many respondents commented on how cathartic and enjoyable the interview experience was.

\(^{10}\) Some interview respondents explicitly commented on my age.

\(^{11}\) The longest being 3.5 hours
All of the recordings were fully transcribed and thematically analysed via NVivo. I decided not to use CFA to analyse the interview data as it is most suitable in capturing how actors strategically and intentionally shape their frames, discourses, and ideas, and due to the relaxed and conversationalist nature of the interviews, I do not believe that this active and strategic shaping of the responses occurred. As such, it was most appropriate to employ thematic analysis, and I started the analysis with an ‘open mind’ (Gibbs, 2007) to allow for the codes and themes to arise from the data. I began the process by reading through the transcript once to re-familiarise myself with the data, and I made notes on any interesting observations. I then re-read the transcript, but this time I highlighted any emerging themes, annotating these using NVivo. After analysing a handful of interviews, I formulated a codebook with the most common and interesting emerging themes, enabling me to apply consistency across my analysis of the interviews. This included codes such as ‘devolution’, ‘intersectionality’, and ‘gendered’. These themes and illustrative interview quotes were then transferred to a Word document to help inform and shape the focus of each of my empirical chapters and to help with the write-up stage.

4.6 Ethics considerations

The research was carried out in line with the Social Policy Association’s ethical practices and in accordance with the University of Edinburgh School of Social and Political Science Ethics Committee. I ensured that participants gained enough information about the research to allow informed consent through an information sheet (see Appendix A) and a consent form (see Appendix B). The information sheet outlined the purpose of the research, their rights, benefits, and the risks (there were none) of participating in the research. The respondents were encouraged to ask questions about the research before and during the interview. The participants had the right to refuse to answer questions and to stop participating at any time without explanation (although none of the participants used this option).

I used a digital recorder to conduct the interviews to aid with transcription, with permission from respondents to record the interview for the purpose of the thesis, research publications, and conference presentations. Three interview respondents did not wish to be recorded, so I used detailed notes instead. Information on the participants, audio files and interview transcripts are stored securely on an external hard drive that I only have access to and will be disposed of after submitting the thesis and publication of the research. All data collection, storage and processing were General Data Protection Regulation compliant.

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12 Notes were taken for all interviews and aided the analysis.
I endeavoured to keep all data and respondents confidential and anonymous. However, due to the relatively small set of actors in the domestic abuse sector and the array of specialised jobs, it was difficult to guarantee full anonymity. I made the participants fully aware of this in the consent form, and before the interview commenced, many respondents were already conscious that they might be easily identifiable due to their job role. The respondents were initially given the option to have their name included in the thesis and publications; however, I eventually decided to anonymise every respondent as those who chose not to be named could have potentially been identified.

The research employed a feminist ethics of care concerning the caring responsibility that I had for the respondents. This feminist ethics of care is founded on the notion of caring for and being cared for (Noddings, 1986), and it shifts the focus of ethics from principles to relationships, relying on the capacity for compassion and empathy (Preissle and Han, 2012). Alongside grounding my research practices in a feminist ethics of care, I also applied reflexivity to expose the power relations throughout the research process (see Hesse-Biber and Piatelli, 2012). The research discerns how victims/survivors of domestic abuse are represented in policy through policy frames and solutions, rather than investigating individual experiences of domestic abuse and therefore, the power relations between researcher and researched were not simply one-directional. I did not intentionally set out to include victims/survivors in the interview sample, but due to the widespread nature of the issue, it may have transpired that participants had lived experiences of domestic abuse (see Mackay, 2001). Previous empirical research on the Scottish case has also highlighted that domestic abuse is a personal political priority for many actors involved in the domestic abuse sector and policy-making in Scotland and that their lived experiences have informed their politics (Mackay, 2010). Only one respondent spoke of their personal experiences of violence, which they requested to be off the record, and was therefore not transcribed or included anywhere in the research, including my notes.

4.7 Power, reflexivity and intersectional considerations

I interrogated my positionality throughout the research process to evaluate how it shaped my worldview and perspectives. Reflexivity is critical in frame analysis research to ensure that as researchers, our political perspectives, social locations and biases do not cloud our interpretations and analyses of policy problems (Bacchi, 2005b; Verloo, 2007). The inductive approach to frame analysis and process tracing and the use of multi-qualitative methods enabled me to avoid these shortcomings.
An awareness of one’s social location is also impertinent to ‘doing’ intersectional research as it enables the production of feminist knowledge to be accountable and reflexive (Davis, 2014), which in turn, exposes power relations in the research process (Hesse-Bibber and Piatelli, 2012; Becker and Aiello, 2013; Carastathis, 2014). Power and privilege are interchangeable, fluid and contextual (Grenz, 2005), and only once researchers who are aware of their social locations can successfully analyse and explore mutually constitutive structures of oppression. As a white feminist researcher, I do not believe that I need to validate employing intersectionality in my research as all feminist research should critique single-axis frameworks and exclusionary and essentialist constructions of ‘women’. However, throughout the research process, I have been cautious in how I ‘do’ intersectionality to prevent the co-option of Black feminist thought and scholarship. Sirma Bilge (2013: 411) argues, in her critiques of the de-politicisation of intersectionality in the (feminist) academy, that intersectionality should not necessarily be left to Black feminists, but rather white and feminists of colour should stop ‘doing intersectionality in ways that undo it’. Bilge identifies various ways feminists ‘undo’ intersectionality, including confining intersectionality as an academic exercise and ‘whitening’ intersectionality by de-centring race in intersectional thought and praxis.

I attempted to prevent the ‘undoing’ of intersectionality by enhancing my intersectional political awareness. This required consideration and respect towards the genealogy of intersectionality as grounded in Black feminism’s transformative and counter-hegemonic agenda to ensure that I did not problematically appropriate, neutralise or ‘whiten’ intersectionality in my research (see Bilge, 2013; Carbado et al., 2013; Cho et al., 2013; Davis, 2008; Nash, 2019). I reflected upon my whiteness and used ‘whiteness as a point of location’ (Rich, 1987: 219) to evaluate how I conceptualise race and intersectionality and deconstruct hegemonic conceptualisations of gender in feminist research. Ruth Frankenberg (1993) scrutinises whiteness as an unmarked, racialised identity and encourages researchers to reflect upon their own whiteness in the research process and what it means to be white (see Davis, 2008). Evaluating my own whiteness and how it interacted with the research process revealed how my social location influenced the research’s starting point, the questions I asked, and how I analysed my data. This evaluation of my whiteness led me to interrogate the hegemonic and dominant discursive constructions of domestic abuse and single-axis policy solutions. I also used the concept of whiteness to analyse the (mainstream) women’s movement’s discursive construction of domestic abuse and explore how and why the movement focused predominately (and often singularly) on gender.

An examination of my social location was also salient when examining the inclusion and exclusion of CYP in the discursive content of frames and framing processes. I began this thesis
with a particular perspective and expectation of CYP and their (limited) ability for agency in policy-making. This perspective changed and developed over time through engagement with childhood studies literature and discussions and debates with my supervisors. Together, this pushed and developed my theoretical and conceptual framing of CYP actors. Some institutional and movement actors also shared a similar worldview of CYP, and I understood their perspectives at the same time as challenging them. This enabled a more nuanced appreciation and exploration of the complex dimensions of inclusion and exclusion in policy-making.

However, this research can be seen as an example of generational ordering as it was conducted through adult-centred perspectives (see Alanen, 2009), and the limited engagement with CYP actors and victims/survivors has methodological and ethical implications (Mayall, 2000, 2002). All of my interview respondents were adults, and therefore CYP’s voices and expertise are absent in this thesis. The exclusion of CYP was not intentional but instead reflected the ethical and practical difficulties in including young people in social research, especially as my research was self-funded. The exclusion of CYP was most apparent during the analysis of my primary data and throughout the writing process. Considerable time and effort was spent grappling with what this meant for the thesis and whether I could conduct more interviews with CYP actors in the domestic abuse sector. However, Covid-19, alongside time and financial constraints, made this difficult, and therefore I decided that I would learn from this project and enable it to inform my future politics and research (especially regarding how I ‘do’ intersectional research).

4.8 Conclusion

This chapter addressed and justified the methodological considerations in the thesis in translating my feminist institutionalist approach into practice. It presented a distinctive toolkit for analysis by integrating Critical Frame Analysis and an intersectional lens in order to explore and explain how power operates within the framing process and its effects on the discursive content of frames and possibilities for policy change. It then justified the research’s single case study research strategy, highlighting the empirical and theoretical strengths of the post-devolution Scottish domestic abuse policy case and its application of within-case analysis to trace, analyse, and explain policy change over time. Next, it outlined the methods used in the study, including process tracing, elite semi-structured interviews, and documentary analysis. The chapter concluded by detailing how I applied feminist research principles in practice, including a feminist ethics of care, reflexivity, and intersectional evaluations of power and the research process.
The following chapter provides an in-depth process tracing and analysis of key developments in domestic abuse policy-making before drilling down into the specific questions around particular timelines and issues in the following empirical chapters.
Chapter 5: Process Tracing: The Scottish Case

5.1 Introduction

The aim of this chapter is to provide an in-depth analysis and thick ‘paper trail’ of the developments and changes in domestic abuse policy and provision in Scotland since devolution. It draws upon data from my semi-structured interviews with thirty senior actors involved in domestic abuse policy and service provision throughout my timeline, in-depth documentary analysis, and process tracing. It employs this detailed empirical work to trace over time the critical actors in domestic abuse policy, the institutions they interact with, and how the policy problem of domestic abuse has been framed since 1998. As such, it demonstrates the interactive relationship between actors, institutions, and frames.

This chapter builds upon existing studies on gender and Scottish politics (Breitenbach and Mackay, 2001b; Mackay et al., 2003; Breitenbach, 2006; Kenny and Mackay, 2020), emphasising the key role constitutional change and feminist activism played in re-gendering policy-making and offering opportunities to introduce domestic abuse on the policy agenda. In order to highlight the key turning points in domestic abuse policy development, this chapter begins in pre-devolution times and traces change, innovation and continuity across my twenty-year timeline (1998-2018). The first sections provide a brief overview of the pre-devolution Scottish political context and how feminists mobilised around constitutional change to ‘feminise’ wider debates and discussions. The following sections trace the critical actors, including women’s movement organisations (WMOs), and the institutions and institutional mechanisms they have interacted with to enable action and policy development on domestic abuse. Next, I detail developments in the domestic abuse/violence against women and girls (VAWG) movement in Scotland in influencing policy frames and outcomes. The last sections trace the key developments in national policy and institutional and state responses to domestic abuse since devolution.

5.2 Background to Scottish politics and policy-making

Scholars interested in Scottish politics have long asserted the uniqueness of Scotland and its approaches to politics and policy-making. As Scotland retained some of its distinct civic and institutional features (education system, legal system, land reforms, and local government), there

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13 This chapter draws upon contextual information from my interviews. The following chapters engage with my interview data in more depth.
has been a history of political and policy divergences from the rest of the United Kingdom (UK). These divergences have led some scholars to contend that Scottish political attitudes and paths on policy issues have been more ‘progressive’ than the rest of the UK (Paterson et al., 2001; Keating, 2010), although this perspective is contested by others who have challenged the underlying assumptions that Scotland is more egalitarian (Rummery, 2016; Meer, 2020).

This so-called distinct Scottish perspective and approach to politics, coupled with the desire for self-governance, engendered continuing calls for home rule and led to campaigns and referenda for devolution of political power from Westminster. After a failed referendum on devolution in 1979, demands for home rule were revitalised in Scotland during the eighteen years of Conservative governments (1979-97). As the Conservative governments did not win any elections in Scotland during this time, some citizens and devolution campaigners argued the existence of a legitimacy and democratic deficit. Thatcher’s Conservative governments’ neo-liberal laissez-faire ideologies and politics exacerbated the existing grievances and illuminated the differences in political attitudes between Scotland and England and Wales (Cairney and McGarvey, 2013: 8). Many campaigners during the 1980s and 90s drew upon these sentiments to push for constitutional change (Keating, 2010; Cairney and McGarvey, 2013). Devolution campaigners aspired to ‘new politics’ to be more inclusive and representative than Westminster. These aspirations would be achieved through the devolution of power from Westminster to Scotland, a move to a more proportional voting system, power sharing and a more participatory democracy with opportunities for civil society groups to play a role in Scottish politics.

5.2.1 Feminist activism and Scottish politics

Feminist activists introduced a gendered perspective to the debates on new politics by claiming that women suffered from a ‘double democratic deficit’. Firstly, as Scots, they were governed by a party they did not vote for, and secondly, as women, they were poorly represented in UK decision-making positions and political parties (Mackay et al., 2003). Feminists were especially critical of the neo-liberal policies, which diminished the role of the state in the ‘state, market, family nexus’ (O’Connor et al., 1999) and the negative impact that Thatcherite socio-economic policies had on women and gender (in)equality (Brown et al., 2002). These feminist critiques were furthered by the fact that there had been limited advancement on gender equality over the eighteen years of Conservative rule, including national policy and action on violence against women and girls (Scott, 2006).

In response to the UK government’s limited progress on gender equality and consideration of women’s concerns, the Scottish Women’s Coordination Group - made up of representatives
from different women’s organisations in Scotland, representatives from the Churches, the Scottish Trade Union Congress and the Campaign for a Scottish Parliament - organised a consultation with women across Scotland (Brown, 1998). This consultation highlighted three key themes and concerns: poverty, gendered violence, and participation in decision-making. The Scottish Women’s Coordination Group was integral in campaigning and lobbying for equal representation of women in the new Scottish Parliament (known as the 50:50 campaign). Many women activists viewed Scottish devolution as a political opportunity to transform and subvert hegemonic relations of power within political institutions and ensure that women were given an equal voice in decision-making (Brown, 1998, 1999). Thus, the pressure exerted for gender reform was established not only over the belief that political representation matters but also that institutions matter and that women’s perspectives and policy concerns should be embedded from the beginning (Brown et al., 2002).

Women’s movement organisations (WMOs) collaborated to influence the gendering of the constitutional reform process and were an integral part of the Scottish Constitutional Convention. The Scottish Constitutional Convention was an association of political parties, churches, trade unions, and other civic groups set up in 1989 with the aim of agreeing on a scheme for devolution and were integral in shaping the Scottish Parliament (Scottish Constitutional Convention, 1995). During the Scottish Constitutional Convention, WMOs demanded new political institutions, principles, provisions, and practices more responsive to women’s concerns to tackle structural discrimination (Brown, 1998; Brown et al., 2002; Mackay et al., 2003). Mackay et al. (2003) contend that constitutional activism during this time delivered significant gains for women in Scotland in opening up the political process and improving women’s representation and voice in politics in Scotland.

5.2.2 Constitutional change: Governance, institutions, and arrangements

In response to the pressures of constitutional reform campaigners, the Labour Party promised a referendum on constitutional change if they won the 1997 general election. Labour eventually won and formed the next UK government and delivered on their promise by holding a referendum on Scottish devolution in September 1997\(^\text{14}\), where 74% of the electorate voted to establish a Scottish Parliament. The Scotland Act 1998 established the Scottish Parliament (the legislative branch), also known as Holyrood; the ‘Scottish Executive’ (the executive branch), which was rebranded as the ‘Scottish Government’ by the first Scottish National Party (SNP).

\(^{14}\) A referendum on Welsh devolution was also held in September 1997, with the electorate voting in favour of a National Assembly for Wales, while citizens in Northern Ireland voted in favour of the Good Friday Agreement referendum in 1998.
government in 2007; and the position of the First Minister of Scotland\textsuperscript{15}, the Leader of the Scottish Government. The Scotland Act 1998\textsuperscript{16} set out reserved matters, such as human rights, defence and foreign affairs, and declared the UK Parliament to have continuous power to legislate in respect of Scotland; thus, Westminster has absolute parliamentary sovereignty.

The first Scottish Parliament election was held in 1999, with a Labour/Liberal Democrat coalition forming the first government. The next election in 2003 also resulted in a Labour/Liberal Democrat coalition. The continued trend in coalition or minority governments in Scotland largely results from the mixed-member proportional representation electoral system employed, whereby 73 Members of Scottish Parliament (MSPs) are elected through First-Past-the-Post, and 56 MSPs are elected through proportional representation (eight regions each elect seven additional members). The 2007 Scottish Parliament election returned the first ever SNP minority government, while the 2011 election resulted in the first ever majority government since the opening of the Scottish Parliament, with the SNP winning. The 2016 and 2021 Scottish Parliament elections returned SNP minority governments, meaning the pro-independence SNP have won four consecutive terms in government. The 2021 election is particularly interesting for those advancing further constitutional change, through Scottish independence, as the SNP and the Scottish Green Party, another supporter of independence, won 72 of the 129 seats, resulting in a majority for pro-independence parties.

5.3 New actors, new institutions: enabling domestic abuse policy-making

New (feminist) ideas, voices, and collectives accompanied Scotland’s new political and policy-making institutions. As Chapter 2 highlighted, ‘getting in at the start’ is essential for embedding gender reform and advancing policy development on equality issues domestic abuse. New feminist actors working within new institutions are more likely to have the opportunity to shape

\textsuperscript{15} This position, prior to devolution, was exercised by the Secretary of State for Scotland in the Scottish Office.

\textsuperscript{16} In the aftermath of the 2014 Scottish independence referendum, where a small majority voted against independence, the Scotland Act 2016 amended parts of the Scotland Act 1998. These amendments included a specific legal reference to the Sewel Convention, which stated that: ‘it is recognised that the Parliament of the United Kingdom will not normally legislate with regard to devolved matters without the consent of the Scottish Parliament.’ (Scotland Act 2016, s28, para 2). It also devolved further powers to Scotland (such as abortion and energy efficiency), enhanced control over income tax and some social security benefits, and recognised the Scottish Parliament and Scottish Government’s permanence in the UK constitution.
and enact gender equality policies and ways of working (Chappell, 2002, 2014; Mackay, 2004; Lovenduski, 2005; Chappell and Mackay, 2020).

One of the most visible signs of devolution’s success was the (relatively) high numbers of women elected in the first Scottish Parliament elections. In the first election in 1999, 37.2% of MSPs were women, which increased to 39.5% in the 2003 election. However, the representation of women decreased to 33.3% in 2007, which in part was a result of the electoral success of the SNP and the party’s decision not to adopt any positive action measures to increase the representation of women (Mackay and Kenny, 2007, 2009; Fox, 2011). The 2011 and 2016 Scottish elections saw a slight increase in the election of women parliamentarians (34.8% and 34.9%, respectively), revealing a stagnation in the representation of women, with some feminists calling for statutory measures to embed gender equality within the political institutions and political parties (Kenny et al., 2016). Until 2021, there had never been a black and minority ethnic (BME) woman MSP and only one self-identified disabled person, demonstrating the necessity of employing an intersectional lens to the debates over the representation of women and minority groups. However, the 2021 Scottish Parliament election marked a necessary and celebrated change in women’s descriptive representation and minority groups, mainly due to the increased use of quota measures. A ground-breaking 45% of MSPs are women, and there are many representative ‘firsts’. For example, Kaukab Stewart (SNP) and Pam Gosal (Conservative) became the first BME women elected to Holyrood, while Pam Duncan-Glancy (Labour) became the first permanent wheelchair user elected to the Scottish Parliament (Belknap and Kenny, 2021).

While short of equal representation, 45% of women MSPs is noteworthy as the number is above the ‘critical mass’ level of 35%, and the first time that this has been the case since 2007, which analysts contend is required to enable substantive measures and change (see Dahlerup, 1988). It is often assumed that when women’s presence in political institutions increases, more women-friendly policies are more likely to be passed, and more opportunities feminise the institutions and policy-making machinery (Phillips, 1995; Lovenduski, 2005). However, empirical research has revealed mixed findings on whether the presence of women ‘makes a difference’ substantively, revealing the complex relationship between descriptive representation (standing for) and substantive representation (acting for) (Celis, 2008; see Celis et al., 2008; Childs and Krook, 2008).

Feminist scholars interested in the Scottish case have argued that despite the complex and contested relationship between the descriptive and substantive representation of women,
individual equality champions and critical actors are crucial in holding the government accountable and influencing the political agenda, such as domestic abuse (Breitenbach, 2006; Mackay, 2008). Since devolution, there have been significant developments in domestic abuse policy-making in post-devolution Scotland (Mackay et al., 2003; Breitenbach, 2006). Domestic abuse was established as a priority policy issue for Scottish Labour before the establishment of the Scottish Parliament in 1999 due to successful campaigning by feminist activists, party members and WMOs. Greater gender representation in the Scottish Parliament enabled significant policy shifts and prioritisation, and domestic abuse moved from the periphery of policy-making to the centre (Mackay, 2010). Many of the elected female parliamentarians were active in the feminist movement in the 1970s and had links with WMOs (Charles, 2010; Mackay, 2010) and influenced policy change and innovation from the inside. For example, Rhoda Grant and Maureen Macmillan, both Labour MSPs, were the driving force behind the Protection from Abuse (2001) Act, which established interdicts and power of arrest and extended the protection of victims of domestic abuse to include unmarried couples, same-sex couples, and ex-partners, both of whom had a background in feminist activism and WMOs.

This commitment to gender equality and eradicating violence continued during the subsequent Labour/Lib Dem coalitions (1999-2007). Since 2007, the SNP governments have continued this commitment to eradicate domestic abuse/VAWG, and the policy issue has remained relatively high on the political agenda since devolution. The SNP’s commitment to end domestic abuse/VAWG and promote gender equality is particularly interesting as the party has historically had less developed women’s structures than other political parties (Mackay and Kenny, 2009). The current First Minister, Nicola Sturgeon, a self-proclaimed feminist, has been particularly committed to gender equality (demonstrated by the establishment and commitment to a 50:50 gender-balanced cabinet) and policy and action on domestic abuse/VAWG. Sturgeon has used various platforms to promote awareness of domestic abuse and legitimise the feminist framing of the problem, such as the First Minister’s National Advisory Council on Women and Girls, which was established by the first minister in 2017 to help tackle gender inequality and influence policy, decision making, and service delivery on issues such as VAWG, education, and justice. Having prominent politicians, especially the first minister, acknowledge the problem of domestic abuse and support the gendered construction of the problem has been vital in legitimising the movement’s frames, especially as feminist literature has suggested that the level of authority of gender equity entrepreneurs impacts the claims’ success (Lovenduski, 2005; Celis, 2008; Celis et
al., 2014). As a respondent in my study emphasised, ‘And now [we have] a feminist First Minister… I cannot deny Nicola Sturgeon’s influence on this’.

In addition to pushing gains in women’s descriptive representation, feminist activists succeeded in embedding gender equality into the Scottish Parliament’s ‘blueprints’ and structures (Charles, 2010; Mackay, 2010). Key features included the creation of women’s policy machinery in government, equal opportunities adopted as a principle of the parliament, and the participation of WMOs to create a more inclusive and consultative style of policy-making. The Parliament also meets at times suitable for family life and recognises Scottish school holidays, yet family-friendly hours have not always been adhered to, especially during the Brexit preparations (Kenny and Mackay, 2020). There is some recent evidence of backtracking on this success, as some women MSPs have recently cited caring responsibilities as reasons for not seeking re-election (Davidson, 2021). These developments reflect the demands made by feminist reformers in Scotland who sought to disrupt the old gendered cultures and norms of new institutions to tackle women’s structural inequality and allow women to play an equal and active role in Parliament. These efforts also resulted in newly gendered political opportunities for feminists to influence the political agenda and pursue ‘women friendly’ policies, such as domestic abuse (Charles and Mackay, 2013).

Since its inception, the Scottish Parliament has played a pivotal role in providing a platform for discussion and debate on domestic abuse and ensuring the issue remains high on the political agenda. The first debate on domestic abuse occurred in 1999 and coincided with the Sixteen Days of Action, and in 2002 the parliamentary debate on domestic abuse was established as an annual event. Similarly, the first Scottish Government (then Scottish Executive) annual seminar to report on progress on eradicating domestic abuse was established in 2001 and has continued to be a key feature in domestic abuse policy-making and action. A specialist Cross-Party Parliamentary Group on Men’s Violence Against Women and Children was set up in 1999 to discuss innovative strategies in preventing and eradicating violence. The cross-party group is still active today and includes membership from MSPs, WMOs, civil servants, statutory agencies, and individuals interested in VAWG policy and action.

17 Interview 1, women’s movement organisation actor in national and generalist organisation 1, 30/3/18
18 Alongside accountability, open and encourage participation and power sharing.
19 The United Kingdom’s exit out of the European Union.
20 This spans from the International Day for the Elimination of Violence against Women on the 25th November to Human Right’s Day on the 10th December, and occurs internationally every year.
However, more influential in enhancing responses and policy on domestic abuse/VAWG has been the considerable contact WMOs, feminists, and some victims/survivors (including children and young people) have had with government Ministers. Ministers have chaired, often alongside representatives from the Convention of Scottish Local Authorities\(^{21}\) (COSLA), various delivery groups and strategic boards, such as the Equally Safe Joint Strategic Board and the National Group to Address Violence Against Women. The inclusive and consultative style of policy-making has also enabled WMOs and feminist activists to chair sub-groups, some of whom have had considerable power, influence and access. For example, Janette de Haan, a founding member of the National Group to Address Violence Against Women (then named the National Group to Address Domestic Abuse) chaired the refuge provision working group that commissioned research into refuge provision (Fitzpatrick et al., 2003) which influenced a £12 million housing funding.

5.3.1 New institutional arrangements

Moreover, new institutional arrangements inside the Scottish Parliament and Government also opened up the possibilities of establishing a form of state feminism that worked on behalf of feminist goals in embedding gender equality in policy agendas (Stetson and Mazur, 1995). Stetson and Mazur (1995: 1-2) refer to state feminism as governmental activities, structures and political and bureaucratic institutions that are formally responsible for furthering women’s issues and rights, but at the same time recognise how contentious the concept of ‘feminism’ is and how the idea of the state’s role in feminism is problematic for some. One of the key features of the new Scottish Parliament and Government has been the establishment of women’s policy machinery in government. The Violence Against Women (VAW) Team\(^{22}\) and the Equality Unit are examples of this formal institutional arrangement, and they have been integral sites in developing domestic abuse/VAW policy (see Stetson and Mazur, 1995; McBride and Mazur, 2010; Weldon, 2002b, 2006a). The Equality Unit and VAW Team are institutional products of constitutional change as the UK government did not have a formal women’s or equality policy machinery before devolution (Celis et al., 2013).

Women’s policy machinery does not always generate dynamic change, but its presence makes the adoption of feminist policies on domestic abuse/VAWG more likely (Stetson and Mazur, 1995; Weldon, 2002b; McBride and Mazur, 2010; Htun and Weldon, 2012). To enable successful feminist policy change, there must be an interaction between women’s policy machinery and the

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\(^{21}\) The representative body and ‘voice’ of the 32 local authorities in Scotland.

\(^{22}\) The VAW Team operated inside the Justice Department until 2003, when it transferred to the Equality Unit.
women’s movement (Weldon, 2006a). A strong, autonomous women’s movement is salient in influencing the political agenda to enable gender equality issues to be addressed, while women’s policy machinery is required to provide the additional resources that WMOs need (Weldon, 2006: 162). New institutions and institutional arrangements provided new spaces for discursive struggles over meaning-making, enabling the women’s movement to be at the centre of framing debates due to their expertise and experience. Since its inception, the VAW Team and Equality Unit have worked closely with WMOs, and have played a crucial role in institutionalising ‘women’s movement frames for understanding VAW inside the bureaucracy’ (Mackay, 2010: 378). The VAW Team has not only enabled the participation of women’s organisations in the framing and delivery of policy, but it has also coordinated action across the Scottish Government and other statutory agencies (Mackay, 2010). The Team has also been integral in enhancing policy change by working with feminist parliamentarians and ministers (both men and women) through new institutional spaces, such as the Equally Safe Joint Strategic Board and CPG.

### 5.3.2 Women's movement organisations in Scotland

Women’s movement organisations (WMOs) have played a significant role since the 1970s in establishing that domestic abuse and other forms of violence exist in Scotland, which was disputed by so many before. While the movement in Scotland initially paralleled the Women’s Liberation Movement in the rest of the UK, demands for equal representation, and the belief that constitutional change could provide this, resulted in a distinct Scottish women’s movement (Breitenbach, 1990; Breitenbach and Mackay, 2001). The domestic abuse/VAWG movement has developed to become an autonomous and strong movement, and constitutional change enabled them to institutionalise the problem further – and their framing - by establishing it as a state responsibility, which in turn, has positively impacted upon action (Breitenbach and Mackay, 2001).

The Rape Crisis and Women’s Aid movements, which began in the 1970s, have been particularly influential in promoting action on violence and in influencing national and local policy. Scottish Women’s Aid (SWA) is the leading national organisation on domestic abuse in Scotland and works with a network of 36 specialist local Women’s Aid groups, including two specialist black and minority ethnic (BME) organisations. Hemat Gryffe Women’s Aid, in Glasgow, established in 1981, became the first BME Women’s Aid in Scotland. Shakti Women’s Aid was established shortly after in Edinburgh in 1983. These organisations have historically employed an intersectional approach to their services, policy-making and research. Since the 1980s, there has been an increase in BME and faith organisations in Scotland working to improve minority and
migrant women’s lives and ending structural discrimination and racism, such as Saheliya and Sikh Sanjog. Amina Muslim Women’s Resource Centre was established in Dundee in 1998 and has been increasingly involved in prevention and policy work and raising awareness of the needs of Muslim/BME women experiencing all forms of VAWG. Amina has been particularly integral in ensuring that ‘harmful practices’, such as female genital mutilation and forced marriage, remain on the agenda of the organisations that work on VAWG and have raised awareness of these issues both within the community and through training and policy work.

Beyond the Women’s Aid and Rape Crisis movements, the Women’s Support Project is one of the longest-standing WMOs in Scotland. The Glasgow-based project was established in 1983 to bridge the gap between WMOs and professionals working in statutory agencies (Breitenbach and Mackay, 2001; Macleod et al., 2001). ASSIST (which stands for advocacy, support, safety, information, services together) is a newer advocacy organisation, established in 2004, which provides specialist domestic abuse advocacy and support services for victims/survivors of domestic abuse. The organisation is positioned within Glasgow City council (formerly Community Safety Glasgow) and works alongside statutory agencies. Despite operating from the council, the organisation employs a feminist understanding of the problem, and many actors within ASSIST have a background in WMOs.

Another WMO that has had a substantial impact on national policy and action on domestic abuse is Zero Tolerance. The first Zero Tolerance campaign was launched in 1992 in Edinburgh with the aim of making VAWG visible and moving the issue up the political and public agenda. The campaign saw four posters addressing violence against women and girls displayed on billboards, buses, and public venues across Edinburgh. The campaign dispelled myths around the perpetration of violence, explicitly held men responsible for violence and validated women’s experiences of violence (Sofou, 2018). The campaign also had a profound impact on national policy. The first national strategy on domestic abuse in 2000 employed Zero Tolerance’s 3P’s model used to reduce and eradicate abuse: protection (legal remedies to protect); provision (services for women and children experiencing domestic abuse); and prevention (strategies to stop domestic abuse from occurring).

Engender, a feminist policy organisation, was established in 1993 and has played a vital role in researching women’s lives, collating data on women’s position in society, and improving gender equality (Hills, 2001). Although Engender is not solely a VAWG organisation, it has been integral in promoting gender equality and collectively working with other WMOs to eradicate violence. The organisation has also participated in the Women’s Coordination Group, the cross-
party group on MVAWG in Parliament, chaired the primary prevention workstream on the Equally Safe Strategic Board, and the Executive Director of Engender is a member of the NACWG.

5.3.3 The role of secondments: when (feminist) ‘outsiders’ become ‘insiders’

WMO actors and feminist activists have also have attempted to transform gendered norms, rules and practices from within to enhance innovative policy change. Subverting and overcoming institutional gender regimes is no easy task, especially as gendered power relations are often embedded within the institutional design and the daily ‘doing’ of politics (Chappell, 2006; Mackay et al., 2010; Kenny, 2013; Mackay, 2014). Feminist scholars have emphasised the necessity of the interaction and communication between feminist insiders (those operating within institutions and state bureaucracies) and outsiders to disrupt institutional gendered relations of power and enhance policy innovation and change (Stetson and Mazur, 1995; Stetson, 2001; Chappell, 2002; McBride and Mazur, 2010; Chappell and Mackay, 2020).

Since devolution, some feminist actors – including (former) WMO actors - have been embedded within policy-making institutions for a limited period through secondments to develop and implement policy or practice change. Incorporating feminist actors into the policy-making processes reflects the Scottish policy approaches and priorities since devolution (Charles and Mackay, 2013; Celis et al., 2013). These seconded actors have worked alongside other feminist insiders, such as politicians and bureaucrats, to strengthen the cooperation and communication between the state and the women’s movement. An SWA policy worker was the first to be seconded to the government, and she entered the Equality Unit in 2001. The secondee had been involved in the Scottish Partnership on Domestic Abuse and had argued the benefits of having an expert in government to oversee the implementation of the first domestic abuse national strategy.

Since their introduction in government, seconded actors have entered various government directorates and public bodies, making their influence far-reaching and has created openings for further state engagement with feminist activism (see Chappell, 2006). A former SWA children’s policy worker was seconded within government following the SWA Listen Louder campaign (see Houghton, 2006), where children and young people (CYP) and their workers lobbied for recognition of children and the necessity of specialist services. She was brought in between 2006-08 to manage a new £6 million fund for specialist support workers across Scotland and coordinate the National Domestic Abuse Delivery Plan (2008) to improve outcomes for CYP experiencing domestic abuse. An actor with links to Zero Tolerance was seconded to the health...
directorate in 2008 to lead the national programme to address gender-based violence in the NHS. Most recently, a couple of perpetrator programme experts were seconded to the Justice directorate to oversee the most recent phase of the roll-out of the Caledonian system (discussed below), demonstrating the increased recognition of the women’s movement as experts in domestic abuse/VAWG policy and service provision. The interaction between new institutions and new actors has been integral in enhancing domestic abuse/VAWG policy development on domestic abuse.

5.4 New frames and key periods of advancement (1998-2018)

5.4.1 Framing the problem: 1998-2003

The Scottish Office’s establishment of the Scottish Partnership on Domestic Abuse (SPDA) in 1998 was one of the most notable starting points for future strategies and legislation on domestic abuse. It provided an opportunity for the women’s movement to frame the diagnosis and prognosis of the problem and required negotiation over the naming and framing of domestic abuse to establish a shared understanding and definition of the problem. The SPDA’s purpose was to define a national strategy for addressing domestic abuse and was made up of governmental departmental actors (criminal justice, health, education, police) and voluntary actors and third-sector organisations that provided advocacy and services in the domestic abuse/VAWG sector.

The SPDA ended with the presentation of the National Strategy to Address Domestic Abuse in Scotland to the Scottish Parliament in November 2000, which launched the strategy. The 2000 national strategy, drawing upon the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) Recommendation 19 (1992), framed domestic abuse as a cause and consequence of gender inequality and a violation of human rights. The National Group to Address Domestic Abuse was established in 2001 to monitor the implementation of the strategy and was chaired by government ministers and included actors from various sectors, including representatives from the police, health professionals, local government, justice, third-sector, and other agencies. The group broadened its remit by becoming the National Group to Address Violence Against Women to recognise the continuum of abuse (Kelly, 1988) (see Chapter 3). Several working groups were established around the three aims (known as the 3Ps): prevention, protection, and provision. The prevention working group produced a prevention strategy, published by the Scottish Executive in 2003. The training working group produced a training strategy, launched in 2004. As mentioned, the refuge provision working group commissioned research on existing refuge provisions, leading to new
funding streams for refuges and housing. The Scottish Executive provided funding for domestic abuse services in Scotland through the Domestic Abuse Service Development Fund (DASDF) (now the Equally Safe Violence Against Women and Girls Fund), the first national fund in Scotland and provided grants to local authorities to implement the national strategy’s goals.

The 2000 national strategy also emphasised the need for a multi-agency approach as domestic abuse cuts across various social policy areas, and there was an increased awareness of the role that statutory agencies play in eradicating domestic abuse/VAWG. The national strategy placed a requirement on local authorities to establish local domestic abuse partnerships – eventually broadening their focus to violence against women (VAW) – to drive multi-agency work, with the Improvement Service developing and coordinating this infrastructure and network to ensure consistency.

5.4.2 Emergence of child actors in policy-making: 2004-8

There has been a progressive shift in the approaches and representation of children and young people (CYP) in domestic abuse policy during this time, which (partially) reflected the ‘radical rethink’ that Mullender et al. (2002) called for (see Chapter 3). Feminist actors and organisations have been integral in ensuring that CYP are represented in policy and have criticised the passive construction of young survivors and exclusion of their perspectives and voices in policy and action (Callaghan et al., 2018; Houghton, 2018; Fellin et al., 2019).

The new institutional arrangements and participatory approaches to policy-making established through devolution (Keating, 2010) opened up, to some extent, the prospect for CYP to influence the framing of policy. A Parliamentary Committee23 commissioned a report on improving consultation and participation with CYP in policy-making and legislation (Borland et al., 2001), establishing guiding principles for MSPs and paving the way for participatory methods with CYP victims/survivors of domestic abuse. Participatory approaches to policy-making with children and young people were enriched between 2004 and 2008. The National Domestic Abuse Delivery Plan (2008) expanded the 3P’s model to eradicate domestic abuse to include participation as the fourth ‘P’, which directly resulted from CYP participating in the Making a Difference project (Houghton, 2008). A group of children and young people survivors were consulted, and their perspectives were embedded in the development and implementation of the delivery plan (see Houghton, 2013, 2018, 2015 for more detail on the study, development and implementation). The 2008 delivery plan centred on the need to include children and young people’s voices and

23 The Education, Culture and Sport Committee.
experiences in policy-making and service provisions and emphasised the necessity for active participation of victims/survivors in the policy-making process. The first children and young people experiencing domestic abuse advisory group to the Cabinet, Voice Against Violence, was set up for the Plan implementation.

Since then, legislation has also embedded the need and right of children and young people in participating in decisions that affect them. The Children and Young People (Scotland) Act 2014 requires Scottish Ministers to consider the views of children and young people in accordance with the United Nations Convention on the Rights of the Child (UNCRC) requirements. The Scottish Government has continued its commitment to participatory policy-making and research and has funded various projects aimed at encouraging active participation of young victims/survivors in policy-making, such as the Everyday Heroes programme, which informed and influenced the Equally Safe action plan and the Domestic Abuse (Scotland) 2018 Act (see Houghton, 2018, 2015), and the Power Up/Power Down project which aimed to improve the experiences and outcomes for young survivors in family courts regarding contact arrangements (SWA, 2017).

The emergence of participatory domestic abuse policy-making and research with young victims/survivors of abuse has expanded previous definitions and connotations of political ‘actors’. Participatory approaches to policy-making have had tangible impacts on the formulation and implementation of policies and are advantageous in holding the Government accountable for the (in)visibility of some victims/survivors. To some extent, it has shifted the balance of power away from actors who have traditionally held epistemic power in naming and framing the social context of violence (see Collins, 1998). At the same time, participatory research funded by the government is often not sustainable – it is both costly and time-consuming – and there have been some examples of reverting to previous ‘ways of working’ whereby a limited set of actors influence policy.

5.4.3 Broadening the scope and Equally Safe: 2009-2018

Since the first national strategy, there have been more attempts in policy and practice to reflect the continuum of abuse (Kelly, 1988). While the National Group to Address Domestic Abuse broadened its remit in 2002 to recognise the links between the different forms of gendered violence, the re-framing of the problem was not integrated into national policy until 2009 with the launch of Safer Lives: Changed Lives. Broadening the frame and explicitly linking all forms of VAW enabled a recognition that black and minority ethnic (BME) women, children and young
people disproportionately experience some forms of VAW, such as forced marriage and so-called ‘honour-based’ crimes.

Equally Safe (Scottish Government, 2016), the most recent national strategy, was re-published in 2016 after the first iteration (launched in 2014) was criticised for its limited intersectional lens and acknowledgement of children and young people as victims/survivors. WMOs, children’s organisations, and an advisory group of young survivors were integral in collaborating and lobbying for the re-drafting of policy. Equally Safe (2016) recognised the necessity of multi-agency approaches in successfully achieving its aims as no one single partner has the capacity or capability to reduce and eradicate domestic abuse (Scottish Government and COSLA, 2016). The Scottish Government established an Equally Safe Joint Strategic Board with four expert working groups to develop long-term action plans, promote its priorities, and identify current and emerging issues. These were: Accountability; Capacity and Capability; Prevention; Justice. The Minister for Equalities and the COSLA’s Spokesperson for Community Wellbeing co-chair the Joint Strategic Board, which comprises senior civil servants, WMO and advocacy organisation actors, the National Procurator Fiscal for Domestic Abuse, the Chief Medical Officers, and a Detective Chief Superintendent at Police Scotland.

VAW Partnerships are the multi-agency mechanism to deliver Equally Safe at the local level, and it is expected that every local authority has one, although their membership and governance arrangements may differ (Scottish Government and COSLA, 2016). Each VAW Partnership should work in line with the priorities set out in Equally Safe to tackle all forms of VAW, and policy documents such as the Violence Against Women Partnership Guidance (Scottish Government and COSLA, 2016) establish guidelines and expectations for effective VAW Partnerships. Local authorities also have their own Multi-Agency Risk Assessment Conferences (MARACs) to safeguard victims/survivors, identify high-risk victims and establish the information needed for an action plan to protect victims/survivors. The MARAC model complements other multi-agency approaches, such as Multi-Agency Tasking and Coordination (MATAC) and Multi-Agency Public Protection Arrangements (MAPPA), which are a set of statutory partnership working arrangements to ensure public protection and the reduction of serious harm (Scottish Government, 2019).

5.5 Key institutional, policy and practice change in statutory agencies

Statutory agencies have strengthened their responses to domestic abuse since the 1990s, progressing from a limited acknowledgement of the problem to developing their own policies and action plans. This positive change has moved domestic abuse from the private to the public
arena, with considerable policy action and legislation and resonance outwith the women’s movement (Weldon, 2002b; see Nixon and Humphreys, 2010). The shifting attitudes and institutional cultures towards the problem by various state agencies can largely be attributed to the women’s movement developing their understandings of the problem. The following section gives an overview of state and institutional responses to domestic abuse/VAWG and emphasises the essential role of each statutory agency in eradicating violence.

5.5.1 Criminal justice

The justice system has historically viewed domestic abuse as a non-criminal and private matter, and legal institutions have (re)produced patriarchal norms and practices (for example, rape within marriage was not criminalised in Scotland until 1989\(^\text{24}\)). Previous research on domestic abuse policy-making in the Scottish case found that criminal justice resisted incorporating feminist frames in their policies and approaches in the late 1990s and early 2000s (Scott, 2006), upholding the gender regimes that operated within the sector.

There have been significant developments since the 1990s which has moved domestic abuse from the periphery of criminal justice to justice, playing an integral role in multi-agency partnership approaches and holding perpetrators to account (Mackay, 2010; Burman, 2018). Devolution enhanced the transformation and development of criminal justice responses to domestic abuse as nearly all aspects of criminal justice were subject to consultation and review. These reviews resulted in an ‘intense period of policy, legislative and governance changes’ (Brindley and Burman, 2011: 150), which accelerated policy and legislative change on rape, domestic abuse and other forms of VAWG (Brindley and Burman, 2011; see McAra, 2008).

Moreover, increased awareness-raising training with criminal justice practitioners and introducing legislative reforms and new institutional arrangements, such as the domestic abuse courts, have positively impacted criminal justice’s response to the problem. These efforts have resulted in the Crown Office and Procurator Fiscal Service (COPFS) framing domestic abuse as a strategic priority area (Police Scotland and COPFS, 2019). One of the most ‘novel moves’ in criminal justice responses to domestic abuse, however, was the appointment of a National Procurator Fiscal for Domestic abuse in 2013, who is responsible for coordinating and overseeing the prosecution service’s response to domestic abuse at the national level (Burman, 2018: 40).

There has also been an increase in recognition of the gendered dynamics of domestic abuse, and while the law is gender-neutral, policies such as the COPFS and Police Scotland Joint Protocols

\(^{24}\) See Stallard v HM Advocate (High Court of Justiciary, March 1989).
(2013-present) acknowledges that domestic abuse is a ‘form of gender-based violence [as it] is predominately perpetrated by men against women’ (Police Scotland and COPFS, 2019: 2). There has also been an increased acknowledgement within the Joint Protocols of the impact of domestic abuse on children and young people, following young survivors’ involvement in the Voice Against Violence (VAV) IMPACT project, emphasising the requirement to take their perspectives and views into consideration. The establishment of the Victim Information Advice (VIA) service, in response to the Victims and Witnesses (Scotland) Act 2014\(^\text{25}\), demonstrates the acknowledgement of the necessity in responding to the needs of victims/survivors. The VIA service assists all child and adult victims and witnesses of domestic abuse throughout the court case proceedings by offering information about the criminal justice system, information on key developments in their case, and liaising with organisations to support victims/survivors (Burman, 2018).

There have also been some progressive institutional developments within criminal justice since the early 2000s, demonstrating the sector’s commitment to action on domestic abuse, namely the establishment of specialist domestic abuse courts and perpetrator programmes. Learning from the specialist domestic abuse courts established in the USA and Canada, two specialist courts were introduced in Glasgow in 2005 and Edinburgh in 2012. The specialist domestic abuse courts were created to deal with domestic abuse cases more effectively and efficiently by streamlining the often lengthy process in mainstream courts. They were introduced to recognise the need for a shared aim in holding perpetrators to account and increasing prosecution levels, and supporting and responding to the needs of victims/survivors (Burman, 2018). The specialist courts are unique from mainstream courts through the integrated support services for victims/survivors due to the presence of independent advocacy advocates, support from third-sector organisations, such as ASSIST, and the development of specialist knowledge of prosecutors, sheriffs and police liaison officers. A similar approach to the courts was followed in Livingston in 2012, and there are now cluster courts in Ayr, Dunfermline, Falkirk and the Scottish Borders, which timetable domestic abuse cases at the same time to ensure efficiency.

A domestic abuse perpetrator programme was developed and established in Scotland in 2004, known as the Caledonian System. The Caledonian System was, however, not the first perpetrator

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\(^{25}\) The Victims and Witnesses (Scotland) Act 2014 furthered the protection of vulnerable witnesses originally set out in Vulnerable Witnesses (Scotland) Act 2004 by giving them the automatic right to access to special measures, such as the use of screens to obscure the witness from the perpetrator, whereas previously this had to be requested. The Vulnerable Witnesses (Scotland) Act 2004 first set out special measures for vulnerable witnesses and children and prohibits the defendant from conducting their own defence in sexual offence cases in the criminal justice system.
programme in Scotland. Other programmes such as CHANGE and Domestic Violence Perpetrator Programme created in the 1980s paved the way for the Caledonian System. The Justice Directorate funds the Caledonian System, which employs an integrated systems approach that combines services for men (perpetrators), women and children to reduce the risk of harm to women and children. The system provides a court-ordered programme for men perpetrators intending to change their behaviour and prevent future domestic abuse, whereas the children’s service and women’s service is voluntary and provides support and ensures that women’s needs and rights children are met. The Caledonian System has been in operation since 2011, starting in Edinburgh, and has now been rolled out to 19 local authorities, covering 75% of the population of Scotland (https://www.gov.scot/policies/violence-against-women-and-girls/strengthening-the-law/). The Caledonian System was evaluated in 2016, which indicated that Caledonian staff reported that they worked effectively with a range of services, including Social Work, Police Scotland, the Court service, Victim Support and Women’s Aid (Ormston et al., 2016).

5.5.2 Legislative changes
There have been considerable legislative changes since devolution, which has responded to the needs of victims/survivors. The Protection from Harassment Act 1997 made a provision for protecting people from harassment from (ex)partners, and this was amended by the Domestic Abuse (Scotland) Act 2011 to cover harassment that amounts to domestic abuse. The 2011 Act also made it an offence to breach an interdict, a civil court order that stops the perpetrator from contacting or coming near the victim/survivor and their children, with a power of arrest attached to the offence. Legislation also plays a vital role in holding perpetrators to account, and the Abusive Behaviour and Sexual Harm (Scotland) Act 2016 created a statutory domestic abuse aggravator to ensure that courts take domestic abuse into consideration when sentencing an offender, as well as creating a specific offence of sharing intimate images without consent.

There has also been a progressive shift in recognising the impact of domestic abuse on children and young people. The Children (Scotland) Act 1995 ensures that court orders for child contact consider any domestic abuse in the family and that the child is to express their view concerning child contact. The Family Law (Scotland) Act 2006 extends the 1995 Act to include civil partnerships and cohabiting couples. The 1995 Act was amended further in 2020, with the passing of the Children (Scotland) Act. The 2020 Act ensures that children’s views and rights are upheld and valued in the civil courts, ensures further compliance with the United Nations Convention on the Rights of the Child (UNCRC) in the family court, and that children’s views
and interests are at the centre of Children’s Hearings\textsuperscript{26}. As part of the legislative development process, the Justice Committee met with young advisors with lived experience of domestic abuse, known as Yello!, who were supported by SWA\textsuperscript{27} as part of the wider European Improving Justice in Child Contact\textsuperscript{28} project. The emphasis on children’s views and the participation of young people in the legislative process demonstrates a clear shift in understanding children’s unique experiences of domestic abuse and the necessity to include children in decision-making.

Arguably the most significant development in domestic abuse legislation has been the creation of a specific criminal offence of domestic abuse, the Domestic Abuse (Scotland) Act 2018 (hereafter the 2018 Act). The former Solicitor General, Lesley Thomson QC, instigated this specialist legislation on domestic abuse in 2014 to acknowledge and reflect the impact and lived experiences of victims/survivors of abuse and improve criminal justice responses to the issue (Thomson, 2014). This development in legislation demonstrates the importance of feminist insiders in enhancing progressive change from within. The 2018 Act is particularly novel in applying Evan Stark’s (2007) framework of coercive control and moving the focus from physical violence to coercive and controlling behaviours. The 2018 Act also recognises that domestic abuse is characterised by ongoing course of conduct which marked a paradigm shift as an incident-based approach prevailed police and criminal justice responses to the problem. The 2018 Act was created, in part, due to the sustained work by women MSPs, WMOs and survivors, and was unanimously passed in March 2018, illustrating the continual cross-party support for domestic abuse policy and action. The MSPs gave a standing ovation to the survivors and movement actors in the gallery when the Bill passed in recognition of their hard work and achievements in bringing change over the decades.

The 2018 Act also created a statutory aggravation concerning children and young people, meaning that any children affected by abuse will be considered in the proceedings and sentencing of the perpetrator. However, in practice, this means that children and young people are not afforded the direct status as victims (Callaghan et al., 2018), leading to some actors, including VAV IMPACT, arguing for a specific offence for children and young people victim/survivors. Moreover, some specialist organisations contested the focus on partners and ex-partners during the consultation stage of the Domestic Abuse (Scotland) Bill as they argued that it should be

\textsuperscript{26} The Children’s Hearings (Scotland) Act 2011 created specific grounds for children’s referral to the Children’s Hearings System due to domestic abuse.

\textsuperscript{27} https://womensaid.scot/project/improving-justice-in-child-contact/

\textsuperscript{28} https://blogs.ed.ac.uk/ijcc/
extended to include family members as they can be a source of abuse for minority women (this will be discussed further in Chapter 8).

Most recently, the Domestic Abuse (Protection) (Scotland) Act received Royal Assent in 2021, allowing police and courts to remove and ban perpetrators from re-entering the home and contacting victims/survivors. It also makes the provision for social landlords to end the tenancy of the perpetrator or transfer it to the victim. As such, this legislation shifts the focus from the victim to the perpetrator as the onus is put back on the offender rather than expecting victims/survivors to leave the household. Moreover, as domestic abuse is one of the leading causes of women’s homelessness, it reduces the risks posed to women, children and young people and improves their housing rights and protections.

5.5.3 Police

Since the 1990s, the police’s attitudes towards domestic abuse have shifted from viewing domestic abuse as ‘just a domestic’ with little relevance to policing to actively policing domestic abuse and gathering evidence to pursue prosecutions. Her Majesty’s Inspectorate of Constabularies for Scotland’s Hitting Home: A Report on the Police Response to Domestic Violence (1997) report was influential in changing the masculinist institutional culture in policing and responses to domestic abuse. The report outlined recommendations, including the need for systematic collection of information and statistics, the establishment of a shared definition of violence, consideration of the needs of victims/survivors, information sharing procedures between other agencies, in-force training, and the involvement of Women’s Aid in training police officers.

Around the same time, the high-profile murder of Marilyn McKenna by her ex-partner, Stuart Druary, in 1998 shifted the attitudes and practices of one of the regional police forces, Strathclyde police force. McKenna had reported to various police stations that her ex-partner was stalking her and that she feared for her life. No action was taken, and the absence of information sharing between the police stations meant that there was no recognition of the pattern of abuse. McKenna’s murder resulted in the overhaul of Strathclyde police force’s responses to domestic abuse, and a vulnerable person’s database was created to prevent the same from happening in the future. Since this high profile case, Strathclyde police force has been at the forefront of police responses to domestic abuse. Critical actors within Strathclyde police force have also been fundamental in shaping their responses to domestic abuse and other forms of violence. Chief Inspector for Strathclyde Sir Stephen House was particularly integral in shaping the police force’s systematic responses to domestic abuse and ensuring that police
officers took the issue seriously\textsuperscript{29}. His approaches to the problem were eventually integrated within Police Scotland after the eight regional police forces were merged in 2013, and House became Chief Inspector for Police Scotland.

The establishment of Police Scotland created a unified national response to policing domestic abuse and enabled more effective collaborations between COPFS to protect victims/survivors of abuse and prosecute perpetrators (demonstrated through the Joint Protocols). Various institutional arrangements and task forces have been established since Police Scotland’s establishment to improve the policing responses to domestic abuse. The Domestic Abuse Coordination Unit (DACU) was established to ensure that Police Scotland is fully involved in all domestic abuse incidents at local and national levels and ensures consistent and robust responses to domestic abuse. The National Domestic Abuse Task Force was established in 2013 to target high profile perpetrators that pose the highest risks to victims. These perpetrators are identified by engaging with divisional Domestic Abuse Investigation Units (DAIU), and Police Scotland led MATAC groups.

Police Scotland rolled out the Disclosure Scheme\textsuperscript{30} for domestic abuse in 2015, which gives people the right to ask about their partner’s background, potential partner or on behalf of someone they know who is in a relationship where there is concern that the partner is abusive. Most recently, the \textit{Domestic Abuse Matters} training began in Scotland in December 2018. Over 14,000 police officers and staff have been trained on the controlling and coercive behaviours of the new domestic abuse offence. The training was provided by Safe Lives, a charity that supports victims/survivors of domestic abuse, and aimed to help the police recognise the signs of coercive control and effectively respond to it before the offence came into force in 2019.

\subsection*{5.5.4 Health service}

Since devolution, there has been a paradigm shift in recognising that the National Health Service (NHS) plays a vital role in responding to and eradicating domestic abuse. As a universal service, NHS Scotland recognises that women will access health care throughout their lives and that staff should be provided with training on domestic abuse to respond effectively to disclosures and recognise the signs of abuse. The Scottish Needs Assessment Programme (1997) played a significant role in shaping a systematic NHS response to domestic abuse in Scotland and issued national practical guidelines to all NHS Boards. The guidelines employed a gendered framing of

\textsuperscript{29} There were also many other critical actors within the police striving for improvement in institutional responses to the problem.

\textsuperscript{30} The Domestic Violence Disclosure Scheme (also known as Clare’s Law) was first introduced in England and Wales and was developed and rolled out in Scotland nationally.
the problem and recognised the health service’s role in preventing domestic abuse and reducing risk and prevalence. However, the guidelines were not mandatory, and its success relied heavily on dedicated critical actors within each health board (McFeely and Cosgrove, 2018). For example, NHS Lanarkshire Ending Violence and Abuse (EVA) Services was and continues to be revolutionary in its support and advocacy for victims/survivors of domestic abuse and has educated health practitioners on the gendered dynamics of abuse.

National policy in 2008-09 emphasised the necessity of improving NHS Scotland’s identification and response to the needs of women and children victims/survivors. NHS Scotland appointed a National Gender-Based Violence and Health programme manager (a secondee) to lead the changes and improvements to health care responses to domestic abuse. Around the same time, the Chief Executive Letter (41) (CEL_41) (2008) cemented the role that the NHS plays in responding to gender-based violence (GBV) as it set out an action plan and expectations, including the responsibility of health boards to implement routine enquiry of abuse within priority settings, such as mental health, sexual and reproductive health and maternity services. Routine enquiry involves asking all people presenting at a service direct questions about gender-based violence (CEL, 2008: 10). The positive impact of CEL_41 and other national policies on NHS Scotland’s response to GBV should not be understated. McFeely and Cosgrove (2018) contend that CEL_41 established a cultural shift in how healthcare practitioners respond to domestic abuse. For example, routine enquiry is now embedded within healthcare services, and GBV is considered core business for the health service.

5.5.5 Social work and child protection

Since the 1990s, Women’s Aid groups have promoted children and young people (CYP) as victims/survivors of abuse (Cuthbert and Irving, 2001). In Scotland, social work and child protection services now acknowledge, to some extent, that children are affected by domestic abuse in their own right (Scottish Government, 2014, 2016). However, there are tensions in social work practice in balancing the needs of children, the non-abusive parent, and the perpetrator of abuse (Morrison and Mitchell, 2018). Traditionally, social work and child protection services have been ineffective in their responses to domestic abuse through the dominance of the ‘failure to protect’ narratives (Humphreys and Stanley, 2006; Humphreys, 2007). Blame has been placed on the mothers for their inability to protect the children rather than the abusive parent (Morrison and Mitchell, 2018). The failure to protect narrative is gendered, raced and classed as they are based on white, middle-class constructions of

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31 Now known as GBV Services.
motherhood and serve to scrutinise and punish women who do not adhere to this ideal of motherhood (Singh, 2017). Stark and Flitcraft (1996) have written about ‘battered women’s dilemma’ whereby mothers often do no report abuse to the authorities as they fear that their children will be taken away from them, and perpetrators often use this fear as a tactic to coercively control their partner (Katz, 2016, 2019).

There have been cultural and organisational shifts in social work and child protection services in Scotland to understand mothers’ protective actions. Rather than holding mothers to the standards of societal expectations, there is an understanding that their autonomy – or ‘space for action’ (Kelly, 1988; Kelly et al., 2014; Radford and Hester, 2006; McLeod, 2018; Stark, 2007) - has been limited through coercive and controlling tactics employed by perpetrators. The Children’s Hearings (Scotland) Act 2011 was the first time there was a ground for referral if a child has been in ‘close connection’ with a perpetrator of domestic abuse, thus explicitly addressing the previous focus on a mother’s ‘failure’ to protect.

Similarly, the City of Edinburgh, a local authority in Scotland, has played a prominent role in shifting the narratives surrounding child protection and domestic abuse, particularly around the failure to protect narratives. After a case file audit of children and social work’s responses to domestic abuse (City of Edinburgh Council, 2017), the City of Edinburgh agreed to support the establishment of a Safe and Together model in Edinburgh (Morrison and Mitchell, 2018). The Safe and Together model was initially developed by David Mandel in 2014 in the United States of America and has been adopted in Australia and Scotland. The child-centred and system-wide model aims to support the non-offending parent (usually the mother) by ‘partnering with her’ at the same time as intervening with the abusive parent to reduce the risk of harm to the child (Humphreys et al., 2018: 279; see also Mandel, 2014). The model marks a change from previous practice by framing the perpetration of abuse as a parenting choice and recognises and supports the protective measures that the mother has put in place in an attempt to keep the child ‘safe and together’ with her (Humphreys et al., 2018: 279; Scott, 2019).

The Safe and Together model asks professionals to consider and take notes on five components: the perpetrator’s patterns of control; actions taken by the perpetrator to harm the child; non-abusive parent’s efforts to protect the child; the adverse impact of the perpetrator’s behaviour on the child; and the role of the adversities (such as mental health and substance abuse) (Morrison and Mitchell, 2018: 90-1; Humphreys et al., 2018; Mandel, 2014). Scotland’s draft National Guidance for Child Protection in Scotland 2020 explicitly refers to the Safe and Together Model and the Caledonian System as systematic responses to domestic abuse. Similarly, the *Equally Safe*
Delivery Plan (2017-2021) includes an action point on the Safe and Together Model, referring to the need to establish a Safe and Together Institute for Scotland. Thus, demonstrating the increased awareness of the strengths of this model of child protection in the context of domestic abuse in Scotland.

5.5.6 Education

Finally, the education system has a unique position in shifting discriminatory attitudes and behaviours from an early age and promoting primary prevention of VAWG (Scottish Government, 2016). A primary prevention approach to domestic abuse challenges patriarchal attitudes and the normalisation of violence. Preventative work in the education system has primarily been carried out with young people deemed to have the ‘capacity’ to understand the complexities of adult relationships and domestic abuse/VAWG (Lombard, 2015; Lombard and Harris, 2018), which is embedded in adult-centred cultural assumptions about childhood and youth (Thorne, 1987; Hood-Williams, 1990) (see Chapter 2).

Various curricular materials and preventative educational programmes at primary and secondary school levels have been created and delivered by WMOs since the late 1990s, such as Zero Tolerance and Rape Crisis Scotland. Programmes such as the Mentors in Violence Prevention have been delivered in high schools to change and challenge attitudes that perpetuate violence. Most recently, Rape Crisis Scotland and Zero Tolerance (funded by the Scottish Government Violence Against Women and Girls Fund) have developed and delivered a ‘whole schools approach’, called Equally Safe at School. This takes a holistic approach to violence by focusing on the school ethos, the participation of young people, adapting the curriculum, capacity building on appropriate responses to violence, and promoting gender equality (https://www.zerotolerance.org.uk/news/blog/why-we-are-taking-a-whole-schools-approach-to-prevention/). Evaluations of these preventive programmes have been positive; however, they have highlighted that delivery remains patchy, mainly due to resourcing and financial issues (Lombard and Harris, 2018).

The involvement of WMOs in the education sector illustrates the positive interaction between state institutions and the movement and their expertise. However, Lombard and Harris (2018) have cautioned that external agencies should not replace the delivery of preventative work and have argued that schools should draw upon various mechanisms to help children and young people victims/survivors and to promote preventive educational principles (see also McCarry and Lombard, 2016). They contend that Getting it Right for Every Child (GIRFEC), the national approach that promotes, supports and improves children and young people’s wellbeing, presents
an opportunity to support children and young people victims/survivors and promote positive gender roles and social attitudes. Education professionals can draw upon the GIRFEC framework to identify the impact violence has had on children and young people, support them, and help with disruptions to learning (Lombard and Harris, 2018).

Primary preventative measures have been developed in primary and secondary education, but there have also been progressive institutional responses and policies on GBV\textsuperscript{32} in further and higher education. Equally Safe in Higher Education (EHSE) implements the national policy, Equally Safe, in further and higher education settings. EHSE, with funding from the Scottish Government, developed a toolkit for preventing violence that employs a whole systems approach, including data collection, training with staff, and incorporating GBV into the curriculum (Donaldson et al., 2018a; Donaldson et al., 2018b).

5.6 Conclusion

This chapter ‘set the scene’ of the Scottish case and provided an in-depth analysis over time of the critical actors in domestic abuse policy, the institutions they interact with, and how the policy problem of domestic abuse has been framed since 1998. In line with existing studies of women and Scottish politics, it shows that constitutional change and feminist activism was integral in re-gendering politics and policy-making and placing domestic abuse high on the political agenda. Yet, by focusing on shifting relationships between institutions, actors and frames over an extended period of time, the chapter also highlights the complexity and contingency of domestic abuse policy developments in post-devolution Scotland. The following chapters build upon this analysis, first delving into a deeper examination of the ‘early years’ of devolution and the ways in which the interaction between new institutions and new actors enhanced the opportunities to advance and integrate new frames in policy-making, resulting in a gendered definition and human rights frame, which has been acknowledged as being the ‘international forefront’ of VAW policy (Burman and Johnstone, 2015: 50). Subsequent chapters go on to complicate these successes, pointing to ongoing contestations and resistance with regards to the gendered framing of the problem of domestic abuse; intramovement disputes and power imbalances within the women’s movement; and finally turning to evaluate the possibilities of and limits to integrating more progressive and intersectional frames in the Scottish case.

\textsuperscript{32} Similar to NHS Scotland, work in further and higher education largely employs the terminology ‘gender-based violence’.
Chapter 6: Introducing Feminists and Feminist Frames to New Institutions

6.1 Introduction

Having made the case for a feminist institutionalist approach, this chapter applies this framework to my Scottish case study, focusing on how feminist actors and gendered frames were introduced into new institutions in the early days of devolution (1997-2003). As chapter 2 argued, being in at the ‘start’ of a new institution can open up possibilities for feminists to (at least partly) set the ‘rules of the game’ and integrate gender concerns into processes of institutional design and restructuring (Mackay, 2014). Drawing upon data from my semi-structured interviews, process tracing, and critical frame analysis (CFA) of policy documents, the chapter takes an in-depth look at both the general and specific opportunity structures opened up by devolution for feminist campaigners. It explores how, to what extent, and with what effect women’s movement organisations (WMOs) placed domestic abuse as a gendered problem on the policy agenda, institutionalised their frames and influenced policy development with the assistance of key actors inside the new institutions.

In evaluating the interaction between frames, institutions and actors in the ‘early years’ (1997-2003), the chapter argues that Scotland offers a distinctive example of a relatively fast-track approach to domestic abuse policy change and innovation since devolution. It emphasises that the movement’s sequencing of frames, specifically introducing domestic abuse as a gendered problem to the policy agenda, was decisive in establishing this framing as the shared and dominant understanding of the policy problem, influencing future policy frames and the direction of policy development. However, hegemonic institutional logics constrained some feminist strategies for change within this period, establishing a particular ‘path’ of domestic abuse policy-making with unintended (and far-reaching) consequences for future policy-making. In doing so, it complicates Scotland as a ‘feminist success story’, highlighting the (bounded) limits of change within an existing system.

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33 This is not to say that women’s movement organisations (WMOs), both in Scotland and the UK, did not campaign for a gendered framing of domestic abuse/VAWG prior to 1998, but rather that constitutional change provided a fast-track opportunity to place domestic abuse relatively high on the political agenda.

Having set the wider context in Chapter 5, this chapter takes an in-depth look at the crucial first stages of domestic abuse policy-making in post-devolution Scotland, the set-up of new institutions and the framing decisions made by WMOs in the early years (1997-2003). This short timeframe encapsulates the Scottish Partnership on Domestic Abuse (SPDA) in 1998, which is considered the crucial starting point for domestic abuse policy-making. It agreed on the gendered definition and framing of domestic abuse, which was subsequently integrated into the first national strategy on domestic abuse in 2000. This timeframe also encompasses the various working groups and Boards that took forward the national strategy’s work, such as the National Group to Address Domestic Abuse in Scotland and the Prevention Working Group.

The timeframe spans the entire ‘life’ of the first Scottish Parliament and Labour-Liberal Democrat coalition and is, therefore, the first stage of incremental shifts in policy and action on domestic abuse. It encapsulates significant institutional changes and innovation in post-devolution Scotland, which, as Chapter 5 highlighted, provided openings for the women’s movement to influence policy development, including the Equality Unit’s formation in 1999. It also includes the establishment of the Men’s Violence Against Women and Children cross-party group in 1999, various parliamentary debates on domestic abuse/VAWG, and the creation of the Domestic Abuse Team (later VAW Team) in the Justice Department in 2001, which transferred to the Equality Unit in 2003. As Chapter 5 highlighted, many of these new institutional configurations and spaces have been integral in working alongside women’s movement organisations (WMOs) to embed a gendered framing of the problem in policy and practice.

As part of the process tracing for this study, I carried out extensive policy and legislative change mapping work and analysis. Figure 6.1 illustrates this detailed mapping exercise, pointing towards the key policy, legislative, and institutional changes in the ‘early years’ of devolution.
Figure 6.1 Key policy and institutional changes (1998-2003)

Policy & Legislative changes

Institutional changes

- **1998**
  - First parliamentary debate on Domestic Violence/VAW
  - MVAWC CPG established
  - Equality Unit set up

- **1999**
  - Second parliamentary debate on Domestic Violence/VAW
  - CPG on Survivors of Sexual Abuse established

- **2000**
  - Secondment of SWA worker to Scottish Executive
  - First Scottish Executive annual seminars to report progress
  - Domestic Abuse Service Development Fund set up (DASDF)

- **2001**
  - Parliamentary debate on domestic abuse/VAWG set up as annual event
  - Establishment of the Domestic Abuse Team (later the VAW Team) in the Justice Department

- **2002**
  - Prevention of Sexual Offences (Procedure and Evidence) Scotland Act 2002

- **2003**
  - Evaluation of Protection from Abuse (Scotland) Act 2001
  - Responding to domestic abuse: guidelines for health care workers in NHS Scotland
  - Preventing Domestic Abuse: A National Strategy
  - All local authorities have a multi-agency forum in place
  - Announcement of Violence Against Women Service Development Fund (VAWSDF)
  - VAW Team transfers to the Equality Unit
6.3 Placing domestic abuse on the agenda

While Chapter 5 traced the ways in which constitutional change opened up spaces for women’s movement activism, this chapter provides an in-depth look at these first stages focusing particularly on domestic abuse policy and the perceptions of women’s movement organisations (WMOs) themselves. As already highlighted by this and other studies (Mackay, 2010; Kenny and Mackay, 2020; Mackay et al., 2003), these ‘early years’ were a prolific period for the mobilisation of the Scottish women’s movement mobilisation around constitutional change and advancing policy change on domestic abuse. Nearly all of my interview respondents, especially those involved in constitutional activism, emphasised the enabling effects of devolution in accelerating the pace of change in addressing domestic abuse in Scotland. Chapter 5 highlighted the impact of eighteen consecutive years of Conservative UK governments on the devolution campaign, but this ‘democratic deficit’ had particular implications for WMOs as this period (1979-97) saw very little progress in addressing the problem of gender (in)equality and minimum action and policy on domestic abuse and other forms of violence against women and girls (VAWG) (Scott, 2006; Brown, 2002). Devolution was therefore seen as ‘critical’ for campaigners as the previous Conservative governments did not have a strong emphasis on social policy, which meant that ‘the opportunities for these issues to become issues of public policy or governmental action were fairly limited’ \(^{34}\).

While the political opportunity structures created by devolution opened up spaces for women’s movements and feminist policy concerns more generally, specific conditions created favourable outcomes for domestic abuse policy change in particular. My interviews revealed the importance of timing and sequencing in terms of specific political decisions and events, which led to an increase in protest and mobilisation of the women’s movement during this time, resulting in significant opportunities for WMOs to advance policy and action on domestic abuse. For example, a service provider involved in feminist campaigns in the 1990s referred to a specific event when Midlothian council, a local authority in Scotland, withdrew funding for the local Women’s Aid group in 1999, resulting in Scottish Women’s Aid (SWA) lobbying the Scottish Parliament. The service provider discussed the opportunities posed by this successful lobbying:

> So when the first lobby happened, because Midlothian council withdrew funding for their Women’s Aid group… so Scottish Women’s Aid decided to have a lobby of

\(^{34}\) Interview 24, Senior civil servant, 29/5/19.
Parliament, and that was the first-ever lobby following the establishment of the Parliament. So that meant that domestic abuse was right at the forefront.\textsuperscript{35}

Whilst perhaps a seemingly ‘small’ event, these protests provided a critical opportunity for the domestic abuse/VAWG sector to influence change by increasing public awareness and attention towards the problem and the necessity of specialist services providing support for victims/survivors of abuse. As emphasised in this quote, lobbying when both the Parliament and Scottish Executive were susceptible to new ideas provided further favourable openings to advance policy and action on domestic abuse in Scotland. Therefore, the movement was not passive within the political opportunity structures posed by constitutional change; they actively created and shaped opportunities required to enhance the development of domestic abuse policy (see Gamson and Meyer, 1996).

Furthermore, the same service provider continued by emphasising how the debates around constitutional change and emergence of new institutions provided a relatively ‘fast-track’ political opportunity for feminists to place domestic abuse high on the political agenda:

\[\text{[the] focus on the time of how it was to be a women-friendly Parliament, the hours would be set according to Scottish school holidays… I mean, it was just phenomenal. And then with Midlothian council doing that… The big demo along Princes street. That was it. There was no way they weren’t going to do something about having a focus on domestic abuse at the beginning. So aye, it was a great time. It was magic the way that we changed things.}\textsuperscript{36}\]

The strength of the Scottish women’s movement’s mobilisation in ensuring domestic abuse was placed high on the political agenda was echoed by other WMO actors working in the sector during this time. An academic and former WMO actor discussed the interaction between actors, mobilisation, and new institutions in generating change:

\[\text{There’s something about the women in civic life, the women in local politics, trade union women, women in local government. There’s a whole generation of them which I think helped to bring about devolution, and it also helped to bring about that critical mass of women that were actually going to push this agenda. I think that is why the National Strategy on Domestic Abuse was one of the first things that the new government post-devolution created… It was the women, that generation. They were very much part of}\]

\textsuperscript{35} Interview 14, service provider in advocacy organisation, 19/2/19.
\textsuperscript{36} Interview 14, service provider in advocacy organisation1 19/2/19.
that, making sure that this issue was going to be part of the agenda, and I think that helped to create strategies and funding and all the rest of it.\(^{37}\)

The effectiveness of the movement’s mobilisation around this time in enhancing attention towards domestic abuse demonstrates the importance of both timing (when things happen) and sequencing (the order in which things happen). The movement mobilised at a prolific time when parties were open to new ideas, issues and frames, which influenced their strategies. The Scottish case highlights the necessity in observing the conjunction of events and issue-specific factors within the political opportunity structure (Meyer, 2004: 135) to understand how they may enable or constrain movement’s strategies and actions for change (see McAdam, 1999; Tarrow, 1989). The success of the women’s movement in mobilising around devolution and lobbying Parliament meant that the domestic abuse sector and feminist actors were strategically positioned to enhance change and influence the framing and directions of domestic abuse policy (see Charles, 2010; Mackay, 2010).

Furthering this theme of timing, another WMO actor from a different organisation emphasised the establishment of the Parliament as a crucial event that accelerated the pace of change, marking a radical shift from the previous inaction on the problem by the UK government:

> The Scottish Parliament itself, the arrival and the reconvening of the Parliament probably did more than anything to accelerate the pace of change. It didn’t fix everything on its own, but it created the space within which the work could begin in earnest at a strategic level.\(^{38}\)

As highlighted in this quote, devolution provided political opportunity structures for WMOs to strategically and intentionally shape and accelerate domestic abuse policy development. Both general and specific institutional factors and events worked in the women’s movement’s favour to promote a fast-track approach to domestic abuse.

### 6.4 New institutions, new discursive opportunities

The women’s movement’s effective mobilisation around constitutional change and lobbying of Parliament translated into opportunities for the domestic abuse/VAWG sector to influence the agenda and framing processes. Nearly all of my interview respondents who had been involved in initial discussions in the build-up to devolution emphasised the ideational and discursive shifts in the government’s approaches to policy-making and engagement with civil society, communities,

\(^{37}\) Interview 22, academic and former WMO actor in local organisation, 14/11/18.

\(^{38}\) Interview 8, former WMO actor in national and generalist organisation 3, 14/9/18..
and organisations. They related this to ideas of ‘new politics’, and in particular the newly elected Labour government’s novel approach in turning to the domestic abuse/VAWG sector for policy ideas:

…after Labour got in, there was a sort of delegation came up from Westminster and came to Scotland and to Glasgow a meeting was held and hosted by health, so we trotted along with Women’s Aid groups and Rape Crisis probably and sat there, and they went ‘what do you think we should do about VAW?’. And I remember being quite back footed because it was the first time at a meeting of that level that the voluntary organisations had been asked, ‘what should we doing about this?’ rather than us going, ‘this is a problem’.39

This suggests that during this time, the domestic abuse sector had a relatively ‘open door’ in terms of ‘locking in’ progressive ideas, frames, and solutions to domestic abuse (Celis et al., 2013: 46; Vickers, 2010). Moreover, the sense of shock that this service provider conveyed is palpable and is indicative of a broader shift away from the dominant ways of ‘doing’ politics and working relationships between the state and the women’s movement. As a senior civil servant asserted, these processes of constitutional and institutional (re)design were ‘opening up what had been closed down for a period’40. The same interviewee highlighted that this began before the establishment of the Scottish Parliament, as during the run-up to devolution, there was:

quite a lot of interaction between government and communities. It was much broader than advising or saying what the big issues were that needed to be tackled, and there were lots of conversations going on.

The establishment of a good working relationship with the state was pertinent for the movement to successfully transfer their framing of the policy problem to policy, especially as actors that arrive early on are likely to be able to set the ‘rules of the game’ (Lovenduski, 1998; see Kenny, 2013). Thus, potentially solidifying early advantages into longer-lasting ones (Pierson, 2004; Kenny and Mackay, 2009) and having more power and influence in the framing processes (see Minkoff, 1997: 780; Tarrow, 1998).

This collaboration and communication between the state and WMOs continued during the first Scottish Parliament, with WMOs making effective use of the new enhanced formal channels,

39 Interview 10, WMO actor in local organisation 4, 21/1/19.
40 Interview 24, Senior civil servant, 29/5/19.
mechanisms, and participatory processes to influence policy development. A senior civil servant emphasised the shift in approaches towards politics and policy-making around this time:

You had a different approach because devolution brought with it a commitment to have a Parliament that was based on equal opportunities, accountability, and transparency, and openness. And the idea that, therefore, communities and organisations of all kinds should have easy access to the parliamentary process… Everybody was being encouraged to think differently about the way that both public policy was developed, but also how you engage. So the old fashioned notions of consultations, ‘here’s a document do you agree or disagree?’ – it was ‘we have an issue, how do we go about it?’.”

This enabling effect of the key founding principles of the Scottish Parliament confirms previous research, which has emphasised that they acted as drivers for change (see Mackay et al., 2005) and provided a new approach to politics and policy-making that was more open to the involvement of civil groups and society. For WMOs, the key principles, particularly equal opportunities, openness and accountability, provided an opening to access and influence domestic abuse/VAWG policy and action. The senior civil servant continued by detailing what these opportunities meant for WMOs:

The intention was that there should now be a different way of engaging, and I think that the desire was for this period was that public policy in government should be engaging the experts and those with lived experience in the process and across a whole range of public policy that was experts. So for women’s organisations, there was then an opening up.

This openness and increased access to the government was echoed by many other actors involved in policy-making and activism during this time. For example, a former children’s worker emphasised that due to devolution, they had ‘extraordinary access to politicians compared to Westminster. Everyone was incredibly envious, and it was a different ballgame’.

6.5 Framing the problem: Women’s movements, international discourses and legitimacy

The emergence of new institutions and institutional arrangements through devolution presented the women’s movement and feminist actors with new political and discursive opportunities to

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41 Interview 24, Senior civil servant, 29/5/19.
42 Equal opportunities, accountability, openness, and power-sharing.
43 Interview 24, Senior civil servant, 29/5/19.
44 Interview 23, former children’s worker in national and generalist organisation 1, 9/4/19.
influence policy development and embed their frames in the problem representations. As such, it empirically demonstrates the interactive relationship between institutions and frames (see Erikson, 2019b), illustrating how they mutually shaped and reinforced one another and enhanced possibilities to introduce new frames. But what frames did they draw upon? How did they construct the problem of domestic abuse, and how effective were they in translating and institutionalising their frames to policy?

6.5.1 Women’s movement organisations framing the problem

As mentioned, the Scottish Office’s establishment of the Scottish Partnership on Domestic Abuse (SPDA) was crucial for providing a platform for the women’s movement to influence the framing of domestic abuse as it was tasked with agreeing on a definition of the problem. Many of my interview respondents emphasised that the SPDA and subsequent national strategy were significant milestones in domestic abuse policy-making in Scotland. One actor explained that Scotland’s approach to addressing domestic abuse through policy was unique as ‘at the time we published it, there were only two countries in the world that had a national strategy on domestic abuse’.

The SPDA provided an opening for WMOs to transfer their shared understanding and construction of domestic abuse – known as their collective action frame (CAF) (Snow and Benford, 1988; Benford and Snow, 2000) - to the diagnosis and prognosis of the problem. The advantages of these early opportunities should not be understated, especially as feminist concerns and ideas are considered easier to incorporate at the beginning of an institution’s life (Waylen, 2008) before institutional and policy ‘paths’ set in. WMOs drew upon international frames, ideas, and tactics from the transnational movement against violence in the 1980s and 1990s and key international documents to frame the problem of domestic abuse in Scotland. Most influential for the women’s movement was the United Nations Convention on the Elimination of Discrimination Against Women (CEDAW) General Recommendation 19 (1992), which formally framed gender-based violence as a cause and consequence of gender inequality and a violation of human rights. WMO actors involved in the SPDA explained that they drew upon CEDAW to conduct the domestic debate in ‘feminist terms’ (Stetson, 2001: 4) in attempts to legitimise and institutionalise their framing of the problem to national policy:

What we really want is that it needs to be explicit that domestic abuse is about more than violence. It needs to be rooted in the notion that violence against women and, therefore, domestic abuse are about inequalities, they are about structural inequalities, and so yeah,

45 Interview 8, former WMO actor in generalist and national organisation 3, 14/9/18.
we got the 1992 [CEDAW] quote into the strategy because we had it in the first meeting. And that wasn’t the end of the discussions by any means because that spoke to the cause. That was a fairly big statement - that the cause of this abuse is the patriarchy. I don’t know if it actually says the patriarchy, but it does talk about historic and unequal relations between women and men that are structural in nature.\textsuperscript{46}

So we had a definition from the beginning that was based on the UN, you know, all the work of feminists to try and create this progressive path.\textsuperscript{47}

CEDAW provided ‘normative leverage’ to the women’s movement in Scotland as it altered institutional actors’ expectations and strengthened mobilisation around the problem (Weldon and Htun, 2013: 245; Simmons, 2009). As demonstrated in the above quotes, drawing upon diagnostic frames from CEDAW provided legitimacy and credibility to the gendered framing of the problem in Scotland, mainly because they were international discourses and had been formulated through cooperation between organisations and actors operating in different countries and on the international stage (see Weldon, 2006).

Yet, while CEDAW offered normative leverage, a former WMO actor and senior civil servant emphasised that feminist perspectives of domestic abuse and other forms of violence had been grounded in a gendered analysis for a while but had not been translated to policy and legislation:

\begin{quote}
The actors and the players outside, the idea of a gender analysis had been there… it came from a feminist perspective from an understanding of male power... So that analysis of women’s inequality and gender inequality were all there, you know, before but they hadn’t necessarily been reflected in – you know we have legislation on the UK level of sex discrimination and so on – but in terms of how that related to the personal arena as how it was seen had still not really come in to play.\textsuperscript{48}
\end{quote}

Furthermore, WMO actors involved in the SPDA grounded their diagnostic framing of domestic abuse in the lived experiences of victims/survivors. Benford and Snow (1992, 1988) propose that frames have experiential commensurability when the problem intrudes on the everyday lives of the actors involved in the framing process, so much so that they have direct experiences of it. WMOs enhanced the experiential commensurability of the gendered master frame by ensuring that it reflected the lived experiences of victims/survivors:

\textsuperscript{46} Interview 8, former WMO actor in generalist and national organisation 3, 14/9/18.
\textsuperscript{47} Interview 1, WMO actor in national and generalist organisation 1, 30/3/18.
\textsuperscript{48} Interview 24, Senior civil servant, 29/5/19.
We [WMOs] were doing frontline work; we were able to share in an anonymised way the information with policy-level staff, who never usually got to hear any of that… I just kept making sure that they stayed in.°9

The respondent continued by explaining that while the movement actors in the SPDA drew upon CEDAW to construct the definition of domestic abuse, it was truly grounded in women’s experiences of violence:

They knew it. They named it. So it was important to hold onto that in the definition, to make sure the definition… The definitions are not there because we’ve got good theory. They’re there because we’ve got good practice, and we listened for decades to women talking about their experiences, and what they named over and over again was men abusing the power that they had in those women’s lines. And so that’s why we have a gendered definition at the heart of it. That’s why, not just because the academics at the UN said we should [laughs]. The evidence comes from the women.

The incorporation of the domestic abuse sector from the very beginning of domestic abuse policy-making in post-devolution Scotland was crucial in assuring that policy-makers understood the lived experiences of victims/survivors. Participatory approaches to policy-making have developed in Scotland since the first national strategy insofar as (some) victims/survivors have been actively encouraged to participate in the policy-making process. However, in the late 1990s to early 2000s, this was not as common. The inclusion of WMOs who had direct contact with victims/survivors presented an opportunity to illustrate the dynamics of abuse and embed this in policy. The women’s movement also argued that they were made up of (adult) survivors, especially those who worked in the domestic abuse sector and could provide first-hand accounts of their experiences of domestic abuse. As one WMO actor explained, ‘the Women’s Aid movement grew from survivors’°50.

6.6 Sequencing of frames and gendered policy ‘paths’

The discourses and ideas the movement actors drew upon were prolific in shaping the policy debates during the SPDA, but the sequencing of the frames was also instrumental for domestic abuse policy-making and policy change. As argued in Chapter 2, the sequencing of frames ‘matters’ for current and future framing of policy problems and directions of policy development and can have enabling or constraining effects on policy change. Therefore, introducing domestic

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°9 Interview 8, former WMO actor in generalist and national organisation 3, 14/9/18.
°50 Interview 11, former WMO actor in local and specialist organisation 1, 7/2/19.
abuse as a *gendered problem* from the onset of policy-making was decisive in ensuring that policy reflected a feminist agenda, increasing the possibilities of ‘fixing’ (Lombardo et al., 2009b) a gendered construction and definition of the problem in policy. The gendered framing of the problem was integrated into the first *National Strategy to Address Domestic Abuse* (2000), illustrating the success of the women’s movement:

Domestic abuse (as gender-based abuse), can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate women and are perpetrated against their will, including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse, withholding money and other types of controlling behaviour such as isolation from family or friends) (Scottish Executive, 2000: 5).

Introducing domestic abuse as a gendered problem from the beginning of the new institutions ‘life’ established a particular ‘path’ for domestic abuse policy-making. The timing of the new discursive opportunities and sequencing of frames enabled the gendered framing to become gradually integrated as the master frame of domestic abuse policy-making. Thus, ensuring that gender would remain a distinguishing feature of domestic abuse policy and service provision. As outlined in Chapter 2, master frames are particular articulations of policy problems that become established as the shared intersubjective understanding of the problem (Benford and Snow, 1992; Hay, 2016), and therefore mark what actors and movements can and cannot achieve within them. Thus, the movement’s influence on the construction and sequencing of the gendered master frame in Scotland was integral for the future success of domestic abuse policy-making.

Since 2000, the gendered master frame has emphasised that gender explicitly ‘matters’, and inequality is framed as a political problem that requires state interventions and policy outcomes (see Jalušič, 2009). The master frame recognises that men disproportionately perpetrate violence and abuse against women and situates this within structural inequalities insofar as there are power imbalances between men and women and (re)constructions of masculinity and femininity (see Connell, 1987; Kelly, 1988) (see Chapter 3). The 2000 national strategy states that:

Domestic abuse is associated with broader gender inequality, and should be understood in its historical context, whereby societies have given greater status, wealth, influence, control and power to men. It is part of a range of behaviours constituting male abuse of this power, and is linked to other forms of male violence (Scottish Executive, 2000: 6).
The government’s acknowledgement from the onset that domestic abuse is a gendered problem provides further credibility to the master frame. Analysing policy documents produced in the ‘early years’ of devolution suggests that rather than privileging the status quo by maintaining hegemonic masculine norms, there is a transformative agenda inherent within domestic abuse policies in Scotland (see Jahan, 1995). The overarching aim was, and continues to be, to dismantle and subvert gendered relations of power that systemically affect women, and this has predominately been accomplished through a structural framing of gender (in)equality and the problem. The transformative and radical framing of the problem demonstrates how the women’s movement’s CAF regarding domestic abuse’s causality permeated national policy. A senior civil servant argued that Scotland has been ‘marked out [as] at the forefront’ of domestic abuse policy-making due to the holistic, collaborative, and gendered approach to the problem, and emphasised that this ‘intention and drive… has enabled us to make the developments we have since 1998’.

The national strategy and subsequent policies employed gendered frames to emphasise that domestic abuse is a cause of gender inequality and asserts that to understand the gendered phenomenon, one must look at the intimate relationships between partners (see Chapter 3). The emphasis on partners and ex-partners reflects the broader Scottish women’s movement gendered framing of the problem and the framing decisions taken during the SPDA (which I return to in Chapter 8). Most of my respondents emphasised the necessity of a specific focus on partners and ex-partners, and this was explained succinctly by a WMO actor in a national and generalist organisation:

So the feminists in Scotland have fought for and defended our definition of domestic abuse for 20 years, which is that it’s about partners and ex-partners… You know that’s not the case in the rest of the UK, where it includes family members, and we fought against that.

The focus on partners and ex-partners reflects the (gendered) lived experiences of most victims/survivors of abuse, but this has been a point of contention for WMOs working with minority victims who may be subjected to violence by extended family members. Nonetheless, the 2000 national strategy incorporated a couple of addendums to the definition to highlight different experiences of domestic abuse. The debates and contestations around constructing these addendums will be discussed in depth in Chapter 8 but are worth briefly discussing here.

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51 Interview 24, Senior civil servant, 29/5/19.

52 Interview 1, WMO actor in a national and generalist organisation, 30/3/18.
regarding framing the problem. First of all, while the definition of domestic abuse centres on intimate partner violence (therefore, perpetrators are conceptualised as partners or ex-partners), an addendum was formulated that acknowledged diversity of experiences, highlighting that in black and minority ethnic (BME) communities, violence may be perpetuated by family members (Scottish Executive, 2000: 6). Secondly, another addendum was created to highlight that while the focus is predominately on adult relationships, children are witnesses to and subjected to domestic abuse (Scottish Executive, 2000: 6).

This emphasis on partners and ex-partners and the gendered framing of the problem diverged from the gender-neutral, criminal justice, and family violence framing in England and Wales, predominately as a result of differential incorporation of feminist actors and WMOs in the policy-making process (Charles and Mackay, 2013) and because of the varying degree of recognition of the women’s movement expertise (Mackay, 2010). WMO actors in my study expressed how establishing the gendered master frame in Scottish national policy legitimised gendered approaches to policy and service provision. A WMO actor who trains the public sector on domestic abuse emphasised the opportunities posed by the Scottish Executive’s gendered framing of the problem:

It’s extraordinary that Scotland pioneered a gendered analysis of domestic abuse and did not shy away from that... I can confidently stand up in my training in the way that I couldn’t if I lived down South. I can confidently hold the line of a gendered analysis, not just backed up by a wealth of literature and academic research that says ‘you’d be a numpty to have any other kind of definition’, but you know while you think that’s great and authentic but if you are working in a policy arena where it denies that, which is down South, you could never do it.53

Many of my interview respondents shared this view that embedding a gendered framing in policy from the very beginning has positively affected policy and service provision. I asked all of my participants what the most significant milestones have been in domestic abuse policy and service provision during my timeframe, and both movement and institutional actors consistently mentioned the gendered definition and framing in policy (alongside devolution):

Well, really, it has to be the broadest acceptance of gender analysis that has underpinned our work. So it has allowed there to be consistency in government policy, and with the aspirations of women’s organisations and the resulting policies have been guided in the

53 Interview 4, WMO actor in national and generalist organisation 1, 27/2/19.
right direction because that underlying analysis exists. So that’s been really important, and it’s enabled Scotland to be progressive.54

An absolutely huge milestone the first definitions around domestic violence, then domestic abuse, then violence against women were gendered from the beginning, based on the UN work, and that comes out of the linkage of the feminists who were prior to devolution looking outward about constitutions, and about how you run countries, and how you know addressing women’s lack of presence in power and all of those things. So that was really a critical place in the path.55

Yet, while WMO and feminist actors were successful in introducing a gendered framing of domestic abuse in policy, there has been external resistance and internal contestations to this construction, meaning that these success stories are more complex and muddied than first appears (this will be explored further in Chapters 7 and 8). Despite this, this study echoes findings from existing research that incorporating a gendered definition of domestic abuse in the first stages of policy-making in post-devolution Scotland has provided actors with the essential credibility to respond to external resistance and backlash.

6.7 Women’s policy machinery and relationship with WMOs

As argued in Chapter 2 and illustrated in earlier sections, frames, institutions, and actors are interconnected in their enabling or constraining effects in generating change. Thus, in order for WMOs to successfully transfer and institutionalise their framing of domestic abuse in national policy, they had to make effective use of new institutional arrangements and institutional actors.

The creation of gender equality architecture through the formation of women’s policy machinery, namely the Equality Unit in 1999 and VAW Team in 2001, provided one of the most significant new institutional points of access for WMOs to influence the developments in domestic abuse policy-making (see Celis et al., 2013). A senior civil servant involved in the Equality Unit emphasised the fast-paced approach to establishing new equality institutions and mechanisms, namely the Equality Unit and the Equal Opportunities Committee, as a ‘really significant moment’56 for equality and domestic abuse policy-making.

My interview data suggests that women’s policy machinery in Scotland, like in many cases (Stetson and Mazur, 1995; McBride and Mazur, 2010; see Htun and Weldon, 2012), facilitated the work of the women’s movement and further legitimised feminist action, frames, and change

54 Interview 24, senior civil servant, 29/5/19.
55 Interview 1, WMO actor in national and generalist organisation 1, 30/3/18.
56 Interview 25, Senior civil servant, 13/3/19.
on domestic abuse. The Equality Unit was discussed favourably in my interviews, and many respondents emphasised how its establishment enhanced opportunities for change and collaboration with the domestic abuse sector. A former children’s worker reflected on the buzz around this time, recounting how she could ‘remember being really excited about the Equality Unit and that gender was mentioned, and there was gender mainstreaming’\(^\text{57}\). Another senior civil servant discussed how the ‘environment had shifted considerably’, furthering the Executive’s commitment to domestic abuse and engaging with WMOs:

So devolution on this issue [domestic abuse] meant that not only was it recognised as being a major issue of violence in our communities, secondly it was a major public policy question, and it was a big issue substantially around gender inequality. And therefore, we had with a commitment to equality, and an equality unit, and equality policy or strategy which was about opening up and finding ways to mainstream and to bring all issues of equality into the way that all public policy was thought about and engaging with the communities that were experiencing issues.\(^\text{58}\)

The engagement with WMOs through new women’s policy machinery builds upon previous research on the Scottish case by drawing attention to the ways in which the domestic abuse sector was effective in using the new gender equality structures to their advantage to work closely with the state to accelerate feminist policy-making (Mackay, 2010; Charles and Mackay, 2013).

Moreover, the strong commitment to equality and the participation and partnerships with WMOs continued after the VAW Team transferred from the Justice Department to the Equality Unit in 2003. Alongside the Equality Unit’s influence on equality policy-making, it has also continually employed a feminist agenda and reflected the women’s movement’s framing and demands. A senior civil servant emphasised that the decision to move the VAW Team into the Equality Unit reflected both the Scottish Executive’s commitment to equality and the legitimacy of the gendered framing of violence:

Policy around VAW has been led by the Equality Unit in the Scottish Government, which is a recognition that it is a cause and consequence of gender inequality, and that’s very much where it has historically been driven from.\(^\text{59}\)

\(^{57}\) Interview 23, academic and former WMO actor in national and generalist organisation 1, 9/4/19.

\(^{58}\) Interview 24, Senior civil servant, 29/5/19.

\(^{59}\) Interview 25, Senior civil servant, 13/3/19.
Since its transfer to the Equality Unit, the VAW Team has continued to be prolific in its engagement with the women’s movement, promoting gender equality and domestic abuse policy.

6.7.1 Secondments and women’s policy machinery

The Equality Unit has been prolific in advancing domestic abuse policy change, but my respondents also emphasised the importance of the interaction between the women’s policy machinery and actors operating within the new equality institutions and mechanisms in progressing work on domestic abuse. Many involved in the early stages of domestic abuse policy-making pinpointed the secondment of a Scottish Women’s Aid (SWA) policy worker to the Equality Unit in 2000 as a critical moment for WMOs in advancing their influence and frames in domestic abuse policy-making. The seconded actor was placed within the women’s policy machinery to oversee the implementation of the first domestic abuse national strategy. I spoke to the seconded actor about the reasons behind her placement, who explained that she had initially proposed the idea of the secondment as she believed it would be beneficial:

And it just kind of occurred to me that you know… it would probably be quite a good if somebody… someone who knew what this stuff was about was inside the government on the point of finalising and then implementing this really important strategy. So I spoke to the civil servant… I spoke to [Minister for Housing and Welfare] and also the lead civil servant about the fact that you know… I thought there could be a role for me, and I would be happy to do that and then eventually, that kind of jogged along to the point of which it was agreed… It worked out, and I came here in March 2000.60

The use of secondments demonstrates the professionalization and expertise of the movement. It also reflects the broader changes in Scottish policy approaches and priorities since devolution (see Charles and Mackay, 2013) and the state’s willingness to engage with the women’s movement and feminist ideas. The secondment was also advantageous in providing an opportunity for feminists to deepen their knowledge of how policy-making institutions operated, enhancing the opportunities to promote change and embed feminist frames in policy (see Vickers, 2011). Some WMO actors emphasised the advantages of having feminists inside the Equality Unit in progressing change and innovation in national domestic abuse policy-making:

60 Interview 26, Senior civil servant, 3/10/18.
But also, who was working in the Equality Unit is important. So people who had worked, like [seconded WMO actor], who had worked in Scottish Women’s Aid, led on this work. There were some real committed feminists.\(^{61}\)

This is where [the seconded WMO actor] was brought in to develop a national strategy on domestic abuse. And so that was only 2000, I mean the Parliament only came in in ‘99 so you can see suddenly there is this change… it wasn’t that nothing had been happening before because women’s organisations had been doing things, and Women’s Aid had been in existence and had obviously been supported in local government and so on. But in terms of a national policy position on a range of these issues, whether it was gender inequality or violence against women, that wasn’t so visible. So now we had the beginnings of this.\(^{62}\)

As argued in Chapter 2, the interventions of actors acting as equity entrepreneurs within institutions are essential in initiating policy change and in placing equality issues, such as domestic abuse, on the political agenda. Moreover, equity entrepreneurs operating within institutions can enact small wins, which may ‘add up to produce transformations’ within their institutions (Chappell and Mackay, 2020: 2), and this was especially felt by a WMO actor who believed that domestic abuse policy-making had been a ‘product of feminists being really influential on the inside of policy as well as on the outside.’\(^{63}\)

In Scotland, institutional re-structuring provided the openings for equity entrepreneurs to advance domestic abuse policy change and development, but these actors did not work alone. On the contrary, evidence from my research suggests that the emergence of new policy-making institutions enhanced collaboration and communication between equity entrepreneurs and WMOs (see Schön and Rein, 1994; Benford and Snow, 2000), increasing the openings for the women’s movement to influence policy development and to institutionalise their frames further.

### 6.8 Equity entrepreneurs

The relatively high numbers of women elected in the first Scottish Parliament in 1999 (37%) provided fertile ground for new collaborations, ideas, and frames with actors inside and outside formal institutions. My respondents were vocal on the importance of the increased presence of women parliamentarians in the Scottish Parliament, especially those with backgrounds and informal links with WMOs and feminist activism, for domestic abuse policy-making and

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\(^{61}\) Interview 11, former WMO actor in specialist BME organisation 1, 7/2/19.

\(^{62}\) Interview 24, Senior civil servant, 29/5/19.

\(^{63}\) Interview 1, WMO actor in national and generalist organisation 1, 30/3/18.
collaborations with the women’s movement. A WMO actor emphasised that this was ‘hugely influential’\textsuperscript{64} for developing understandings of domestic abuse, while a senior civil servant contended that the, primarily women, parliamentarians ensured there was ‘pressure from the start’\textsuperscript{65} to address the problem within Parliament. In fact, a former WMO actor and academic implied that it is widely accepted that the increase in women parliamentarians benefited domestic abuse policy development and directions:

> I think all those women being involved in civic life, trade unions, the women’s liberation movement, local politics, being employed in local government, you know there was a really massive steam built up and then they returned all these women MSPs. I think most people would agree that it was a massive influence on the direction of policy for the new government, and it’s still there. Look at all this [my timeline], my goodness!\textsuperscript{66}

A WMO actor from another organisation similarly emphasised how women parliamentarians further enhanced the momentum and motivation to address domestic abuse in Scotland:

> It became clear that there was a bit of momentum around that as an issue, and it was something that everyone in the Scottish Parliament could get on board with. You know, everyone wanted to end domestic abuse. It was an easy win in some ways. But there was also the fact that there were a lot of people been elected to the Scottish Parliament who were allies or had worked in Women’s Aid groups or alongside Women’s Aid groups, so there was a lot of motivation to do something on domestic abuse. So that helped too.\textsuperscript{67}

A former MSP and Minister also expressed the benefits of increased representation and presence of feminist parliamentarians for domestic abuse policy change:

> A lot of our women had been working in women’s aid as well and had been in the voluntary sector, and we worked very closely with [Women’s Aid] … I think they [WMOs] saw they had made friends in Parliament. I think they saw… I mean, I think an increase of women in Parliament is a new opportunity to raise the issues, to lobby, to profile, and campaign and I think history’s demonstrated that was absolutely the case. And I think we have had a very positive focus… I do think if you’ve got more women,

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\textsuperscript{64} Interview 2, WMO actor in a generalist and national organisation 1, 11/1/18.
\textsuperscript{65} Interview 26, Senior civil servant, 3/10/18.
\textsuperscript{66} Interview 22, academic and former WMO actor, 14/11/18.
\textsuperscript{67} Interview 8, former WMO actor, 14/9/18.
then it has a knock-on effect on the things you talk about and the policies you prioritise.  

Interviews with WMO actors, parliamentarians, and institutional actors highlighted the clear and tangible link between the increased presence of women in Parliament and feminist change and innovation on domestic abuse. As Chapter 5 highlighted, women’s presence in political institutions makes a difference substantively and increases the opportunities to develop women-friendly policies, such as domestic abuse (Phillips, 1995; Lovenduski, 2005). While the relationship between women’s descriptive and substantive representation is complex and contingent (Dahlerup, 1988; Phillips, 1995; Mansbridge, 1999; Celis, 2008; Celis et al., 2008), this research highlights the perceptions of both WMOs and feminists working within political institutions that increased gender representation in the Scottish Parliament enabled significant policy shifts and prioritisation of domestic abuse, supporting findings from previous research (see Mackay, 2010).

Additionally, my interview participants emphasised the advantages for the elected women parliamentarians to continue their working relationships and informal links with WMOs. WMOs, civil servants, and academics in Scotland worked in partnership to develop and implement key feminist strategies and policies, chiming with Alison Woodward’s (2003) concept of ‘velvet triangles’. Talking from within the government, a senior civil servant explained that there was considerable contact with external organisations on domestic abuse during this time and that being ‘externally focused’ was particularly encouraged and was seen as ‘another feature of devolution’. The respondent continued by explaining that there were ‘regular conferences and meetings with people who had an interest in domestic abuse or VAW and government and ministers and others would be connected.’

### 6.8.1 Legitimising action on domestic abuse

Some of my participants viewed these velvet triangles as particularly beneficial in enhancing the legitimacy of feminist action and frames on domestic abuse. The acknowledgement of the problem from senior Ministers and civil servants in the first Parliament through official statements, press conferences, and parliamentary debates provided further awareness and additional resonance to the movement’s framing of the problem. As one of the first debates in the new Scottish Parliament, the debate on domestic abuse/VAWG in September 1999 offered

68 Interview 27, former MSP and Minister, 2/5/19.
69 Interview 24, Senior civil servant, 29/5/19.
70 Interview 24, Senior civil servant, 29/5/19.
an official platform for MSPs to acknowledge and debate domestic abuse and improve policy and action. Some of my respondents involved in policy-making or the domestic abuse sector at the time emphasised how integral the debate was in raising awareness of the problem of domestic abuse. Labour MSP Maureen MacMillan, a founding member of Ross-shire Women’s Aid and the driving force behind the Protection from Abuse (Scotland) Act 2001, introduced the debate. Maureen Macmillan, in her opening statement during the first domestic abuse debate, demystified common misconceptions around domestic abuse and explicitly framed violence as a cause and consequence of gender inequality:

Violence is used to control a woman by making her afraid. The abuser uses threats as well as physical violence, and assaults are sometimes severe. Just less than half of female murder victims are murdered by their male partners, and three-quarters of those victims are killed by the man after they have left him. Not all abuse is physical. Many women suffer psychological or sexual abuse, which is used to control, and which can be damaging in a different way. (SP Deb 2 September 1999)

This statement drew upon feminist discourses, ideas, and frames and corresponded with the movement’s construction of the problem. Macmillan also referred to the work of the SPDA, providing further recognition and legitimacy to the Partnership and its gendered claims and frames.

While Maureen Macmillan introduced the debate, the cross-party support in addressing domestic abuse and recognising the accomplishments of the domestic abuse sector was palpable. Some of my interview respondents emphasised the importance of cross-party support in further enabling policy development and action on domestic abuse. A senior civil servant explained that there has been ‘consistency right across the piece on the substantive questions about VAW… there was a general consensus. There is cross-party support’ . While a former MSP emphasised that ‘this cross-party support… made it [policy development] easier’. A health lead accentuated the

71 The Protection from Abuse (Scotland) Act 2001 established interdicts and gave the police the power to arrest perpetrators who break interdicts. Interestingly, the Bill became the first Committee Bill to be passed as law by the Scottish Parliament.

72 The domestic abuse/VAW debate was established as an annual event in 2002, and cross-party support has continually been demonstrated through the considerable action and debate in Parliament, especially during the 16 Days of Activism and through the active cross-party group on Men’s Violence Against Women and Children.

73 Interview 24, senior civil servant, 29/5/19.

74 Interview 27, former MSP and Minister, 2/5/19.
importance of having cross-party support in further legitimising policy development that
reflected a feminist agenda:

There has been a willingness to engage in discussions around that [domestic abuse] and
look at legislative possibilities... I think politics has changed; it was a Labour party that
was driving that initially when they were in power at the beginning. But because it was
cross-party… that has created a really good space to take that work where you do need
that political support and legitimacy.\(^{75}\)

Having prominent politicians across the political spectrum acknowledge domestic abuse and
support the gendered construction of the problem was vital in legitimising the movement’s
frames and ensuring that policy development continued to reflect a feminist agenda beyond
these ‘early years’.

6.9 Complicating Scotland’s ‘feminist success story’

This chapter has so far emphasised that WMOs and feminist activists successfully mobilised
around the opportunities posed by constitutional change to influence the agenda and the framing
of national domestic abuse policy. The interaction between new institutions, frames, and actors
paved the way for a relatively fast-track approach to addressing domestic abuse. Yet, as
highlighted in Chapter 2, policy and institutional change often operate in a ‘two-steps-forward-
one-step-back nature’ (Mackay, 2008: 126). While critical events such as constitutional and
institutional restructuring can provide opportunities for change, a historical approach reveals
how change is often ‘bounded’ (Pierson, 2000a; 2000b) or ‘nested’ (Mackay, 2014) within existing
gender regimes and institutional logics that may impede policy change and innovation. My
research indicates that these hegemonic institutional logics (past and present) constrained some
feminist strategies for change within this timeframe and established a particular path for
domestic abuse that has had unintentional and far-reaching consequences for future policy-
making.

6.9.1 (Un)intentional frames and consequences

In chapter 2, I emphasised the necessity of examining both the intentional and unintentional
frames that unconsciously influence the framing process and discursive content of frames
(Bacchi, 1999, 2009; see also Ferree and Merrill, 2000). While the women’s movement was
prolific in discursively constructing domestic abuse during the early years, they did not have
complete control over the framing process. They had to operate within and navigate the

\(^{75}\) Interview 17, health lead, 15/10/18.
institutional logics (see Schmidt, 2010, 2008), with the possibility that they might sometimes find themselves unintentionally upholding these hegemonic logics. The Scottish women’s movement’s decision to ‘choose’ domestic abuse as the movement’s political priority is an example of these unintentional frames as it was more pragmatic, reflecting an understanding of what could and could not be accomplished at the time within new institutions (see Pierson, 2004). My interview respondents emphasised that the decision reflected the socio-political climate and institutional constraints over which feminist issues were more readily discussed and debated in the public sphere. Pragmatically, the movement understood that the government and some institutional actors were uncomfortable in addressing some forms of violence against women and girls (VAWG), such as rape and commercial sexual exploitation as one movement actor explained:

People wouldn’t talk about rape and sexual assault at all… so although none of them had political purchase, domestic abuse had some because you can talk about domestic abuse without immediately raising rape and sexual assault.  

Domestic abuse had more political purchase, and therefore more opportunity for the women’s movement to influence the framing of the policy. Thus, it appears that the movement was aware of the frames that were available to them and the problems that new institutions and actors were most receptive to (see Lombardo and Forest, 2015).

My respondents emphasised the ongoing debates and deliberations within the wider women’s movement over their strategies for action during this time, which a service provider from an advocacy organisation explained most succinctly:

There was a discussion within the movement about whether it should be domestic abuse or whether we should push for violence against women, and there was a disagreement between some people saying it should be violence against women from the start and we should tackle them all, and other people saying ‘we’ll never manage that. It needs to be a gradual approach, but let’s have a structured gradual approach and do it that way’. At that time, my belief is that if we’d gone for violence against women at that time, we wouldn’t have gotten very far at all.

The debates and discussions over the possibilities of a broader focus on VAWG also permeated the SPDA:

76 Interview 14, service provider in advocacy organisation, 19/2/19.
77 Interview 14, service provider in advocacy organisation, 19/2/19.
From the beginning of the Partnership, there was a bit of an attempt to make it be about violence against women rather than domestic abuse. And that failed because, at the time, going back to 98, what they [the Scottish Executive] were willing and able to look at was domestic abuse.78

However, the perceived complexity of the issue, and the fact that the Scottish Executive controlled the agenda, curtailed the movement’s efforts. It is evident that despite the emergence of new institutions and institutional arrangements, the women’s movement and feminist actors were aware of existing ‘dominant systems of meaning’ (Bacchi, 2009: 28) and how they operated within practices and organisational cultures. Therefore, the realities of working within the new institutional spaces and having to contend with their hegemonic discourses and norms stymied some of the movement’s aspirations (Bacchi, 2005a; Bacchi, 2009; Hašková and Saxonberg, 2011; Lombardo and Forest, 2015). Even the most influential actors in my study – for example, those who had considerable legitimacy and power in the SPDA – spoke about how they had to contend with the existing discourses, frames and gender regimes in the institutional space (see Bacchi, 2009; Chappell, 2006; Lombardo et al., 2009).

The 2000 national strategy explicitly identifies the limitations of the scope of the strategy whilst recognising the links between the various forms of violence, stating that this will be incorporated in future policies:

Domestic abuse is one aspect of a range of forms of violence against women, all of which must be tackled in Scotland. This document must be seen as part of an overall strategy to address all forms of violence against women, and although the work which is recommended in this document focuses upon domestic abuse (as this was the original remit of the Partnership), members of the Partnership have recognised the need to establish clear links to the wider issue and to suggest that, in the future, the issues of violence against women and domestic abuse should be considered together, as part of a coherent overall approach. (Scottish Executive, 2000: 3)

Therefore, Scotland empirically demonstrates how even in new institutions, hegemonic institutional logics, ideas, frames, and ways of working impact the women’s movement’s claim-making and strategies. For their frames to be successfully translated to national policies and institutionalised, the women’s movement had to be pragmatic in its aims and objectives.

78 Interview 8, former WMO actor in national and generalist organisation 3, 14/9/18.
6.9.2 Path-dependency and domestic abuse a political priority

Furthermore, some of my interview respondents suggested that the movement was aware of the need to employ a ‘structured gradual approach’ to re-frame the problem and advance policy development on all forms of VAWG. Yet, a WMO actor involved in the SPDA emphasised that the movement focused primarily on the short-term goal of gaining a seat at the table to influence the agenda and policy-making:

We banged on the door for 25 years, and then they opened it, and we fell, and we didn’t really know what to do [laughs] because we didn’t have a plan. Our strategy was to get them to open the door, and we didn’t have a plan for what we would do once they did. None of us did. Scottish Women’s Aid didn’t have a plan for that. So in 1998, they began to open the door there was this feeling of ‘oh’ and then…. and there really was a little bit of a ‘shit; we don’t have our act together, we don’t actually know what we would be looking for in the longer term because we never had to think that long term.’ Our strategy was always about getting people to listen. And yeah, knocking on the door hoping they would open up it up.79

In conjunction with pragmatism, the women’s movement’s narrow focus on short-term goals (re)produced unintentional frames and consequences, impacting the success in re-framing policy, as it has been subject to positive feedback. As historical approaches to institutional analysis assert, once a particular path has become established, the self-reinforcing processes make reversal very difficult (see Hall and Taylor, 1996; Kenny, 2013; Mackay, 2014; Pierson, 2000a, 2004; Waylen, 2007; Wilsford, 1994). Despite the frame reflection on the problem by the women’s movement, there remains a legacy of thinking insofar as domestic abuse remains the most prominent focus in VAWG policy and practice. My interview respondents reflected upon the practicalities and difficulties of re-framing and broadening domestic abuse policy to incorporate all forms of VAWG in policy. A health lead explained the implications of this:

You will hear this from a lot of people, and it is still the case that we are overly focused on domestic abuse – although to be fair, I think in recent years, there’s been more on sexual violence come out, especially with the task force now, which I think is a huge milestone. I think having that strategy and then moving over to an explicit violence against women focus, although I do think we are still weak on other forms of abuse.80

79 Interview 8, former WMO actor in national and generalist organisation 3, 14/9/18.
80 Interview 17, health lead, 15/10/18.
While a WMO actor emphasised that despite intentions to broaden the problem out, this has been more complex in practice:

I think they struggled to broaden it out across the full spectrum of VAW, especially commercial sexual exploitation… Partly because it’s just such a massive subject.\(^{81}\)

The perceived ‘weakness’ and limited attention to some forms of violence, especially forced marriage and female genital mutilation (see Brooks-Hay et al., 2018), will be discussed further in Chapter 9. Still, there was relative consensus amongst interviewees that policy and practice were strongest on domestic abuse, both in the past and currently. Some of my interview respondents talked explicitly about the legacies of thinking in policy-making and how it has (re)produced inaction on some forms of violence:

I think maybe it’s the history of what’s gone before. So obviously, the women’s sector in Scotland, and specifically domestic abuse services in Scotland, have had such a powerful impact on shaping policy in Scotland. And so I think there’s been so much work done on that that it’s almost as though people are familiar with that, so people think, ‘oh, that’s where we’re starting from, and we’ll build around that’… Maybe it is actually just because of the success of the women’s movement in partnering with government and with statutory agencies to be seen as partners and shape policy.\(^{82}\)

Domestic abuse has always been, and a large part of that, and it is possibly to do with the longer journey, from the 1970s, and also the statistics speak for themselves in terms of reporting. I think sexual violence is very much reached a much higher point than it was in terms of understanding, and you know we have a Rape Crisis network, and they are much more engaged in the prevention work.\(^{83}\)

Some of the actors and organisations involved from the beginning of domestic abuse policy-making were afforded ‘first-mover’ advantages in framing the problem, which has had a long-term impact on the re-framing and malleability of the master frames. The sequencing of frames and legacies of thinking around the centrality of domestic abuse established a particular direction for policy-making, resulting in a form of hierarchy in VAWG policy-making and service provision whereby domestic abuse continues to be framed as a priority policy, and making the re-framing of the problem more complex and challenging.

\(^{81}\) Interview 10, WMO actor in local and generalist organisation 4, 21/1/19.
\(^{82}\) Interview 6, former WMO actor in national and generalist organisation 1, 4/3/19.
\(^{83}\) Interview 25, Senior civil servant, 13/3/19.
6.10 Conclusion

This chapter drew upon my FI approach to examine the interaction of new institutions, frames, and actors in enabling a fast-track approach to domestic abuse policy change and innovation post-devolution (1997-2003). Building on previous studies, it highlights the women’s movement’s success in mobilising around new political and discursive opportunities posed by constitutional change to embed their gendered framing of the problem in national policy. The Scottish case highlights the importance of analyses of timing and sequencing in understanding dynamics of change and innovation, particularly in new institutions, demonstrating that political parties, the Scottish Executive, and Scottish Parliament were open to new policy problems, frames, and ideas as an outcome of devolution which accelerated the pace of change. Additionally, the collaboration and communication with feminist parliamentarians and equity entrepreneurs operating within institutions further legitimised action on domestic abuse and the movement’s framing of the problem. The Scottish case empirically demonstrates the importance of sequencing of frames in establishing particular ‘paths’ for policy-making, drawing attention to the ways in which movement actors introduced and integrated domestic abuse as a gendered problem from the onset of policy-making. As such, it enhanced the gradual institutionalisation of this gendered framing, swiftly becoming integrated as the master frame in domestic abuse policy.

Yet, this chapter went on to complicate the Scottish ‘success story’. Applying a feminist historical institutionalist (FHI) lens and tracing policy change and continuity over time, evidence from the Scottish case suggests that hegemonic institutional practices, norms, discourses, and ways of working – even in new institutions – limited discursive parameters for change and constrained the movement’s aspirations. The Scottish case demonstrates the reflexivity of the movement and their awareness that for them to be successful in generating policy change, they needed to be pragmatic in their aims and operate within the confines of the new institutions. However, in doing so, they (re)produced unintentional consequences and frames, namely the singular focus on domestic abuse, which established a particular path for domestic abuse policy-making, making significant future change and substantive re-framing of the problem complex.

The following chapter explores how non-feminist institutional actors have contested the gendered framing of the problem. The chapter examines active resistance by policy antagonists who challenge the construction of feminist discourses in policy whilst also assessing the extent to which ignorance towards the gendered dynamics of domestic abuse is, in fact, a form of hidden resistance. Finally, the chapter evaluates the impact contestations and resistance have on current and future (re)framing of the problem.
Chapter 7: External Debates, Contestations, and Resistance

7.1 Introduction

Chapter 6 examined how gendered frames were successfully introduced and integrated into new institutions and domestic abuse policy-making from the start, whereas this chapter turns its attention to external resistance, contestations and debates around the construction of these frames. As argued in Chapter 2, feminist and women’s movements operate on contested terrains, and external resistance can negatively impact upon the movement’s framing strategies, activities, and ability to affect policy change. This chapter interprets these areas of resistance and contestation through a feminist institutionalist (FI) lens, tracing developments over time and drawing upon data from my documentary analysis and elite interviews with thirty key actors in Scottish domestic abuse policy-making.

Drawing upon the concept of ‘nested newness’ (Mackay, 2014), this chapter traces external contestations and resistance over an extensive thirty-year timeframe and argues that the causes of resistance date back a long time, showing the impact of past legacies on the future (re)framing of domestic abuse policy and services. Beginning in the 1990s, I draw attention to the debates that prevailed in some local authorities and public sector agencies over their roles in addressing domestic abuse, establishing a particular historical precedent for their (in)action on the problem. These legacies of thinking became ‘nested’ within new institutions, opening up discursive spaces for resistance and contestations. Evidence from the case study identifies three mechanisms of continuity and resistance which explain the perceived fragility of the gendered framing of the problem: (mis)understanding and awareness, sanctioned ignorance, and active resistance. It draws attention to particular critical junctures where these mechanisms have emerged and heightened, suggesting that active resistance may intensify in key moments of advancement. It concludes by arguing that these mechanisms ‘matter’, particularly active resistance, with detrimental effects on the framing of policy and the effectiveness of service provision, directly impacting the lives of victims/survivors.

7.2 Domestic abuse: a problem for public agencies?

Before devolution and the adoption of the gendered framing of domestic abuse, debates arose within the public sector in Scotland and the United Kingdom (UK) around their roles and responsibilities in addressing the problem of domestic abuse. Interviews with five respondents working in local authorities and various public sector agencies (criminal justice, health, and the
police) in the 1990s offered reflections on these debates, highlighting how established institutional cultures, practices, and norms minimised the seriousness of domestic abuse, enabling actors to resist their responsibility in addressing the problem. An academic who formerly worked in a local authority recounted the most common debates within local government during the 1990s: ‘The debates back then were: is this a problem? Is this a problem that we should be dealing with? Nowadays, you don’t ask that question.’ Similar debates occurred in the National Health Service (NHS) before health was devolved. A health lead recounted a report issued by the British Medical Association in 1998 and the debates it sparked:

[The] British Medical Association issued a report… the title was *Domestic Violence: A health service issue?* and there was a question mark after that, and the whole report was a debate around whether or not this actually is something we need to trouble ourselves with other than making sure that people receive appropriate support for victimisation.

The report ended by asserting that domestic abuse was a health service issue, but my respondent emphasised that this questioning of their role in addressing the problem ‘set the tone for the debate’ and had long-lasting effects on the engagement with the issue. As argued in Chapter 2, some actors and institutions may describe an issue as a problem, whereas others deny the same issue the problem status, meaning that it remains ‘untouched’ or not fully explored (see Bacchi, 1999). Gaining problem status is not necessarily a success in itself, as previous chapters have highlighted; however, it is the first step in the process of examining a social problem and opening up possibilities for policy change and innovation. These debates and resistance around addressing domestic abuse in the 1990s legitimised non-action and increased the confusion around the sectors’ roles and responsibilities in the diagnosis and prognosis of the problem, setting a historical precedent for policy and action on domestic abuse.

These debates were also prevalent in criminal justice and police forces in Scotland in the 1990s. As a health lead emphasised, ‘we, like the police at the time, had the view that this [domestic abuse] was a private matter between individuals. It wasn’t a political issue. It wasn’t a public issue. It was more of a private issue.’ These attitudes were echoed in an interview with a Sergeant and Inspector in Police Scotland’s Domestic Abuse Coordination Unit. They

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84 Interview 22, academic, 14/11/18.
85 Trade union and professional body for doctors.
86 Interview 17, health lead, 15/10/18.
87 Interview 17, health lead, 15/10/18.
88 Police Scotland’s Domestic Abuse Coordination Unit (DACU) ensures consistency and robustness in the police force’s responses to domestic abuse.
recounted the common cultural attitudes and responses to domestic abuse by local police forces: ‘There was a culture of ‘oh, another domestic’… ‘It’s just a domestic’. That’s what we got sent to: ‘just a domestic’’. An interview with a criminal justice lead highlighted a similar institutional culture in the justice system:

If you think back to 20-30 years ago, the whole ‘just a domestic’. ‘It’s a family matter’. ‘It’s dealt with behind closed doors’. ‘It’s not a big deal’. You know, people didn’t appreciate the harm that was caused and all of that.

These quotes suggest that these attitudes were widespread within the institutions and operated as the ‘dominant systems of meaning’ around domestic abuse (Bacchi, 2009: 28). Yet, as previous chapters have highlighted, devolution offered a critical moment to challenge and shift these institutionalised cultures and readdress the sectors’ initial resistance. These opportunities were outlined succinctly by a health lead:

When health was devolved to the Scottish Parliament, I think that marked quite a significant shift. I don’t mean overnight. It transferred how the health service considered its role, but because of the different structures within the Parliament and different committees and different expectations and the language that was used around equality and inequality, I think it created more of a space for health services to reflect on how best they should engage with the local partners, with the local communities, and how we would set the direction for health care in Scotland. So I think that created a space, a very welcome space in Scotland, for a more reflective approach.

Devolution was considered by many in my study as a significant milestone in accelerating the pace of change in addressing domestic abuse by universal and mainstream services (see Chapter 6). As demonstrated by the quote above, it offered the necessary space and time to reflect upon existing dominant ideas, practices, and norms around the problem. However, as Chapter 2 argues, we should be cautious in oversimplifying the possibilities and opportunities for policy and institutional change as past choices and practices often hinder future developments and change as paths become established, making reform difficult and potentially closing off opportunities for change (Wilsford, 1994; see Hall and Taylor, 1996; Pierson, 2000a, 2004;
Kenny and Mackay, 2009; Mackay et al., 2010; Mackay, 2014). Therefore, to understand how domestic abuse policy has changed over time, it is essential to recognise how old institutions, legacies and cultures have interacted with new institutions, frames and discourses, and the effects that unintended consequences, frames and path dependencies have had in enabling or resisting policy change. As such, new institutions created through devolution were ‘nested’ within the existing gender regimes (Mackay, 2014) that operated within the public sector institutions, resulting in the concurrence of change and continuity.

7.3 SPDA: debating the gendered definition 1998 - 2000

Public sector agencies in Scotland may have questioned and resisted their role in addressing domestic abuse, but as argued in Chapter 6, domestic abuse was a political priority from the onset of the new Scottish Parliament and Scottish Executive. As such, it required a radical shift in attitudes and acceptance that domestic abuse was a problem that they needed to respond to effectively. The necessity for change was cemented with the promise of the national strategy on domestic abuse and the establishment of the Scottish Partnership on Domestic Abuse (SPDA) in 1998.

As demonstrated in Chapter 6, WMOs actors involved successfully transferred a gendered framing of the problem to the Partnership’s action plan and subsequent National Strategy to Address Domestic Abuse (2000). However, not all representative actors readily accepted the gendered framing; therefore, it was up for debate and negotiation. As argued in Chapter 2, these debates are an integral part of the framing process as actors do no systematically accept frames, especially when they hold contrasting or conflicting understandings and constructions of the problem (see Benford and Snow, 2000). Interviews with WMO actors on the SPDA allowed me to get to the heart of these debates and understand their effects on the outcomes of the Partnership, most notably the construction of the definition of domestic abuse.

All three of my interview respondents on the SPDA emphasised some initial external resistance to the gendered framing of domestic abuse. However, they emphasised that it was readily debated and deliberated over the space of a few months. This resistance largely centred around the causal factors of domestic abuse. WMO actors and their supporters emphasised that violence is a cause and consequence of gender inequality, while others argued the existence of other causal explanations and factors, such as alcohol. A former WMO actor outlined the debates that occurred around the causal story of domestic abuse:

It was a fairly big statement that the cause of this abuse is patriarchy. I don’t know if it actually says patriarchy, but it does talk about historic and unequal relations between
women and men that are structural in nature. But we did go through that at the set of five meetings that I was at. We kept having to go back over the same ground with some members of the Partnership because, for some people, it was about alcohol. It was about pathology. It was about... So it was challenging. It was challenging work at times.\textsuperscript{93}

The respondent continued by emphasising that there were a couple of \textquote{dissenting voices} in the SPDA that \textquote{actively wanted an acknowledgement in what we were doing that alcohol could be causal} but that there was a \textquote{significant set of voices}\textsuperscript{94} explaining that alcohol may be a trigger for domestic abuse but that it was not the cause of violence. Another former WMO actor from a different organisation similarly emphasised that some actors on the Partnership struggled with accepting the gendered dynamics and causes of domestic abuse, contending that some actors \textquote{gave us quite a lot of trouble}\textsuperscript{95} in recognising and accepting the gendered definition.

These debates reflect the wider contestations between feminists and family violence theorists outlined in Chapter 3 around the causes and consequences of violence. This form of contestation and resistance was a reoccurring theme throughout this study’s timeframe (which I return to in later sections). Some of the actors from mainstream sectors drew upon gender-neutral explanatory theories and arguments for domestic abuse, likely reflecting the sector’s institutionalised cultures, norms, and ideas around domestic abuse. In contrast, WMO and feminist actors asserted the necessity of gendered frames to effectively reflect the complex dynamics of abuse. These differences and debates over the construction of domestic abuse have been identified in the broader domestic abuse literature as one of the most significant problems in domestic abuse policy-making (James-Hanman, 2000), and all three of my respondents on the SPDA highlighted how challenging it was to be embroiled in the discursive struggles and debates in framing the problem in the SPDA. A former WMO actor described this process:

\begin{quote}
There were people with a justice interest, a health, a housing. So all the policy areas that you would expect were part of that too. I remember… arguments being quite circular for a while. We didn’t seem to be making progress.\textsuperscript{96}
\end{quote}

Different sets of actors drew upon particular frames to shape their understanding and attach meaning to domestic abuse (see Benford and Snow, 1992), making it particularly difficult for people to shift their positions, explaining why the debates were circular. However, my

\textsuperscript{93} Interview 8, former WMO actor in national and generalist organisation 3, 14/9/18.

\textsuperscript{94} Interview 8, former WMO actor in national and generalist organisation 3, 14/9/18.

\textsuperscript{95} Interview 25, former WMO actor and senior civil servant, 13/3/19.

\textsuperscript{96} Interview 25, former WMO actor and senior civil servant, 13/3/19.
respondents highlighted the importance of timing in progressing these debates and negotiating a shared definition of domestic abuse. The SPDA paused for a few months due to the first Scottish Parliament election in 1999 and subsequent set-up of the new Scottish Parliament and Executive. My interview respondents recounted their collective concerns over returning to the debates and having to make the same arguments, but to their surprise, after some further debate, actors on the SPDA accepted the gendered definition. A former WMO actor explained that:

[The publisher and facilitator of the SPDA] brought the draft with the gendered analysis in it and just presented it. There was no pushback – there was quite a bit of argument and debate in the group – but it seemed somehow in that period where we weren’t meeting… I don’t know what was going on, but by the time we came back, it was ‘right, ok, let’s get on with it’. It was full steam ahead at that point. So presumably people were going ‘look, we’ve just got to do this and stop arguing about it. We have to get this done’. And we did.  

The WMO actors expressed their shock and relief in successfully embedding their gendered framing within the definition after months of debate, resistance, and deliberations:

So the definition was up for debate, the gendered definition, and I was gobsmacked it went through so smoothly.  

They took it forward, so that was a great relief! (laughs). So that was a huge win. Really a huge, huge, huge win.

Yet, one of my respondents added a note of caution to this apparent success. Although the gendered definition of domestic abuse was accepted by the SPDA and embedded in policy, it has been continually contested and challenged. She explained: ‘it’s not as if it hasn’t been challenged since, and from time to time there is challenge… [but] we have managed to preserve that, and I am very pleased to say.’ WMOs successfully shaped the meaning of domestic abuse in the SPDA, but the nature of framing policy means that supporters of the gendered framing would be entangled in a continual discursive struggle over the interpretation and construction of domestic abuse (see Benford and Snow, 2000). As such, the gendered frames have been open to further contestations, debates and misunderstandings, alongside stubborn and active resistance.

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97 Interview 26, former WMO actor and senior civil servant, 3/10/18.  
98 Interview 23, former WMO actor and academic, 9/4/19.  
99 Interview 26, former WMO actor and senior civil servant, 3/10/18.  
100 Interview 26, former WMO actor and senior civil servant, 3/10/18.
7.4 (Mis)understanding the gendered framing of domestic abuse

Despite the integration and gradual institutionalisation of a gendered framing of domestic abuse in policy since 2000, my interview data suggests that these frames continued to be challenged in the following years, with particular issues in their adoption by public sector agencies. Interviews with WMO actors and feminists operating within public sector agencies offered different perspectives and explanations for the causes of this inconsistency. Some suggested it was due to misunderstandings of the gendered frames, while others pinpointed the emergence of active resistance.

Those who pointed towards misunderstandings of the gendered framing emphasised that some actors and sectors struggled with the causal story of domestic abuse, similar to those on the SPDA. As one respondent emphasised: ‘it really is a very, very complex area to get people to understand, you see.’ My participants argued that actors within the Equality Unit have been integral in advancing the gendered framing of the problem, but awareness of these concepts and ideas has not necessarily trickled down to other mainstream policy areas and services. A WMO actor explained:

The Violence Against Women Team within the Scottish Government and the Equality Unit particularly have a solid understanding of the causal story and are really committed to seeing that with an action plan. I think others that are making policy that is downstream are not necessarily so compelled by the causal story; they may even haven’t heard of it or aren’t aware. Some of them are committed to it that they understand that this theory now but actually instinctively fall into the trap of the myths that they’ve been surrounded by their whole lives.

A WMO actor from another organisation expressed similar issues and argued that people’s knowledge of the gendered frames has been fragile since its incorporation in policy:

Yeah, I think that’s probably the fragility of the understanding, is that it hasn’t filtered through that far. I think it is incredibly important, and it has been important to [our organisation] in protecting services and policy development, but I think a real understanding of what it means was very limited.

Another WMO actor similarly highlighted the gap between policy and practice:

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101 Interview 15, health service provider, 12/4/19.
102 Interview 7, WMO actor in national and generalist organisation 2, 12/1/18.
103 Interview 2, WMO actor in national and generalist organisation 1, 11/1/18.
So there’s a gap, isn’t there, between the excellent policy statements that a range of different organisations have and the implementation of that. And that gap remains quite frankly not a gap but a chasm in many places.104

These observations on the fragility of understanding and incorporation of the gendered framing of domestic abuse in the Scottish case builds upon existing research which argued that domestic abuse has not been ‘fully institutionalised or routinized as a mainstream policy area’ in post-devolution Scotland (Mackay, 2010: 383; Lombard and Whiting, 2015, 2018). As a result of this fragility, WMOs and advocacy groups have continued to assert the necessity of the gendered framing, attempting to advance knowledge of its purpose. A WMO actor affirmed that developing people’s understanding of the gendered dynamics of domestic abuse has been a demanding and arduous process: ‘It’s just really fighting against the tide... This is like painting the Forth Rail Bridge105, you know. You’re gradually moving people forward.’106 The constraints of these misunderstandings confirms earlier assertions in research that the gendered framing’s ‘status may require prompting and re-prompting’ (Mackay, 2010: 383), with my data identifying the considerable energy and time required from the women’s movement since its adoption in policy.

Moreover, my respondents observed that actors operating within local government and public sector agencies have particularly struggled to understand the structural framing of domestic abuse. As explained by a health lead:

I think there has been an acceptance certainly in the health service that it is predominately women, and we are not excluding men, but it has to be contextualised in such a way to understand to take that forward... I think where people have slight discomfort is around the why, and that it’s happening because we are female. And I think that message in the gendered analysis is one that is perhaps more difficult for people to appreciate... I do think some people find that quite difficult to understand as a systemic, structural issue rather than an artefact or a coincidence.107

These challenges and misunderstandings have (re)produced assumptions that oversimplify and underestimate the explanatory power of the gendered framing. Across my interview data, my

104 Interview 4, WMO actor in national and generalist organisation 1, 27/2/19.
105 There is a well-held belief in United Kingdom that painting the Forth Rail Bridge (connecting Edinburgh and Fife, Scotland) is a never-ending task because as soon as it is painted, the re-painting immediately recommences.
106 Interview 10, WMO actor in local and generalist organisation 4, 21/1/19.
107 Interview 17, health lead, 15/10/18.
respondents emphasised that one of the most common misperceptions of the gendered framing is that it is only applicable in explaining and exploring violence perpetrated against women, reflecting a broader problem where *gender* is perceived to be synonymous with *women*. As one social work lead explained: ‘I think people think the gendered analysis is meaning women and it’s not.’ The respondent continued by highlighting how uncomfortable some of the public sector agencies are in drawing upon the gendered framing of the problem to support men as victims/survivors:

What you then start getting is questions about the gendered analysis because what you start getting is then housing officers and health services, for example, that are universal starting to say, ‘but how do I respond to this person who is male who’s saying he’s a victim of domestic abuse from his female partner?’

Despite national policy continually reaffirming that gender-specific frames and approaches are appropriate in supporting men victims/survivors, this misconception prevails. For example, the most recent strategy on violence against women and girls, *Equally Safe* (2016: 20), includes a dedicated section on violence against men, likely attempting to advance knowledge and dispel notions on the gendered and structural framing of domestic abuse. It asserts that:

A gendered analysis does not exclude men, but rather recognises that women and girls are disproportionately affected by particular forms of violence that they experience because they are women and girls. Many men and boys are victims of violence and abuse… The prevailing societal view of what constitutes masculinity makes it difficult for men to identify themselves as experiencing abuse and can prevent them from seeking help.

This section draws upon feminist conceptualisations around the social construction of masculinity and femininity to assert the necessity of situating men’s experiences of violence within gender inequalities and hegemonic societal ideas around the roles of men and boys in order to understand the barriers and challenges they face.

### 7.5 Ignorance as hidden resistance?

Some of my interview respondents questioned the intentionality of this persistent misunderstanding of the gendered framing and dynamics of domestic abuse. As argued in Chapter 2, it is essential to explore explicit and implicit gendered assumptions in policies in order to identify silences and omissions in policy discourses. Delving further into the challenges faced

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108 Interview 19, social work lead, 1/5/19.
by actors in understanding the gendered construction of domestic abuse led me to consider the extent to which these ‘unknowledges’ are consciously produced and constructed due to political and strategic choices and hidden resistance (see Sullivan and Tuana, 2007: 1). An interview with a WMO actor working with the housing sector to improve their responses to domestic abuse victims/survivors highlighted this epistemic puzzle, while others discussed it more implicitly. She postulated that inaction to domestic abuse and the prevalence of gender-blind approaches in policy is an *active* decision:

I am struggling to understand it at the moment because we have done quite a lot of work…. we have met with the main homelessness organisations in Scotland to talk to them about their lack of a gendered approach to the work that they do and not had a favourable response from any of them. [The housing sector is not] particularly interested or understanding, so it’s very much a gender-blind response that we have received… It’s very entrenched sort of…. Response to gender, really. And I think it goes beyond not seeing it because we keep on pointing it out… I’m beginning to think… It’s hard not to see it as a definite decision not to see it because people keep on pointing it out; you can’t keep on not seeing it.109

While not as explicit, some other respondents questioned the causes of these ‘unknowledges’, especially those who worked within the sectors previously resistant to recognising their role in addressing domestic abuse. A WMO actor training service providers in public sector agencies reflected upon the partial acceptance of domestic abuse amongst healthcare workers:

I don’t want you to think it’s all doom and gloom… It’s just really hard to get across to people that the root cause of violence against women is gender inequality. And it’s almost like people slip into thinking, ‘well, that’s just the way the world is’.110

Again in the health service, another service provider reflected upon the current limited structural understanding of domestic abuse:

Do I think that the wider group of people that we work with see domestic abuse as a reflection on our society’s imbalance and inequality between men and women? Hmm, no. No, not really.111

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109 Interview 2, WMO actor in national and generalist organisation 1, 11/1/18.
110 Interview 10, WMO actor in local and generalist organisation 4, 21/1/19.
111 Interview 16, service provider in the health sector, 12/4/19.
When asked why this was the case, she struggled to justify these misunderstandings, especially as there has been a wealth of evidence to justify and legitimise the gendered framing of domestic abuse:

I couldn’t actually say other than... It’s hard for them to understand because they… I actually don’t know because there’s enough evidence out there. There’s loads of evidence... Is it that some people actually don’t care? I don’t know.

Rather than gaps in knowledge, the ignorance towards domestic abuse and the gendered framing of the problem may reflect gendered power relations insofar as mainstream sectors have neglected feminist discourses and ideas. Feminist epistemologists have framed this form of ignorance as a substantive practice whereby ‘unknowledges’ are actively constructed and embedded in systems of domination112 (Grasswick, 2018; Alcoff, 2007; Sullivan and Tuana, 2007; Tuana, 2006; Code, 1991). Hawkesworth (2010: 269) asserts that the ‘persistent omission’ of gender and feminist approaches in policy is ‘too pervasive and too costly to be taken as simple oversights’. Thus, rather than simply a result of evidence blindness, some forms of ignorance towards the gendered framing of domestic abuse in Scotland likely reflect the broader politics of erasure and exclusion of feminist knowledge and discourses in mainstream policy-making and service provision (Hawkesworth, 2010). This ignorance – or what Hawkesworth situates as ‘sanctioned ignorance’ – functions to (re)produce particular systems of raced, classed, gendered power in policy-making and constrains effective policy change due to the emergence of frame-induced blindness (Schön and Rein, 1994). As argued in Chapter 2, frame-induced blindness occurs when actors are unreflective of the limitations of their frames, particularly in exploring and understanding the ways in which their frames may constrain what they can ‘see’ or ‘do’ about a policy problem, impacting upon what can be achieved.

Identifying this (potential) sanctioned ignorance in the Scottish health service and housing sector draws attention to the complex interaction between new and old institutions and how policy change and innovation are ‘actively resisted’ or ‘passively neglected’ (Mackay, 2014: 2). As mentioned, the health service debated and resisted their responsibility in addressing domestic abuse before devolution. Interview data suggests that these old institutional cultures, norms, ideas, and contestations have acted as a ‘drag’ to the development of domestic abuse responses

112 Nancy Tuana (2006) offers a helpful typology of different epistemologies of ignorance in the context of the women’s health movement and how they create (or constrain) knowledge of women’s bodies.
and understandings of domestic abuse in the health service (see Mackay, 2004, 2014), likely leading to the continuity of limited knowledge, sanctioned ignorance, and resistance.

7.6 Whataboutery and active resistance

Some of my respondents went even further by arguing that there has been recurrent active resistance towards the gendered framing of domestic abuse since its adoption in policy. As one health service provider said: ‘I think there’s a limited understanding, but there’s also quite an active resistance [in health]’113 This standpoint was shared by a WMO actor who identified resistance in the judiciary and legal profession: ‘I would say it’s not just a misunderstanding. I would say that an institutional reluctance or an institutional what’s the word, um, resistance, actually, in some cases.’114 There is some suggestion in this quote that this reluctance or resistance to engage with the gendered nature and framing of domestic abuse is embedded in institutional responses, practices, discourses, and ideas around domestic abuse and is therefore likely difficult to challenge, disrupt and shift. The continuity of this institutional contestation and hesitancy is not unanticipated as a feminist institutionalist perspective emphasises that ‘persistence of some kind is virtually built into the very definition of an institution’ (Mahoney and Thelen, 2010: 4; Mackay, 2014; Chappell, 2014).

Delving further into the dynamics of resistance in the Scottish case, a civil servant explained the particular contestations around the appropriateness of the gendered framing for men victims/survivors: ‘where there have been points of contention they have been about what should we do about male victims of abuse, men experiencing domestic abuse or violence. And I think the general view on that is that nobody has ever said that that didn’t happen.’115 This point of contestation has prevailed despite domestic abuse/VAWG policy documents continually asserting the applicability of the gendered construction in describing and explaining violence against men, as highlighted earlier.

My data reveals that actors contesting and resisting the gendered framing of domestic abuse have drawn upon the politics of whataboutery – specifically in the form of the question ‘what about the men?’. This discursive tactic appears to be based on the ‘politics of equivalence’116 (Little and Rogers, 2017: 177), which disregards and denies the specificity and gendered experiences of men.
violence and draws upon wider gender-neutral arguments (see Chapter 3). My respondents critiqued this emphasis on equivalence, with one health service provider asserting that it ‘diminishes what’s happening and the reality for women.’ Many of my respondents highlighted this whataboutery in domestic abuse policy-making and mainstream services, especially those who had worked in the domestic abuse sector the longest. Interestingly, most respondents did not identify particular periods within my timeline where this form of contestation was most prevalent, although some suggested that it has intensified in the last decade (which I return to later in this chapter). Instead, they emphasised that it has been consistent since adopting the gendered definition and framing of domestic abuse in policy. As one respondent explained: ‘What about the men?... You know, you have this constant circular argument.’ Additionally, many of my participants assumed my familiarity with the ‘what about the men?’ backlash, demonstrating how commonplace it has been. As one respondent asserted: ‘if you’re in this field, you’ll know the questions we get are the questions we’ve always had: ‘What about the men?’ The longevity and prevalence of this resistance was also highlighted in an interview with a WMO actor from a different organisation. She explained:

‘What about the men?’. ‘What about the men?’. There remains, and always has been, this resistance, and I think you understand only too well some of those resistances. The fact that we have a gender analysis has always been contested and remains a sticking point for people not wishing to engage with the issue.

Again, this respondent assumed my awareness of whataboutery as a discursive tactic to resist the gendered framing of the problem in Scotland, highlighting its established nature. This quote also suggests that actors have drawn upon the question to derail engagement with domestic abuse, which echoes broader feminist assertions that whataboutery is embedded in misogyny. Rather than a concern for equality, its purpose is to undermine policies, practices, and initiatives that are attentive to the experiences of women and girls (see Eaton, 2018). It builds upon Lombard and Whiting’s (2018) argument that contestations of the gendered framing of domestic abuse in Scotland and the promotion of gender-neutrality averts attention away from structural inequalities and the complex dynamics of domestic abuse.

117 Interview 15, health service provider, 12/4/19.
118 Interview 15, health service provider, 12/4/19.
119 I was indeed aware of this backlash through a previous research placement with a women’s movement organisation in Scotland.
120 Interview 22, academic and former WMO actor, 14/11/18.
121 Interview 4, WMO actor in national and generalist organisation 1, 27/2/19.
Yet, at the same time, the severity and intentionality of whataboutery was questioned by a health lead, potentially demonstrating the complexity and multiplicity of this form of contestation. A health lead explained that:

There was always the ‘what about the men?’ comments there, but never the sense that it was equivalent. I don’t think we’ve had the Straus and Gelles [family violence theorists who draw upon gender-neutral frames and arguments\(^\text{122}\)] type experience here in Scotland, where people was arguing that it was equivalent. They just didn’t want it to be completely forgotten. There’s always been that element about ‘what about men?’ but never a…. Apart from very individual, isolated incidents. But never a perspective that we were wrong in talking about the fact that this mainly happens to women.\(^\text{123}\)

Despite arguing that this contestation is not grounded in the assumption that violence is symmetrical insofar as men and women are just as likely to be victims/survivors (known as the symmetry debate, as discussed in Chapter 3), my respondent explained that she needed to take the ‘what about the men?’ contestation into consideration while developing policy. She highlighted that the health service’s terminology to describe violence has reduced and prevented this contestation:

If I wrote [policy] and said we are looking at a policy on violence against women, all I would get is ‘what about the men?’, ‘what about the violence against men policy?’. And this is a universal service, and gender-based violence cuts across all the different areas of abuse. And obviously, there are some male survivors within that, so for me, it was a very logical decision to use a descriptor that ensured that we could still embed the gendered analysis, and that was central to any work we took forward on abuse.

This quote is compelling in highlighting the strategies employed in the health service to account for and prevent resistance, demonstrating how ‘what about the men?’ has affected the framing of policy in Scotland. NHS Scotland has employed the terminology gender-based violence (GBV) rather than violence against women and girls (VAWG) since the early 2000s as it required a descriptor that was seemingly inclusive of all victims/survivors due to being a universal service. As argued in Chapter 2, attentiveness to external resistance and its effects on strategies and policy frames is crucial as it may positively or negatively affect the problem representations and the ability of actors to generate policy change. In the case of the health service, drawing upon the

\(^{122}\) See Chapter 3 on family violence theories and Gelles and Straus’s (1979, 1988, 1990) key arguments.
\(^{123}\) Interview 17, health lead, 15/10/18.
terminology GBV, as a result of anticipated resistance, has not prevented the application of a
gendered framing of the problem in policy as it is still grounded in an understanding of structural
gender inequalities.

Beyond the health service and public sector agencies, resistance has also existed within the
Scottish Parliament. A former Minister and MSP explained that while most parliamentarians
accepted the gendered dynamics and framing of domestic abuse, some would ‘hype up from time
to time [and ask] ‘what about the men?’’

She explained that her government supported and reaffirmed the value of the gendered framing, and she would regularly be ‘sent off’ to convince
some of the policy antagonists. Over the years, the continuous support of the Scottish
Government has been fundamental in providing actors with the tools to respond to resistance
effectively. As argued in Chapter 6, the adoption of the gendered framing of domestic abuse
policy was a significant milestone. Interviewees also emphasised how beneficial this has been in
changing the nature and power of external resistance, as explained by a former WMO actor and academic:

But I think because we had a national definition and that had been agreed by that level by
all the people who were in the original Partnership, that gave us a bit of weight. So we
just built on that, and we just kept on putting it up at presentations and training
‘domestic abuse is gendered abuse’ and all that. It was a fait accompli. And we just referred
back to the government’s definition, saying that’s it. Of course, there were debates and
discussions about it, but essentially we were able to say, ‘there you go. That’s what we’re
calling it’.

Furthermore, the Scottish Executive responded to the pressure of policy antagonists pushing
their claims of asymmetry of the problem by commissioning research on men victims/survivors
of domestic abuse. The research carried out by Gadd et al. (2002) concluded that men do not
experience domestic abuse to the same extent or scale as women (see also Dobash and Dobash,
2004; Johnson, 2008; Hester, 2013) (see Chapter 3). Since then, this research and the
government’s framing of the problem have been used to justify the gendered definition in
response to resistance.

124 Interview 27, former MSP and Minister, 2/5/19.
125 Interview 22, academic and former WMO actor, 14/11/18.
7.6.1 Re-frame the problem, increase the resistance? 2009 - 2018

There were some suggestions from a handful of respondents that key moments of advancements in policy and legislation in the last decade were matched with intensified resistance, namely the broadening of the problem to incorporate the full spectrum of violence in 2009 and during the legislative process of the Domestic Abuse (Scotland) Act 2018. As a health lead argued: ‘I think in recent years we’ve had to struggle a bit more with this [resistance], but I think politically there’s always a backlash whenever you make any advances’.\(^{126}\) While these were more illustrative examples, it draws attention to the ways in which policy antagonists may have revived and reutilised the same arguments, tactics, and contestations, particularly whataboutery, to resist change. I explore these critical moments in turn.

First, the Scottish Government’s broadening of the problem to include all forms of violence against women and girls (VAWG) appeared to exacerbate resistance to the gendered master frame. The National Group to Address Domestic Abuse\(^{127}\) decided to widen the focus of the problem in 2002. The then Minister for Social Justice and Chair of the National Group, Margaret Curran, announced this change in a parliamentary debate on domestic abuse in November 2002. Curran’s parliamentary speech emphasised that the National Group had decided that 2002 was ‘the time to do just that’ (SP Deb 28 November 2002). As argued in Chapter 6, the Scottish Executive and some actors on the SPDA were resistant to focusing on all forms of VAWG due to its perceived complexity and instead decided to frame domestic abuse as the policy priority. The re-framing of the policy problem in Scotland demonstrates that there had been ‘incremental adaptations to a changing situation’ (Schön and Rein, 1994: 35-37) to enable this development in policy.

After the national strategy’s action plan ended, the change in terminology and broadened focus was integrated into policy with the introduction of Safer Lives: Changed Lives (2009). It asserted the interconnectedness of all forms of VAWG, further rooting the problem within structural gender inequality. It defined VAWG as:

… actions which harm or cause suffering or indignity to women and children, where those carrying out the actions are mainly men and where women and children are predominantly the victims. The different forms of violence against women – including emotional, psychological, sexual and physical abuse, coercion and constraints – are

\(^{126}\) Interview 17, health lead, 15/10/18.

\(^{127}\) They were subsequently renamed as the National Group to Address Violence Against Women.
interlinked. They have their roots in gender inequality and are therefore understood as gender-based violence. (Scottish Government and COSLA, 2009: 7)

The change in descriptors in Scottish policy transformed what was proposed and constructed as the problem as it explicitly named and framed the perpetrators and victims/survivors and further asserted the gendered nature of violence (see Bacchi, 1999). However, this change was also met with resistance, as described by a WMO actor:

I think that [resistance to the gendered framing] came up really strongly when we moved from a domestic abuse strategy to a violence against women strategy. The resistance to a gendered analysis of domestic abuse had existed. And there were individuals and departments as a result because of key individuals who didn’t want to engage and refused to contribute. But when it was explicitly moving to a violence against women agenda, there was no hiding place because it was absolutely there named on the tin.128

Definitions, frames, and terminologies are not neutral; instead, they provide the discursive ‘parameters’ for what is considered or highlighted as a problem (Hearn and McKie, 2010: 138). As demonstrated in the quote above, the progression towards a violence against women agenda and framing enhanced resistance in Scotland as it explicitly attached a gendered meaning to violence through the naming of the problem.

Some of my interview respondents identified sectors that were particularly resistant to the re-framing of the problem, primarily the sectors that were initially hesitant in accepting responsibility in addressing the problem in the 1990s, demonstrating some continuities and institutionalised legacies of thinking. Additionally, my respondents explained that there was also resistance towards further adopting feminist ideas and discourses in framing the problem in policy. A health lead and member of the National Group to Address Violence Against Women Group recounted the group meetings, explaining that representatives from criminal justice and health were resistant to the framing of VAWG:

In criminal justice, they thought that the violence against women stuff was all very ideologically driven. Ideological was word they used a lot [laughs]. And they didn’t quite say ‘feminist’, but you could see that’s exactly what they thought it was. So they felt it was very partisan, it was very ideological, it was not objective enough. I mean, you get that from colleagues in health as well ‘scientific’ and ‘objective’, and you think ‘there’s no

128 Interview 4, WMO actor in national and generalist organisation 1, 27/2/19.
such thing as the objective truth’. And they were very resistant. They were very reluctant.\textsuperscript{129}

It is interesting to see how this emphasis on objective truth and knowledge was used in Scotland to contest and resist feminist ideas, frames, and discourses. This emphasis on neutral and objective ‘truth’ has been critiqued and dispelled in wider feminist literature, especially feminist standpoint theory (see Harding, 1998, 1991; Smith, 1990; Code, 1991; Phillips, 1994). Feminists have critiqued the perception that knowledge is only ‘worthy’ and ‘valid’ when disembodied and devoid of emotional or personal ties, and feminist epistemologies\textsuperscript{130} are often ‘perceived not to deserve this title’ (Code, 2014: 151). Respondents in my study illustrate that this stress on objective truth is detrimental for domestic abuse/VAWG policy-making as it likely reinforces a gender-neutral or gender-blind conceptualisation and framing of the problem, which, as argued in Chapter 3, does not account for or reflect the complex dynamics of violence.

Secondly, some of my respondents suggested that recent legal advancements on coercive control enhanced resistance to the gendered framing of the problem. As detailed in Chapter 5, the creation of a specific criminal offence of domestic abuse was instigated in 2014 by the then Solicitor General. Over the space of a few years, and after a consultation period, the Domestic Abuse (Scotland) Act was unanimously passed in the Scottish Parliament in March 2018. The 2018 Act was novel in its application of Evan Stark’s (2007) framework of coercive control, pointing towards the continuum of abuse and perpetrator’s coercive and controlling behaviours\textsuperscript{131}. While the legislation in Scotland is gender-neutral, Stark and other feminist scholars have grounded coercive control within structural inequalities and women’s subordination and emphasised that it is asymmetrical as it is predominately perpetrated by men (Johnson, 2008). This is contentious for those advancing gender-natural frames (see Chapter 3), and there has been resistance to this conceptualisation in Scotland. A health lead who earlier referenced the symmetry debate suggested actors have increasingly drawn upon these gender-neutral and symmetry arguments in recent years:

\begin{quote}
So I think in recent years… that whole debate has been resurrected around equivalence and gender symmetry, and that seems to have moved on a bit because I think the voices
\end{quote}

\textsuperscript{129} Interview 17, health lead, 15/10/18.
\textsuperscript{130} As well as anti-racist epistemologies.
\textsuperscript{131} As such, it shifted the focus away from victims/survivors and legal protective measures to the perpetrator and their offending behaviour.
in the male survivors’ arena thought they weren’t winning that particularly well because of the discussion around coercive control has now taken centre stage.\textsuperscript{132}

As suggested in the quote above, the increased momentum and attention towards coercive control was matched with resistance and backlash. Male survivors and men’s rights groups have traditionally drawn upon gender-neutral frames to frame the debate, but unlike in England and Wales, they have had limited scope and success in framing domestic abuse/VAWG in Scotland, primarily due to the lobbying success of the women’s movement (see Lombard and Whiting, 2018). Despite this lack of epistemic power in Scotland, these arguments and frames undermine the legitimacy and merits of the gendered framing of the problem and likely build upon existing hesitancy, misunderstandings, and resistance towards these frames and approaches in mainstream sectors and policy areas.

7.7 Effects of resistance on policy frames and change

So why does this resistance matter? What effects, if any, has it had on the framing of domestic abuse? Firstly, resistance to the gendered framing of domestic abuse in Scotland matters as how actors think about and treat the problem impacts upon how the problem is represented and the proposals for change (see Bacchi, 2009). As argued by my respondents, policies and services that do not take the gendered dynamics of domestic abuse into account ‘simply [do] not reflect the reality’\textsuperscript{133} of the problem and the work of the domestic abuse sector and has detrimental effects for all victims/survivors. One of my respondents emphasised that a gender-neutral or gender-blind approach to domestic abuse would ‘make things inadvertently worse’.\textsuperscript{134} Resistance and lack of awareness of the gendered dynamics of domestic abuse are particularly harmful in mainstream and universal services, such as the NHS, as they are most likely to have direct contact with victims/survivors and are therefore in a prime position to intervene. As one of my participants explained:

\begin{quote}
It’s really important to tackle the health service because of that. Because it’s the universal service, we all use it at some point. So they have an opportunity to intervene. They have a unique, almost, opportunity to intervene.\textsuperscript{135}
\end{quote}

Secondly, there were some suggestions in my interviews that external resistance and contestations have influenced the framing strategies and activities of WMOs. WMOs and

\textsuperscript{132} Interview 17, health lead, 15/10/18.
\textsuperscript{133} Interview 8, former WMO actor in national and generalist organisation 2, 14/9/18.
\textsuperscript{134} Interview 2, WMO actor in national and generalist organisation 1, 11/1/18.
\textsuperscript{135} Interview 8, former WMO actor in national and generalist organisation 2, 14/9/18.
feminist actors operating within resistant sectors in Scotland have responded to contestations by reiterating the credibility and necessity of the gendered frames in attempts to ‘ward off, contain, limit, or reverse potential damage to the moment’s previous claims or attributes’ (Hunt and Benford, 1994). However, some of my respondents highlighted that this strategy had unintended consequences for domestic abuse policy-making and service provision. A health lead explained that:

I do think sometimes we get caught up with having to constantly to fight the gender corner. And in relation to domestic abuse, it was all this stuff around gender symmetry and male abuse... And I think that does mean we just lump all women together as a class and don’t look at the differences amongst us.136

A former WMO actor echoed this perspective:

Because we’ve always looked at it through the gender lens, we’ve always done… and of course BME women, LGBT people, so the language is always there, and the inclusivity of the language is always there, but I just think it’s not been given the attention it needs because we focused on winning that case on getting gender and the primacy of gender onto the table.137

It appears that in responding to external resistance by reaffirming the necessity of gendered frames, the movement may have unintentionally (re)produced the homogenisation of women victims/survivors and neglected intersectional perspectives and approaches. The effects of this were most evident in an interview with a WMO actor who contended that ‘I think the fact that there’s little understanding of gender inequality is a fundamental basis before we even look at intersectionality.’138

As argued in Chapter 2, the realities of operating within institutions – especially those resistant to feminist ideas, frames, and discourses – may result in feminists unintentionally upholding hegemonic discursive logics, which generate unintentional frames and consequences (see Bacchi, 2009; Kulawik, 2009). If these unintentional frames and consequences have become embedded within path-dependent structures and institutions in Scotland, then it will likely constrain policy change. Consequentially, it is challenging to transform domestic abuse policy when it has

136 Interview 17, health lead, 15/10/18.
137 Interview 6, former WMO actor in national and generalist organisation 1, 4/3/19.
138 Interview 2, WMO actor in national and generalist organisation 1, 11/1/18.
operated in ‘identity-based siloes’ (Mandell et al., 2019) with an emphasis and ‘fixing’ of gendered frames.

### 7.8 Conclusion

The chapter traced external debates and contestations around the framing of domestic abuse in Scotland over time. Starting in the 1990s, it highlighted the initial reluctance of public sector agencies in addressing domestic abuse, affecting institutional responses to the problem. It argued that these legacies of thinking constrained possibilities for change in terms of the cultures, norms, and practices of the ‘new’ institutions (see Mackay, 2014) and opened up spaces for future resistance and contestations towards the gendered framing of domestic abuse. Evidence from the case study pointed towards several mechanisms of continuity and resistance that have reinforced the perceived ‘fragility’ of the gendered framing of domestic abuse, including (mis)understandings, sanctioned ignorance, and active resistance. It argued that these institutional mechanisms, especially active resistance, ‘matter’ for Scottish domestic abuse policy-making as they influence the effectiveness of approaches to the problem. Additionally, they appear to have impacted upon the movement’s framing strategies, restricting opportunities to integrate more intersectional and complex framings of the problem. The following chapter continues to delve into these contestations by examining the internal debates and disputes within the women’s movement in Scotland to evaluate their effects on policy frames and change over time.
Chapter 8: Intramovement Contestations and the Politics of Inclusion and Exclusion

8.1 Introduction

Having established some of the ways in which the gendered framing of domestic abuse has been debated, contested, and resisted by policy antagonists since devolution, this chapter turns to look in more depth at contestations within movements – known as intramovement contestations (Benford, 1997) – in constructing shared understandings and constructions of policy problems – or collective action frames (CAFs). As Chapter 2 highlighted, intramovement contestations can provide critical insights into the politics of inclusion and exclusion in the framing process and the dominance (and marginalisation) of some frames, highlighting who has (and does not have) epistemic power in constructing domestic abuse. Drawing up my feminist institutionalist (FI) lens, this chapter traces contestations within and across women’s movement organisations (WMOs) over time. In doing so, it employs data from my elite interviews with senior policy and movement actors, critical frame analysis of policy documents, and process tracing.

Evidence from my case study points towards two enduring intramovement contestations in domestic abuse policy-making in post-devolution Scotland. First, it identifies long-standing internal contestations around the marginalisation of children and young people (CYP) in the diagnosis and prognosis of domestic abuse. The exclusion of CYP in the dominant framing of the problem has been a point of contention for children’s workers within WMOs and young survivors themselves. Secondly, it highlights contestations between actors in specialist black and minority ethnic (BME) and generalist organisations surrounding the exclusion of family members as perpetrators of domestic abuse in the dominant framing of the problem. While this chapter engages with this second internal contestation and intersectional critiques of specialist organisations, I return to this in much more depth in Chapter 9, exploring the possibilities and limits of integrating intersectional frames in policy.

This chapter traces these contestations across the study’s timeline (1998-2018), drawing attention to how and to what extent the dynamics of inclusion and exclusion and power inequities have changed over time and their effects on policy frames and change. It provides an in-depth analysis of key policy developments, changes, and the integration or omissions of BME and CYP-inclusive frames. By this, I mean intersectional frames that are sensitive to and represent the specific interlocking subjugation and social locations of these victims/survivors. These intramovement contestations have been continuous and enduring, but evidence from my study
identifies four critical junctures where these disputes were most apparent in the framing process, and each of these key moments are evaluated in turn.

I argue that while at first glance these two contestations appear different, they share some similarities in the types of arguments, responses and strategies the most powerful and influential movement actors employed to justify their framing activities and CAFs. I suggest that intramovement contestations are interlinked with external resistance, demonstrating how external resistance has fed into and heightened intramovement contestations in Scotland. I argue that the (perceived) fragility of the gendered frames has influenced the framing decisions and strategies of the most powerful actors in the movement, (un)intentionally (re)producing the marginalisation of some victims/survivors.

8.2 Contestations during the Scottish Partnership on Domestic Abuse (1998 - 99)

Chapter 6 argued that women’s movement organisations (WMOs) were integral in constructing a gendered definition of domestic abuse in the SPDA, while Chapter 7 highlighted external resistance and continuous negotiation and debates around these gendered frames. Building upon this, data from my study suggests that the SPDA was also a site of internal contestations around framing the problem of domestic abuse. My respondents suggested that these internal contestations reflected power imbalances over who had access to the SPDA and, therefore, who had epistemic power in framing the problem of domestic abuse in Scotland. As the SPDA was the starting point for policy development on domestic abuse in post-devolution Scotland, it is vital to explore these contestations to evaluate how and to what extent they have affected policy frames and policy change over time.

8.2.1 BME-inclusive frames and the SPDA

The first internal contestation which surfaced during the framing process of the SPDA involved the construction of perpetrators, with specialist organisations challenging the exclusion of extended family members as perpetrators. Some WMO actors involved in the SPDA and the domestic abuse sector at the time suggested that these contestations were heightened by the fact that there were no specialist organisations permanently on the Partnership, primarily due to the structure of Scottish Women’s Aid (SWA) as an umbrella organisation. SWA works with 36 specialist local Women’s Aid groups, including two specialist BME organisations, Shakti Women’s Aid and Hemat Gryffe Women’s Aid. Interviews with actors involved in the SPDA highlighted the power and influence that SWA had in constructing the definition of violence, with one respondent highlighting that:
Scottish Women’s Aid, the largest women’s sector organisation in Scotland, was the only umbrella organisation for violence against women that had national staff and therefore had a relationship with civil servants… So they’re the big sister. They have the access. They have the influence, so you can see how all of that contributes to this [domestic abuse] being the focus.\textsuperscript{139}

SWA’s success in fostering working relationships with civil servants and parliamentarians prior to devolution alongside the limited national organisations existing at this time meant that they were positioned as ‘early risers’ (Minkoff, 1997: 780) with considerable influence and power in naming and framing the problem. However, not all WMOs had the same access and influence in the SPDA. As explained by a former WMO actor on the SPDA:

They [Shakti Women’s Aid] came and did presentations to the Partnership about what we were doing and about their particular area of work. Just to raise awareness. Partly it was about making sure that everyone understood that there were differences, and it helped for the folk of whom this wasn’t their main focus. It helped them to get a handle on it… Scottish Women’s Aid was seen as representing, you know the two representatives from Scottish Women’s Aid were seen to be representing the interests of all the women served by their membership, which is not the same as having those folk in the room, I recognise that…\textsuperscript{140}

The limited representation of specialist BME WMOs heightened intramovement contestations as the SPDA’s definition drew upon gendered discourses to construct perpetrators as partners/ex-partners. WMO actors involved in the SPDA discussed the debates and contestations amongst WMOs at this time:

So there was, way back, a fair bit of resistance from Shakti and Hemat Gryffe Women’s Aid. They struggled with moving to a very explicitly gendered definition of domestic abuse because they felt that for some of the women they were working with, it would seem to suggest that women were always blameless…\textsuperscript{141}

But I remember discussions with Shakti because they were really pressing for recognition of the role that female family members can play in abusing partners or male family members. We were resistant to that because we felt that was then getting into… you

\textsuperscript{139} Interview 8, former WMO actor for national and generalist organisation 1, 14/9/18.
\textsuperscript{140} Interview 8, former WMO actor in national and generalist organisation 1, 14/9/18.
\textsuperscript{141} Interview 8, former WMO actor for national and generalist organisation 1, 14/9/18.
know, getting away from men’s abuse of women, which was what we really wanted the strategy to be about. So again, we had to find a form of words and acknowledge that was an issue for them, but not allow it in the definition.\footnote{142 Interview 26, former WMO actor and senior civil servant, 3/10/18.}

The last quote suggests that some actors acted as epistemic gatekeepers in deciding what was (not) ‘allowed’ in the definition. These protective narratives were also evident in other interviews with national and generalist WMOs in Scotland. For example, a WMO actor explained:

We have worked very hard to protect our definition. Our sisters in Shakti, and I think Hemat Gryffe… really don’t like that because they feel that their cultural environment means that a lot of women experience abuse from… gendered abuse from family members who are not necessarily their partners or ex-partners although they may be acting on behalf of them and they feel like the current definition is too restrictive. They understand why we think what we do, and we understand why they think what they do.\footnote{143 Interview 1, WMO actor in national and generalist organisation 1, 30/3/18.}

This quote points towards the perceived necessity to ‘protect’ the gendered framing of domestic abuse from external resistance and policy antagonists, shaping and influencing internal contestations. As argued in Chapter 7, there has been considerable external resistance to the gendered definition of domestic abuse by policy opponents, and feminists have worked immensely hard to validate and defend their claims in the framing process. In ‘protecting’ the definition of violence, it appears as though some movement actors considered the integration of BME-inclusive frames – those that are sensitive to and represent the marginalisation of BME victims/survivors - as competing or conflicting with the gendered master frame. Schön and Rein (1994) posit that when actors perceive frames not to promote their interests, they conceptualise them as ‘conflicting’, especially as different frames generate different policy solutions to the problem.

However, specialist BME WMO actors that I interviewed argued that gendered and intersectional frames are complementary, providing a complex and multifaceted conceptualisation of the problem. The interviews also highlighted the alternative frames they pressed for during this time. Specialist organisations had employed intersectional frames and approaches for a while as they presented the ability to reflect the gendered and racial dynamics of violence. Interviews with two actors from different specialist organisations highlighted these alternative intersectional frames, particularly in how they conceptualise perpetrators of violence:
Our organisation’s definition of domestic abuse works within an intersectional analysis which includes extended family members… The gendered analysis is not the whole picture.\textsuperscript{144}

So moving forward, we still need to integrate that experience, take a bit more of an intersectional view while safeguarding the realities and trueness of domestic abuse being a partner/ex-partner issue.

However, the definition proposed by the SPDA did not consider these frames, with a respondent in a specialist BME WMO contending that the perpetrator model was constructed too tightly:

I think what struck me then was that maybe the definition of domestic abuse was too narrow when it came to perpetrators to reflect the true experience of black minority ethnic women. So I would argue that our definition [BME organisation] looks at other members of the household. Like we argue in principle of the Scottish definition where it is partner/ex-partner because that is largely what we see. But also, we see other parties involved, either where the perpetrator is the partner or ex-partner. But, there are still some other active actors in the abuse of who the victim or survivor would usually identify as usually a mother-in-law, father-in-law, sister-in-law, a brother-in-law.\textsuperscript{145}

Interestingly, these three quotes are from actors from different specialist BME organisations, but evidently, there are similarities in their critiques of the definition and recognition of the value of employing a gendered approach to domestic abuse. At the same time, they reinforced the necessity of employing an intersectional approach to policy-making and service provision to reflect the multi-faceted dynamics of abuse. Therefore, the gendered and intersectional framings of the problem are not mutually incompatible in theory or practice.

\textbf{8.2.2 CYP-inclusive frames and the SPDA}

As these intramovement contestations arose, internal disputes also occurred around the status of children’s work in the domestic abuse sector. During the 1990s, children’s workers within WMOs attempted to shift the approaches towards children and young people (CYP), emphasising that they are direct victims of domestic abuse. A former WMO actor in a national organisation described this time:

\begin{flushright}
\textsuperscript{144} Interview 12, WMO actor in specialist BME organisation 2, 29/4/19.
\textsuperscript{145} Interview 11, former WMO actor in specialist BME organisation 1, 7/2/19.
\end{flushright}
I would say the 90s were spent shifting Women’s Aid’s approach and taking on board the
new children’s rights, the UNCRC. There were hardly any children’s workers. There was
no kind of model for children’s work. It ranged from babysitting to really great
therapeutic work depending on where you were. There were no standards. There was no
code of practice. There was no funding. There was a handful of workers funded by
Children in Need\textsuperscript{146} usually.\textsuperscript{147}

Interviews with other actors in the domestic abuse sector in the 1990s similarly emphasised the
limited specialist services for CYP and knowledge of the effects of violence on children. A
perpetrator programme manager recounted that the limited specialist support for children in the
1990s was grounded in the ‘lazy assumption that children’s interests in domestic abuse were
always the same as their mother’s and support for their mothers would be support for the
children’\textsuperscript{148}. At the same time, a WMO actor emphasised that CYP’s services were primarily
focused on childcare, social activities, and supporting the mother\textsuperscript{149}.

Specialist children’s workers were integral in developing services and shifting internal
perceptions. However, some actors within the domestic abuse sector were resistant to increasing
the status of children’s work out of fear of competition over precarious resources. A former
WMO actor explained this internal resistance:

Some of it was trying to put children’s work to give it status. But that would bring
worries about would that take money away from women’s work? So there was a
competition element there… it did feel like we were a minority group, and there was real
resistance to a rise of children’s workers and a rise of children having a voice… There
was resistance within, and it took years to bring people with us, and I’ve seen that
resistance ever since in certain key actors. So it’s still there… I suppose it built
momentum. It built status. It built a kind of a movement within a movement.\textsuperscript{150}

Inadequate and precarious funding was, and continues to be, a significant issue and obstacle in
the domestic abuse/VAWG sector. Interestingly, the domestic abuse sector similarly resisted the
rise of perpetrator programmes in the 1990s and early 2000s for funding reasons. A perpetrator
programme manager explained: ‘There was huge resistance within the women’s sector to even
work with men. Huge resistance. [There was] a fear that our work would take funding away from

\textsuperscript{146} The British Broadcasting Corporation’s (BBC) UK charity.
\textsuperscript{147} Interview 23, former WMO actor in national and generalist organisation 11, 9/4/19.
\textsuperscript{148} Interview 20, perpetrator manager, 18/3/19.
\textsuperscript{149} Interview 11, former WMO actor in specialist organisation 1, 7/2/19.
\textsuperscript{150} Interview 23, former WMO actor in national and generalist organisation 1, 14/11/18.
the women’s sector. However, in the 1990s, there was no ring-fenced funding for children’s work and a Children’s Services Women’s Aid Fund was not announced until 2006. Therefore, it is likely that intramovement contestations around children’s services stemmed, in part, from issues and concerns with the funding system rather than resistance to supporting CYP.

Intramovement contestations and external resistance to CYP-inclusive frames filtered through the work of the SPDA in 1998. However, unlike specialist BME organisations, children were represented on the Partnership by a children’s worker from a national WMO. The inclusion of this actor suggests that there was more awareness of the exclusion of children in policy and services than BME victims/survivors. An interview with a former WMO actor on the SPDA explained how she made the case to include a children’s worker in the Partnership to ensure that CYP were not ‘forgotten’:

[Actor] joined because I argued… that we should have somebody to speak about children’s issues specifically, and we always had that person who was focusing on the effect on children. That meant there was strong input from the word go about children so they couldn’t get forgotten about… And therefore a very direct way of being able to present what children’s experiences are and therefore also a constant reminder to everybody else on the group that children and young people had to be thought about and you had to think about the effect of these things.

Furthermore, the respondent discussed how the movement was cognisant of the exclusion of CYP in policy and service provision and explained how the SPDA and subsequent national strategy presented an opportunity to rectify this:

They [CYP] experience [domestic abuse]. They are victims also, and their needs need to be woven into it. You know people weren’t resistant to that. For a lot of people, it would have been new thinking when they thought of this thing, whatever they called it, they thought of adult women when they spoke about it… [Anonymised actor’s] contribution was more of a reminder, ‘don’t forget the children’ and ‘children are affected too’ and ‘this is some of the ways that children can be affected’. So to make sure that it was embedded throughout the strategy, which I think it is.

151 Interview 20, perpetrator programme manager, 18/3/19.
152 Interview 26, Senior civil servant, 3/10/18.
153 Interview 26, Senior civil servant, 3/10/18.
This quote demonstrates that embedding CYP-inclusive frames was necessary as some actors in WMOs did not conceptualise them as central to framing the problem. Yet, an interview with another WMO actor highlighted that the inclusion of a children’s worker in the SPDA did not necessarily materialise into gains in integrating children in policy:

I would say the discussion rarely looked at the needs of children and young people. It was still in its infancy. The notion that you needed to consider the needs of children and young people in their own right was new to folk. Her role was really to just keep reminding everyone that if we are talking about the health service response, what’s the health service response to kids?  

Interestingly, this actor believed that CYP were more ‘visible’ on the SPDA than different groups of women as they had an actor on the Partnership representing them:

So they were visible. I would say they were more visible than diverse groups of women were because there was someone in the room that was advocating for them. But they [CYP] weren’t core to it.  

This quote suggests the importance of having representation on Boards to ensure and enhance the visibility of marginalised groups, which was not the case for BME victims/survivors. At the same time, although a children’s worker sat on the Partnership, CYP were still not fundamental to their work nor core to the definitions of violence. As a respondent explained: ‘It was ok to put a line in about children being affected, so I would say in terms of definitions children were beginning to be recognised… as secondary victims.’

There was also external resistance to the inclusion of children as victims during the SPDA, mirroring the intramovement contestations at the time. A former WMO actor on the SPDA described this resistance:

There was active resistance to including children from all quarters I would say. There was a resistance to make him accountable for the abuse of the children. It’s not the abuse of children because he’s abusing his wife or partner. There was so much resistance to seeing it as abuse. There was a resistance about ‘were children co-victims?’ Or are they

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154 Interview 8, former WMO actor and consultant, 14/9/18.
155 Interview 8, former WMO actor and consultant, 14/9/18.
156 Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
witnesses?’ That was the in-speak. We were trying to get away from hidden victims stuff, but it was all about witnessing.\textsuperscript{157}

As this external resistance reflected the intramovement contestations, it is beneficial to conceptualise both contestations as interconnected. They concurrently impacted the interpretation of the problem and proposed policy solutions and directions (as will be demonstrated further in the next section).

8.3 Contentions surrounding the usages of addendums (2000 - 04)

Following on from the SPDA, the agreed definition was embedded in The National Strategy to Address Domestic Abuse in Scotland (2000) and subsequent policy documents, Preventing Domestic Abuse: A National Strategy (2003) and the Domestic Abuse: National Training Strategy (2004). Evidence from the Scottish case identifies the second critical juncture of intramovement contestations as between 2000 – 04, centring around the construction and usage of addendums. Interestingly, by drawing upon data from my interviews and documentary analysis, parallels can be drawn between the marginalisation of BME and CYP victims/survivors in the dominant framings and definitions of violence in policy during this time.

8.3.1 Addendums and representing BME victims/survivors

As some specialist BME WMOs contested the construction of the definition and framing of perpetrators, an addendum was formulated and added to subsequent strategies (2000-2004). This addendum accounted for different experiences and dynamics of domestic abuse and stated that:

\begin{quote}
It must also be recognised and taken into account that, particularly among black and minority ethnic communities, other family members connected to a woman through marriage may be involved in, or may participate in the abuse of the woman (Scottish Executive, 2000: 6)
\end{quote}

My interview respondents were relatively divided on the effectiveness and appropriateness of this addendum. A former WMO actor on the SPDA argued that the addendum was revolutionary for its time, especially in its attempts to represent the heterogeneity of experiences of domestic abuse:

\begin{quote}
There was one thing, there was pushback on organisations not from the Partnership but outside the organisations, was not including that it could be from a family member. You know, in minority communities, it can often be the mother-in-law or sister-in-law, at the
\end{quote}

\textsuperscript{157} Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
behest of men in the family obviously that are abusive to the woman, and that’s why we have the definition and then the coda underneath it where it talks about where it can occur and the intersectionality bit of it, actually it was quite revolutionary for its time.158

The addendum did not problematically assume that women are unified in their experience of gendered oppression, which is often the case in domestic abuse/VAWG policy-making (see Richie, 2000). Instead, it demonstrated that policy-makers were conscious, to an extent, of the multi-dimensional dynamics of violence.

Nevertheless, a former WMO actor in a specialist BME organisation challenged the view that the addendum was ‘revolutionary’. While the strategies 2000-04 acknowledged differences in experiences of violence and oppression, my respondent argued that it placed minority women at the margins of the definition and policy:

Well, I think we were seen as an addition, a separation, almost as if they considered us, then we would… it might take away from the bigger cause. But saying that, I think the national strategy did acknowledge in its sub-definition BME women’s experience. But, we were the afterthought, and I think that now in 2019, things may have changed a bit in the sense that maybe people are thinking of black minority ethnic women’s issues in policymaking a little bit earlier on, like at formulation, whereas they used to think of us often when decisions were made, we were the afterthought. We were the addendum. Even in the training consortium, we were the addendum to the core training. So if you wanted, you could have an input on black minority ethnic women rather than being embedded in the core.159

This interview highlighted how intersectional perspectives, specifically BME-inclusive frames, were disregarded in the master framing of domestic abuse policy, despite specialist BME WMOs emphasising its necessity.

Moreover, evidence from my critical frame analysis (CFA) of the domestic abuse strategies (2000-04) reveals that the addendum’s discursive construction framing was effectively cut and pasted across various policy documents over time (see Table 8.1). As the framing of the addendum remains relatively untouched, it points towards limited strategies in advancing more inclusive and intersectional frames. As argued in Chapter 2, frame reflection is a crucial part of

158 Interview 26, Senior civil servant, 3/10/18.
159 Interview 11, former WMO actor in specialist BME organisation 1, 7/2/19.
the process of meaning-making as it enables actors to grapple with the shortcomings of their frames and consider how others perceive them to respond to and overcome contestations and resistance (see van Hulst and Yanow, 2016; Schön and Rein, 1994). Yet, evidence from the Scottish case suggests little frame reflection, highlighting missed opportunities to integrate alternative BME-inclusive frames.

Table 8.1 BME addendum to the definition of domestic abuse in Scotland (2000 - 04)

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<td>It must be recognised and taken into account that, particularly among black and minority ethnic communities, other family members connected to a woman through marriage may be involved in, or may participate in the abuse of the woman.</td>
<td>It must also be recognised that, particularly among minority ethnic communities, other family members may be involved in, or may participate in, the abuse.</td>
<td>It must be also recognised that, particularly among black and ethnic minority communities, other family members may be involved in or may participate in the abuse of the woman.</td>
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8.3.2 Addendums and representing CYP

Like BME victims/survivors, the central framing and definition of violence excluded children; therefore, an addendum was also included to emphasise the effects of violence on CYP. Drawing upon my CFA analysis, I identify the construction of this addendum across various strategies over time (see Table 8.2).
Table 8.2 CYP Addendum to the definition of domestic abuse in Scotland (2000 - 04)

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<td>In accepting this definition, it must be recognised that children are witness to and subjected to much of this abuse and there is some correlation between domestic abuse and the physical and sexual abuse of children.</td>
<td>In accepting this definition it must be recognised that children are witness to, and may be subject to, the abuse and that there is some correlation between domestic abuse and the mental, physical and sexual abuse of children.</td>
<td>In accepting this definition it must be recognised that children are witness to and subject to much of this abuse and that there is some correlation between domestic abuse and child abuse.</td>
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The respondent confirmed that framings were cut and pasted across the different strategies over time: “They were cut and copied over the different strategies. But they cut and copied, and nothing was really done about it.”160 This suggests little consideration of how the addendum should be translated into practice to support CYP victims/survivors. A former WMO actor explained how she constructed the addendum but questioned its effectiveness:

> From the early stages of the gendered definition being adopted, there was that add on bit about children that gets missed out often, but there was a paragraph there that was really put forward that ‘children are affected too’ type thing. Which I inserted during the Partnership and during the run-up to that, and so they were beginning to be noticed and not invisible, but… the Listen Louder campaign161 was a result of the first few years not massively improving the situation in terms of children’s work.

Despite advancements made in the SPDA in overcoming internal and external resistance, the former children’s worker explained how she and colleagues labelled this period the ‘and children phase’:

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160 Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.

161 The Listen Louder was a participatory campaign with children and young people victims/survivors coordinated by Scottish Women’s Aid from 2001 to 2004. The group of young survivors lobbied Parliament, met with ministers and politicians and participated in the production of materials aimed at children victims/survivors of domestic abuse (see Houghton, 2006).
I called it the ‘and children phase’ because in the National Strategy to Address Domestic Abuse [anonymised actor], and I literally went through it and added ‘and children’ probably two days before it went for publication. Partly down to these campaigns of trying to shift the minds of the [actors] but honestly…. So literally wherever women were mentioned, we added: ‘and children’. So we can see it wasn’t central… and it was adults adding children mainly.162

The ‘and children phase’ demonstrates how, like BME victims/survivors, CYP were not conceptualised as core to domestic abuse policy. The former children’s worker emphasised that ‘for most children are an afterthought’, echoing earlier conversations with a specialist BME WMO actor who asserted that minority women were an afterthought in policy development. These reflections suggest that a discursive hierarchy had begun to emerge in domestic abuse policy-making insofar as some people were constructed as ‘classic’ victims/survivors and represented in the dominant framing of the problem, whereas others were ‘marginalised’ and on the fringes of the definitions.

Analyses from this period (2000-04) demonstrate how internal power differentials and intramovement contestations before and during the SPDA influenced policy development. The framing decisions of the SPDA (re)produced the neglect of intersectional frames, specifically BME and CYP-inclusive frames. These framing decisions have had long-term effects on the problem representation as the addendums were transferred across the strategies, with some evidence suggesting that the oversimplified discursive construction of these addendums permeated policy-making beyond this time period, with substantial marginalisation effects on minority victims/survivors.

8.4 Struggle for resources and CYP-inclusive frames (2007 - 12)

The subsequent critical juncture that I identified in the course of the research was during 2007-12 and centred around struggles for resources and the rise of participatory approaches to policy-making. Children’s workers and organisations had criticised the integration of CYP in policy up to this point as they largely remained marginal. Participatory approaches to policy-making with children victims/survivors presented an opportunity to include children as political actors. The National Domestic Abuse Delivery Plan for Children and Young People (Scottish Government, 2008) was developed in consultation with a small group of young people with experience of abuse and connected to wider research (Fitzpatrick et al., 2003; Houghton, 2006). The 2008 delivery plan

162 Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
centred on the need to include children and young people’s voices and experiences in policy-making and service provisions and emphasised the necessity for active participation of victims/survivors in the policy-making process. As such, it expanded the 3P’s model employed to eradicate domestic abuse to include the fourth ‘P’: participation.

However, the young people involved in the delivery plan critiqued the process, particularly the lack of engagement of adult policy actors with the young survivors and lack of power in decision making. The Scottish Government responded by recruiting a group of young survivors, known as Voice Against Violence (VAV), who had direct access to Ministers and oversaw the implementation of the delivery plan. VAV were also integral members of the National Domestic Abuse Delivery Group for Children and Young People (see Houghton, 2013, 2018, 2015 for more detail on the study, development and implementation). An actor involved with VAV discussed how the young advisory group ensured that children did not fall off the national domestic abuse agenda and how institutional machinery enabled their participation. The respondent explained the power and influence that VAV had:

‘[they had] equal status to the [adult Joint Strategic] Board… they had direct access to politicians, and I think this is what changed things on children… they were monitoring the plan, and we haven’t had that again anywhere. They had the ear of the minister. They had some power… So the status they thought was pivotal.’\(^{163}\)

However, the delivery plan was met with some criticisms from actors within WMOs, particularly around its resourcing and limited focus on women victims/survivors. The perceived shortcomings of Safer Lives: Changed Lives (Scottish Government, 2009) further fuelled these intramovement contestations. As one WMO actor stated: ‘Safer Lives: Changed Lives in 2009 was just a statement, not a strategy, not an action, and didn’t commit anyone to do anything. Nothing binding.’\(^{164}\) Some respondents emphasised that there were limited connections made across the two policy documents. Some WMO actors critiqued Safer Lives as CYP were ‘not the priority’, while others were critical of the delivery plan as it only focused on ‘women as mothers’\(^{165}\).

My interviews suggest that the competition for resources was a point of contention within WMOs during this time. The actor involved with VAV highlighted how some actors criticised how resource-intensive the delivery plan was:

\(^{163}\) Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
\(^{164}\) Interview 8, former WMO actor in various organisations, 14/9/18.
\(^{165}\) Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
I think also the delivery plan got more resources, and the Safer Lives: Changed Lives was seen more as a mission statement rather than an action plan, and it was really critiqued for that… there were some issues about too much resources going into the Domestic Abuse Delivery Plan focused on children and forgetting about women who weren’t mothers, and I think that was true.\textsuperscript{166}

A senior civil servant in the Equality Unit similarly explained how resource-intensive VAV was and how participatory action research of that magnitude was never conducted with women victims/survivors:

> We have never done anything on the same scale as Voice Against Violence for women, but we couldn’t continue that and the level it was at. It was both very expensive in terms of money but also hugely resource-intensive because of the amount of support that we had to provide to the people who were supporting the young people. It was very, very, very intensive, and it was just not sustainable, unfortunately, because our team shrunk around the same time.\textsuperscript{167}

The domestic abuse/VAWG sector’s under-resourcing repeatedly appears in my interviews as a contentious point within the sector. It would be interesting to see if funding was more secure, long-term and sustainable - as WMOs have continually called for - these contestations would diminish.

8.5 Key policy and legislative changes: Missed opportunities? (2014-2018)

The final identified critical juncture in this research in 2014-18 centred around the debates and intramovement contestations in framing the most current national strategy, Equally Safe (2014, 2016), and constructing definitions of violence in the newest legislation, Domestic Abuse (Scotland) Act 2018. The disputes in the legislative and framing processes demonstrate the continuity of the internal debates since the SPDA in 1998 and illuminate the similarities between the two intramovement contestations and their effects on policy frames.

8.5.1 New policy, new opportunities?

The original Equally Safe strategy published in 2014 was revised and re-published in 2016 after critiques by WMOs, children’s organisations, and young survivors over the marginalisation of CYP. WMOs also lobbied to integrate an intersectional lens in the strategy, and rather than

\textsuperscript{166} Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.

\textsuperscript{167} Interview 26, Senior civil servant, 3/10/18.
falling on specialist organisations, WMOs were unified in their response (these debates will be
discussed further in Chapter 9). A senior civil servant explained that a copywriter edited the first
iteration of Equally Safe, which meant that all the ‘nuance and the expertise [was taken] out of
it’. I interviewed one of the senior civil servants responsible for redrafting the policy, and they
reflected upon WMOs and children’s organisation’s concerns:

… and one of the first things I had to look at was in Equally Safe, that was published in
2014. There had been some concerns that it didn’t necessarily reflect as well as it could
have how domestic abuse and other forms of gendered violence act on children and
young people.

While there were explicit critiques of how the strategy approached intersectionality, as
mentioned, WMOs appeared united in their criticisms of it. On the contrary, there were apparent
disagreements and intramovement contestations around the neglect of CYP-inclusive frames. An
interview with a former children’s worker highlighted the concerns that some women’s
movement and children’s organisation actors had around the invisibility of children in the initial
version of Equally Safe:

There was quite a lot of concern from the children’s sector that children and young
people were not been fully considered within Equally Safe in its first iteration. So there
was quite a lot of lobbying in terms of children’s voices being heard and influencing that
process.

Similarly, another former children’s worker reflected upon the continuity of the neglect of CYP
in policy: ‘But things like when you see Equally Safe, and it doesn’t mention children, it sets me
right back to the 90s.’ These omissions further demonstrate the ongoing inattention to CYP in
domestic abuse/VAWG policy, leading me to question the potential intentionality of this
exclusion. The former children’s worker continued by emphasising the necessity of including
children’s actors in policy-making to prevent the neglect of CYP-inclusive frames and questioned
why WMO actors involved in the process had not highlighted children’s experiences of violence:

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168 Interview 26, Senior civil servant, 3/10/18.
169 Interview 25, Senior civil servant, 13/3/19.
170 Interview 6, former WMO actor in national and generalist organisation 1, 4/3/19.
171 Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
At the same time, they [WMOs] were a part of the inner circle [of Equally Safe], so where were children? And that comes back to in terms of actors its vital to have Women’s Aid children’s actors involved in the conversations. I don’t think we’re quite there.\textsuperscript{172}

Furthermore, some intramovement contestations arose around the inclusion of CYP, particularly by some WMO actors involved in the Equally Safe Joint Strategic Board\textsuperscript{173}. This was most apparent in an interview with a WMO actor from a national organisation. She argued that:

\dots and this is a great example of what happens if you put children on the table, though because you know the Joint Strategic Board last year they just wanted to talk about children, they really weren’t interested in women. And that sounds like I’m just exaggerating, but if you ask anybody else, they’ll tell you the same thing, and it’s not because they would say they’re not interested in women, but children are just so much easier to drop here. You know, your sort of patriarchal baggage, you know, it just is.\textsuperscript{174}

The actor suggests some conflict between the amount of time and attention afforded to women and children during the Board, emphasising how this shifted the dynamics of policy-making. The respondent also hinted at the emergence of external resistance during the Board towards exploring and conceptualising structural inequalities and the gendered nature of violence. Thus, further highlighting the ways in which external and internal contestations are inextricably linked. The (perceived) fragility of the gendered framing of domestic abuse, and their effects in heightening internal resistance to incorporating CYP and BME-inclusive frames, was even more explicit during the legislative process of the Domestic Abuse (Scotland) Act 2018.

**8.5.2 New legislation, new opportunities?**

The Domestic Abuse (Scotland) Act 2018 (hereafter the 2018 Act) provided a new discursive opportunity to re-frame the problem to redress the marginalisation of BME and CYP in legal definitions of violence. However, the legislative process reignited the pre-existing debates and contestations around constructing the definition of violence.

Between March and June 2015, the Scottish Government consulted on whether they should create a specific criminal offence of domestic abuse and what this should cover. The second round of consultations enabled actors to respond to the draft offence. There was a dedicated

\textsuperscript{172} Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
\textsuperscript{173} The Board was established to develop long-term action plans, promote its priorities, and identify current and emerging issues (Scottish Government, 2016). It comprises four work streams: Accountability, Capacity and Capability, Prevention, and Justice.
\textsuperscript{174} Interview 1, WMO actor in national and generalist organisation 1, 30/3/18.
section on ‘definitions of abusive behaviour and relationships the offence applies to’, and question 4 asked: ‘should any specific offence of ‘domestic abuse’ be restricted to people who are partners or ex-partners, or should it cover other familial relationships?’ (Scottish Government, 2015). Analysis of the consultation concluded that the vast majority of respondents supported the proposed restricted definition of perpetrators as partners or ex-partners, although some respondents suggested that the draft offence should apply to other familial relationships (Robertson, 2016). Some respondents suggested that the offence should apply to honour-based abuse perpetrated by immediate and extended family members (Robertson, 2016), enabling the legislation to be more inclusive of some BME victims/survivors experiences of violence.

I discussed the legislative process, particularly the consultation stage, with a criminal justice lead in Scotland who explained the decision to retain the partner/ex-partner framing of perpetrators. When asked her perspective on this, she highlighted her concerns in expanding the definition:

I think you know the overwhelming response in the consultation was keeping it partner or ex-partner, and I think in Scotland it’s always been understood that that’s what domestic abuse is, and I think maybe the fear was – it’s not to say that these other things aren’t important or shouldn’t be dealt with – but if you call everything ‘domestic abuse’ then you really dilute what you are talking about.175

This concern over diluting the gendered definition of violence was a common theme in my interviews, both with generalist WMO and institutional actors. Some of my respondents from generalist organisations drew upon these fears to validate the current perpetrator model in legislation. A WMO actor had a very similar perspective to the criminal justice lead on the importance of a narrow definition and terminology:

I think people have more of an understanding of what domestic abuse is, and I think you could potentially lose that if you call everything ‘domestic abuse’. Although there are… I meant there are definitely compelling arguments. I can understand the arguments, but that seemed to be the way that the views were.176

Most striking about these responses is that, again, they encapsulate the apparent fragility of the gendered approaches in domestic abuse policy and the adverse effects that debates and resistance towards these approaches have had in progressing policy (see Chapter 7). It suggests that

175 Interview 21, criminal justice lead, 4/6/19.
176 Interview 7, WMO actor in national and generalist organisation 2, 12/1/18.
resistance has constrained attempts to centre marginalised frames in policy as the political focus remains on justifying and validating gendered approaches.

Many actors drew upon the shortcomings of England and Wales’ legislation on domestic abuse to substantiate their claims that the inclusion of family violence in legislation could de-gender policy and practice. In contrast to Scotland, domestic abuse legislation in England and Wales includes violence perpetrated by family members (see Domestic Abuse Act 2021). However, feminists have critiqued the gender-neutral approach of this legislation, arguing that the conflation between intimate partner violence and family violence misses the gendered dynamics of violence (Nichols, 2013; Kelly and Westmarland, 2014, 2016; Brooks-Hay and Burman, 2018; Lombard and Whiting, 2018). One of my respondents discussed the movement’s fear surrounding the potential for the Scottish Government to de-gender policy and action:

The Home Office had adopted a gender-neutral definition of domestic abuse, which talked about abuse by family members… and where that falls down is that if you focus on a gender-neutral definition of domestic abuse, you can’t go on and look at… like what’s your framework in preventing it? So in Scotland, the framework for prevention is rooted in that understanding that it’s about structural inequality. And so, how you ultimately work on preventing violence against women is by addressing that structural inequality.\(^{177}\)

Institutional actors in the Equality Unit also emphasised these fears and concerns around broadening the definition of violence to include family members. A senior civil servant emphasised the need to keep the definition ‘pure’:

The thing we were worried about was opening the door to what has become the case in other jurisdictions where it becomes a family violence thing rather than men abusing their power by abusing women that they can abuse. Because once you start bringing in all the family members in then, you’re into elder abuse and sibling abuse and into all sorts of other things. We felt it was important not to open that door and keep it pure, and I’m really glad we did because it’s allowed us to keep that coherence.\(^{178}\)

The same arguments and concerns arose around the inclusion of CYP in the 2018 Act. A former WMO actor explained that during the consultation stage of the Bill, there were no specific questions regarding children and young people, meaning that children were ‘invisible in the first

\(^{177}\) Interview 8, former WMO actor for national and generalist organisation 1, 14/9/18.

\(^{178}\) Interview 26, Senior civil servant, 3/10/18.
Children’s organisations, WMOs, and a group of young survivors were prolific in lobbying and providing evidence to the government to ensure that children and young people’s direct harm and experiences of domestic abuse were recognised, resulting in the writers revising the Bill. As a direct result, the 2018 Act includes a statutory aggravator, which ensures that the direct and indirect harm caused by the perpetrator is taken into account during sentencing. Section 5, Part 1 of the 2018 Act states that the offence is aggravated if a ‘reasonable person would consider the course of behaviour… to adversely affect a child’. A criminal justice lead explained this process and the Scottish Government’s decisions:

What they [WMOs, children’s organisations, and young survivors] wanted was a specific offence of domestic abuse on children. So it was looked at by the government to see if there was a way that we could do it, but it is very difficult to frame that when your definition of domestic abuse is partner or ex-partner… There wasn’t an easy solution to do that, so there was always a will to recognise the harm to children. So the aggravation was the route that was decided on.

As demonstrated by this quote, the dominant framing of partners and ex-partners restricted what the government could accomplish regarding the inclusion of children and young people. While the aggravator is a novel approach, it perpetuates the justice system’s focus on adult victims, and many (former) children’s workers in my study were critical of the exclusionary effects of the new legislation. For example, a former WMO actor critiqued the narrow framing in the new legislation:

But there was a lot about retaining the partner and ex-partner framing, and therefore you couldn’t include children legally because of this narrow frame at the top. So the aggravator was the best of the worst options.

Another former children’s worker echoed these criticisms:

I think [it] is dangerous, especially around the framing of children in the law around their experiences of domestic abuse. That was something that I fought and lost before I left. It was about children being considered as victims within the new offence, and despite the fact that we did a lot of work with other organisations, specifically children’s organisations, we were all arguing the same thing of saying actually children are

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179 Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
180 Interview 21, criminal justice lead, 4/6/19.
181 Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
experiencing often very, very similar forms of coercive control, and we are saying it is true of adult victims, but yet they don’t have the same recourse to justice.  

Moreover, one of my respondents recounted some movement actors’ fears over the potential to ruin the opportunity by overcomplicating the problem:

There was a fear that it might be a step back from women as well. In two ways: so the fact that emotional abuse is on the agenda here at last! Don’t ruin it by making it too complicated or impossible or going back to the drawing board. There was a real fear in the group from all of us that we would scupper the bill. And that we would change the partner and ex-partner as that was the only way to include children. It was really difficult. That did feel like we could set things back by many years.

The construction of policy problems is a political site of continual discursive struggles over the interpretation and reinterpretation of meaning, and therefore it is understandable why some actors and organisations are protective of the gendered framing of the problem. My research suggests that some WMO actors were wary of the potential to backtrack on the hard-won feminist gains since devolution, which was exacerbated by enduring external resistance towards the gendered framing of the problem (see Chapter 7). Therefore, this case demonstrates that to understand continuity and change, one must be attentive to the interconnectivity of external and intramovement debates and contestations. My interviews also highlight the complexity of constructing the problem and the difficulty actors face in encompassing the multifaceted experiences of violence while maintaining the gendered meanings of the problem. However, the idea that feminists must protect the purity of the problem to prevent the dilution of the definition of violence reinforces hierarchies between victims/survivors and marginalises those that are not central in the core definitions.

8.6 Conclusion

Evidence from the Scottish case indicates that the framing of domestic abuse has been contested within the women’s movement. Drawing upon a feminist institutionalist lens, this chapter traced the contestations around the marginalisation and neglect of CYP and BME-inclusive frames in the diagnosis and prognosis of the policy problem since 1998. It argued that these intramovement contestations share similarities in the types of arguments, responses and strategies the most powerful movement actors employed to justify their framing activities and

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182 Interview 6, former children’s worker in national and generalist WMO 1, 4/3/19.
183 Interview 23, former WMO actor in national and generalist organisation 1, 9/4/19.
gendered CAFs. It argued that various factors and mechanisms shaped, influenced, and heightened these internal contestations over time, resulting in the ongoing neglect of inclusive frames. First, power imbalances over who was afforded first-mover status within institutional framing processes and epistemic power disparities within the women’s movement meant that some movement actors had a monopoly in defining violence. In turn, this intensified intramovement contestations and impacted upon the naming and framing of the problem. Second, in responding to external resistance to the gendered frames, the women’s movement, at times, (un)intentionally (re)produced the marginalisation of CYP and BME victims/survivors through their framing strategies, tactics, and activities, highlighting that internal contestations and external resistance, and their effects, are inextricably interlinked. Finally, the precarious and patchwork nature of funding intensified internal discursive struggles with the movement, particularly regarding the representation and inclusion of CYP in policy. Together, these contestations demonstrate how power, inclusion, and exclusion operate within the women’s movement and institutional framing processes, impacting and shaping the framing and direction of domestic abuse policy in Scotland. The Scottish case empirically demonstrates the necessity for scholars interested in exploring and explaining policy change and stability to be attentive to diversity, contestations, and debates within women’s movements and various sets of actors.

The following chapter builds upon this chapter’s insights into the politics of inclusion and exclusion in policy frames, delving into the possibilities and limits of integrating alternative and more inclusive frames in the Scottish case. Drawing upon intersectionality as an illustrative case, it explores the extent to which, in which forms, and with what effects the framing of domestic abuse has been ‘stretched’ to incorporate intersectional frames in policy.
Chapter 9: Possibilities and Limits of Change: Intersectional Frames

9.1 Introduction
Previous chapters examined the introduction and ‘fixing’ of gendered frames in new institutions (Chapter 6), external resistance and disputes towards these frames (Chapter 7), and contestations and power dynamics within the women’s movement (Chapter 8). This chapter turns its attention to the possibilities (and limits) for change in enhancing inclusivity in problem representations. It asks whether the integration of more progressive frames or the ‘stretching’ (Lombardo and Verloo, 2009b) of existing frames has been possible in Scottish domestic abuse/violence against women and girls (VAWG) policy-making.

To answer this question, this chapter draws upon intersectional frames as an illustrative example. Rather than examining particular intersections, as was the case in Chapter 8 and its attentiveness to children and young people and black and minority ethnic-inclusive frames, this chapter looks more broadly at intersectional frames. Together, these chapters build comprehensive understandings of the ‘big questions’ around inclusion and exclusion in framing processes and policy frames in the Scottish case. In order to effectively evaluate whether change has happened, this chapter employs an intersectional analytical lens. It provides a heuristic to assess the extent to which, and in which forms, intersectional frames have been articulated in policy. Focusing on the possibilities and limits of change, it also examines the successes and obstacles in transitioning to and operationalising intersectional frames. This chapter employs process tracing evidence from a set of elite interviews with thirty actors and documentary analysis to trace change (and continuity). It focuses on the latter end of my timeline, between 2009-18, as evidence from my study identifies a critical juncture in 2009 in advancing intersectional frames and approaches in policy.

In exploring and explaining the question of why change is complicated, this chapter and study attempt to specify more explicitly the conditions under which transformative change does or does not happen. This chapter argues that the ‘stretching’ of gendered frames to incorporate intersectionality has been limited, as the problem has been anchored to one construction, making it ‘sticky’ and difficult to change and establishing a particular ‘path’ for policy-making with long-term effects. It argues that the limits of change can be explained through the particular configurations of frames, actors, and institutions, which enabled the integration of a gendered master framing of the problem in policy, but as an (un)intended consequence, meant that
intersectional frames did not advance, and progress in developing these frames has therefore remained relatively stagnant.

9.2 Intersectional analytical lens

This chapter is concerned with exploring and explaining whether change can happen, namely the ‘stretching’ of existing frames to incorporate more progressive and inclusive frames. However, it is also interested in the question of how we know when change has happened, what kind of change, and for whom it has happened. In grappling with these questions, this chapter draws upon intersectional frames as an illustrative case. It offers a way to assess the quality of intersectionality and how transformative the frames are by drawing upon an intersectional analytical lens.

I developed this analytical lens by drawing on evidence from my critical frame analysis (CFA) of policy documents to pinpoint the various ways in which intersectionality was articulated in Scottish domestic abuse policy, and by engaging with intersectionality scholarship to measure and assess intersectional frames (Crenshaw, 1989; Hill Collins, 1990; Dhamoon, 2011; Hancock, 2016; Hill Collins and Bilge, 2016). The form of intersectionality was evaluated by considering questions such as, what is the primary level of analysis (individual, institutional, structural)? How does policy conceptualise the relationship between the identified structures of oppression (additive and layered or interlocking and mutually constitutive)? How is it related to the diagnosis and prognosis of the problem? In doing so, this chapter builds upon existing research that assesses and evaluates articulations of intersectionality in policy, including those that employ a CFA methodology (Lombardo and Rolandsen Agustin, 2012b; Strid et al., 2013; Christoffersen, 2021; Thornton Dill and Kohlman, 2012; Krizsan and Lombardo, 2013; Hankivsky et al., 2014; Hankivsky and Cormier, 2019).

In analysing my data, I identified three forms of intersectional frames articulated in policy since 2009. While I list these frames separately, I found that multiple frames existed alongside each other within the same policy document, demonstrating the numerous and contrasting ways in which intersectional frames have been articulated over time. I also include structural and interlocking frames in this list as I argue it is the strongest articulation of intersectionality, enabling me to compare and contrast the various intersectional frames and evaluate what transformative change might look like. These are detailed below:

9.2.1 Single-axis framing

First, single-axis frames are non-intersectional as they separate categories of difference, tending to focus on one axis at a time rather than being attuned to multiple and interlocking structures of
inequality. Single-axis framing of domestic abuse in the Scottish case, and more broadly in domestic abuse literature, is predisposed to predominately (or solely) focus on gender (in)equality in signifying and defining violence. As discussed in Chapter 3, whilst the recognition of domestic abuse as a cause and consequence of gender inequality and patriarchal structures is a significant step forward in tackling the problem, ‘fixing’ this gendered frame is problematic as it runs the risk of inadequately reflecting the complex, multi-faceted, and intersectional dynamics of violence (see Hill Collins, 1998). As I argue in previous chapters, drawing on insights from feminist institutionalism (FI), fixing domestic abuse to a gendered definition and construction may result in the problem representation losing its dynamism and intricacy, potentially closing off opportunities to include more progressive and inclusive frames.

9.2.2 Individualistic framing

Individualistic frames are intersectional, but these articulations are weak and underdeveloped as they simplistically examine inequalities at the individual level, predominately emphasising the diverse needs and experiences of victims/survivors. This attentiveness towards diversity is predominately constructed around the concept of protected characteristics in broader equality policies and legislation in the United Kingdom (UK). Under the Equality Act (2010), individuals and social groups are protected based on nine characteristics: age, (dis)ability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Emphasis on protected characteristics in policy may enhance the integration of progressive and intersectional frames, but it may also lead to siloed policy-making whereby each axis of difference is interrogated and tackled separately (see Christoffersen, 2021, 2019).

Before 2009, domestic abuse policy articulated an individualistic framing of intersectionality, which centred on the diversity of victims/survivors and emphasised the necessity for policy and services to consider their specific needs. This individualistic framing of intersectionality was discursively constructed through the formulation of addendums, which, as argued in Chapter 8, was contested by some movement actors as they argued it (re)produced the marginalisation of victims/survivors in dominant framings of the problem.

9.2.3 Prevailing axis framing

Prevailing axis frames conceptualise one axis of difference as fundamental to the diagnosis of domestic abuse/VAWG and applies it as the starting analytical point in addressing the problem and proposing solutions. Thus, the primary axis remains constant while other structural

184 Equality legislation is a reserved matter.
inequalities are added or substituted depending on the context. Yet, this conceptualisation and application of intersectionality can be problematic, as privileging one axis of difference does not provide sophisticated analyses of the multi-faceted and diverse lived experiences of oppression nor the interlocking relationship between structural inequalities.

In domestic abuse policy-making, actors often conceptualise gender as the primary and most fundamental structural inequality with some awareness of how a combination of axes of difference intersect with gender to establish unique and diverse experiences of violence (see Connell, 1987; Dobash and Dobash, 1979; Kelly, 1988; Lombard, 2018; Lombard and McMillan, 2013; Radford et al., 2000; Brownmiller, 1976). Chapter 6 highlighted that this was the case in Scotland. However, centring gender in domestic abuse policy sometimes runs the risk of assuming that gender is static and the most consistent form of oppression, with other forms of inequalities seen as mutually independent variables, which may serve to exclude marginalised victims/survivors (see Hancock, 2007b). Analysing inequalities this way, and emphasising the hierarchical relationship between axes of difference, oversimplifies the lived experiences of intersectionally subordinated victims/survivors who cannot simply add or subtract or tease apart structural inequalities they face. Moreover, predetermining the relationship between gender and other inequalities has severe ramifications for misdiagnosing the problem of domestic abuse as actors may expect that a single gendered ‘magic policy prescription’ (Hancock, 2007a: 70), potentially with nods to intersectionality, will be effective in solving the problem.

9.2.4 Structural and interlocking framing

Structural and interlocking frames are the most robust articulations of intersectionality and most aligned with the theoretical underpinnings of intersectionality (Crenshaw, 1989; Hill Collins, 1990; Dhamoon, 2011; Hancock, 2016; Hill Collins and Bilge, 2016). These frames are the strongest as they explore inequalities at the structural level and are therefore attentive to oppression systems (and privilege), such as sexism, racism, ageism, and ableism. They also conceptualise these systems of oppression as mutually constitutive and interlocked, rather than a ‘sum of mutually exclusive parts’ (Hancock, 2007: 65), and as a result, are attuned to the interacting and complex effects of oppression and domestic abuse. This attentiveness to the interconnected relationship and effects of structural inequalities is in contrast to prevailing axis frames.

In a similar way to a gendered framing of violence, a structural approach prevents the pathologisation of victims/survivors, social groups, and communities (inherent in some gender-neutral family violence theories) by being attentive to structural and systemic inequalities.
However, emphasising the structural underpinnings of domestic abuse through an intersectional lens develops this further by offering a more complex approach to understanding systemic oppression and the multi-faceted dynamics of domestic abuse/VAWG. Moreover, it analytically assesses and examines how intersecting structures of inequality impact upon experiences, prevalence, and risk of violence, and how structural barriers, such as immigration law185 and procedures, affect victims/survivors ability to seek support. It provides an opening to develop an understanding of how policies, institutional responses, and services can help or hamper intersectionally marginalised victims/survivors and what policy-makers and other sets of actors can do to prevent this subordination.

9.3 Timeline: critical junctures and intersectional frames

As argued in Chapters 7 and 8, external resistance and intramovement contestations functioned together to (un)intentionally constrain efforts at integrating intersectional frames in the diagnosis and prognosis of domestic abuse in Scotland. However, as highlighted in previous chapters, evidence from my interviews suggested an opportunity emerged in 2009 in Scotland to construct more inclusive meanings of domestic abuse in policy. This chapter’s focus on the final years of my timeframe (2009 - 18) helps me understand this critical juncture and whether it enhanced the possibilities for stretching the gendered framing of the problem to integrate intersectional frames.

The re-framing of domestic abuse to incorporate all forms of VAWG in policy in 2009 was described as a crucial period in enabling the incorporation of intersectional frames and approaches to the problem. Two actors from different specialist WMOs explained the opportunities posed by re-framing policy, with a particular emphasis on black and minority ethnic (BME) victims/survivors:

Broadening out the problem allows more intersectional approaches towards what the problem is and how the problem is experienced by different groups of women. So if you are talking about violence against women and girls… That will cover honour-based violence. It covers violence in conflict. It covers FGM186. It covers forced marriage.187

185 Section 115(9) of the UK Immigration and Asylum Act (1999) imposes no recourse to public funds on migrants due to their immigration status. Research has revealed how no recourse to public funds adds a legal barrier and exacerbates the abuse for women and children with insecure immigration status in the UK as they are unable to access safe refuge accommodation or other support (Thiara and Gill, 2010; Chantler and Thiara, 2017; Dudley, 2017; Chantler and McCarry, 2019).

186 Female genital mutilation.

187 Interview 13, WMO actor in specialist BME and faith organisation 3, 26/4/19.
But from BME women’s perspective, I think that it made our arguments more legitimate, and people listened to us more. Because of *Safer Lives: Changed Lives*, we had the forced marriage legislation… it made it more comfortable to speak to professionals when I delivered training when we spoke about domestic abuse to also talk about forced marriage within that context, particularly its impact on young people.  

These quotes suggest an enhanced opportunity for policy-makers, service providers, and public sector agencies in examining forms of violence that were previously under-interrogated in policy, such as forced marriage and female genital mutilation (see Brooks-Hay et al., 2018), with the potential to enhance the inclusion of intersectional frames. The second quote is particularly interesting in highlighting how the broadening of the scope of the problem increased the perceived credibility of specialist organisations’ framings and arguments, especially as mentioned, many of them have employed an intersectional approach to their services and practices since their establishment. Yet, as these organisations had limited power, influence and access on the original Partnership, and arguably within the movement, meant they could not integrate their intersectional frames from the very beginning of domestic abuse policy-making (see Chapter 8). Moreover, as policies sometimes tend towards path-dependency (see Chapter 2), especially if the problem has become fixed to one dominant construction, the original neglect of these frames may have had future consequences in limiting what could be achieved and when (Pierson, 2004: 44-5).

However, three respondents from another specialist organisation disputed the idea that *Safer Lives: Changed Lives* (2009) offered an opening to advance intersectional frames. They emphasised that the policy did not make a significant difference in recognising or understanding BME women’s experiences of domestic abuse but that it did highlight the limited research and data on minority women’s experiences of different forms of violence. These varying accounts complicate the narratives further around the possibilities and limits of change and point towards differences amongst specialist organisations, requiring an in-depth exploration of the complex dynamics of change and continuity and the (under)development of intersectional frames in the Scottish case. The following sections accomplish this extensive review, using my intersectional analytical lens to explore whether, to what extent, and in which forms intersectional frames have been incorporated in Scottish domestic abuse/VAWG policy since 2009.

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188 Interview 11, WMO actor in specialist BME organisation 1, 7/2/19.
189 Interview 12, notes from interview with three respondents from specialist organisation 2, 29/4/19.

Whilst the re-framing of policy may have provided some form of a critical juncture in enhancing engagement on forms of VAWG beyond domestic abuse, my data suggests that it did not necessarily translate to concrete gains in advancing intersectional frames in policy and practice, especially as there was no explicit reference to intersectionality. Apart from a section on the impact of violence on equality groups, which emphasises the limited available evidence on minority groups (a point which I return to in subsequent sections), the only engagement with multiple inequalities was in a section outlining key issues for partners. Policy continued to employ a structural framing of gender (in)equality in the diagnosis of the problem, consistent with the master framing of domestic abuse (see Chapter 6), but this was not extended to conceptualise and incorporate other interlocking structures of oppression. Instead, emphasis on diversity remained underdeveloped, with this section asserting the differences between groups of women, children and young people victims/survivors and their needs. It states that partners must:

Provid[e] improved support for marginalised women and women and children with diverse needs. Whilst some support is available, it is clear from the limited evidence available that women from different backgrounds and with diverse needs may not have access to the same support. There is a need to establish what is required and how to realise this in a climate with limited resources (Scottish Government and COSLA, 2009: 22).

Attentiveness to diverse needs and experiences is essential for developing effective policies, services, and institutional responses to the problem, but focusing on the individual level oversimplifies the complexity of structural inequalities. It does not account for systems of oppression, such as sexism, racism, and ableism and how they underpin and shape configurations and experiences of domestic abuse/VAWG (see Hill Collins, 1998). Moreover, as there is barely any mention of multiple inequalities and interlocking oppression in the document, it suggests that there has been little development or interrogation of diversity since the construction of addendums in the original definition of domestic abuse (see Chapter 8), resulting in a weak and individualistic framing of intersectionality.

Furthermore, looking closer at the references to marginalisation reveals little consideration of children and young people’s intersectional subordination as the focus remains on marginalised women. Again, highlighting the resonance and continuity of addendums and the prevalence of the ‘and children phase’ (see Chapter 8), whereby children and young people were simply added
into policies with little regard for their specific and unique experiences, inequalities, and intersectional locations. The limited interrogation of intersectional oppression in *Safer Lives: Changed Lives* prevented any real possibilities for advancements in policy and approaches to the problem, demonstrating the continuity of the dominant gendered construction of the problem.

### 9.5 Equally Safe (2014): single-axis framing and neglect of intersectionality

*Equally Safe* (2014) presented an opening to readdress the underdevelopment of intersectional frames in VAWG policy. However, data from my policy analysis and interviews suggested that this did not materialise; instead, it pointed towards the ongoing neglect of intersectional frames.

A senior civil servant acknowledged the shortcomings of incorporating intersectional frames and ideas in the strategy: ‘I think the first version of *Equally Safe*, the one published in 2014, I think probably didn’t have enough about children and young people in it. It didn’t have enough about quite a lot of things. Actually, it didn’t have enough about intersectionality as well.’

Drawing upon my CFA to delve into these shortcomings illuminates the omissions of intersectional frames in policy. *Equally Safe* did not refer to intersectionality, and there was limited engagement with any structural inequality beyond sexism and gender inequality, leading towards a single-axis framing of the problem. The only engagement with other social structures was in the ‘risk factors’ section, which stated that:

> Whilst violence against women and girls occurs across all sections of society, not all women and girls are at equal risk. Some factors can increase vulnerability to abuse and keep women trapped; factors such as age, financial dependence, poverty, disability, homelessness, insecure immigration status and ethnicity (Scottish Government and COSLA, 2014: 13).

This section demonstrates the limited elaboration on intersectional frames as rather than conceptualising inequalities as structural or systemic, social structures such as disability, ethnicity, and age are downplayed as a factor of victims/survivors experiences of violence. Moreover, the section asserted the necessity in recognising the diversity between women and girls, continuing the individualistic framing of intersectionality:

> Addressing these additional risks, therefore, will be a key requirement in our future work to prevent violence against women and girls. With this in mind, equality analysis and assessment will be an integral part of the process around the development of outcomes and interventions; the purpose of which will be to identify the impact of the strategy on

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190 Interview 26, Senior civil servant, 3/10/18.
the diversity of women and girls and, in doing so, inform targeted and appropriate preventative action (Scottish Government and COSLA, 2014: 13).

As was the case with Safer Lives: Changed Lives, this section in Equally Safe demonstrates the continuation of the superficial construction of addendums in previous national domestic abuse/VAWG policies (see Chapter 8), with limited attempts to expand upon and develop intersectional frames. As these sections were brief and underdeveloped, and the emphasis on diversity was not integrated throughout the strategy, intersectionality was not framed as fundamental to the diagnosis and prognosis of the problem of VAWG (see Verloo, 2007; Lombardo and Rolandsen Agustin, 2012a). Moreover, the omission of children and intersectionality means that children’s intersectional locations and subjugation were left unscrutinised, thus further (re)producing their marginalisation in policy.

The persistent domination of the gendered frames in Equally Safe, worsened by the single-axis approach to policy, overshadowed the development of intersectional frames. The successes in integrating a structural and gendered framing of the problem in the Scottish case should not be understated as it is a significant advancement in feminist policy-making; however, the assumption that gendered solutions will solve the problem oversimplifies VAWG and inequalities, potentially leading to the misdiagnosis of the problem (see Hancock, 2007a) and ineffectual policies and solutions. Moreover, it demonstrates the challenges and complexities in ‘stretching’ existing dominant frames to integrate more progressive and inclusive frames, pointing towards the limits of change once policy ‘paths’ set in.

9.6 Equally Safe (2016): multiplicity of (weak) intersectional frames

After critiques from WMOs over the insufficient intersectional lens, Equally Safe was updated and re-published in 2016, providing an opportunity to rectify this omission and embed intersectional frames in policy. As mentioned, multiple and contrasting (weak) intersectional frames were articulated in Equally Safe (2016), highlighting that multiple frames can co-exist alongside each other.

9.6.1 Prevailing axis frames

The re-published Equally Safe (2016) demonstrates some developments in advancing more progressive and inclusive frames in policy as intersectionality was explicitly referenced for the first time in VAWG policy. Reflecting upon the evolution of frames and approaches to the problem, a senior civil servant emphasised the advances made in the interim between the first and second iteration of the strategy: ‘I think throughout the approach our thinking is more
sophisticated. I think that has been translated into what we are doing. It’s more sophisticated.”

The strategy incorporated these intersectional frames in a short dedicated section on ‘intersectionality between gender and other characteristics’, which states that:

Along with their gender, women and girls have other protected characteristics that increases their level of risk of experiencing violence and abuse. (Scottish Government, 2016: 19)

However, delegating intersectionality to a sub-section rather than threading it throughout the diagnosis and prognosis of the problem prevents the full incorporation of these frames. It reproduces the assumption that intersectionality is an additional component of VAWG policies and services rather than integral to addressing the problem. Moreover, while articulating intersectionality in policy is essential for ensuring intersectional practices and solutions to the problem, referencing interlocking inequalities does not automatically guarantee strong structural framings and approaches to intersectionality. Instead, the section above demonstrates the resonance of the gendered master frame and ineffective attempts to stretch gendered meanings of the problem to incorporate intersectionality. Gender is constructed as the starting analytical point in addressing the problem, and other protected characteristics intersect with gender. As such, gender is conceptualised as the constant and prevailing axis, while other social structures are supplementary. The reclassification and re-framing of policy problems is an integral function of the framing process, but this framing of intersectionality prevents actors from understanding and engaging with interlocking and multifaceted forms of oppression.

Two respondents highlighted the dangers of a prevailing-axis framing and thinking on VAWG policy and services, emphasising that it (re)produces assumptions on hierarchical relationships between axes of difference. A civil servant explained these assumptions in policy-making and the discussions around Equally Safe:

So you know, it wasn’t good enough just to say ‘we will do it for women’. Not all women are the same… There is an assumption that if you just got it right generally for women, it would somehow work for everybody, and I think there’s a recognition that, of course, if you get it right for women, then that’s great, but you’re going to have to do specific things to make sure [of inclusivity?]…”

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191 Interview 25, senior civil servant, 13/3/19.
192 Interview 24, senior civil servant, 29/5/19.
Assuming gender (in)equality plays equal and constant roles in victims/survivors experiences of violence is problematic for fully understanding, representing, and supporting marginalised victims/survivors who face additional and interlocking structural barriers and prevents the advancement of intersectional frames. As demonstrated in the quote above, some actors assume that focusing on gender is a good starting point before exploring other structural inequalities. A former WMO actor made similar observations within the women’s movement:

I think maybe because the women’s movement hasn’t always been as good at thinking intersectionality as they could have been, and even now, I think there’s a nod to it, but I think in practice within women’s organisations, there can still be a hierarchy. There can be a sense of ‘well we need to get it right for white women first, and then we will consider more nuanced or more specific experiences’.193

The respondent continued by emphasising that the women’s movement has, at times, unintentionally (re)produced a hierarchy, silencing some experiences of violence:

So unless you build it in from the beginning [intersectionality] and talk about a variety of different women’s experiences and the different experiences because of additional power dynamics… You kind of perpetuate that hierarchy because it becomes this shorthand. People think women’s experiences of domestic abuse, and actually, people think white women’s experiences of domestic abuse. There’s a lot of making some people’s experiences invisible without us even realising we’re doing it.

Assumptions on the hierarchal and static relationship between gender and other structural inequalities is particularly detrimental for intersectionally marginalised victims/survivors, as demonstrated in this quote. Framing the problem around a subset of experiences distorts the complexity and diversity of the problem by reducing VAWG to one oversimplified (gendered) explanation and construction.

9.6.2 Individualistic frames

Delving further into the articulations of intersectionality in Equally Safe (2016) demonstrates the persistence of an individualistic framing of intersectionality, accomplished by engaging with the concept of protected characteristics. However, as mentioned, the reduction of intersectionality to individual characteristics misses the strengths that intersectionality offers to scrutinise and expose systemic inequalities and structural oppression. Even more, evidence from my interviews suggests that the focus on protected characteristics has reinforced the assumption that everyone

193 Interview 6, former WMO actor in national and generalist organisation 1, 4/3/19.
has a protected characteristic, reproducing inaction on intersectionality. Interviews with three WMO actors from different organisations highlighted the tendency of a generic approach to intersectionality and equality, with one respondent likening this unsophisticated focus to a ‘mixed salad of protected characteristics’. She explained why this is problematic:

I think intersectionality is really problematic the way it’s used. Theoretically, I have no problem with it. And to give you an example. So what happens with intersectionality is that now it seems that the way the public sector has interpreted that policy and they have not been dissuaded by it because there are no accountability mechanisms for making them not do this, is that they have this notion that everybody has a protected characteristic and that they know they don’t have an obligation really to improve the experience, for instance of disabled women. They just need to do something around disability. You know what I mean?\footnote{Interview 1, WMO actor in national and generalist organisation 1, 30/3/18.}

This quote suggests that the emphasis on protected characteristics has reinforced a single-axis and generic approach to equality by the public sector. However, this respondent also suggests that the generic approach to intersectionality, and inequality more broadly, has reproduced inaction, potentially opening up space to de-gender policy and practices. Thus, playing into the fears of some of the women’s movement around the effects of external resistance to the gendered master frame (see Chapter 7).

Moreover, according to some WMO actors, the introduction of the Equality Act 2010 exacerbated this preoccupation with protected characteristics in domestic abuse/VAWG policy. Previously, separate anti-discrimination legislation imposed duties on public bodies in the UK to promote equality, such as the Race Equality Duty (2001) and the Disability Equality Duty (2006). The Gender Equality Duty (2007-2011) required UK public bodies to consider gender equality in policy-making and service provision (Burman and Johnstone, 2015). The various pieces of equality legislation were synthesised into a single Equality Duty in 2011. In theory, this change could have enabled more intersectional approaches to policy-making. However, in practice, WMO actors believed that it enabled inaction on eliminating gender inequality and aggravated contestations towards gendered and intersectional approaches in policy and service provision (see Chapter 7). A WMO actor who sat on one of the Equally Safe Joint Strategic Board discussed the implications that the Equality Duty has had in constraining gendered and intersectional approaches in domestic abuse/VAWG policy-making and practice:
I also think that the coming together of protected characteristics which I think is obviously a vital lens… but public bodies talk about intersectionality and what they mean is often sadly ‘we are not going to do anything specific to gender because it is wrong to do that, so we are going to take this very generic approach to a policy, and we’re going to try and do things, like reduce harassment off all kinds’.195

She continued by highlighting why this is a problem for equality:

And there’s nothing wrong with reducing harassment of all kinds. Of course, that should happen, but the analysis has turned a bit into mush... So it just becomes completely platitudinous, and I think that’s a real risk to gender equality. This kind of sense that we can just do it all in one box, and it will be fine, and it’s obviously a risk to all of the equalities and liberation organisations and campaigns because everyone needs specific focus for it to really work.196

Another WMO actor from a different organisation expressed similar concerns over the disappearance of gendered frames and approaches in the public sector due to the generic Equality Duty:

So I did the work on analysing the local authorities’ equality outcomes in relation to the public sector Equality Duty and how violence against women was seen within that or evidenced within that, and it was a real concern with the disappearance of the Gender Equality Duty that gender is actually disappearing from the equality outcomes.197

My interviewee emphasised the effects that this has had in articulating intersectionality in policy and services:

So there was much more evidence of generic equality outcomes again, so talking about ‘people’ as a whole again rather than looking at different impacts and different protected characteristics and intersections of these – it was completely absent. It was very poor indeed. So intersectionality, you can guess. That would be nice!198

Evidence from the Scottish case demonstrates that the generic approach to (in)equality and emphasis on protected characteristics has prevented strong structural articulations of

195 Interview 7, WMO actor in national and generalist organisation 2, 12/1/18.
196 Interview 7, WMO actor in national and generalist organisation 2, 12/1/18.
197 Interview 2, WMO actor in national and generalist organisation 1, 11/1/18.
198 Interview 2, WMO actor in national and generalist organisation 1, 11/1/18.
intersectionality in policy. Interestingly, research assessing the quality of intersectionality through a CFA framework similarly found that gender disappeared as a category of difference when other ‘intersectional dimensions’ were incorporated in the policy documents (Lombardo and Rolandsen Agustin, 2012: 489). As Weldon (2008) asserts, the de-gendering of policy is not necessarily undesirable as it may reflect the successes in integrating intersectional frames in the policy-making process. However, this has not been the case in Scotland. As emphasised in previous chapters, gender-neutral and generic frames prevent any engagement with structural inequalities and do not reflect the ‘reality’ of the problem. Moreover, it has the potential to reinforce assumptions that gendered and intersectional frames are competing or conflicting, frames playing into the movement’s contestations and anxieties in advancing intersectional frames, thus constraining opportunities for policy change (see Chapter 8).

9.6.3 Single-axis frames

In general, the incorporation of intersectional frames remained weak and underdeveloped in Equally Safe (2016), but evidence from the Scottish case suggests particular shortcomings in the conceptualisations of children and young people (CYP) and their intersectional locations and subjugation. As argued in Chapter 8, CYP have been constructed as a homogenous group in domestic abuse/VAWG, and delving into the articulation of intersectionality in the strategy suggests the perpetuation of this intersectional erasure.

Equally Safe (2016: 18-19) includes a dedicated section on CYP, mainly emphasising the necessity to regard children as victims/survivors, which was included in response to the lobbying of young survivors, children’s organisations and WMOs. Yet, as there is no reference to intersectionality in this section, there is little recognition of how children are uniquely positioned in relation to women victims/survivors and systems of power due to their age (see Alanen, 2016; Etherington and Baker, 2018) (see Chapter 2) nor how interconnected systems of oppression complicate their positions in society and experiences of violence. Additionally, while the intersectionality section includes girls, it does not delve into the specificity of how their age/youth interacts with other social structures and how their experiences of inequality and violence are likely different to women, nor does it engage with boys’ intersectional locations and inequalities.

Interviews with children’s workers and actors from specialist organisations emphasised the necessity to move beyond simplistic constructions of children to embed intersectional approaches in order to enhance the effectiveness of policies and strategies, as those that are homogenising – and therefore race-blind or gender-blind, for example - will be of little help to marginalised children. For example, a former WMO actor from a generalist organisation
explained how she learnt more about the specific structural barriers minority CYP face through participatory research:

And that has huge repercussions on how they experience the abuse in terms of who’s involved, who’s aware and who’s a part of that but also how you might seek help, how you might access support and the different barriers that means. That was really helpful because I hadn’t really heard children talking about that before.\(^{199}\)

Yet, these narratives and experiences are missing from policy, therefore perpetuating the erasure of marginalised children and preventing the development of intersectional approaches. Unfortunately, the homogenisation of children in policy is not overly surprising as it reflects the dominant approaches and conceptualisations of CYP in Scottish domestic abuse policy, including the passivity and exclusion of young people (see Mullender et al., 2002; Callaghan et al., 2018; Katz, 2016, 2019). As one respondent emphasised: ‘I think in the history of all of the domestic abuse policy, children are often presented as a homogenous group.’\(^{200}\) Another WMO actor similarly highlighted the repetition of history:

If you look at Equally Safe now, it’s not really talking about intersectionality in relation to children. It’s about the adults. So yeah, I think children are still conceptualised as a homogenous group, if there at all. Even if they had children and intersectionality and children [sections]… It’s not translated into action. I think I’d say we’re even further behind in terms of children and intersectionality.\(^{201}\)

Thus, prior thinking and monolithic constructions of CYP have filtered through the framing of Equally Safe. The inarticulation of intersectionality concerning CYP demonstrates the ongoing disregard and under interrogation of their unique experiences. It also points to how developments in policy frames and approaches to intersectionality and adult victim/survivors, however weak, have not materialised for children, as illustrated in the quote above. This intersectional erasure may reflect the broader trend of intersectionality scholarship in not adequately recognising age/youth as a social structure, as my study employs a relatively novel approach in articulating children as a minority group (see Chapter 2). It is also likely a continuation of the marginalisation of children in the Scottish domestic abuse/VAWG sector and national policy (see Chapter 8).

\(^{199}\) Interview 6, former actor in national and generalist WMO 1, 4/3/19.

\(^{200}\) Interview 6, former actor in national and generalist WMO 1, 4/3/19.

\(^{201}\) Interview 23, former actor in in national and generalist WMO 1 and academic, 9/4/19.
9.7 Equally Safe: Delivery Plan (2017-21): prognosis of the problem

The Equally Safe: Delivery Plan, published in November 2017 and running until 2021, offered a further opportunity to integrate intersectional frames in the prognosis of the problem. The delivery plan sets out 118 actions for the Scottish Government, Convention of Scottish Local Authorities (COSLA), and partners to implement Equally Safe. It provides an outcomes indicator framework to measure progress across the four priority areas: embrace equality and respect and reject violence; women and girls as equal citizens; early interventions; enhance the safety of women, children and young people; men desist from violence and robust responses to perpetrators (Scottish Government and COSLA, 2017: 2-3).

Prior to its publication, the Scottish Government consulted on the draft delivery plan in 2017. Various published responses, particularly from third-sector organisations, critiqued the lack of acknowledgement or weak articulations of intersectionality in the draft plan. For example, Engender, a feminist policy organisation, contended that ‘the delivery plan is patchy in its response to different forms of violence against women, and different groups of women’ (Scottish Government, 2017b). The organisation was particularly critical of the ‘all women’ section, which referenced women and girls’ protected characteristics as it did not ‘include sufficient activity to ensure that an intersectional approach is mainstreamed across Equally Safe’ (Scottish Government, 2017b). Other organisations shared these criticisms, with Close the Gap202 responding that the ‘draft delivery plan is weak on intersectionality’ and LGBT Youth Scotland203 asserting that ‘the strategy’s proposed actions do not adequately address experiences of women, children and young people with intersectional identities’ (Scottish Government, 2017b). Moreover, the government’s analysis of the consultation responses identified an inadequate intersectional lens as a recurring theme in the draft’s shortcomings (Scottish Government, 2017a). These responses highlight the limited evolution or stretching of the gendered frames to integrate more intersectional and inclusive frames.

In response, the published delivery plan inserted a paragraph asserting that the government will ‘look to develop our intersectional approach to this work by increasing recognition of the particular experience of different groups of women and girls…’ (Scottish Government and COSLA, 2017: 23). Yet, while an explicit transformative approach to gender (in)equality is employed throughout the strategy, there is never the same detailed focus on subverting interlocking systems of oppression in the problem solutions. Out of 118 priority action points,

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202 Scottish policy advocacy organisation focusing on women’s labour market participation and inequalities.

203 National charity for LGBT young people.
only six focus on particular social groups that could lead to more intersectional approaches, and three relate to marginalised forms of violence, such as female genital mutilation (FGM) and forced marriage, which disproportionately affect BME women, children and young people (see Table 9.1).

Table 9.1 Equally Safe Delivery Plan priorities with an intersectional focus

<table>
<thead>
<tr>
<th>No.</th>
<th>Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.6</td>
<td>Continue to support work with our partners in the statutory, third sectors and affected communities to raise awareness of so-called honour based violence, including Female Genital Mutilation and Forced Marriage</td>
</tr>
<tr>
<td>2.20</td>
<td>Identify and promote practice that works in reducing employment inequality for minority ethnic women (including in career paths, recruitment, progression and retention) and reflect suitable actions in a Race Equality Action Plan</td>
</tr>
<tr>
<td>3.14</td>
<td>Develop and publish multi agency guidance setting out how agencies, individually and together, can protect girls and young women from FGM, and how to respond appropriately to survivors</td>
</tr>
<tr>
<td>3.16</td>
<td>Deliver the ‘Voices Unheard’ programme in order to support LGBT young people experiencing violence and build capacity within violence against women services to ensure that they are LGBT inclusive</td>
</tr>
<tr>
<td>3.17</td>
<td>Continue to press the UK Government to extend the scope of the Destitute Domestic Violence concession (for those with who are destitute and have no access to public funds) to include all women with insecure immigration status, including asylum seekers</td>
</tr>
<tr>
<td>3.18</td>
<td>Take forward the development of a strategy to prevent and support those who may experience destitution as a result of insecure immigration status or no access to public funds, including consideration of the establishment of an advocacy service and the provision of crisis support covering domestic abuse</td>
</tr>
<tr>
<td>4.3</td>
<td>Streamline the process of applying for a Forced Marriage Protection Order, by legislating to bring Police Scotland in as a third party for the purposes of application</td>
</tr>
</tbody>
</table>

Source: (Scottish Government and COSLA, 2017: 29-48)

It is worth noting that priority action point 3.16 and its focus on LGBT young people demonstrates more attempts at understanding and representing children and young people’s intersecting locations and subjugation. Nevertheless, these nine action points represent a handful (7.6%) of the priority action points and illuminate that intersectionality is still not conceptualised as core to the prognosis of the problem, with the focus remaining on the gender master frame. A WMO actor on one of the Equally Safe Strategic Board work streams confirmed that intersectionality was discussed as a ‘term’ during the meetings but was never fully developed or
integrated into the strategy and delivery plan. She asserted that ‘this is one of the critical disappointments that I have with the delivery plan as it currently stands’<sup>204</sup>, but hoped that engagement with intersectional frames and approaches would be improved in the future.

The ongoing neglect of intersectional frames in domestic abuse/VAWG policy since 2009<sup>205</sup> is particularly curious as it has been continually criticised by (some) organisations and actors in the domestic abuse and equalities sector, however not necessarily always by those who had the most power and influence in the framing processes, potentially explaining why change has not happened. Moreover, it suggests somewhat of a mismatch between actors, their conceptualisations of the problem, and the frames integrated into policy, potentially highlighting how legacies of thinking and ways of working within formal institutions have constrained advancements in the problem representations and policy change. It also points towards the continual dominance of the gendered frames, highlighting its resonance and potency in domestic abuse/VAWG policy-making (see Benford and Snow, 1992). As argued in Chapter 2, flexible master frames – known as elaborated master frames – allow for the extension of ideas and are more likely to enable change and innovation, whereas restricted master frames tend to be closed off with less opportunity for actors to advance and expand upon them, and therefore are more challenging to change and evolve (Benford and Snow, 1988; 1992). The difficulties in stretching the gendered frames to incorporate intersectionality in policy indicate that the gendered master frame is relatively restricted, with limited opportunities for transformative change. As such, the framing of domestic abuse/VAWG policy in the Scottish case has tended towards continuity.

Moreover, the weak articulations or omissions of intersectional frames in policy have had implications on the successes in operationalising intersectionality in practice, further limiting the potential for change. The following section identifies the obstacles and barriers in operationalising intersectionality that emerged from my interview data.

### 9.8 Operationalising intersectionality: obstacles and constraints

My interview respondents highlighted two key challenges that have further constrained the operationalisation of intersectionality in domestic abuse/VAWG policy: the scarcity of resources and lack of disaggregated data. These challenges, alongside the dominance of the gendered master frame and complexities posed by the established direction of domestic abuse policy-

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<sup>204</sup> Interview 7, actor in national and generalist organisation 2, 12/1/18.

<sup>205</sup> And of course prior to this time period.
making, have operated to shape and establish conditions that have made change more challenging.

9.8.1 Scarcity of resources and limited understanding

First, the scarcity of resources, particularly time and money, was identified by many respondents as an obstacle in successfully translating and operationalising intersectional frames in policy and services. Interviews with three senior civil servants highlighted the constraints regarding capacity and resourcing issues in grappling with the complexity of intersectionality. For example, a senior civil servant explained how time commitments prevented them from fully engaging with the question of how intersectional frames should be operationalised:

I think there’s a journey for people to understand that [intersectionality] because people sometimes take fright of that cause you’re bringing something that’s really complex, and having the capacity and the time to unpick that is still really challenging. Obviously, you’re hearing a whole range of views from different stakeholders – ‘you need to focus on this’, ‘no, you need to focus on this’. As a human being, it’s really hard. That’s quite challenging. I spent a lot of time trying to grapple with that.206

As demonstrated by this quote, policy-makers face tough decisions and trade-offs in fast-paced policy contexts, which is challenging for tackling complex issues, such as the effective integration of intersectional frames in domestic abuse policy. Actors operating within formal institutions interact with various sets of actors, some of whom may have competing or conflicting frames and policy priorities (see Chapter 2), meaning that policy-makers are often pulled in different directions. Nonetheless, the decisions they make are paramount to the success of advancing intersectional frames as institutions set the discursive parameters for what can and cannot be achieved and when (Pierson, 2004: 44-5). Therefore, frames, institutions, and actors are inextricably interlinked in enabling or constraining the introduction of alternative frames and generating transformative change.

The senior civil servant continued by contending that the precarious nature of resourcing has posed additional challenges in effectively operationalising intersectional frames:

I think, in general, the ambition is significant, and the resources are a challenge there – both resources externally to support it, and also resources internally too…You asked about intersectionality. I would love to have the time to sit down and really think through

206 Interview 25, senior civil servant, 13/3/19.
in great detail and a number of issues that I spend most of my time running around from meeting to meeting. That’s the challenge. That’s frustrating.\textsuperscript{207}

This quote demonstrates policy-makers’ willingness to engage with intersectional frames, and the actor’s frustration over their inability to fully integrate intersectionality is evident. Thus, the neglect of intersectional frames in domestic abuse/VAWG policy over the years may not have been entirely intentional. Yet, viewing intersectionality as an additional component of the problem, with its incorporation largely dependent on the allocation of time and resources, \( (r e) \)produces assumptions that it is not integral to the diagnosis and prognosis of the problem and may instead be viewed as a ‘luxury’ that cannot be afforded (see Christoffersen, 2019, 2020). It appears that in the fast-paced culture of policy-making institutions, intersectionality has fallen down the political agenda or is seen as a lower priority than the adoption of other frames and approaches.

An interview with a former WMO was particularly interesting in highlighting the issues around intentionality and neglect of intersectional frames. She explained that omissions of intersectional frames do not stem from a lack of willingness; instead, policy-makers do not take the necessary time to delve into the nuances of the problem.

I think the Scottish Government also can be guilty of saying… ‘We’ve heard from the women’s sector that we need a gendered analysis or intersectionality – we should put that into the document to keep everybody happy and get it signed off’. But actually, I don’t think there is that real reflection of what does that look like in practice? As an institution or organisation, how do we do that? There’s not the internal reflection.\textsuperscript{208}

While uncertain of the level of intentionality behind the neglect of intersectional frames, this quote critiques the institutional ways of working, which constrains actors from grappling with the complexity of intersectionality. Many of my other respondents shared similar views that resourcing constraints has reproduced simplistic engagements with intersectional frames and ineffectual applications in policy and services. For example, a WMO from a different organisation emphasised the limited nuanced engagement intersectionality has resulted in these frames and approaches being placed in the ‘too hard box’:

\textsuperscript{207} Interview 25, senior civil servant, 13/3/19.
\textsuperscript{208} Interview 6, former WMO actor in national and generalist organisation 1, 4/3/19.
It also gets put quite quickly into the too hard box, and so it too becomes a political challenge that we all need to improve and make the case for. It is genuinely complex, as always with the situations.

It is particularly curious how intersectionality is perceived to be a complex task, and one that we currently do not have the tools to address in policy fully, especially as (some) WMOs and feminist actors have emphasised employed intersectional approaches in service provision for decades. Other respondents described intersectionality as a ‘tick box exercise’ or ‘the new buzzword’, highlighting the limited advancements in transitioning to intersectional frames in policy. These critiques around the operationalisation of intersectionality reflect broader trends and concerns of intersectional feminists who have critiqued policy-makers’ tendency to draw upon intersectionality as a buzzword to illustrate their familiarity with the approach without exploring the implications of the debates and how it should be integrated into policy and practice (Davis, 2008).

Moreover, an actor who previously questioned the intentionality around the erasure of intersectional frames in policy argued that there has been an apparent disregard and reluctance to employing intersectional frames and approaches to develop understandings of children and young people experiences of domestic abuse. She explained:

> It’s inconvenient. It’s inconvenient for people to suddenly think: ‘oh right, I have to… I can’t just do a tick box exercise of talking to children. I need to think about the experiences of boys and girls and non-binary children or transgender children, and BME children, and disabled children’. It suddenly becomes much more complex situation, which it should. That’s the point that it’s complex.

This emphasis on inconvenience raises some empirical and theoretical questions about the relative inaction in operationalising intersectionality. Similar to the emergence of sanctioned ignorance and ‘unknowledges’ around the gendered framing of the problem (see Chapter 7), it is essential to question whether the problems in transitioning to intersectional frames is simply a result of limited understanding of intersectionality stemming from limited resources, or whether it should be conceptualised as a form of sanctioned ignorance towards intersectional frames. Additionally, as children and young people have been primarily conceptualised as a homogenous

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209 Interview 7, WMO actor in national and generalist organisation 2, 12/1/18.
210 Interview 12, three WMO actors in specialist and local organisation 2, 29/4/19.
211 Interview 6, former WMO actor in national and generalist organisation 1, 4/3/19.
212 Interview 6, former WMO actor in national and generalist organisation 1, 4/3/19.
group in policy, it requires considerable efforts to shift these pre-existing perceptions and challenge legacies of thinking.

Regardless of the level of intentionality, evidence from my study suggests that these (un)intentional barriers in operationalising intersectionality have had real consequences for effective policies and progressing change. These consequences were demonstrated most succinctly in an interview with a WMO actor who conducts training on domestic abuse/VAWG with public sector agencies. She explained that training dedicated to particular intersectional locations is often cancelled as a result of low uptake:

> It’s almost like it’s too niche. It’s too much for people to think about, which is terrifying as a thought: that it is possible that if you are a white, able-bodied, straight woman, then you might potentially get an okay service, but everyone else we’re going to be struggling with…. I think people are stretched when they’re trying to prioritize what training they’re going to take. Frankly, domestic abuse is way down the list for very many people. Then when you make it more complex than that, and it slips.213

The perception that intersectionality is ‘niche’ should not be simply understood as abstract debates over the position of intersectional frames in the diagnosis and prognosis of the problem. Instead, they have real-life implications on the effectiveness of services and policies in responding to and supporting marginalised victims/survivors, and may in fact, (re)produce the intersectional subordination of minority groups. Moreover, the above quote further suggests the fragility of domestic abuse and gendered frames as it is perceived as a low priority by some actors in the public sector (see Chapter 6). Thus, muddying an already complex and contentious problem by incorporating intersectional frames and approaches appears to make it an even lower priority for some.

In sum, the lack of resources, particularly limits on time, provides somewhat of an explanation as to why intersectional frames have been neglected or undeveloped in policy. As highlighted by my feminist institutionalist approach, institutional logics and ways of working can either enhance or constrain the generation of policy change (see Chapter 2) (Kulawik, 2009; Schmidt, 2010, 2011; Freidenvall and Krook, 2011; see Bacchi and Rönnblom, 2014). Therefore, until there is a shift in the daily ‘doings’ of politics and policy-making, actors will continue to be unable to grapple with the complexity of intersectionality, constraining the developments and integration of inclusive frames in policy.

213 Interview 4, WMO actor in national and generalist organisation 1, 27/2/19
9.8.2 Lack of disaggregated data

The second major obstacle identified by my interview respondents centred around the lack of disaggregated statistical data required to support and advance intersectional frames and approaches in domestic abuse policy and services. It must be noted that statistical data gaps or the absence of data are common and severe obstacles for domestic abuse policy and service development. However, in focusing more specifically on the challenges of incorporating intersectional frames in policy, the lack of robust and reliable disaggregated data is detrimental in advancing alternative and inclusive frames. Disaggregated data by race, (dis)ability, sexual orientation, gender identity and other structures of oppression is essential in preventing a one-size-fits-all approach to policy-making\(^{214}\) (see Hankivsky and Cormier, 2011; Christoffersen, 2017). Simply put, policy and services cannot adequately address domestic abuse if we do not understand the full extent of the issue.

Some of my interview respondents emphasised the implications of these evidential gaps in constraining intersectional analyses of the policy problem. A WMO actor involved in the Equally Safe Joint Strategic Board highlighted how it prevents the interrogation of multifaceted forms of oppression in policy, especially when policy-makers are only interested in policies based on robust evidence:

> So I think there is absolutely massive evidence gaps in terms of both women’s inequality and the extent to which we have intersectional data to support some of our policy calls and analysis, and there’s also massive data gaps… I mean, there’s huge data gaps anyway in terms of women’s experience of violence against women, and once you try to interrogate those by looking at any other protected characteristic, then it becomes even more flimsy and dreadful.\(^ {215}\)

It must be noted that a wealth of data is also produced by qualitative research, especially co-produced with (diverse groups of) women and children victims/survivors of domestic abuse/VAWG. It develops our understandings of the lived experiences of violence and provides a means to generate action and change. For example, in the Scottish case, NHS Scotland, in partnership with some learning disability agencies and WMOs, held a conference on gender-

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\(^{214}\) Arguably, Covid-19 pandemic has highlighted the necessity and urgency of gathering disaggregated data to enhance decision-making and inform policy-making, especially in understanding the disproportionate effects of Covid-19 on BME people. The Coalition of Racial Equality and Rights (CRER) wrote that the ‘silence on this in Scotland was conspicuous’. [https://www.crer.scot/post/2020/06/22/covid-19-and-ethnicity-in-scotland-wheres-the-data](https://www.crer.scot/post/2020/06/22/covid-19-and-ethnicity-in-scotland-wheres-the-data)

\(^{215}\) Interview 7, WMO actor in generalist and national organisation 2, 12/1/18.
based violence and learning disabilities where survivors with learning disabilities spoke at the event and fed into health’s programme of work, which subsequently informed a part of the Equally Safe Delivery Plan. However, in the era of evidence-based policy-making, policy-makers often seek comprehensive, robust, and extensive statistical data to inform policies, which is typically unavailable due to the ‘hidden’ nature of domestic abuse/VAWG, which my respondents emphasised. They argued that intersectional statistical evidence is largely missing, resulting in gaps in our knowledge of domestic abuse/VAWG, making the progression of alternative framings in policy more complex and challenging. The consequences of this were highlighted in an interview with a WMO actor on one of the Equally Safe Joint Strategic Board workstreams. She emphasised that evidential gaps resulted in abstract debates and superficial engagements with intersectionality:

But I think that the lack of evidence meant that the conversation quickly became very abstract in some instances, so there was a lot of chat that use the word ‘intersectionality’, but I think it was quite informative and superficial, and then when there were detailed questions put to us... There is a challenge of what does the data tell us, and the answer is nothing whatsoever because there is none. So what we can piece together is the likelihood of ‘this, this and this’… and they’re like ‘we can’t build a policy on that’.216

The fact that there is an awareness of the shortcomings of current policy and a lack of disaggregated data points towards these ‘unknowledges’ (see Sullivan and Tuana, 2007: 1) being, in part, a result of political and strategic choices and legacies of thinking towards policy-making methods and approaches. As argued in Chapter 7, it is essential to identify silences and what is ‘missing’ in policy and services (see Goodwin and Voola, 2013); therefore, it is necessary to evaluate the reasons for these data gaps. Interviews with WMO actors highlighted that organisations in the domestic abuse/VAWG and equality sectors have been calling for disaggregated data for years. However, there has been a lack of accountability in government and public sector agencies in enhancing robust and intersectional data collection. As one respondent explained:

It’s just a big salad, we throw a lot of different things, and nobody is held accountable for our analysis for disaggregated data. You know, for all of those things, it’s a real mess, and we’ve been saying it for years.217

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216 Interview 7, WMO actor in generalist and national organisation 2, 12/1/18.
217 Interview 1, WMO actor in national and generalist organisation 1, 30/3/18.
Despite WMOs and other equality groups advocating for better quality data, substantial statistical gaps remain. I asked a WMO actor on the Joint Strategic Board why this trend prevails. She explained:

Part of it is the way that gender-disaggregated data is produced and used in Scotland. So for things like labour market data, we rely on a couple of really big data sets that are principally UK gathered with some boosters for Scotland, but you can’t interrogate them below the men and women. If you start to delve further into any protected characteristics, even if they exist, and some sets they don’t… For everything else, it’s a question of sample size and the extent to which you can start delving into the crosstabs, and it quickly comes apart.218

The practical argument that the small percentage of minority groups in Scotland prevent the gathering of disaggregated data is not a new excuse, especially concerning race/ethnicity219. Nonetheless, the Scottish Government established a working group on sex and gender in data to formulate guidance on how public agencies should collect, disaggregate, and use data on sex and gender. The working group produced draft guidance on data collection in 2020220, which emphasised the necessity of collecting and publishing disaggregated data to understand the differences between and amongst men and women (Halliday, 2020). Most interesting for this study was the section on intersectionality, which asserted the increased recognition of the necessity in employing intersectional approaches to policy-making and decisions; however, data has not been ‘disaggregated in an intersectional way due to issues around sample size and risk of disclosing an individual’s identity’ (Halliday, 2020: 22).

Without the evidence to back up intersectional claims, it is difficult to advance and integrate these frames in domestic abuse policy, constraining the effectiveness of policy solutions and the potential for change. The increased awareness of the necessity to gather intersectional data and recognition of the limits of existing data will hopefully enhance opportunities to embed intersectional frames and approaches in domestic abuse policies in the future. However, until then, the lack of disaggregated data will continue to act as a barrier to progressing intersectional analyses in policy and services, disproportionately affecting intersectionally marginalised victims/survivors.

218 Interview 7, WMO actor in generalist and national organisation 2, 12/1/18.
219 According to the most recent census in 2011, 4% of the population in Scotland are from minority ethnic groups, which doubled from the 2001 census (2%).
220 The first draft of the guidance was circulated in December 2020 for stakeholder feedback.
9.9 Conclusion

This chapter assessed the extent to which the ‘stretching’ of existing gendered frames to integrate alternative and more progressive frames has been possible in the Scottish case, drawing upon intersectionality as an illustrative case. The central argument of this chapter is that although a discursive opportunity emerged in 2009 to embed intersectional frames in policy, in practice, this did not translate to concrete gains in advancing more inclusive frames. Instead, the pervasive dominance of the gendered master frame restricted transformative change and effective re-framing of the problem of domestic abuse. Drawing upon my intersectional analytical lens, this chapter argued that intersectional frames have remained weak and underdeveloped, suggesting that intersectionality is not interpreted or constructed as a fundamental part of the diagnosis and prognosis of the problem.

Findings from the Scottish case suggest that the particular configurations of frames, institutions, and actors were beneficial in generating change, enabling the women’s movement to embed a gendered construction of the problem of domestic abuse in policy from the onset of the new institutions ‘life’. This configuration was advantageous for some actors, especially those afforded first-mover status and, therefore, the ability to shape policy debates and policy frames. However, these opportunities were not equally shared, resulting in complexities and challenges for some actors to integrate more inclusive and intersectional frames in policy from the beginning of policy development. This study suggests that as time went on and a particular policy ‘path’ became established, the gendered master frames became particularly ‘sticky’, making the advancement of intersectional frames became even more difficult. As such, it draws attention to the ways in which, and with what effects, the early framing decisions acted as (un)intended barriers for successful frame reflection and re-framing of the policy problem. Thus, it points towards the conditions under which change does or does not happen and why change is complicated. Moreover, it also answers the question of how we know when change has happened by offering a way to assess the quality of intersectional frames in policies over time. It draws attention to how transformative these frames are and the extent to which they are embedded in the diagnosis and prognosis of the problem.

The following and final chapter draws together the crucial insights that the Scottish case provides around the ‘real world puzzles’ of how and why change is possible or limited. It situates the key findings and themes from the case study within the theoretical and empirical aims of the project, highlighting the distinct contributions to mainstream and feminist literature on policy.
and institutional change. Finally, it revisits the question of why this research matters for scholars and victims/survivors of abuse.
Chapter 10: Conclusion

10.1 Introduction
This thesis aimed to explain the ‘big questions’ around how and why policy change occurs, why some frames successfully introduced and institutionalised while others are not, and the effects of early decisions on future change and (re)framing of policy problems. In seeking to answer these questions, this dissertation takes forward the emerging body of work on feminist institutionalism, advancing an analytical framework that draws upon insights from feminist historical institutionalism, feminist discursive institutionalism, frame theory, and intersectionality to explore processes of meaning-making and policy change. It argued that an FI approach enables an analysis of timing, discourses, power, history, and processes, pointing towards the interaction of frames, institutions, and actors in explaining how some frames are ‘locked in’ policy and institutions over time and with what effects.

It evaluated the utility of this approach in the context of an in-depth single case study of Scottish domestic abuse policy case – which it argued was an insightful case study because of its fast-track and gendered approach to addressing and framing domestic abuse - tracing the framing of policy problems over time. Evidence from the Scottish case demonstrates the ‘success’ of feminists and movement actors in introducing and integrating feminist and gendered frames into domestic abuse policy from the onset of new policy-making institutions due to new discursive and political opportunities opened up through devolution. However, it complicates this success further by pointing towards the effects of legacies of the past in establishing bounded limits of change in progressing more inclusive and intersectional frames. It also highlights the constraining effects of ongoing internal contestations and external resistance towards the gendered framing of domestic abuse in re-framing the policy problem.

This thesis offers three main contributions. From a theoretical point of view, it advances FI through its synthesis of feminist and mainstream approaches and attentiveness to the discursive content of frames and framing processes. Methodologically, it provides a detailed toolkit for analysing policy framing processes, employing critical frame analysis and a process-tracing approach, and integrating FI and an intersectional lens. From an empirical perspective, the Scottish case offers insights into the conditions and contexts crucial for advancing feminist frames, ideas, and discourses and embedding them in policy, as well as into how frames have been contested and resisted.
This chapter delves further into these key contributions and summarises the thesis’ main findings and themes. It reflects on the dissertation’s contributions to the ‘big questions’ about institutional and policy change and the complexities of (re)framing policy problems over time, particularly within new institutions. It concludes by highlighting key areas of interest for future research and revisits the question of why (and for whom) this research matters.

10.2 A feminist institutionalist approach

This thesis makes a distinct contribution to the study of policy and institutional change and continuity by advancing an innovative feminist institutionalist (FI) approach which synthesises feminist historical institutionalism, feminist discursive institutionalism, frame theory, drawing upon an intersectional lens. Through the synthesis of mainstream and feminist approaches, it builds upon existing research employing a constructivist and institutionalist approach to the study of policy and institutional change (Erikson, 2017, 2019a, 2019b; Björnehed and Erikson, 2018). It empirically and theoretically expands upon existing FI literature in four interconnected ways.

First, an integrated FI approach advances and responds to the call for more nuanced analyses of the processes of meaning-making (Björnehed and Erikson, 2018) by examining the discursive content of frames and framing processes over time. As argued in Chapter 2, the framing process brings together a complicated web of frames, institutions, and actors, and therefore only by looking at processes over time can we see particular configurations of who is involved and who is not and what institutions matter. Additionally, it explains how and why some frames gradually – or, in the Scottish case, rapidly – gain attention and momentum and become embedded and institutionalised in policy.

Second, the thesis’ FI theoretical framework furthers knowledge of how power operates within framing processes and with what effects. It builds upon existing FDI literature that asserts the necessity to explore discourses and meaning-making within particular institutional contexts and how hegemonic rules, norms, discourses can constrain feminist discursive strategies for change and the adoption of feminist frames (Freidenvall and Krook, 2011; Kulawik, 2009; Schmidt, 2011; Bacchi and Rönnblom, 2014). However, it expands upon this further through its intersectional lens by highlighting the existence of intramovement contestations and power inequities within movements over who has access, influence and power in institutional and movement framing processes and its effects on the marginalisation or dominance of policy frames.
Third, through its historical approach, the thesis’ FI theoretical framework provides further insights into the importance and effects of timing and sequencing – when change happened and in which order. It argues that attentiveness to these dynamics helps explain the successes or failures in introducing and institutionalising new, innovative, and progressive frames. It particularly draws attention to the relationship between new institutions and new discursive openings to construct new meanings of policy problems. The thesis’s focus on timing and sequencing also sheds light on the reasons why the re-framing of problems can be tricky, emphasising the necessity of exploring established paths to understand the stickiness of frames and how change is often ‘bounded’ (Pierson, 2000a: 76; 2000b). Finally, and relatedly, it adds to FHI literature by being attentive to history and why change can be resisted or neglected within particular institutional contexts, including new institutions, through policy legacies and the tendency for institutions to operate through a combination of ‘remembering the old’ and ‘forgetting the new’ (Mackay, 2014).

Feminist institutionalists interested in the Scottish case have looked at the advancements in domestic abuse policy-making as a positive gendered outcome of new institutions (Mackay, 2010; Charles and Mackay, 2013; Kenny and Mackay, 2020). Building upon those studies, this thesis argues that domestic abuse policy offers an invaluable lens to apply an FI approach and demonstrate its analytical strengths in exploring the discursive content of frames and framing processes. As emphasised, domestic abuse is a complex and contentious issue, commonly referred to as a ‘wicked problem’ as it is not easy to solve, there is no one solution, and there are various sets of actors involved with different understandings and conflicting framings and solutions to the problem. Tracing the policy problem over time provided invaluable insights into the framing processes, particularly contestations, resistance and power inequities, and highlighted the conditions crucial for enhancing change. The following sections delve further into the thesis’ contributions, expanding upon the study’s key findings, themes, and insights.

10.3 Conditions for (bounded) change
This study adds to existing knowledge on the Scottish case by exploring and explaining how and why post-devolution Scotland employed a fast track in introducing domestic abuse as a gendered policy problem on the policy agenda. It confirms existing literature’s emphasis on the opportunities posed by devolution and the importance of new institutions and institutional arrangements in re-gendering politics and enhancing gender-sensitive reform (Breitenbach and Mackay, 2001b; Brown et al., 2002; Mackay et al., 2003, 2005; Mackay, 2010; Kenny and Mackay, 2020).
Both feminist and mainstream institutionalist scholars have made the argument that if we want to understand processes of institutional evolution and change, we need a more ‘fine-grained analysis that seeks to identify what aspects of a specific institutional configuration are (or are not) renegotiable and under what conditions’ (Thelen, 2003: 233; see also Waylen, 2009; Kenny, 2014).

This thesis answers this call by investigating the specific configuration of timing, events, actors, and institutions which created favourable conditions for constructing new feminist meanings of domestic abuse. Evidence from this study highlighted how after eighteen years out of power, the newly elected Labour-Liberal Democrat government looked to the women’s movement for suggestions and ideas on new policy areas, including domestic abuse and gender inequality. As argued in Chapter 5, as (some) women’s movement organisations (WMO) and feminist actors were in at the ‘start’ of new institutions and institutional framing processes, they were able to set the ‘rules of the game’ and ‘lock in’ progressive and feminist frames, discourses, and ideas in policy, influencing future policy development.

Yet, this thesis complicates the narratives around Scotland as a ‘feminist success story’ and adds to FHI literature on the effects of old and new institutional logics and legacies on new institutions (Mackay, 2010, 2014; Kenny, 2011, 2013). Chapter 6 employed a historical approach to highlight how women’s movements and their strategies for change were stymied by hegemonic institutional logics, resulting in (bounded) limits of change. While WMO and feminist actors had considerable influence on policy development, they did not have complete control of the framing process and therefore had to navigate and operate within the institutional norms, rules, practices, and discourses. Aware of these hegemonic institutional logics, the movement curtailed their aspirations and framing strategies by pragmatically choosing domestic abuse as the policy priority rather than engaging with the full spectrum of violence against women and girls.

Yet, these early decisions established a particular ‘path’ of domestic abuse policy-making, resulting in unintended and far-reaching consequences for future policy-making.

10.4 Frames, sequencing, and policy paths

As Pierson (2000: 72) highlights, it is not enough to assert that ‘history matters’; it is also essential to show why, where and how it matters. This thesis contributes to these wider questions by theoretically and empirically drawing attention to the importance of temporal sequences, focusing on the sequencing of frames and highlighting their impacts on future framing decisions and policy directions. In contrast to other case studies, where equality policies were introduced on the agenda and framed as a gendered problem at a later date (see Erikson, 2017), WMO and
feminist actors successfully introduced and embedded domestic abuse as a gendered problem in policy from the very beginning of policy development.

Drawing upon my FI approach, I emphasise that the sequencing of frames mattered in two ways. First, focusing on the early stages of the sequence in question, the establishment of the Scottish Partnership on Domestic Abuse (SPDA) in 1998 provided the platform for ideational shifts, enabling WMO actors to introduce innovative and feminist frames, resulting in the translation of the women’s movement frames to policy in 2000 (see Chapter 6). Very rapidly, the movement introduced and constructed gendered frames as the shared ‘intersubjective’ understanding of the problem (Hay, 2016) and master frame for domestic abuse policy-making, which asserted that domestic abuse is a cause and consequence of gender inequality. By drawing upon international human rights discourse, the movement was able to conduct domestic abuse in ‘feminist terms’ (Stetson, 2001: 4). Moreover, by integrating and ‘fixing’ these gendered frames in policy from the start, it ensured gender would remain the distinguishing feature of domestic abuse policy-making. As emphasised by my respondents, this is crucial to reflect the realities of women and children victims/survivors of domestic abuse and other forms of violence, therefore ensuring that policy solutions address the causes of the problem.

Secondly, the sequencing of frames mattered as it established a particular path for domestic abuse policy-making. As argued in Chapter 2, framing choices and decisions made early on in an institution’s ‘life’ determines, restricts, and hinders future choices. Drawing upon the illustrative example of intersectional frames, Chapter 9 highlights how the fast-track integration of gendered frames in domestic abuse policy made the introduction of alternative and more progressive frames more challenging in later stages of policy development. Thus, it provides an invaluable case study that further illuminates how policies and policy frames, just like institutions, are susceptible to dynamics of path-dependency. It argues that ‘fixing’ domestic abuse policy to a dominant gendered construction of the problem from the very start of domestic abuse policy-making had unintended consequences in closing off opportunities for integrating intersectional frames (see Squires, 2009). This was primarily a result of who had ‘first mover’ status and advantages (Pierson, 2004: 12) in the movement and institutional framing processes, and therefore had power and influence to shape policy development, solidifying these advantages to long-lasting ones. As such, it further draws attention to the necessity to examine the interaction between frames, institutions, and actors to explain how and why some frames took off and were successfully embedded in policy, while others were side-lined and marginalised, and the long-lasting effects of these decisions on the framing of policy and proposed solutions.
Previous research on the Scottish case has drawn upon the concept of path-dependency to explain how gendered frames were introduced and gradually institutionalised in policy-making, highlighting continuities and ‘drags’ on innovation as a result of new institutions being informed by institutional legacies of the past (Mackay, 2010, 2014). However, there has been limited attention to the path-dependent process of domestic abuse policy-making concerning the ways in which earlier framing decisions, strategies, and tactics constrained the introduction of more inclusive and progressive frames. Therefore, this thesis makes a distinct empirical and theoretical contribution to the Scottish case and FHI and path-dependency scholarship by highlighting particular critical junctures where the possibilities of change were constrained by the continuity and dominance of the gendered master frames.

10.5 Resistance and contestations

This thesis further muddies the ‘success story’ of domestic abuse policy-making by pointing to ongoing contestations, resistance and power imbalances in framing the problem of domestic abuse. Chapter 7 builds upon existing research on the successes and barriers in institutionalising feminist policy change (Mackay, 2010, 2014; Charles and Mackay, 2013) and resistance to gendered framing of domestic abuse in Scotland (Scott, 2006; Lombard and Whiting, 2015, 2018). However, it takes the findings of this previous scholarship forward by providing one of the first detailed accounts of how, why, and where this resistance emerged in Scotland and its effects on policy frames and solutions, building on an extensive empirical timeline and detailed process tracing of resistance and disputes over time. It provides new insights into the discursive struggles over meaning-making within formal institutions and how feminist ideas can be contested and actively resisted. I argued that some of these disputes could be traced back to the institutionalised cultures, norms, and practices of key public sector agencies initially reluctant to address domestic abuse, demonstrating the interplay between new and old institutions and how legacies of thinking are ‘nested’ (Mackay, 2014) in new discursive spaces. Thus, influencing and (re)producing resistance and contestations towards feminist frames.

This study found three mechanisms of continuity and resistance that explained the (perceived) fragility of gendered frames and argued that this ‘mattered’ for Scottish domestic abuse policy as it influences the effectiveness of approaches to the problem. First, building upon existing research (Mackay, 2010), Chapter 7 pointed towards misunderstandings and limited awareness of the gendered dynamics of domestic abuse, resulting in the ‘fragility’ of its incorporation in practice. Second, taking an innovative approach for FI analysis, it suggested that there is evidence of an emergence of sanctioned ignorance and conscious productions of ‘unknowledges’
as a discursive tactic to resist feminist ideas and gendered frames. To my knowledge, this is one of the first FI studies highlighting sanctioned ignorance and its potential effects on policy change. Therefore, there are merits in a dialogue between scholars interested in the epistemologies of ignorance and FI scholars to delve further into how these ‘unknowledges’ function and operate within hegemonic institutional logics to resist feminist frames. This dialogue would also be of interest to feminist critical frame analysis (CFA) scholars who explore implicit and explicit gendered assumptions in policies in order to identify silences, providing an opening to develop and complicate the relationship between intentionality and unintentionality (see Bacchi, 2009; Lombardo et al., 2009b). Finally, it argued that WMO actors were embroiled in a continual discursive struggle over the interpretation and construction of domestic abuse policy since devolution. It provided empirical insights into the discursive forms, arguments, frames, and tactics policy opponents have drawn upon over time to oppose gendered frames, particularly ‘whataboutery’. While this form of resistance appeared common knowledge to many feminist and movement actors in my study, there is little academic literature on the usage of whataboutery in domestic abuse/violence against women and girls policies and its effects in constraining or blocking feminist advancements.

At the same time as frames were disputed and resisted by external actors and policy opponents, the study draws attention to the emergence of intramovement contestations in interpreting and constructing the problem. The exploration of intramovement contestations in the Scottish case is, to the best of my knowledge, the first study of its kind, as research has predominately explored the unitary successes and strategies of the women’s movement and feminist constitutional activism in re-gendering institutions and policy-making (Mackay, 2010, 2014; Charles and Mackay, 2013). Yet, by delving into the diversity and conflicting ideas of actors and organisations within the movement, this study critiques and complicates the assumption that constitutional change provided the women’s movement with new discursive opportunities to enhance positive feminist change. Instead, it emphasises the divergences in power, access, and influence in movement and institutional framing processes.

Drawing upon an FI approach, Chapter 8 illuminated two intramovement contestations that have been ongoing since devolution: the marginalisation of children and young people (CYP) and black and minority ethnic (BME) victims/survivors in the dominant framing and definitions of domestic abuse. Chapter 8 traced these contestations since 1998, exploring various critical junctures to delve into how they have changed, evolved, or prevailed over time and their effects on policy frames and directions. Interestingly, this study found similarities in the types of arguments, responses, and strategies the most powerful movement actors employed to justify the
movement’s discursive tactics and strategies, particularly the centrality of gendered frames. Therefore, the thesis provides crucial empirical and theoretical insights into the politics of inclusion and exclusion in framing processes over who has epistemic power in naming and framing policy problems, pointing towards the necessity for FI scholars to complicate their understandings of actors. In doing so, it highlights the strengths of drawing upon an intersectional lens to interrogate diversity and power inequities.

Finally, Chapter 9 pinpointed unintended consequences of external resistance and intramovement contestations. It found that these discursive struggles and contestations led to and reproduced the ongoing neglect of more inclusive frames in the Scottish case and added to the complexity of developing and integrating intersectional frames in policy. Alongside the effects of established policy ‘paths’, the movement and feminist actors’ framing strategies, tactics, and ‘protectiveness’ over the gendered framing of the problem, as a result of its fragility, limited possibilities for transformative change. The interactive relationship between external and internal contestations poses some interesting questions around their effects on policy frames, proposals, and change over time, and further research would be beneficial to interrogate this further.

10.6 Considerations and directions for future research

This in-depth case study generates new theoretical, empirical, and methodological insights into the complex dynamics of policy and institutional change and continuity. In this final section, I focus my attention on future research considerations and directions.

This research traced policy and institutional change since devolution, spanning twenty years with multiple observations and findings, but further research could build upon this by examining policy change prior to devolution. Future research might investigate the movement’s framing strategies before devolution and how they contended with hegemonic institutional logics of Westminster in attempts to influence the framing and directions of policy. It would be interesting to explore the shifting dynamics of domestic abuse policy-making by examining the build-up to constitutional change, providing further insights into the women’s movement’s strategies to enhance positive change and embed domestic abuse as a political priority. This research would be of interest to FI scholars concerned with institutional change and continuity as it would provide more insights into institutional set-ups pre-devolution and its impacts on the possibilities and limits for positive gender reform (see Waylen, 2008, 2009).

Relatedly, 2018 marks the endpoint of the research’s timeline, and future research could investigate the (re)framing of policy beyond this time. This would especially be of significance to those with an interest and a stake in the Scottish case as the Equally Safe strategy ends in 2021.
Research could explore the framing process during the construction of the new strategy and analyse the discursive content of frames. This work may be relevant to intersectionality scholars and feminist policy-as-discourse theorists to examine and assess the articulation of intersectionality, especially as this research pointed to the limits of change in incorporating intersectional frames in policy.

Additionally, this thesis advances knowledge on the possibilities and limits of ‘stretching’ gendered master frames to advance more inclusive meanings and articulate intersectionality, emphasising the constraints of existing paths in enabling change. However, there was limited scope to fully explore how WMOs conceptualise and apply intersectional frames in their policies and services as my main focus predominately remained on the framing of national policy and how the movement shaped and influenced these policy frames. Future research could investigate the process of incorporating more progressive frames in women’s movements and the various ways in which WMOs articulate and operationalise intersectionality. An FI approach may be advantageous to describe and assess the various – and potentially conflicting – applications of intersectionality and investigate the extent to which they have been transferred to local and national policy. Ashlee Christoffersen (2019, 2020, 2021) provides an in-depth analysis of how equality organisations in the UK articulate and operationalise intersectionality, but more research is required to explore Scotland’s domestic abuse/VAWG sector more specifically.

Findings in this research demonstrated the ways in which, and to what effects, policy frames have been resisted and contested externally and within WMOs and emphasised that these conflicts are interconnected. The decision to focus on WMOs reflected my interview data, and although this study yielded interesting findings on power imbalances, diversity, and contestations within and across organisations, future research could investigate other actors in the movement to further explore intramovement contestations. Future research on the wider women’s movement should consider and include children and young people (CYP) as political actors, exploring their frames and perspectives and whether these conflict with adult-centred perspectives and strategies. As argued in chapter 4, this thesis is an example of generational ordering as it was conducted through adult-centred perspectives (see Alanen, 2009), primarily as all of my interview respondents were adults. This future research would be of significance to researchers interested in the synthesis between feminist and childhood theory (see Alanen, 2001, 2009), alongside feminist scholars and policy-makers calling for more advanced approaches to including CYP in policy and services (see Houghton, 2015, 2018).
Finally, while this research emphasises the merits of employing a single case study to provide an in-depth tracing of change and continuity, future research might usefully adopt a comparative approach to understand how the findings from the Scottish case compare and contrast to other contexts. For example, it may be interesting to compare across the nations of the United Kingdom (UK), especially as Charles and Mackay (2013) have highlighted the divergences in framing domestic abuse between Scotland and Wales. The study’s FI approach could be invaluable in exploring and explaining divergences and convergences in how the four nations have framed domestic abuse, with particular attention on the opportunities and constraints of decentralisation and constitutional change on policy-making. This research would likely be of interest to scholars, policy-makers, and movement actors interested in domestic abuse/VAWG policy change. It would also be beneficial to look beyond the UK to harness learning of the successful tactics, strategies, and frames in enhancing feminist change and eradicating violence.

10.7 Concluding remarks

This thesis and the Scottish case demonstrates, through an FI approach, that how policy problems are framed, whether institutions are open to renegotiation, and who is involved in the policy debates ‘matters’, in terms of opening up or foreclosing possibilities for introducing innovative new ideas, discourses, and approaches to the problem and integrating these in policy solutions. It also helps understand why change can be complex and challenging in some contexts, pointing towards the stickiness of master frames and the importance of timing, sequencing, and paths of policy frames. Moreover, this thesis highlights that it is also crucial to examine who is included or excluded in the framing processes and the power inequities in introducing and integrating new frames, explaining why some frames do (or do not) take. In doing so, it adds further theoretical depth and empirical richness to the ‘big questions’ of the contexts and conditions under which policy change can happen.

Why does this matter? Questions around the politics of inclusion and exclusion and power imbalances in the framing processes are not abstract ideas or scholarly debates. Instead, what is visible and known or invisible, silenced, or erased about domestic abuse/VAWG impacts upon the effectiveness of policies and services in addressing the problem. It has tangible effects on the realities of women and children’s embodied lives, and therefore has real-world consequences for their safety, health, empowerment, futures, freedom, and being. As such, women and children (in all their diversity) should remain firmly at the core of domestic abuse policy-making and decision-making and should be encouraged and supported to actively participate in framing
processes to prevent the erasure or invisibility of their multifaceted and diverse experiences and the impacts of violence on their every-day lives.
Bibliography


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Appendix A: Information Sheet

Research title
Change, Continuity, and Contestations: Framing Domestic Abuse Policy in Scotland Since 1998

More about the research project
The research aims to:

- Explore the framing of domestic abuse policy in Scotland since 1998
- Examine how the issue is framed, the actors involved in the policymaking process, and the institutions in which domestic abuse policymaking occurs in Scotland.

The research findings will contribute to information on how domestic abuse policy is conceptualised by multiple agencies and will trace the developments in domestic abuse policymaking as well as highlighting challenges. The findings will be written into a PhD thesis that will be published at the University of Edinburgh, as well as used in reports for the third sector and policymakers; papers for academic journals; and presentations at conferences and events.

What will happen?
You will participate in a face-to-face interview, which will be a chance to discuss your professional experience and expertise in domestic abuse policymaking in Scotland. The interviews are expected to take an hour.

Do I have to take part?
No. If you do agree to take part, your participation will be voluntary.

What are my participant rights?
You have the right to stop participating in the research at any time, and you do not need to give an explanation for this. You have the right to ask that any data you have supplied to that point to be withdrawn/destroyed. You have the right to refuse to answer or respond to any question that is asked of you.

What are the benefits and risks of participating?
There are no risks involved in participating in this research. There are no financial benefits to participating in the research.

Will my information be kept confidential?
The data collected will not contain any personal information about you. However, it may be difficult to guarantee full anonymity due to the small set of actors involved in domestic abuse policymaking in Scotland. You will also have the option to be fully identified in the research through the consent form.

For further information
You may contact me at: Leah.McCabe@ed.ac.uk
You may also contact my university supervisors:
Dr Claire Houghton Claire.Houghton@ed.ac.uk
Dr Meryl Kenny M.Kenny@ed.ac.uk
Appendix B: Consent Form

Research title: Change, Continuity, and Contestations: Framing Domestic Abuse Policy in Scotland Since 1998

Research summary: This thesis explores the domestic abuse policy discourses and directions in Scotland since 1998. This research examines how the issue is framed, the actors involved in the policymaking process, and the institutions in which domestic abuse policymaking occurs in Scotland.

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<td>1.</td>
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<td>I confirm that I have had the opportunity to consider the information, ask questions and have these answered satisfactorily.</td>
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<td>3.</td>
<td>I voluntarily agree to participate in the project.</td>
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<td>I understand that I am free to withdraw at any time without giving any reason, and will not be penalised for doing so</td>
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<td>I understand that all information will be kept confidential</td>
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<td>I understand that the researcher cannot guarantee full anonymity due to the relatively small set of actors involved in domestic abuse policy in Scotland.</td>
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<td>7.</td>
<td>I agree for the interviews to be audio-recorded and understand that these files will not be shared with anyone.</td>
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<td>Select only one of the following:</td>
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<td>• I would like my name to be used and understand that what I have said in this study may be used in the thesis, publications and other research outputs</td>
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Participant:

________________________       _______________________     ___________________
Name of Participant       Signature       Date

Researcher:

______________________         ________________________     _____________________
Name of researcher       Signature       Date
Appendix C: Interview Schedule

1. Can you give me a background to the roles that you have had in relation to domestic abuse policy and provision in Scotland?

2. What are your main priorities and concerns in regard to domestic abuse policy?

3. To what extent has the naming of the problem changed since the 90s?

4. Were there any ideas or perspectives that were not included that should have been, and if so why were they not? Are they included now?

5. Who have been the main actors involved in domestic abuse policymaking? Who are the most powerful actors? Has this changed over time?

6. To what extent do the various sectors, actors, and professions involved in domestic abuse policymaking have different conceptualisations of the problem and the solutions? How are debates and power dynamics negotiated?

7. What has been the biggest milestones and challenges in domestic abuse policymaking in Scotland?
Appendix D: Critical Frame Analysis

*Developed from MAGEEQ Methodology of Critical Frame Analysis*\(^{221}\) and QUING Project\(^{222}\)

**Voice**
- Voice(s) speaking
- Perspective
- References: words/concepts (and where they come from)
- References: actors
- References: documents

**Diagnosis**
- What is represented as the problem?
- Why is it seen as a problem?
- Causality (what is seen as a cause of what?)
- Dimensions of gender (social categories/identity/behaviour/norms & symbols/institutions/gender-explicitness/commitment to gender equality/structural understanding of gender)
- Intersectionality
- Mechanisms (resources/norms and interpretations/legitimisation of violence)
- Form (argumentation/style/conviction techniques/dichotomies/metaphors/contrasts

**Roles in diagnosis**
- Causality (who is seen to have made the problem?)
- Responsibility (who is seen as responsible for the problem?)
- Problem holders (whose problem is it seen to be?)
- Normativity (what is a norm group if there is a problem group?)
- Active/passive roles (perpetrators/victims etc)
- Legitimisation of non-problem(s)

**Prognosis**
- What to do?
- Hierarchy/priority in goals

\(^{221}\) MAGEEQ, funded within the European Commission’s Fifth Framework Programme, conducted comparative research on the framing of gender inequality as a policy problem in EU states over three years (2003-2005). MAGEEQ created a frame analysis methodology tailored to gender equality policies. See online: [http://www.mageeq.net](http://www.mageeq.net).

\(^{222}\) QUING (Quality in Gender+ Equality Policies) project, funded by the European Commission’s 6th Framework Programme, and conducted research on the diversity and inclusion of EU member states with by comparing gender equality policies across Europe over a period of 54 months (2006-2011). The project built upon the methodology of Critical Frame Analysis that had been developed for the MAGEEQ project. See online: [http://www.quing.eu/](http://www.quing.eu/).
• How to achieve goals (strategy/means/instruments?)
• Dimensions of gender (social categories/behaviour/norms and symbols/institutions/gender-explicitness/commitment to gender equality/structural understanding of gender)
• Intersectionality
• Mechanisms (resources/norms and interpretations/violence)
• Form (argumentation/style/conviction techniques/dichotomies/metaphors)

Roles in prognosis

• Call for action and non-action (who should [not] do what?)
• Who has voice in suggesting suitable course of action?
• Who is acted upon? (target groups)
• Legitimisation of (non)action
## Appendix E: Documents Analysed (CFA)

<table>
<thead>
<tr>
<th>Year</th>
<th>Document Title</th>
<th>Document Type</th>
<th>Author</th>
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<tr>
<td>1992</td>
<td>CEDAW</td>
<td>General Recommendation</td>
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<td>1995</td>
<td>Beijing Platform for Action</td>
<td>Declaration</td>
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<td>Hitting Home - a report on the police response to domestic violence</td>
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<td>Scottish Needs Assessment Programme (SNAP) report on domestic violence</td>
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<td>NHS Scotland</td>
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<td>1997</td>
<td>Service provision to women experiencing domestic violence in Scotland</td>
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<td>1998</td>
<td>Guidance on developing multiagency partnerships to tackle violence against women</td>
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<td>2000</td>
<td>National Strategy to Address Domestic Abuse in Scotland</td>
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<td>2001</td>
<td>Preventing violence against women: action across the Scottish Executive</td>
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<td>Scottish Government and COSLA</td>
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