
The Archers, the Radio, Violence against Women and Changing the World at Teatime

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Abstract

Feminists working on Violence Against Women (VAW) have often been disappointed by the failure of law to produce profound change. Ill-informed and stereotypical views about VAW held by judges, lawyers, law enforcement officers, those in the media and the general public have undermined laws intended to tackle violence including domestic violence. As a consequence, VAW activists have sought new methods to shift the public discourse and facilitate the operation of the law. This article examines how campaigners used a highly publicised storyline on coercive control in the long running BBC Radio 4 soap opera *The Archers* to circulate feminist knowledge on domestic violence. It discusses the reasons for the success of the activists on this occasion and reflects on the potential of popular culture combined with other forms of activism to embed feminist understandings of VAW and enhance the effectiveness of the law. It argues that popular culture can influence not only the legal professionals and others responsible for implementing and applying the law, but the broader public consciousness of domestic violence and VAW.

Introduction

Between 2013 and 2016 the long-running British Broadcasting Corporation (BBC) Radio 4 drama *The Archers* ran a storyline based on a relationship between a couple, Helen Archer and Rob Titchener, in the fictional village of Ambridge in central England (Helen/Rob story).¹ The plot involving the pair centred on coercive control,

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¹ British Broadcasting Corporation (BBC) Radio 4, *The Archers* <<https://www.bbc.co.uk/programmes/b006qpgr>> accessed 8 February 2020

a form of domestic abuse that was criminalised by the Serious Crimes Act 2015. The story received extensive publicity, and led to a national conversation, guided by feminist activists about the nature of coercive control and domestic violence.

The editor of *The Archers*, Sean O'Connor, has commented on the power of popular fiction to 'inform and even change the law'.² Given the capacity of television (TV) and radio drama to tell stories embodying and reinforcing society's values it is unsurprising that its outputs have been targeted by advocacy groups wanting to exert influence over their production.³ Storylines involving violence and femicide are a staple of broadcast media, often presenting brutal and stereotypical representations of violence against women.⁴ In contrast, the Helen/Rob story in *The Archers* provided the audience with an insight into how a little understood complex legal harm might be experienced in the humdrum setting of rural England. The decision of the editor to involve women's organisations, who had campaigned for the law, in the planning of the storyline, and to slowly broadcast it over a number of years, allowed the psychological elements of domestic abuse to be accurately portrayed in depth to the audience.⁵ The story then acted as a catalyst for campaigners to engage in activism to try to advance a more feminist understanding of domestic violence.

Feminist campaigners cannot take for granted that a hard-pressed-for law will be successfully implemented. This has led to the expression of scepticism by some scholars about the utility of law in advancing the feminist project.⁶ The history of feminist law reform has shown that for a law to function positively there is a need to face down non-feminist narratives within and without the law.⁷ Otherwise, there is a danger that a vigorously campaigned-for law will fall on stony ground, fail to be

² Gillian Reynolds, 'The Archers' Defence of "Coercive Control" Gets its Day in Court' *The Sunday Times* (London 4 March 2018) <www.thetimes.co.uk/article/the-archers-defence-of-coercive-control-gets-its-day-in-court-cmp9wkr7k> accessed 8 February 2020

³ Kathryn C. Montgomery, *Target Prime Time: Advocacy Groups and the Struggle over Entertainment Television* (Oxford University Press 1989)

⁴ See Sarah Projansky, *Watching Rape: Film and Television in Postfeminist Culture* (New York University Press 2001)

⁵ Sean O'Connor, 'Hiddleston, Hitchcock and The Archers' Crime Readers' Association, 23 April 2019 <<https://thecra.co.uk/hiddleston-hitchcock-archers-sean-oconnor/>> accessed 5 February 2019.

⁶ Carol Smart, *Feminism and the Power of Law* (Routledge 1989)

⁷ Rosemary Hunter, *Domestic Violence Law Reform and Women's Experience in Court: The Implementation of Feminist Reforms in Civil Proceedings* (Cambria Press 2008)

implemented and lack effectiveness.⁸ As a consequence, activists have come to see agitating for law reform as part of a process rather than as a one off event.⁹ They have been required to continue to work, usually for decades after the passage of the law, to ensure that the ideas incorporated in the legislation are based on a feminist understanding, are widely shared and are embedded in the social consensus. It is argued here that popular culture, in particular serial dramas such as soap operas, can alongside other methods, facilitate feminist activism by creating sympathetic stories and counter narratives.¹⁰

The radio soap opera *The Archers* supplies a useful case study where Violence Against Women (VAW) activists, instrumental in the legal campaign to put coercive control on to the statute book, used *The Archers* as a vehicle to foster a deeper understanding of coercive control and the psychological aspects of domestic abuse. For several years the drama enabled listeners to comprehend how seemingly everyday behaviours may be classified as a gendered harm and dealt with by the law.¹¹

Through the study of the coercive control storyline in *The Archers* this article examines the interaction between law, feminist activism and popular culture. It is argued that it provides an example of activists not only intervening to change the law, but also the social discourse that surrounds it. However, the use of popular culture in this way by VAW activists was not uncomplicated and warrants further interrogation as a potential tool of feminist legal and political activism.

⁸ Smart (n 6); Rosemary Hunter, 'Narratives of Domestic Violence' (2006) 28 (4) *Sydney Law Review* 733

⁹ Ruth Fletcher, '#Repealed The 8th: Translating Travesty, Global Conversation and the Irish Abortion Referendum' (2018) 26 (3) *Feminist Legal Studies* 223

¹⁰ For a definition of popular culture see Lawrence M. Friedman, 'Law, Lawyers, and Popular Culture' (1989) 98 (8) *Yale Law Journal* 1579

¹¹ Paul Kerley and Clare Bates, 'The Archers: What Effect has the Rob and Helen Story Had?' *BBC News Magazine* (London 5 April 2016) <<https://www.bbc.co.uk/news/magazine-35961057>> accessed 8 February 2020

The Power of Narrative Fiction on Radio and TV

Television and radio fiction, in particular soap operas, have been seen as a means of entertainment and education.¹² This speaks to a long-held belief in the power of storytelling, particularly narrative fiction, to influence public opinion.¹³ The advent of radio and television and the ability to reach large audiences has attracted the attention of governments, international organisations and non-government organisations who have used these mediums to inform and educate the public on issues such as health, education and gender equality.¹⁴ Theories and methods of ‘education-entertainment’ or ‘edutainment’ have been developed and deployed to produce serialised dramas that follow certain formulas to encourage social change.¹⁵ ‘Education-entertainment’ is most strongly associated with the Global South although there are examples of dramas specifically funded and initiated for education purposes by governments in many other countries. However, much more common in the UK are the use of strong educational storylines in ongoing popular soap operas where the emphasis is on entertainment with the educational elements interwoven into the plot.¹⁶

The Archers was originally intended to be an educational programme for farmers after the Second World War at a time when there were food shortages and rationing in the UK, and it still has an agricultural story advisor.¹⁷ In its present format it is plot driven and is written to entertain. But it makes a point of referring to current events that are inserted into the storyline, for example the foot and mouth crisis, the floods that affected rural England and Brexit and the shortage of foreign fruit pickers. It also

¹² Heidi Noel Nariman, *Soap Operas for Social Change: Toward a Methodology for Entertainment-Education Television* (Praeger 1993)

¹³ See generally L.J. Shrum, *The Psychology of Entertainment Media: Blurring the Lines Between Entertainment and Persuasion* (Routledge 2012). Consider, for example, the impact of the BBC Drama *Cathy Come Home* on housing law and policy. Suzanne Fitzpatrick and Hal Pawson, ‘Fifty Years Since *Cathy Come Home*: Critical Reflections on the UK Homelessness Safety Net’ (2016) 16 (4) *International Journal of Housing Policy* 543

¹⁴ Shrum (n 13) 19

¹⁵ Miguel Sabido, ‘The Origins of Entertainment-Education’ in Arvind Singhal, Michael J. Cody, Everett M. Rogers and Miguel Sabido (eds), *Entertainment-Education and Social Change: History, Research and Practice* (Lawrence Erlbaum Associates 2004) 61-74, 73

¹⁶ Michael J. Cody, Sangeeta Fernandes and Holly Wilkin, ‘Entertainment-Education Programs of the BBC and BBC World Service Trust’ in Singhal, Cody, Rogers and Sabido (eds) (n 15) 244-259

¹⁷ Vanessa Whitburn, *The Official Inside Story of The Archers: The Changing Face of Radio’s Longest Running Drama* (Virgin Publishing 1997) 10

has a track record of covering significant social matters such as GM crops, environmentalism, criminal justice, miscarriage, religion, gentrification, the housing crisis, dementia and social care, health matters such as breast cancer and recently storylines on the life threatening bacterial infection sepsis and childhood sexual abuse. This educational remit also fits with the BBC's original overarching ideology as a public sector broadcaster with its Reithian aim to 'inform, educate and entertain'.¹⁸

The coercive control storyline in *The Archers* is consistent with its original didactic mission, but it is not the only soap opera in the UK to have tackled the subject of domestic abuse. There have also been highly publicised VAW plotlines on other TV soaps in the past. The *Brookside* storyline on the Jordache family (1993-1995) involved child sexual abuse, domestic violence and murder, and the Little Mo storyline (2000-2002) in *Eastenders* similarly centred on child sexual abuse, domestic violence and murder, and was also an important 'cultural event'.¹⁹ At the time of writing, ITV's *Coronation Street* was in the midst of broadcasting a story based on coercive control and was being advised by domestic abuse charities.²⁰ Nevertheless, the sustained publicity of the Helen/Rob story, the longevity of *The Archers*, its iconic status and its popularity amongst the establishment including lawyers, judges and other professionals responsible for enforcing the law, make it especially worthy of study. In addition, the increasing popularity of podcasts has broadened the possibilities of the radio format as a medium for social activists, alongside social media, as a resource to press for social change and to ensure the law is better understood.

¹⁸ John Reith was the 'founder' of the BBC and was its first Director General. For a history of the BBC see Jean Seaton, *Pinkoes and Traitors: The BBC and the Nation, 1974-1987* (Profile Books 2015)

¹⁹ Lesley Henderson, *Social Issues in Television Fiction* (Edinburgh University Press 2007) 6

²⁰ Helen Daly, 'Coronation Street's Geoff and Yasmeen Abuse Plot might Just be its Most Important Ever' *Radio Times* (London 16 January 2020) <<https://www.radiotimes.com/news/soaps/coronation-street/2020-01-16/geoff-metcalf-yasmeen-nazir-abuse-plot/>> accessed 13 February 2020

The Archers, and the Helen/Rob Storyline

The Archers is the longest running daily radio serial in the world, and it was first broadcast on 1 January 1951 on BBC Radio Midlands.²¹ It has over five million listeners at peak listening times. It takes place in a rural setting, usually in real time, in the fictional village of Ambridge in imaginary Borsetshire in the Midlands in the middle of England. It was introduced as ‘an everyday story about country folk’.²² It is a soap opera about the Archers, a large middle-class farming family, and their neighbours including the working-class families in the village. It is broadcast six days a week for 13 minutes at 7pm, and repeated at 2.15pm the following afternoon. There is also a Sunday morning omnibus edition. It has become a British institution with many celebrity appearances including several members of the royal family, and was featured as a leitmotif of British life in the Olympic Games opening ceremony in London in 2012.

In 2013 a new character was introduced to the listeners of *The Archers*. Rob Titchener moved to Ambridge to take up a job as manager of a newly established mega dairy.²³ He was a married man, but he begins a relationship with Helen Archer. She is a member of the Archer family who dominate the life of the farming community in Ambridge.²⁴ Helen is a thirty-something competent businesswoman running Ambridge Organics, a local shop, and she is an artisan cheese maker of the famous ‘Borsetshire Blue’. Listeners have known her since birth, and she is regarded as a vulnerable character, having endured several bereavements in her family and having been hospitalised for anorexia nervosa. When she meets Rob she has recovered, her life is back on track and she has become a single mother to her son Henry, conceived

²¹ ‘History of the BBC’, BBC Website <<https://www.bbc.co.uk/programmes/p0168wd7>> accessed 8 February 2020

²² ‘History of the BBC’, BBC Website <<https://www.bbc.co.uk/programmes/p05dpy20>> accessed 8 February 2020

²³ For an account of the Helen/Rob story see BBC Radio 4: *The Archers* Website, ‘Helen and Rob: The Full Story’ <<https://www.bbc.co.uk/programmes/articles/KVL2b9gBzsJ8xfKzSGOrCj/helen-and-rob-the-full-story>> accessed 8 February 2020

²⁴ For biographies of the fictional characters see BBC Radio 4 *The Archers* Website <<https://www.bbc.co.uk/programmes/profiles/3VLG6MxxfQpKXF2Chky4Fmh/characters>> accessed 8 February 2020

by donor insemination. Rob takes over as manager at a neighbouring farm and is introduced as a rather suave and energetic man. He has attended public school, is forceful, confident, polite and keen on sports such as rugby and hunting. He woos Helen, overcoming her family's initial suspicion of him. He divorces his wife and marries Helen.

At first listeners think Rob is just a certain type of upper-middle class Englishman. But over a period of years listeners hear Rob bully, psychologically abuse and then isolate and manipulate Helen. She becomes estranged from all but one of her friends, Kirsty. Rob tells Helen what to wear, what to eat, takes over her job and salary, prevents her from driving and obtains a step-parent order giving him parental responsibility for Helen's son. It later becomes apparent that he has raped Helen causing her to become pregnant against her will. He 'gas lights' her by setting her up, lying, and blaming her for errors he has made both in business and in the home. Helen becomes unsure of her own mind, doubting herself and her sanity.

Eventually, Helen's longstanding friend Kirsty returns to Ambridge, she helps Helen to see what is happening, and gives her the number of a domestic violence helpline and a mobile phone. When a pregnant Helen tries to leave Rob, in March 2016, he puts a knife in her hand and tells her the only way she can leave is if she kills herself. He then appears to threaten Henry who is woken by their argument. There is a struggle and Rob is stabbed and badly wounded, but he survives after a long stay in hospital. Helen is arrested, charged with attempted murder and gives birth in prison while on remand. At a dramatic jury trial Helen, represented by a feminist lawyer, finally manages to disclose in the witness box Rob's wrongdoing including the marital rapes. Helen is acquitted of attempted murder and other lesser charges as it is accepted that she acted in self-defence. Helen decides she does not want to pursue charges of rape or coercive control. She just wants to get on with her life. However, she has had a child with Rob, and he continues to fight her through the courts to enable him to have contact with the children. After failing to secure the type of contact he wants he leaves Ambridge for a job in North America.

The Helen/Rob story in *The Archers* gained unprecedented public attention. There was an increase in the listenership of the programme by 100,000, an unusual amount of media coverage and intense discussions in the various social media communities, often led by VAW organisations.²⁵ A fundraising campaign on JustGiving started by an Archers' fan for Refuge, a domestic abuse charity, raised over £160,000. Women's Aid annual review noted that there was a 17 per cent increase in helpline calls at the height of the drama.²⁶ There were debates in Parliament that referenced *The Archers*, with one Conservative MP stating in a House of Commons debate on United Nations Day:

'As a great "*Archers*" fan, I also think that its storyline has helped to raise awareness. I personally was not really aware of it [coercive control]. It was utterly shocking and really brought it to the fore.'²⁷

The editor of *The Archers* commented on a meeting that he and the 'women's charities' had in Parliament with MPs and Peers:

'At the end, the MPs said what can we do to help you [Women's Aid and Refuge], so we have all these MPs captive in a room asking you how to change things...it's extraordinary.'²⁸

One of the main reasons why there was such an informed public discussion that gained momentum as the story progressed was the enthusiasm and energy of the VAW activists. They not only advised the editors while the story was being developed, but they led discussions with MPs and others, on TV, radio, newspapers

²⁵ Lyn Thomas, 'The Archers and its Listeners in the Twenty First Century: Drama, Nostalgia and the Rural Everyday' in Cara Courage, Nicola Headlam and Peter Matthews (eds), *The Archers in Fact and Fiction: Academic Analyses of Life in Rural Dorsetshire* (Peter Lang 2017) 5-19, 16

²⁶ Women's Aid, *Annual Review 2015-16* (2016) 6 <<https://1q7dqy2unor827bqjls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2015/11/Annual-Review-2015-2016-FINAL-NO-PM.pdf>> accessed 11 February 2020

²⁷ Rebecca Pow (Conservative) MP, HC Deb 8 December 2016, Col 421.

²⁸ Kate Holman, 'EastEnders' Sean O' Connor: "They're more than characters, they're your mates" (Royal Television Society 21 March 2017) <<https://rts.org.uk/article/eastenders-sean-oconnor>> accessed 8 February 2020

and on social media.²⁹ They used these platforms to explain the nature of the harm that was being done to Helen, her response to the abuse, the trauma caused by coercive control and the legal implications.³⁰ In doing so they were articulating ideas drawn from feminist-inspired law and policy and countering prevailing orthodoxies about the nature of domestic violence. In sum, the compelling nature of the Helen/Rob story combined with *The Archers* audience, that included those with power and influence, and the work of the VAW activists in advising on and then publicising the drama, meant that it received considerably more publicity than might normally be expected for a storyline on a soap opera.

Coercive Control and Domestic Violence

The Helen and Rob story provided an example of coercive control. The new offence of coercive control was enacted into the law of England and Wales in section 76 of the Serious Crime Act 2015, and carries a maximum term of five years' imprisonment.³¹ It was introduced after a Home Office consultation and was intended to close the gap in the legal framework where there is a pattern of abuse within an intimate partner or familial relationship.³² This often fell outside the criminal law on assault, stalking and harassment.³³ The offence is complex but it is committed where there is repeated or continuous behaviour towards another person that is controlling or coercive. At the time of the offence the parties must be personally connected and the

²⁹ O'Connor in Reynolds (n 2). For more detail see the discussion below 'Planting Feminist Seeds: Intervening in the Public Conversation'

³⁰ Refuge, 'The Archers and Refuge' <<https://www.refuge.org.uk/our-work/campaigns/more-refuge-campaigns/the-archers-and-refuge/>> accessed 8 February 2020

³¹ Serious Crime Act s 76 (1). See also the statutory guidance issued under s 77 Serious Crime Act 2015: Home Office, *Controlling or Coercive Behaviour in an Intimate or Family Relationship*, Statutory Guidance (December 2015) <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/482528/Controlling_or_coercive_behaviour_-_statutory_guidance.pdf> accessed 12 February 2020

³² Home Office, *Strengthening the Law on Domestic Abuse Consultation*, 20th August 2014. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/344674/Strengthening_the_law_on_Domestic_Abuse_-_A_Consultation_WEB.PDF> accessed 29 October 2019. On implementing the law see Cassandra Weiner, 'Seeing What is "Invisible in Plain Sight": Policing Coercive Control' (2017) 56 *Howard Journal of Crime and Justice* 500

³³ See further Nicola Padfield, 'Controlling or Coercive Behaviour in an Intimate or Family Relationship' (2016) 12 (3) *Criminal Law Review* 149; Vanessa Bettinson, 'Criminalising Coercive Control in Domestic Violence Cases: Should Scotland Follow the Path of England and Wales?' (2016) 12 (3) *Criminal Law Review* 166.

behaviour must have a serious impact on the victim.³⁴ The defendant must know or ought to know that the behaviour will have a serious effect.³⁵ To prove that behaviour has a serious effect the prosecution must prove that it causes the complainant to fear on at least two occasions that violence will be used against her, or that it causes her serious alarm or distress, which has a substantial adverse effect on her day to day activities.³⁶ It is a defence to show that the defendant believed that the relevant behaviour was in the complainant's best interest and that it was in all the circumstances reasonable.³⁷

The recognition of coercive control as a common kind of abuse in domestic relationships is further reinforced by its specific inclusion in the definition of domestic violence in the Domestic Abuse Bill 2019-21.³⁸ Although the definition of domestic abuse has attracted criticism the specific references to psychological and economic forms of abuse has been welcomed by most campaigners.³⁹

More recently coercive control has been used to explain the conduct of women who have killed abusive partners. This has arisen in the context of the partial defences to murder, especially diminished responsibility. Latterly, Sally Challen, who was convicted of murdering her husband in 2011 and was sentenced to a mandatory term of life imprisonment, had her conviction overturned after she had served nine years in prison.⁴⁰ A re-trial was ordered but the Crown Prosecution Service accepted her plea to manslaughter on the grounds of diminished responsibility and she was released on the basis of the time she had already served. The Court of Appeal accepted the argument of Challen's counsel that at the time of her original trial there was a lack of knowledge, by psychiatrists and criminal justice practitioners, of coercive control. Therefore, there was a risk that evidence of Challen's actions were not put in their proper context during the trial, and the potential relevance of her behaviour as an indicator that she was being coerced and controlled by her husband was not

³⁴ Serious Crime Act 2015 s 76 (1) (2) and (3)

³⁵ Ibid s 76 (1) and (5)

³⁶ Ibid s 76 (4)

³⁷ Ibid s 76 (8)-(10)

³⁸ Domestic Abuse Bill 2019-21 Clause 1

³⁹ Home Office, *Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill* (CP15, 2019)

⁴⁰ *R v Challen* [2019] EWCA Crim 916

appreciated. This meant that the partial defence of diminished responsibility was not presented as forcefully as it could have been, and the defence of provocation was not put at all. The Court of Appeal held that new understandings of coercive control as psychological violence combined with subsequent evidence of the defendant's behaviour in prison were sufficient to allow fresh psychiatric evidence to be admitted. These psychiatric conditions were not raised at the trial, and therefore cast doubt on the defendant's conviction. The Court of Appeal's decision is not unproblematic as it focuses on the defendant's mental state rather than the actions of the abuser, and the exact reach of coercive control as a defence will have to be determined in future cases.⁴¹

However, the Challen case attracted considerable media coverage and there was a very vigorous campaign, supported by her sons, to free her.⁴² Challen was dubbed the 'real life' Helen Archer and the case was referred to as the 'real' Helen and Rob case from *The Archers*.⁴³ VAW activists supported Challen's appeal, and there were numerous newspaper articles written where the facts of Challen's case and the fictional story were compared. One legal commentator referred to Challen's defence as 'The Ambridge Defence'.⁴⁴ There was also a reference to *The Archers* by Challen's barrister during the Court of Appeal hearing, with Challen reportedly identifying herself as a victim of coercive control after listening to *The Archers* in prison.⁴⁵ There was a definite overlap between fact and fiction with the coercive control shown in *The Archers* being used to explain the events in Challen's case to a public, some of whom had been familiarised with the concept from listening to the

⁴¹ Vanessa Bettinson, 'Sally Challen: What Quashing of Murder Conviction Means for Similar Cases Alleging Coercive Control' *The Conversation* (4 March 2019) <<https://theconversation.com/sally-challen-what-quashing-of-murder-conviction-means-for-similar-cases-alleging-coercive-control-112739>> accessed 17 October 2019

⁴² Jamie Doward, 'Justice System Smeared our Mother, Say Sally Challen's Sons' *The Guardian* (London 8 June 2019) <<https://www.theguardian.com/law/2019/jun/08/sally-challen-sons-justice-system-smeared-our-mother>> accessed 11 February 2020

⁴³ Reynolds (n 2)

⁴⁴ Jon Robins, 'Coercive Behaviour in the Spotlight' *Criminal Law and Justice Weekly* (17 March 2018) 182

⁴⁵ David Brown, 'Sally Challen Mounts First "Coercive Control" Appeal Against Murder Conviction' *The Times* (London, 27 February 2019) <<https://www.thetimes.co.uk/article/killer-wife-mounts-coercive-control-appeal-qt7n820zv>> accessed 8 February 2020

radio soap. *The Archers* storyline and the activism by VAW campaigners led to information about coercive control being widely disseminated.⁴⁶

Circulating Feminist Knowledge

VAW activists adroitly used the broadcast of the Helen/Rob story to publicise the new law on coercive control and the psychological domination that forms part of domestic violence. If law is to be effectively deployed to prevent and provide redress from gendered harms, there is a need for VAW activists to use every opportunity to challenge myths and stereotypes, and to use feminist ideas to re-shape dominant discourses of violence against women. Changing the law is never enough. As Smart pointed out in her key intervention in the 1980s, once laws are enacted they are vulnerable to the interpretations of those who have little understanding of the values of feminism.⁴⁷ She argued by that by over-investing in law reform and legal scholarship feminists had conceded too much to law's claims to establish truth at the expense of disqualifying other forms of knowledge. She sought to de-centre law and to persuade feminists to look to non-legal strategies to solve problems. She urged feminists to 'resist the temptation that law offers, namely the promise of a solution'.⁴⁸ She advocated the need to intervene at the conceptual level so that feminist discourses can take a firmer root.⁴⁹ She acknowledged that law is too powerful to go unchallenged, but rather than focus on law reform, in her view, feminists should challenge law's power to 'define and disqualify', for example she states that feminists have redefined 'harmless flirtation into sexual harassment' and 'enthusiastic seduction into rape'.⁵⁰ Feminist legal scholars have embraced Smart's challenge in myriad forms. They have recognised the power of her criticisms, the need to exercise greater caution when engaging in law reform and the importance of non-legal strategies.⁵¹ Smart herself some twenty years after her original intervention has noted how she

⁴⁶ Sarah Bell, 'The Archers Made Me Realise I was a Victim of Domestic Abuse' BBC News (7 March 2018) <<https://www.bbc.co.uk/news/entertainment-arts-43317137>> accessed 2 February 2020; Helen Walmsley-Johnson, *Look What You Made Me Do* (Picador 2019)

⁴⁷ Smart (n 6) 164

⁴⁸ Ibid 165

⁴⁹ Ibid 5

⁵⁰ Ibid 165

⁵¹ Rosemary Auchmuty and Karin Van Marle, 'Special Issue: Carol Smart's Feminism and the Power of Law' (2012) 20 *Feminist Legal Studies* 65

never meant for law to be ignored and sees her work as part of an ongoing conversation between feminists about the utility of law.⁵²

Smart's scholarship emphasises the unpredictable nature of law-based projects, and the necessity for feminists to reshape social norms. One possible method is through discursive forms of activism where feminists intervene more directly to 'change the way people think'.⁵³ Feminist publishing and writing are examples of discursive activism.⁵⁴ But this type of work can also be done through the use of TV/Radio entertainment such as serial dramas. The broadcast of the Helen/Rob story took place at a time when feminists had been successful in changing the law, they had helped to redefine what might be regarded as unpleasant and bullying behaviour as the legal wrong of coercive control. For the law to have an impact there was a need for feminists to find tools that dispelled ingrained attitudes towards domestic abuse, and enabled feminist understandings of domestic violence to prevail in the 'hearts and minds' of the public, law enforcement personnel and judicial actors.

According to Hunter, mainstream feminist positions include seeing domestic violence as a gendered phenomenon, and recognising that violence includes not just physical abuse, but coercion, power and control that may result in living in constant fear.⁵⁵ There is a knowledge that women may be in denial about the violence, may not want to leave their partner, that violence may escalate during pregnancy and that when women attempt to leave they may be in grave danger. The pattern of domestic violence may well vary for black and ethnic minority women (BAME), women with disabilities and in intra lesbian domestic violence. For instance, there may be greater suspicion of the police and complex issues around immigration for BAME victims of VAW.⁵⁶

Hunter contrasts feminist narratives with other non-feminist understandings of domestic violence that minimise its harm and see it as exceptional. There is an

⁵² Carol Smart, 'Reflection' (2012) 20 *Feminist Legal Studies* 161

⁵³ Stacey Young, *Changing the Wor(l)d: Discourse, Politics and the Feminist Movement*. (Routledge 1997)

⁵⁴ *Ibid*

⁵⁵ Hunter (n 7) 20-24

⁵⁶ *Ibid* 25-31

emphasis on physical violence and an ignorance or tendency to underestimate psychological violence. There is a stress on the importance of maintaining the nuclear family, a failure to see the structural, social and economic barriers that prevent women from leaving violent relationships and the use of ‘fright narratives’ about the dangers of mad, bad and vengeful wives and mothers using the law on VAW for their own selfish purposes.⁵⁷

These negative narratives persist in the reporting of domestic violence in the UK. One recent study of how discourses of domestic violence are constructed through representations of domestic violence in newspapers found that there was a tendency towards victim blaming, sympathising more with ‘ideal’ victims and sexualising violence against women.⁵⁸ A timely reminder of the enduring hold of sexist norms in domestic violence cases occurred in a recent highly publicised family law decision concerned with coercive control, domestic and sexual abuse.⁵⁹ Allowing an appeal from a lower court the High Court judge, Ms Justice Russell, castigated a senior family law judge for, inter alia, his approach to consent and his failure to understand the nature of coercive control. He had cast doubt on an account of sexual abuse on the grounds that there was no sign of physical resistance, and that there was no immediate report of the abuse. Ms Justice Russell was so alarmed by these comments that she reported having taken steps to request formal training from the Judicial College for family law judges.⁶⁰ Whilst such examples of media and judicial misinformation may be discouraging, the High Court judge’s approach and the legal and media criticism of the original decision show at least that these views are challenged in the mainstream.⁶¹ It also accentuates the need for activists who press for changes in the law to guide public discussion and find forums where a feminist narrative can be set forth and further mainstreamed. The Helen/Rob story in *The Archers* gave the activists just such a forum to disseminate feminist knowledge. It was a chance to

⁵⁷ Ibid 31-37

⁵⁸ Michelle Lloyd and Shula Ramon, ‘Smoke and Mirrors: UK Newspaper Representations of Intimate Partner Domestic Violence’ (2017) 23 (1) *Violence Against Women* 1, 19

⁵⁹ *JH v MF* [2020] EWHC 86 [Fam]

⁶⁰ Ibid para 59

⁶¹ ‘Family Courts “Not Safe Space” for Domestic Abuse Survivors’ BBC News (24 January 2020) <<https://www.bbc.co.uk/news/uk-51237285>> accessed 11 February 2020

influence not only the general public but those involved in the implementation of the law, thus potentially providing an alternative method of judicial and public education.

The process by which feminist knowledge is circulated by social activists can be conceived of as framing, or what Benhabib sees as a process of iterations, or as Levitt and Merry prefer, vernacularisation. Social movements such as feminism try to exercise influence by framing issues, often so as to counter dominant narratives.⁶² Framing draws attention to social movements such as feminism's capacity to construct meanings so as to challenge orthodox ideas, and develop understandings that interpret events and conditions so as to mobilise support.⁶³ They draw together different elements so that 'one set of meanings rather than another is conveyed, or, in the language of narrativity one story rather than another is told'.⁶⁴ Benhabib highlights the functions of social movements in her discussion of iterations in the context of international human rights. She argues that ideas such as rights should be seen as part of an iterative process.⁶⁵ She observes how 'social actors' can use 'moments of rupture' to 're-appropriate norms' and 'to enable new subjectivities to enter the public sphere.'⁶⁶ She argues that they do this by applying them in the most context appropriate manner that retains the transcendent element of rights while adapting them sufficiently to satisfy local democracy and culture.⁶⁷ Levitt and Merry use the term 'vernacularisation' to describe the transmission and adaptation of norms on women's rights especially on VAW.⁶⁸ Their anthropological research across various countries shows how, what they term the 'global women's rights package' is 'repackaged' by domestic organisations to meld with local cultures and combined

⁶² See Goffman's seminal text: Erving Goffman, *Frame Analysis: An Essay on the Organisation of Experience* (Harper and Row 1974). For an overview of framing see Robert D. Benford and David A. Snow, *Framing Processes and Social Movements: An Overview and Assessment* (2000) 26 *Annual Review of Sociology* 611

⁶³ For a discussion of framing in relation to VAW see Shazia Choudhry, 'Towards a Transformative Conceptualisation of Violence Against Women: A Critical Frame Analysis of Council of Europe Discourse on Violence Against Women' (2016) 79 (3) *Modern Law Review* 406.

⁶⁴ David A. Snow, 'Framing Processes, Ideology and Discursive Fields' in David A. Snow, Sarah A. Soule and Hanspeter Kriesi (eds), *The Blackwell Companion to Social Movements* (Blackwell Publishing 2004) 385

⁶⁵ Seyla Benhabib, 'Claiming Rights Across Borders: International Human Rights and Democratic Sovereignty' (2009) 103 (4) *American Political Science Review* 697.

⁶⁶ *Ibid* 701

⁶⁷ Seyla Benhabib, 'The Legitimacy of Human Rights' (2008) 137 (3) *Daedalus* 94, 101.

⁶⁸ Peggy Levitt and Sally Merry, 'Vernacularisation on the Ground: Local Uses of Global Women's Rights in Peru, China, India and the United States' (2009) 9 *Global Networks* 441.

with other ‘discourses of social justice’.⁶⁹ They describe the core of the global women’s rights package as including ‘the idea that women should own property, be able to divorce...stresses a woman’s right to protection from domestic violence and discrimination and to enjoy reproductive autonomy and the right to sexual choice’.⁷⁰ Activists use and adapt the global women’s package in ways that are culturally appropriate, sometimes creating new meanings. The symbiotic relationship between legal and non-legal activists is stressed with legal activists focused more on strategic litigation and formal human rights mechanisms. Non-legal actors may find alternative methods to make their point and concentrate on building public consciousness and challenging the state.⁷¹ So they may use drama, art, dance and documentary making and other types of discursive activism. Whilst the boundaries between legal and non-legal activists are perhaps more blurred than this account allows, their analysis does underscore the significance of non-legal strategies in communicating feminist norms in an attempt to shift the public and legal mind set.

These concepts of framing, iterations and vernacularisation rely, to a large extent, on the role of social activists in educating, informing and shaping the public discourse. The notion of vernacularisation as developed by Levitt and Merry and Benhabib’s idea of iterations both focus on the transmission of international norms such as those in the ‘global women’s rights package’. They are an inexact fit with the role VAW social activists play in interpreting and disseminating laws and norms in domestic law. Yet these explanations are valuable because they highlight the function of activists in transmitting and interpreting norms, laws and policies struggled for in either international or domestic forums by feminists. Social activists are savvy in finding appropriate domestic social and cultural spaces to communicate their ideas in the most effective language. So, in the UK context VAW activists, when discussing coercive control in relation to *The Archers*, rarely used the terms ‘women’s rights’ or ‘human rights’. Instead they relied on the drama’s painful exposure of domestic abuse to illustrate the injury being done to Helen’s freedom and autonomy. They then

⁶⁹ Ibid 448

⁷⁰ Ibid 447-448

⁷¹ Ibid 549

further articulated the legal, social, reproductive and psychological consequences, and underscored the material problems of finance, housing and healthcare.

Timing is Everything: The Right Time, The Right Place and The Right Audience?

One of the reasons why the coercive control storyline in *The Archers* reached a larger audience, was taken seriously and discussed in depth, was that it was broadcast ‘in the right place’ on the supposedly ‘high-brow’ BBC Radio 4. It may have received a different response if it had been aired in a more ‘low-brow’ forum. BBC Radio 4 has the reputation of being the station of the ‘chattering classes and opinion formers’ and is listened to by politicians, civil servants, campaigners and business leaders.⁷² It has the capacity to influence and inform those with power and authority. Even though *The Archers* is essentially a soap opera it has ‘credibility’ despite the ‘low-brow’ genre because it is played on Radio 4 and is therefore seen as ‘quality radio’ being delivered to a ‘quality’ audience.⁷³ As discussed earlier it has a tradition of engaging with social issues and the events on *The Archers* have cultural significance, its content is hotly debated, and the drama is taken very seriously by the audience.

The aural and radiogenic nature of radio drama also contributed to the success of the storyline in conveying the nature of coercive control. It is a truism that radio, unlike television and film, requires the listener to imagine the scenes for themselves and it is argued that this activity can provoke an emotional attachment to the radio even in a highly visual age.⁷⁴ Yet it was not just the imagined images that were powerful. So often it was the menacing sound of Rob’s voice alternately scolding Helen, and then praising her in his smooth honeyed tones when he gets his own way. It proved an excellent method of illustrating psychological control. Using a light and airy tone of voice he manipulates her, isolating her and rendering her powerless. Over time we hear her internalising his values in her responses to him. Listening to the

⁷² David Hendy, *Life on Air: A History of Radio Four* (Oxford University Press 2007) 1.

⁷³ Lyn Thomas, *Fans, Feminisms and ‘Quality’ Media* (Routledge 2002) 31

⁷⁴ David Hendy, *Radio in the Global Age* (Polity Press 2000) 119

differing scenarios provides an answer to the oft-asked question in situations of domestic violence, ‘why doesn’t she just leave?’. The radio drama addresses this by showing how Rob’s control of Helen renders her helpless. Helen’s family and friends are also invested in their relationship with Rob and are equally groomed by him. Almost everyone around Helen appears to have the highest opinion of Rob. This makes it almost impossible for her to reveal her true feelings or state of mind and contributes to her doubts about her judgement.

For the audience, often listening in their own homes in a similar domestic setting, perhaps cooking or carrying out household chores, the sense of domestic menace is intensified.⁷⁵ There is an almost immersive element to the drama. It shows the audience how gender-based violence occurs in the family home, even in the most idyllic setting such as Rob and Helen’s home, Blossom Hill cottage. Hearing how Rob gradually isolates and controls Helen so graphically in such detail over a long period not only made for compelling drama but provided the audience with an education on the mechanics of coercive control. Taken individually it is easy to dismiss any single comment, argument or decision of Rob’s as innocent behaviour, but as the story unfolds the listener understands the cumulative effect. Helen is unable to name what is happening to her or to explain it to those around her, having a close familial network does not protect her. This exemplifies the difficulty of convincing others of the existence of coercive control; it typically happens quietly, subtly and behind closed doors. Rob has even been described as having not just ‘gas-lighted Ambridge but the whole listenership’.⁷⁶ Rob dupes the audience for quite some time, but because they hear the private conversations between the couple they, unlike the rest of the village, become painfully aware of Rob’s duplicitous behaviour and abuse of Helen.

As alluded to above the composition of *The Archers* audience, that included legal professionals, was also important in extending the influence of the story; the Helen/Rob plot captured the imagination of the legal community. Lady Hale, the

⁷⁵ Thomas (n 73) 136

⁷⁶ Cara Courage and Nicola Headlam, ‘In Conversation with Alison Hindell’ in Cara Courage and Nicola Headlam (eds), *Gender, Sex and Gossip in Ambridge: Women in The Archers* (Emerald Publishing 2019) 11-20, 16.

former President of the Supreme Court, referred to *The Archers* in extra judicial speeches and has also used *The Archers* to underscore the significance of the groundbreaking decision of the Supreme Court in *Yemshaw v Hounslow LBC* where it was held that domestic violence does not have to be physical.⁷⁷ Further evidence of the reach of the Helen/Rob story is evident from the websites of numerous solicitors' firms and barristers' chambers. Many published articles and blogs discussing the different legal aspects of the storyline, sometimes tweeting links to their websites that explained the legal issues in a layperson's language.⁷⁸ The professional legal journals and newspapers carried articles by lawyers commenting on the authenticity of the story and the accuracy of the law. The legal commentaries ranged from the competence of Helen's barrister, the availability of legal aid and the care and contact arrangements for Henry, including the problem of the use of child contact by perpetrators of domestic violence as a means of regaining control over their victim.⁷⁹ Many of the authors referred to the work and research of VAW activists, and most appeared to sympathise with Helen's predicament, and praised the treatment of the legal issues in the programme.⁸⁰

The timing of the story was also significant. The arrival of Rob in the village of Ambridge and the storyline on coercive control occurred at the same time as lobbying by VAW activists to persuade the government to criminalise coercive control. The

⁷⁷ *Yemshaw v Hounslow LBC* [2011] UKSC 3; Simon Hattenstone, 'Lady Hale "My Desert Island Judgments? Number One Would Probably be the Prorogation Case"' *The Guardian* (London 11 January 2020) <<https://www.theguardian.com/law/2020/jan/11/lady-hale-desert-island-judgments-prorogation-case-simon-hattenstone>> accessed 12 February 2020

⁷⁸ An internet search elicits dozens of blogs on the website of solicitors' firms discussing the Rob/Helen story. A typical example is Tamara Glanville, 'Family Relationships in BBC's *The Archers*' Family Law Blog, Woolley and Co Solicitors (1 January 2015) <<https://www.family-lawfirm.co.uk/blog/bbc-4s-the-archers-adultery-coercion-and-family-relationships/>> accessed 8 February 2020

⁷⁹ See for example Elizabeth Fletcher, 'What *The Archers* Can Teach Us about Grandparents' Rights' (2016) 160 (22) *Solicitors Journal* 5; Felicity Kaganas, 'The Archers: Law on Child Contact Arrangements Means Helen Titchener's Ordeal Is Not Yet Over' *The Independent* (16 September 2016) <<https://www.independent.co.uk/life-style/health-and-families/the-archers-law-on-child-contact-arrangements-means-helen-titchener-s-ordeal-is-not-yet-over-a7309301.html>> accessed 14 February 2020

⁸⁰ Most of the legal commentary was positive but there was the occasional dissenting voice. For example, one article quoted a former Chair of the Criminal Law Committee of the Law Society who criticised the over-emphasis of the role of Helen's barrister at the expense of her solicitor as being misleading. See Luke Heighton, 'Solicitors Slam *The Archers* for Creating "Unrealistic" Expectations of the British Legal System' *The Telegraph* (London 10 September 2016) <<https://www.telegraph.co.uk/news/2016/09/10/solicitors-slam-the-archers-for-creating-unrealistic-expectations/>> accessed 11 February 2020

campaign on coercive control was well received by the government. One campaigner described it as ‘history in the making’ because the goal of criminalising coercive control was achieved in twelve months.⁸¹ This meant that when the Helen/Rob story began campaigners were able to swing into gear and take advantage of the ‘cultural moment’ that had opened up. To use Benhabib’s language, the VAW activists, as social actors, seized the chance offered by the publicity generated by the drama to try to redefine the social norms around domestic violence, and enable new subjectivities to enter the public sphere.⁸² They mobilised by using *The Archers* as a site to usurp traditional views of domestic violence and to offer their own more feminist interpretations of the power dynamics of the events as they unfolded. They also capitalised on the newly created spaces of cultural communication online where they named Rob’s conduct as coercive. For example, after Rob’s attempts to alienate Helen from her family, Refuge tweeted ‘[m]any abusers will isolate their partner and manipulate the situation. Find out more’ and they then referenced their website.⁸³ They guided the discussion on the Helen/Rob storyline, making available information and advice.

Through their discursive activism the VAW campaigners acted as a bridge between the drama and the audience. They mediated the fictional world of the soap opera with their knowledge of the everyday reality of psychological violence and its legal consequences, from their experience of running shelters and helplines. In the Helen/Rob story their interpretation of the narrative enabled a richer and more feminist-informed conversation to take place. They effectively used popular culture to intensify their campaign and to deepen understanding of the law.

⁸¹ Laura Richards, ‘A Breakthrough Victory for the Domestic Violence Law Reform Campaign’ The Blog, *Huffington Post UK* (London, 23 December 2014) <https://www.huffingtonpost.co.uk/laurarichards/a-breakthrough-victory-fo_b_6371840.html> accessed 11 February 2020

⁸² Benhabib (n 65) 701

⁸³ These tweets are reproduced in Kirsty Marrows, ‘Five Lessons from Refuge and the Helen Titchener Fund’ *Third Sector* (5 April 2016) <<https://www.thirdsector.co.uk/five-lessons-refuge-helen-titchener-fund/digital/article/1390124>> accessed 9 February 2020

Planting Feminist Seeds : Intervening in the Public Conversation

What is of interest here is how the radio drama was used to mainstream feminist-infused knowledge about the nature of domestic violence. This was done by framing or vernacularising the norms and principles surrounding the law on coercive control to ensure the audience interpreted what was happening from a feminist perspective. For activists trying to convey an understanding of the psychological component of domestic violence, *The Archers* depicted a moving scenario that showed not only the characters' interior world, but how the law reinterprets this type of behaviour as violence and the legal consequences that may ensue.

The two leading organisations on VAW in England are Refuge and Women's Aid. Responding to the requests of the production team for help they were able to provide the editor, scriptwriters and actors with information as well as access to survivors of coercive control who conveyed their experiences. Women's Aid stated that:

'[w]e're proud to have advised on the domestic abuse storyline for popular BBC Radio 4 soap *The Archers* which highlighted the insidious nature of coercive control and its corrosive effect on victims. Millions of listeners tuned in to hear what would happen to Helen as she faced the coercive and controlling abuse of her husband Rob, ... The storyline has led to more women coming forward to access our services and find the help they need.'⁸⁴

The office holders from the leading VAW organisations also appeared on various mainstream television and radio programmes, sometimes with cast members from *The Archers* or with the editor.⁸⁵ Refuge noted that as a result of the media coverage they had been able to share their, 'messaging on domestic violence in every national newspaper, on the BBC Breakfast sofa and on Woman's Hour'.⁸⁶ Women's Aid and

⁸⁴ Women's Aid (n 26)

⁸⁵ Refuge, *Annual Report and Financial Statements 2016-17* (2017) 37 <<https://www.refuge.org.uk/wp-content/uploads/2018/04/refuge-annual-report-and-financial-accounts-2016-17.pdf>> accessed 11 February 2020

⁸⁶ Refuge, 'The Archers and Refuge' <<https://www.refuge.org.uk/our-work/campaigns/more-refuge-campaigns/the-archers-and-refuge/>> accessed 11 February 2020

Refuge issued several press releases on *The Archers* as the story progressed.⁸⁷ They pointed out that although they had acted as consultants they had no influence on the outcome. The VAW organisations used *The Archers* as a hook for their campaigning work, for example Refuge had Louiza Patikas, the actor who plays Helen, join them on their annual fundraising walk to generate publicity as the walk coincided with one of the climactic episodes of the drama.⁸⁸

VAW activists were able to draw on their vast expertise to confirm the credibility of the plot to the audience, and shape understandings of the fictional characters' travails. For example, in the storyline there was criticism from listeners of the middle class setting of the drama, and claims that it was unrealistic that Helen's mother Pat Archer, a self-declared feminist, would be deceived by Rob. Women's Aid and Refuge used this as a chance to stress the universal nature of coercive control as a wrong that traverses class boundaries, and cautioned that perpetrators could deceive anyone no matter how politically aware.⁸⁹ Helen's decision not to pursue a prosecution was described 'as no surprise to Women's Aid' and in the same press release the chair of Women's Aid relates that this is a typical reaction and perhaps if better support services were available Helen might have made a different decision.⁹⁰ It was also explained that violence by victims is extremely unusual, but that often when women decide to leave the risk of harm increases. Refuge reported that they 'shared messages in real time as Rob Titchener's abuse escalated. Through Twitter and Facebook, Refuge shared with new audiences how to spot the signs of domestic abuse, how to access support and how to help a friend.'⁹¹

⁸⁷ Refuge, 'Refuge Responds to The Archers "Not Guilty" Verdict' (11 September 2016) <<https://dev.refuge.org.uk/refuge-responds-to-the-archers-not-guilty-verdict/>> accessed 12 February 2020

⁸⁸ Refuge (n 86)

⁸⁹ Polly Neate, 'The Archer's Domestic Abuse Plot Should End in Tragedy-That's the Reality' *The Telegraph* (London 18 March 2016) <<https://www.telegraph.co.uk/women/life/the-archers-domestic-abuse-plot-should-end-in-tragedy---thats-th/>> accessed 11 February 2020; 'Anyone Could Be Vulnerable to a Man Like Rob' BBC Radio 4 Woman's Hour (29 March 2016) <<https://www.bbc.co.uk/programmes/p03pcy7b>> accessed 9 February 2020

⁹⁰ Polly Neate, 'Helen Decides Not To Press Charges Against Rob: Our Response' (21 October 2016) <<https://www.womensaid.org.uk/helen-decides-not-press-charges-rob-response/>> accessed 9 February 2020

⁹¹ Refuge, *Refuge for Women and Children Against Domestic Violence: Annual Report 2015-16* (2016) 35

Both Refuge and Women's Aid were at the heart of the discussion on social media forums, their tweets and Facebook posts offering their own insights into the story.⁹² For instance, one tweet by Women's Aid commenting on an episode where Helen and Rob's public appearance was discussed by the villagers, warned "He seemed so devoted" this can be a sign of coercive control', and another tweet by Women's Aid observes that '[w]e see how victims can be so paralysed with fear that they cannot speak out'.⁹³ The hashtags included #free helen, #free Henry #HelenandRob and the most playful, the #solidaritea with Helen campaign.⁹⁴ This was used during the fictitious trial where celebrities and others tweeted pictures of themselves drinking tea with Helen's portrait on the mug.⁹⁵ This defused the tension with humour and further publicised the storyline. The participation by VAW organisations and others in '#hashtag activism' or '#hashtag feminism' continued as the story played out. Sometimes this was part of 'tweet-a-longs' initiated by the official Archers Twitter account, @BBCTheArchers, that took place during the broadcast of *The Archers*. The hashtags permitted individuals, including victims of coercive control, organisations, celebrities and professionals to connect on Twitter, to comment on events and to share stories. For example, the Chair of Women's Aid tweeted after the broadcast of an episode of *The Archers*, "How desperate would you have to be to leave your own home?" That's why @womensaid say stop asking "why doesn't she just leave" #FreeHelen'⁹⁶ This was followed by tweets including from a survivor of coercive control. Lawyers also tweeted commenting on the law and on the veracity of the court

⁹² See Nicola Slawson, 'Helen Titchener Trial Verdict in The Archers Lights up Social Media' *The Guardian* (London 11 September 2016) <<https://www.theguardian.com/tv-and-radio/2016/sep/11/the-archers-verdict-on-helen-titchener-lights-up-social-media>> accessed 11 February 2020

⁹³ Women's Aid, @womensaid, "He seemed so devoted" this can be a sign of coercive control' (6 April 2016 <https://twitter.com/womensaid/status/717775794874003462?ref_src> accessed 9 February 2020

⁹⁴ 'Why People are Showing Solidari-tea for Helen and Real Life Women in Similar Situations by Tweeting #Free Helen' BBC Radio 4 (September 2016) <<https://www.bbc.co.uk/programmes/articles/1JhVrcgp8sKcSCM7tHDNbVQ/why-people-are-showing-solidari-tea-for-helen-and-real-life-women-in-similar-situations-by-tweeting-freehelen>> accessed 30 January 2020

⁹⁵ For a discussion of hashtag feminism see Gina Masullo Chen, Paromita Pain and Briana Barner, "Hashtag Feminism": Activism or Slacktivism?' in Dustin Harp, Jaime Loke, and Ingrid Bachmann (eds), *Feminist Approaches to Media Theory and Research*, (Palgrave Macmillan 2018) 197-218

⁹⁶ Polly Neate, @Pollyn1 (9 September 2016) <<https://twitter.com/pollyn1/status/774310131412656128>> accessed 3 February 2020

proceedings with one barrister joking that he was willing to represent Helen along with most of the criminal bar.⁹⁷

Discursive activism on social media, as practised by the VAW campaigners, has been especially apposite for work on domestic violence and sexual abuse.⁹⁸ These new spaces have been used by feminists to resist oppressive discourses of gender-based violence in news and entertainment media.⁹⁹ The more established feminist groups with the resources of communications officers, the ability to frequently update their online presence and produce interesting content are at an advantage in these online conversations. This may be at the expense of smaller groups representing more marginalised constituencies.¹⁰⁰ There is also the danger of online abuse by trolls and the over exposure of vulnerable individuals.¹⁰¹ Despite these hazards, social media sites such as Twitter can help to facilitate diversity in the discussion as individuals who want to join in a conversation can do so independently without organisations acting as gatekeepers.¹⁰² Victims may gain a sense of solidarity and support as well as finding out about useful services. In the Helen/Rob story the online activism enabled those who had suffered domestic violence to intervene, to compare their experience to Helen's, and to connect with others.

Additionally, the VAW activists helped to steer the narrative in a decidedly feminist direction. For example, a spokesperson for Women's Aid remarking on *The Archers* plot stated that:

‘A huge number of people are now identifying with a survivor of coercive control – a woman who may now be facing a wall of disbelief and blame on all sides...Male violence is the root of the problem, that's for sure – but any retaliation by a woman is

⁹⁷ This tweet is quoted in Jess Denham, ‘The Archers: “Realisti” Domestic Abuse Storyline Praised by Charities as Helen Titchener Fund Donations Flood In’ *The Independent* (4 April 2016)

<<https://www.independent.co.uk/arts-entertainment/tv/news/the-archers-realistic-domestic-abuse-storyline-wins-praise-from-charities-as-donations-flood-in-a6967801.html>> accessed 29 October 2019

⁹⁸ Rosemary Clark, “‘Hope in a Hashtag’: The Discursive Activism of #Why I Stayed’ (2016) 5 *Feminist Media Studies* 788

⁹⁹ Ibid 789

¹⁰⁰ Aristeia Fotopoulou, *Feminist Activism and Digital Networks: Between Empowerment and Vulnerability* (Palgrave MacMillan 2019)

¹⁰¹ Clark (n 98) 800

¹⁰² Ibid 797

punished with crushing severity, that is reality. And it does happen...I hope the empathy with Helen will make this injustice felt, will hold up a mirror to the victim-blaming and failure to understand domestic abuse that runs so deep through our society and all its institutions.’¹⁰³

The comments focus on the gendered aspect of domestic violence. These include highlighting the exercise of power, the culture of disbelief and institutional misogyny rather than minimising the violence, seeing it as exceptional or attributing it to the perpetrator’s violent personality.¹⁰⁴ There is a clear attempt to undermine the myths surrounding domestic violence and to evince a feminist perspective.

In short, VAW activists inserted themselves into all of the public spaces surrounding the drama in order to participate in the discussion. They offered up real cases and experiences of domestic violence to stress the authenticity of the different scenarios, and their connection to the everyday reality of physical and psychological abuse. They joined with the programme makers, actors, MPs and others to create as much publicity as possible using traditional campaigning methods and creating new ones. In doing so they implicitly recognised that campaigning successfully for law reform was not in itself going to shift the discourse on domestic violence, and that there was a need to circulate feminist understandings that challenged the dominant norms.

***The Archers* as a Tool for Social Action: Proceed with Caution?**

The Helen/Rob story in *The Archers* was a chance for VAW activists to seize the moment and to use the plot line to mobilise support for the law on coercive control, and to help change the public and legal mindset on domestic violence. Feminist campaigning and mobilising often starts from the position of the subjective voice and lived realities of individuals, and dramas complement such a dynamic. This is especially true of soap operas, which are one of the few genres where women’s voices

¹⁰³ Suzie Marwood, ‘Women’s Aid and The Archers: The Drama of Domestic Abuse’ (6 April 2016) <<https://www.womensaid.org.uk/the-drama-of-domestic-abuse-womens-aid-the-archers/>> accessed 9 February 2020

¹⁰⁴ Hunter (n 7) 19-37

have dominated.¹⁰⁵ Women who had been victims of coercive control expressed satisfaction at being able to give their own account of the trauma they had endured directly to the actors and writers of *The Archers*.¹⁰⁶ As feminist campaigns must be inclusive and participative and ‘leave no one behind’, giving a voice to victims of domestic violence was all-important.¹⁰⁷

However, *The Archers* has long been criticised for its failure to properly challenge the treatment of the working-class characters who are employed on the farms as workers and domestics in the village. There are also very few BAME characters in *The Archers* and there has only been the occasional storyline that has dealt with racism.¹⁰⁸ The Helen/Rob story did include a woman of colour, Kaz, who had been abused by her husband, and became friends with Helen when she was in prison awaiting trial; she was responsible for persuading her to speak out about Rob’s abuse.¹⁰⁹ Unfortunately, there was no attempt to develop her story further or to tackle the issues of racism that Kaz is likely to face as she deals with her abusive partner. This inadequacy in the plot is problematic for activists engaging with the programme. Whilst the way that popular culture is disseminated is complex it is unlikely to be influential unless it reflects lived realities.¹¹⁰ For social activists it is imperative to develop strategies that might mitigate this, otherwise their efforts will not be sufficiently inclusive, and diverse.

There may also be a disjunction between the aims of the creators of the soap opera and the VAW activists. In her study of the production process of television soaps Henderson found that production teams varied in their use of outside research with

¹⁰⁵ Mary Ellen Brown, *Soap Opera and Women’s Talk: The Pleasure of Resistance* (Sage Publications 1994)

¹⁰⁶ See the comments from a ‘survivor ambassador’ from Women’s Aid, Mandy Thomas, ‘Domestic Abuse “I am a real life Helen” MumsnetGuestPosts (4 April 2016) <https://www.mumsnet.com/Talk/guest_posts/2607008-Guest-post-Domestic-abuse-I-am-a-real-life-Helen-Warning-upsetting-content?messages=100&pg=1> accessed 12 February 2020

¹⁰⁷ Fletcher (n 9)

¹⁰⁸ Thomas (n 25) 11

¹⁰⁹ ‘Amaka Okafor on Playing Kaz’ *The Archers* BBC Radio 4 <<https://www.bbc.co.uk/programmes/articles/5R8C6F3tdzvyHbnJQHHZBHI/amaka-okafor-on-playing-kaz>> accessed 9 February 2020

¹¹⁰ Lieve Gies, ‘Explaining the Absence of the Media in Stories of Law and Legal Consciousness’ (2003) 2 (1) *Entertainment Law Review* 19, 49

charities and other professionals.¹¹¹ When there was collaboration there was a distinct power imbalance in favour of the producers. There are some well know examples where the activists who supported a storyline have been dissatisfied with its conclusion. In 1994 it was suggested that one of the well-known characters, a victim of child sexual abuse, in the *Brookside* domestic violence storyline was to commit suicide in her prison cell. This led to protests outside Channel 4's offices. The feminist group Zero Tolerance objected because it undermined the portrayal of the character as someone who was resilient and capable of leading a fulfilled life after enduring sexual abuse.¹¹² The lack of control over the storyline may make it more difficult for activists to frame events or vernacularise the relevant principles and norms. The producers will normally adopt the most dramatic storyline. For example, O'Connor admits that it was decided that in *The Archers* Helen would not kill Rob. If Rob lived and Helen was charged with attempted murder then he could give evidence against her and this would create greater dramatic tension.¹¹³ Nevertheless, O'Connor did show a genuine interest in working with VAW activists to ensure accuracy and had a track record as a producer of *Eastenders* responsible for a similar domestic abuse storyline.¹¹⁴ A less skilled or thoughtful editor might misrepresent or oversimplify the presentation of psychological domestic violence. Such a portrayal would be difficult for activists to counter. In fact, O'Connor later wrote an article on what he claimed was the public fascination with women who kill. He included Sally Challen in his discussion of real and fictional women who had killed and made references to the Rob/Helen story. David Challen, Sally Challen's son who had led the campaign to free her, took exception to this. He praised O'Connor's stewardship of the Helen/Rob story in *The Archers*, but he pointed out that his mother's case was one of coercive control and that it was 'monstrous to frame and portray these stories in this manner'.¹¹⁵

¹¹¹ Henderson (n 19) 73

¹¹² Ibid 4

¹¹³ Sean O'Connor 'From Clytemnestra to Villanelle: Why are We Fascinated by Women Who Kill?' *The Guardian* (London 20 July 2019) <<https://www.theguardian.com/books/2019/jul/20/women-who-kill-female-murderers-killing-eve>> accessed 12 February 2020

¹¹⁴ Reynolds (n 2)

¹¹⁵ David Challen@David Challen (21 July 2019)

<https://twitter.com/david_challen/status/1152842305574965248?lang=en> accessed 12 February 2020

There is also the possibility that the audience may feel preached at by the storyline. This is something of which various editors of *The Archers* have had to be attentive. The appointment of the first women editors of *The Archers* and the subsequent development of the women characters led to a backlash and accusations that the plots had an overtly feminist agenda.¹¹⁶ Even though most coverage of the Helen/Rob storyline was constructive there were some dissenting voices that objected to the one-sidedness of the story that encouraged neighbours to pass judgements on intimate relationships.¹¹⁷ That said, *The Archers* has always had an ethos rooted in the need to educate and inform. This has expanded from the farming storylines of the early years to other aspects of economic, social and cultural lives of the characters. If the stories are not of high quality and do not resonate then they will fall flat.¹¹⁸ So for social activists there is always a risk that the quality of the drama and the commitment of the editors might not be compatible with a feminist agenda.

Finally, there are some areas of the legal experience that may be omitted or are not stressed sufficiently. For instance, in the Helen/Rob story the insufficiencies of the legal aid system were touched on but not fully explored. Helen's family are relatively wealthy and with some struggle were able to pay the legal expenses. The impact of austerity and the closure of domestic violence shelters, making it more difficult to leave a coercive relationship, was not probed in the programme. This criticism was acknowledged by Women's Aid, but they justified their involvement on the grounds that *The Archers* did so much to raise awareness of coercive control. In fact the VAW activists did use the programme to campaign on this issue, drawing attention to refuge closures and stating as part of their publicity that 'domestic abuse refuges that support real life Helens are in crisis again'.¹¹⁹ This underlines the need for activists to elaborate on some of these problems but it cannot totally make up for their absence from the plot.

¹¹⁶ William Smethurst, *The Archers: The True Story* (Michael O Mara Books 1996). See also Thomas (n 73) 43

¹¹⁷ Claire Fox, 'An Abuse of The Archers: Why is Everyone Reacting to the Helen and Rob Storyline as Though They were Real People?' *The Spectator* (London 17 September 2016)

¹¹⁸ Gies (n 110) 49

¹¹⁹ Women's Aid, 'As "The Archers Trial Week" Begins, Refuges in England and Wales are in Crisis' (5 September 2016) <<https://www.womensaid.org.uk/archers-trial-week-begins-67-refuges-england-69-refuges-wales-face-closure/>> accessed 11 February 2020

Conclusion

Through the medium of the radio, the audience of *The Archers* and the wider public were made aware of the phenomenon of coercive control, and its destructive effect. The drama, by showing rather than telling, effectively challenged many of the embedded assumptions about domestic violence more directly than campaigns involving protests, marches and petitions undertaken by VAW activists could have done. Kirsty's memorable outburst in court at the height of the drama not only provided a moment of relief for the listener, who had been privy over a number of years to Rob's psychological and physical abuse of Helen, but succinctly described the nature of coercive control.

'Rob Titchener is the worst kind of abuser, one that doesn't leave any bruises. He lies and he bullies and he manipulates... He tried to destroy my best friend and he's still doing it.'¹²⁰

The story allowed the listener to be a fly on the wall and to hear in forensic detail how perpetrators are able to wear their victims down and undermine their sense of self. Its occurrence in the quintessentially English setting, with its cultural emblems of afternoon tea, cricket, the pantomime and the village fete emphasised the ubiquity of domestic abuse.

The success of the drama was not solely due to the quality of the work and its location on BBC Radio 4. The Helen/Rob storyline provided a significant opening for VAW activists to support and amplify the drama's demonstration of coercive control. They were able to frame the debate on domestic abuse by articulating feminist ideas and applying them to the storyline. Their voices carried weight and they were able to validate to the listener the thoughts and feelings of an individual being psychologically and physically abused in a familiar domestic setting. Their discursive activism took advantage of a relatively sympathetic political and legal climate, much of which they had worked hard towards creating themselves.

¹²⁰ 'The Moment When Kirsty Becomes Our Hero' BBC Radio 4 (5 September 2016) <<https://www.bbc.co.uk/programmes/p046x4bt>> accessed 8 February 2020

The Helen/Rob episode in *The Archers* demonstrates the potential of popular culture to portray the complexities of domestic violence, provide alternative explanations for victims' conduct and make visible hidden power structures. For legal feminists concerned that laws may be ignored or undermined by inimical narratives that impair the law's implementation, radio and TV drama provides a method of reaching not only the general public, but the legal community responsible for interpreting and applying the law. Notwithstanding the possible pitfalls of working with those in the media who may have a different agenda, VAW activists and others should be proactive in instigating and supporting the use of narrative fiction when campaigning on law reform. They should seek out sympathetic writers and producers, and remain open to the possibility of a drama, such as a radio soap, being a valuable and creative forum to disseminate feminist knowledge, thus helping to cultivate a more favourable legal environment for the enforcement of the law.