

Cyflwynwyd yr ymateb i ymgynghoriad y [Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol](#) ar [Drais yn erbyn menywod, cam-drin domestig a thrais rhywiol: menywod mudol](#)

This response was submitted to the [Equality and Social Justice Committee](#) consultation on [Violence Against Women, Domestic Abuse and Sexual Violence: migrant women](#)

MW03

Ymateb gan: | Response from: Race Council Cymru



12 May 2022

Consultation - Violence Against Women, Domestic Abuse and Sexual Violence: Migrant Women

Dear Colleague,

Brief description of the role of Race Council Cymru:

Race Council Cymru (RCC) is the overarching umbrella body established in Wales to bring together key organisations which work to combat prejudice, race discrimination, harassment, abuse, and violence. We work towards the elimination of racial discrimination and promotion of equality of opportunity and race relations between people from different racial backgrounds.

Our key aims:

- Elimination of racial discrimination in Wales.
- Promotion of equality of opportunity.
- Promotion of good relations between people from different racial groups

We have 5 multicultural and digital hubs across Wales to encourage integration and support Ethnic minority communities. We also engage with the Windrush Generation in Wales to support their activities, campaign for their rights, and oppose any form of discrimination aimed towards them.

Race Council Cymru would like to provide written evidence to assist in consideration of the inquiry. In responding to the consultation, we have based our comments in response to the terms of reference below:

- **TOR 1: Migrant women's experiences of violence and the extent to which cultural norms and practices contribute to Violence against Women, Domestic Abuse and Sexual Violence (VAWDASV) (e.g., FGM, forced marriage, honour-based' abuse).**

Para 1: Migrant women experience of Honour Based Abuse (HBA) can be distinguished from domestic abuse and other forms of violence as it is committed with some degree of approval and/or collusion from family and/or community members, in response to perceived immoral/shameful behaviour, which is deemed to have breached the honour code of the family or community. It may also be linked to misconceptions about culture and/or religious belief.

Honour Based Abuse cuts across a number of cultures and communities, for example, Turkish, Kurdish, Afghani, South Asian, African, Middle Eastern, South & Eastern European and the traveller community. Where a culture is heavily male dominated and honour is a factor, Honour Based Abuse can exist.

Para 2: Women are exposed to further specific risks during migration. Women are vulnerable to violence during the migration journey. Some of the violence is cross-cutting across all parts of the journey (for example, gender-based violence can occur at all points); and some of it is particular to and experienced during the different parts of the journey Sexual and Gender-Based Violence (SGBV) was found to be a common risk factor faced by all the women who leave their native country to migrate to other countries. In sub-Saharan African countries, traditionally woman have a subordinate position to man; she is less educated, she grows up to become a good wife and to be submissive to her husband; she has got a lower economic status and her main occupation is the management of family and domestic tasks. Often, according to gender norms and values, she is forced to marriage (usually at a very early age) and, in Muslim countries [17, 18], to accept polygamous relationships, too. In this cultural framework, she learns to see violence as a part of the marriage and as a right of husband to exercise control within marriage [19, 20].

Para 3: A key issue related to both Honour Based Abuse (HBA) and forced marriage is immigration. Whilst immigration will not always be a factor in these cases, many victims/survivors are migrants to the UK and therefore immigration legislation and powers are highly relevant. In forced marriage at least one party does not consent to the marriage and some element of duress is involved. Duress can be physical, or extreme emotional/psychological pressure.

Many women forced into a marriage can suffer for many years from domestic abuse. Those who have escaped a forced marriage often live in fear of their own families who will go to great lengths to locate them and ensure their return.

Many cases of forced marriage encountered in the UK involve South Asian families. However, despite appearances, this is not solely an “Asian” problem and cuts across many different cultures. Most incidents of forced marriage in Hertfordshire have involved Bangladeshi and Pakistani women around the age of 16 years.

Para 4: Despite this, the legal framework is still an important tool in tackling HBA and

work to strengthen the legal response is also needed. While forced marriage has been criminalised, there is no specific crime of HBA. It is prosecuted under the current legislative powers related to the behaviours involved (e.g., assault) and there are no sentencing guidelines for HBV cases for courts to follow.

Female Genital Mutilation is mostly carried out on girls up to 15 years old. Worldwide it is estimated that 100 to 140 million girls and women are currently living with the consequences of Female Genital Mutilation. An estimated 92 million girls from 10 years of age have undergone Female Genital Mutilation in Africa alone.

- **TOR 2: The scope and coverage of specialist services and interventions which are adequately resourced and trained to support survivors from migrant communities, including meeting cultural and linguistic needs.**

Para 1: The scope and coverage of specialist services and interventions which are adequately resourced and trained to support survivors from migrant communities needs to be more transparent and accessible. A collaborative approach will ensure greater focus on the delivery of services and will facilitate greater value for money and flexibility of funded services to meet local need. Public services, community and voluntary organisations and independent specialist violence against women, domestic abuse and sexual violence services all have a key role to play in the provision of a range of support options.

Para 2: Survivors' experiences of protection and support services and systems in Wales are key to understanding their effectiveness and to informing practice and service improvements. Survivors' voices and experiences are also essential to informing prevention work and to ensuring that legislative and policy developments, the National Strategy and National Adviser's Plan place survivors' needs and experiences at the centre. In early 2016, survivors of violence and abuse were invited to attend focus groups in every region of Wales to help inform national and local priorities. Survivors identified 10 key recommendations for Welsh Government. The recommendation needs to go further to include specialist services and interventions which meet cultural and linguistic needs for example, accessible interpreters/translators, designated hotline for survivors with trained counsellors, case studies of other survivors who have benefited from support services and bilingual resources. This will encourage survivors to come forward as they will be reassured that their cases will be taken seriously, and action will be taken to ensure no recurrence.

Para 3: The Welsh Government has a responsibility to progress the elimination of such gender-based violence under international directives upheld by the UN. This is of utmost

importance in part due to the sheer scale of the problem: NHS Digital publish quarterly and annual statistics on FGM.

- 137,000 girls and women are living with the consequences of FGM in the UK and 60,000 girls under the age of 15 are at risk of Female Genital Mutilation (FGM).
- 82% of cases dealt with by the Forced Marriage Unit involve female victims; 18% involved male victims.
- There were 1,530 individual women and girls who had an attendance where FGM was identified in the period between July 2021 and September 2021. These accounted for 2,550 attendances reported at NHS trusts and GP practices where FGM was identified.
- There were 665 newly recorded women and girls in the period between July 2021 and September 2021.
- Between July 2021 and September 2021, 80 NHS trusts and 16 GP practices submitted one or more FGM attendance records.

➤ **TOR 3: Consideration of the barriers preventing migrant women and girls in Wales from accessing services and additional barriers faced by women with insecure immigration status, or whose immigration status is dependent on a spouse or employer or those who have No Recourse to Public Funds (NRPF).**

Para 1: A barrier preventing migrant women and girls in Wales from accessing services is no recourse to public funds [\(NRPF\)](#). NRPF acts as a serious barrier for survivors experiencing violence and abuse with restricted or insecure immigration status in the UK and must be considered as part of any funding plan to completely end violence against women and girls. Many migrant women fleeing abuse with their children have increased barriers to doing so due to a lack of eligibility to claiming any kind of housing benefit. In Wales, there is a duty on social services to meet the care and support needs of adults as well as children where it is necessary to protect them from (a risk of) abuse or neglect regardless of their immigration status (except for those excluded from social services support under Schedule 3 of the Immigration and Asylum Act 2002). However, this duty is little known about or understood, and acted upon even less”.

Para 2: Another likely barrier relates to gaps in services asking about nationality or immigration status of those accessing their service. There is also sometimes a lack of transparency where data is collected relating to migrant outcomes. We know that migrants may not always feel that they can trust services with their data, and this is

understandable in the context of anti-migrant rhetoric and legislative proposals currently being debated at the UK Parliament.

Para 3: Women experiencing violence and abuse who have an insecure immigration status or whose status is dependent on their partner face additional barriers to help seeking when attempting to exit. This approach is being aided by the hostile environment that many migrant women have reported frequently experiencing in immigration checks with healthcare, housing, and education services. This cohort of women also face barriers to accessing protection, support, and specialist services, because of a lack of funding within the sector. Welsh Women's Aid are concerned that this situation will worsen post-Brexit, as potentially more women will face losing their rights to public resources.

Para 4: We ask Welsh Government to ensure that all survivors of abuse will have access to funds in Wales to help them to safely access the support they need by creating a fund that survivors (or the specialist sector) can access to support all women with insecure immigration.

- **TOR 4: Whether the Welsh Government could take any steps to mitigate the disproportionate impact UK immigration policy has on survivors in Wales and deliver its aspiration of Wales as a 'Nation of Sanctuary'.**

Para 1: Race Council Cymru is very concerned about the increasing poverty rates for women, putting them further at risk if they are living with or moving on from violence and abuse financial hardship common for women post separation. Moreover, the threat to EU women's rights to public services if they are unable to apply for EU settled status leads to uncertainty and loss of basic human rights that EU legislation has progressed and protected, as uncertainty remains over the future of the Human Rights Act.

Para 2: Below are [5 steps](#) the Welsh Government could take to mitigate the disproportionate impact UK immigration policy has on survivors in Wales and deliver its aspiration of Wales as a 'Nation of Sanctuary'.

- Ensure the needs of asylum seekers and refugees are considered within the national Violence against Women, Domestic Abuse and Sexual Violence. (VAWDASV) communications framework (The overarching theme for our

campaign during 2018-20 will be control and will include those from diverse communities such as refugees and asylum seekers).

- Directly engage with Ethnic minority survivors of VAWDASV, including asylum seekers and refugees, via the development of National Survivor Engagement Mechanisms in 2019.
- Consider whether the VAWDASV National Training Framework is adequate
- Improve outcomes for newly arrived members of our communities
- Work with stakeholders to develop a sustainable model for the provision of funding to specialist VAWDASV services, including those working with asylum seekers and refugees to ensure reliable support.
- Regular safeguarding checks on survivors throughout the process to ensure their mental wellbeing is being considered and any prolonged anxiety/trauma can be accessed and remedied.

➤ **TOR 5: The effectiveness of awareness raising campaigns and whether these successfully target and raise awareness amongst migrant communities.**

Para 1: Every year, thousands of migrants crossing Africa and the Mediterranean Sea die during their journeys. Research has shown that migrants sometimes begin their journeys without accurate or complete information, and as a result, may put their lives at risk (Foran and Iacucci, 2017; IOM, 2017; RMMS, 2014; UNHCR, 2017).

Para 2: Despite the growing number of information campaigns on the risks of irregular migration, there is limited empirical evidence on the impact and effectiveness of these campaigns (Browne, 2015; Tjaden et al., 2018). There is a growing emphasis on data-driven, continuous learning, and evidence-based programming, to ensure that migrants are supported with the best available resources. Although awareness-raising campaigns are also not short of critics, both in academia (Schans and Optekamp, 2016) and more generally in the public debate (Vermeulen, 2020), they can provide invaluable answers to a range of relevant questions:

- What information do potential migrants already have?
- Is available information lacking or biased?
- Do migrants themselves make decisions or are families and communities the more important factors?
- Do migrants change their attitudes, perceptions, and intentions as a result of information provided to them?
- What are the main drivers for migrants when considering leaving their home country?

Para 3: During the pandemic, the Welsh Government launched its ‘Home Shouldn’t be a Place of Fear’ campaign to let victims know how they could access help and support even during national lockdowns. The impact of campaigns like this cannot be underestimated.

Para 4: IOM's Global Migration Data Analysis Centre (GMDAC), released a randomised controlled trial that assessed the impact of IOM’s “Migrants as Messenger” campaign in Dakar. Migrants as Messengers⁸ is an innovative awareness-raising campaign using mobile technology and social media networks to collect and share first-hand accounts of irregular migration in communities across West Africa. The idea behind the campaign was to help migrants who returned voluntarily from Libya share their experiences with neighbours, friends, and family.

The [impact assessment](#) revealed that participating in awareness-raising events in Dakar increased how well-informed potential migrants felt by an average of 20 per cent – in other words, one in five potential migrants. “The study revealed striking gaps in knowledge regarding the number of casualties along the migration route to Europe, the duration of the journey to Europe and the asylum system in destination countries. Information on potential earnings in Europe and travel costs were consistent with estimates in the literature. Almost half of campaign participants said they sought out additional information after attending the events. This indicates that the events were successful in triggering some curiosity and additional information-seeking behaviour”.

- **TOR 6: The Welsh Government’s approach to primary prevention and whether enough effort is being made to stop violence before it occurs by working with key grassroots community and faith groups as well as schools to challenge cultural norms and practices.**

Para 1: While the Welsh Government have been working towards tackling violence before it occurs with key grassroots community and faith groups as well as schools, it has taken recent, horrific, and high-profile cases to bring the epidemic of male violence into the headlines. In recent months, we have seen women such as Sabina Nessa and Sarah Everard murdered and taken away from their families forever, we have seen policemen abuse their positions of trust and we have seen the police inspectorate publish hard-hitting reports. The voices of women have ignored for too long; it is time for action.

Para 2: RCC supports the ambition outlined in the Programme for Welsh Government to tackle harassment and abuse in the street and workplace as well as the home. We also recognise how essential it is to educate young people about healthy relationships and consent. We need a

holistic approach if women are to be safe in every sphere of their lives.

Para 3: It is six years since the VAWDASV Act 2015 was passed. While this Act remains the benchmark by which legislation on gender-based violence is measured across the United Kingdom, we have also seen the introduction of the Domestic Abuse Act 2021 which received Royal Assent in April 2021. It is our view that the work within the Domestic Abuse Act 2021 requires better alignment to the VAWDASV Act (2015). If we are to transform the VAWDASV landscape, we must assert our focus on prevention and minimise the long-term impact of harm on all affected, especially for children and young people.

Para 4: Recognising VAWDASV as a public health issue is key to understanding and tackling the long- and short-term health consequences and wider social costs including women's participation in education, the workplace, and their access to the world around them. In challenging cultural norms and practices, we'd recommend exploring with sexual violence providers how capacity can be built, and collaboration enhanced. Preventing VAWDASV is a priority, it will remain a priority until we form a comprehensive response and suite of programmes which include different settings such as the workplace, the street, night-time economy, and public spaces. All of which must interact to develop a system which encourages safe and healthy behaviour and holds violent and abusive behaviour to account.

Yours sincerely,

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