

Ymchwiliad i ffoaduriaid a cheiswyr lloches yng Nghymru

Inquiry into refugees and asylum seekers in Wales

Ymateb gan: Cymorth i Ferched Cymru

Response from: Welsh Women's Aid

## Welsh Women's Aid Response

### Equality, Local Government and Communities Committee - Inquiry into refugees and asylum seekers

*Nowhere is safe for women seeking asylum...I feel this is no life for me or my children here, I can't see anything changing. It's been [like this] from 16 years of age in my first marriage, my second husband wanted to traffic me and I've never slept one night in peace. I want the home office and immigration people to understand violence and abuse and what happens to women, we need to feel safe. (Survivor, FG7)<sup>1</sup>.*

#### 1. About Welsh Women's Aid:

1.1 Welsh Women's Aid is the national charity in Wales working to prevent domestic abuse and all forms of violence against women and ensure high-quality services for survivors that are needs-led, gender-responsive and holistic. Established in 1978, we are an umbrella organisation that represents and supports a national federation of 23 local independent charities delivering specialist domestic abuse and violence against women prevention services in Wales, as part of a UK network of provision. These specialist services constitute our core membership, and they provide lifesaving refuges, outreach, and community advocacy and support to survivors of violence and abuse - women, men, children, families - and deliver innovative preventative work in local communities. We also deliver direct services including the Welsh Government funded Live Fear Free Helpline; a National Training Service; refuge and advocacy services in Colwyn Bay and Wrexham; and the national Children Matter project which supports local services to help children and young people affected by abuse and to deliver preventative STAR group-work in every local authority in Wales.

1.2 We have been at the forefront of shaping coordinated community responses and practice in Wales, by campaigning for change and providing advice, consultancy, support and training to deliver policy and service improvements for survivors, families and communities. As a national federation, our policy work, consultancy, training and advocacy is all grounded in the experience of local specialist services and service users. Our success is founded on making sure the experiences and needs of survivors are central to all we do.

#### 2. About violence against refugee women and girls<sup>2</sup>:

2.1 Refugee women and girls experience high rates of violence and abuse, including sexual violence, forced marriage, female genital mutilation, sexual exploitation, human trafficking, sexual harassment and domestic violence. A recent report on violence against migrant women in Wales found that *"asylum-seeking...and refugee women face higher levels of violence than native-born women due to a variety of factors, such as age, language barriers, vulnerability, isolation, and poverty"*<sup>3</sup>.

2.2 Refugee women and girls in Wales are highly likely to have experienced violence in their lifetime, in their country of origin, in a refugee camp, on their journey, or in the UK. The Scottish Refugee Council found that 70% of women seeking asylum in Scotland had experienced physical and/or sexual violence in their lifetime; 38% had experienced intimate partner violence; and 65% reported that their children had witnessed some form of violence.<sup>4</sup> In 2012 a Women for Refugee Women report on the experiences of refused asylum seekers found that 66% of the refugee women interviewed had experienced some kind of violence including 48% who had been raped, while others were fleeing forced marriage, forced prostitution

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<sup>1</sup> *Are you listening and am I being heard?* Survivor Consultation: A report of the recommendations of survivors of violence against women, domestic abuse and sexual violence in Wales. March 2016

<sup>2</sup> In this evidence we refer to refugee women and girls, including women and girls seeking asylum and refused asylum.

<sup>3</sup> Hubbard, A., Payton, J., Robinson, A. (2015) *Unchartered territory: violence against migrant, refugee and asylum-seeking women in Wales*

<sup>4</sup> Zimmerman, C. et al (2009) *Asylum seeking women: violence and health*, London School of Hygiene & Tropical Medicine and Scottish Refugee Council, Dorling, K. et al (2012) *Refused: the experiences of women denied asylum in the UK*, Women for Refugee Women,



and female genital mutilation.<sup>5</sup> A UNHCR report on refugee women's experiences in Finland found that domestic violence was the most critical issue facing all refugee communities.<sup>6</sup>

2.3 Refugee women and girls arriving in the UK can experience violence on their journey. A UN Women report in 2013<sup>7</sup> found that women and children living in refugee camps in Jordan are at a high risk of early marriage, sexual, physical and psychological abuse. Another UN report found that *"women and girls, especially those travelling alone, face particularly high risks of certain forms of violence, including sexual violence by smugglers, criminal groups and individuals in countries along the route."*<sup>8</sup>

2.4 The asylum determination process in the UK does not enable a safe and supportive environment for women to disclose their experience of violence and access the protection or support that they need. Refugee women and girls often remain silent, due to a complex mix of gender inequality, cultural barriers, shame, fear of authorities, and the need to prioritise their own and potentially their family's survival. On her mission to the UK the UN Special Rapporteur on violence against women observed that *"women asylum seekers may not have their protection needs appropriately assessed, or have the ability to speak in confidence about any gender-based violence they might have experienced, or be experiencing."*<sup>9</sup>

2.6 Refugee women who have had their claim to asylum refused or have an insecure immigration status are at particular risk of violence against women. Refugee women with no recourse to public funds can find themselves unable to safely leave a perpetrator, forced into sexual exploitation for survival and living in destitution. In Welsh Women's Aid's survivor consultation report a survivor said *"Women survive violence then have to survive on peanuts, we have nothing, no furniture, no food, no recourse to public funds, we need money to live on, otherwise we are either destitute or die. The no recourse and immigration rules don't help... Does the government in Wales understand that we are living on nothing?"* (Survivor, FG6)<sup>10</sup>

2.7 Refugee women and girls can experience multiple layers of discrimination and violence due to their gender, race, religion, disability, sexual orientation, and immigration status. This can exacerbate their experience of violence and limit their access to support. This intersection of discrimination is rarely understood or responded to by policy makers and service providers. The 2014 European Parliament Resolution on violence against women calls for a strategy that *"should devote particular attention to vulnerable groups such as older persons, people with disabilities, immigrants and LGBT (lesbian, gay, bisexual and transgender) persons."*<sup>11</sup>

2.8 Refugee women can face abuse from the perpetrator and discrimination from service providers due to their immigration status. In a Welsh Women's Aid's report survivors spoke about their fear of destitution as a result of having no recourse to public funds. Some also spoke of perpetrators using their insecure immigration status as part of the ongoing abuse by threatening to expose them to police, fear of deportation or having their children taken from them. Services too were often reluctant to help victims with insecure immigration status.

*All agencies see is an immigration status they do not see us as human beings. We need help.*  
(Survivor, FG3)

*He told me no one will believe me because of my status, that they will take my children from me.*  
(Survivors, FG1)

<sup>5</sup> Kamena Dorling, Marchu Girma & Natasha Walter with Baroness Helena Kennedy QC and Esther Freud, *Refused: the experiences of women denied asylum in the UK: Women for Refugee Women*, 2012

<sup>6</sup> UNHCR, *Protectors, Providers, Survivors: A Dialogue with Refugee Women In Finland*, October 2011

<sup>7</sup> *Gender-based Violence and Child Protection among Syrian refugees in Jordan, with a focus on Early Marriage. Inter-agency assessment. May 2013. UN Women*

<sup>8</sup> *INITIAL ASSESSMENT REPORT: Protection Risks for Women and Girls in the European Refugee and Migrant Crisis Greece and the former Yugoslav Republic of Macedonia* United Nations Refugee Agency, United Nations Population Fund and Women's Refugee Commission 2016

<sup>9</sup> *Report of the Special Rapporteur on violence against women, its causes and consequences, Mission to the United Kingdom of Great Britain and Northern Ireland* Rashida Manjoo. May 2015. UN Human Rights Council

<sup>10</sup> *Are you listening and am I being heard?* Survivor Consultation: A report of the recommendations of survivors of violence against women, domestic abuse and sexual violence in Wales. March 2016

<sup>11</sup> European Parliament, *Resolution of 25 February 2014 with recommendations to the Commission on combating Violence Against Women (2013/2004(INL))*



*Having no recourse to public funds is a huge problem. When I married my husband he was supposed to put me onto his own documents but he refused... When I left home with my pram and baby bag, I saw housing and social workers. I'd had a baby 3 months ago and they both told me – no you can't go back to that house, it's not safe but at the same time said no, we can't help you because you have no recourse to public funds. What was I supposed to do? (Survivor, FG1)<sup>12</sup>*

### 3. Key recommendations:

3.1 Refugee women and girls who have experienced any form of violence against women, including domestic abuse and sexual violence need to have access to gender responsive, trauma informed and needs-led specialist support. We recommend that the Welsh Government makes funding available for specialist services to respond to the needs of refugee women and girls. We recommend that commissioning guidance and local strategy guidance developed for local authorities (to be published in accordance with the Welsh Government's Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015) incorporates information on the needs of refugee women and girls who have survived violence and abuse, including listening to survivors. We recommend that there is a Welsh guardianship programme for children and young people.

3.2 In order to effectively monitor the implementation of the refugee and asylum seeker delivery plan there needs to be a comprehensive monitoring framework and a cross-department commitment. We recommend SMART indicators within the refugee and asylum seeker action plan to monitor the impact on refugee women and girls. We recommend that the Welsh Government's Syrian Vulnerable Persons Relocation Scheme (SVPRS) Operations board includes representation from violence against women services in Wales. We recommend that the VAWDASV National strategy delivery plan (forthcoming) includes specific actions to ensure that refugee women and girls are informed, supported and protected, and that violence is prevented. We recommend that the community cohesion delivery plan has a specific focus on the needs of refugee women and girls.

3.3 Refugee women who have had their asylum claim refused or face difficulties accessing public funds are living in destitution in Wales. We recommend that the Welsh Government expands the eligibility criteria for the Discretionary Assistance Fund (DAF) to include those who currently have no recourse to public funds (NRPF), such as refused asylum seekers and other vulnerable migrants including destitute refugees.

3.4 Public services and professionals in Wales need to improve their responses and increase their understanding of the needs of refugee women and girls who have experienced violence and abuse. We recommend guidance for professionals on responding to disclosure from refugee women and girls, including a protocol between devolved and non-devolved services. We recommend the continued delivery of the Violence Against Women National Training Framework, and including materials and resources on the needs and experiences of refugee women and girls across Levels 1-5. We recommend that refugee women are given information on support services in their own language and access to interpreters. *The police and others need to be better trained to deal with domestic violence and different cultures and to publicise this in different communities in different languages – all the time, not just some times of the year.* (Survivor, FG2)

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### 4. The pace and effectiveness of the Welsh Government approach to resettling refugees through the UK Government's Syrian Vulnerable Persons Relocation Scheme (SVPRS);

4.1 The Welsh Government has shown strong leadership in the development of the SVPRS with meetings organised to co-ordinate delivery. This has enabled important discussions on the detail of the delivery of the contracts between local authorities, the Home Office and the Welsh Government. There are nearly 5 million Syrian refugees<sup>14</sup> in the world. In September 2016 Wales had welcomed 112 people through the SVPRS in the last year and Scotland had welcomed their 1000<sup>th</sup> Syrian refugee. All 22 local

<sup>12</sup> *Are you listening and am I being heard?* Survivor Consultation: A report of the recommendations of survivors of violence against women, domestic abuse and sexual violence in Wales. March 2016

<sup>13</sup> *Are you listening and am I being heard?* Survivor Consultation: A report of the recommendations of survivors of violence against women, domestic abuse and sexual violence in Wales. March 2016

<sup>14</sup> UNHCR Syria Regional Refugee Response, Inter-agency Information Sharing Portal, November 2016 <http://data.unhcr.org/syrianrefugees/regional.php>

authorities in Wales have made an initial commitment to the SVPRS but the pace of resettlement has been slow. The majority of refugees still arrive spontaneous and claim asylum. The current asylum system needs to be as well-resourced and coordinated as the SVPRS.

4.3 Welsh Women's Aid are concerned that there is not sufficient specialist support available within the new SVPRS local authorities to meet the needs of Syrian refugee women and children who have experienced forms of violence against women, domestic abuse and sexual violence. Welsh Women's Aid member organizations, which include specialist services led by and for Black and minority women, are well placed to offer specialized gender responsive and trauma informed support for refugee women and children who have experienced violence and abuse. Local violence against women and domestic abuse services across Wales can work in partnership with SVPRS orientation support services and local authorities, but funding needs to be allocated so that referrals can be resourced.

Recommendation: We recommend that the Welsh Government's SVPR Operations board includes representation from an organisation leading violence against women services in Wales.

Recommendation: We recommend funding for specialist support services in SVPRS local authority areas for refugee women and girls who have experienced violence against women.

## **5. The effectiveness of the Refugee and Asylum Seeker Delivery Plan.**

5.1 Welsh Women's Aid welcomes the specific action area 7 within the delivery plan, which focuses on gender-based violence, hate crime, modern slavery and community cohesion. Although, currently there are no specific monitoring mechanisms to identify the effective delivery.

Recommendation: We recommend that SMART indicators on violence against refugee women are developed and evidence is collected to monitor the delivery of actions.

5.2 It is crucial that the experiences of refugee women and girls are listened to and their needs responded to through access to specialist services. The Welsh Government should be considerate of funding cuts which have had a detrimental effect on specialist services across Wales. These cuts have meant that services are stretched to capacity and that outreach activities have been minimised. Steps should be taken to help these services maintain and increase their support, so that more refugee women can engage with specialist services. Welsh Women's Aid is currently funded by Welsh Government to support specialist violence against women and domestic abuse services to improve their capacity and support for diverse communities.

Recommendation: We recommend commissioning guidance and long-term funding for specialist services to deliver needs-led, trauma informed and gender-responsive support to refugee women and girls.

Recommendation: We recommend that the needs, experiences and ideas of refugee women who have survived violence and abuse are listened to and heard by the Welsh Government and public services.

5.4 Refugees arriving in Wales may not have access to information on the legal framework, support services or gender equality and violence against women in the UK and therefore not understand their rights or obligations. Language is often a barrier for refugee's to access information, education and support. In Welsh Women's Aid's survivor consultation report women spoke of not knowing what help and support was available because they did not read or speak English and they did not understand that services were available to support women experiencing violence and abuse.

*I don't speak English. How could I call anyone? I did call once but then hung up. I was frightened. What could I say anyway? What if he found out? (Survivor, FG6)<sup>15</sup>*

Recommendation: We recommend that refugee women are given information on support services and access to interpreters. *Information should be available in community languages, we can't all read or write in our own languages. It's a massive cultural barrier to get women to come forward...there should be radio or*

<sup>15</sup> *Are you listening and am I being heard?* Survivor Consultation: A report of the recommendations of survivors of violence against women, domestic abuse and sexual violence in Wales. March 2016

*TV ads in our own communities where to go for help. Just an image and Helpline and number available.*(Survivor, FG1)<sup>16</sup>

Recommendation: We recommend that information on violence against women including the law, and education on gender equality is delivered within refugee communities and integration programmes.

The Welsh Government needs to consider the recommendations from the Women's Refugee Coalition's report on their mission to Germany and Sweden.<sup>17</sup> This includes improving procedures to identify survivors of violence against women, ensure safe accommodation for women and girls and create a protocol for dealing with disclosure of violence against women experienced in their home country, on the journey or in the UK. The report also recommended access to psychosocial support and safe housing.

Recommendation: We recommend improvements to identifying and responding to disclosure of violence against refugee women through a protocol between asylum housing provider, Welsh social services, specialist violence against women services and the Home Office to ensure their safety and support.

5.5 The Welsh Government's National Training Framework (NTF) will improve responsible authorities' responses to violence and abuse through increasing earlier intervention and protection of survivors. The 'Ask and Act' Framework delivered by Welsh Women's Aid aims to provide training for professionals within the public sector that are ideally placed to carry out early identification and provide a helpful response to survivors, including referring them to specialist services.

Recommendation: We recommend that public service professionals working with refugee women and girls in Wales continue to be trained through the National Training Framework. Specifically staff from asylum housing provider Clearsprings must be trained.

## **6. The support and advocacy available to unaccompanied asylum seeking children in Wales:**

6.1 Currently there are no specialist support and advocacy services available to unaccompanied asylum seeking children in Wales. Tros Gynnals young people's project has closed. Children who have experienced or are at risk of forms of violence against women including domestic violence, child sexual exploitation, trafficking, FGM, sexual violence, forced marriage and so-called honour based violence need specialized support.

Recommendation: We recommend that the Welsh Government fund a Welsh Guardianship Service to work with refugee children and young people. A guardianship project will offer children and young guidance on the asylum process, support to ensure their wellbeing as well as help to build social networks.

## **7. The role and effectiveness of the Welsh Government's Community Cohesion Delivery Plan:**

7.1 The Council of the European Union has called for "special attention to the interests and difficulties of all women and girls in vulnerable situations and facing multiple discrimination so as to ensure that protection against violence and support for its victims reaches all parts of society, including marginalised groups."<sup>18</sup>

Recommendation: We recommend that the Welsh Government's community cohesion delivery plan gives special attention to the needs of refugee women and girls who have experienced hate crime and abuse.

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<sup>16</sup> *Are you listening and am I being heard?* Survivor Consultation: A report of the recommendations of survivors of violence against women, domestic abuse and sexual violence in Wales. March 2016

<sup>17</sup> *Falling Through the Cracks: Refugee Women and Girls in Germany and Sweden*, March 2016, Women's Refugee Commission

<sup>18</sup> Council of the European Union, Council conclusions on Combating Violence Against Women, and the Provision of Support Services for Victims of Domestic Violence, 6 December 2012