

Home Affairs Committee

Oral evidence: [Violence against women and girls](#),
HC 203

Wednesday 7 September 2022

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Members present: Dame Diana Johnson (Chair); Ms Diane Abbott; Lee Anderson; James Daly; Tim Loughton; Stuart C. McDonald.

Questions 52 - 108

Witnesses

I: Nicole Jacobs, Domestic Abuse Commissioner for England and Wales; Vicky Marsh, Interim Director, Safety4Sisters North West.

II: Elizabeth Jiménez-Yáñez, Policy and Communications Manager, Latin American Women's Rights Service; Dr Hannana Siddiqui, Head of Policy and Research, Southall Black Sisters; Roy Wilsher, OBE QFSM, Her Majesty's Inspector of Constabulary and Her Majesty's Inspector of Fire and Rescue Services.

Written evidence from witnesses:

[Domestic Abuse Commissioner – written evidence \(submitted May 2021\)](#)

[Domestic Abuse Commissioner – written evidence \(submitted June 2021\)](#)



Examination of witnesses

Witnesses: Nicole Jacobs and Vicky Marsh.

Q52 **Chair:** Good morning, everybody. We are starting slightly earlier this morning, but a very warm welcome to everyone to the Select Committee on Home Affairs. This morning's session is part of our inquiry into violence against women and girls, which is an overarching inquiry that we have been undertaking for some time now. The aim of this particular session is to look at domestic abuse and to get a further understanding of the support that should be in place for migrant victims and survivors of domestic abuse, and the challenges that they face in accessing that support. We want to find out more about the support for migrant victims scheme, and the possible outcomes from that, and to explore the outcome of the super-complaint brought by Liberty and Southall Black Sisters on policing and immigration status. We are very pleased to have our first panel with us this morning. I am going to ask you to introduce yourselves and state the organisations that you represent. Nicole, would you like to start?

Nicole Jacobs: Good morning, I am really pleased to be here. I am Nicole Jacobs. I am the Domestic Abuse Commissioner for England and Wales. By way of background, I have worked for over 25 years in mainly frontline domestic abuse services in the UK, and some initiatives that have touched upon help and support for migrant survivors. But in post, we have been creating a policy focus in my office on what I see as a gap in provisions. So, it is a policy priority, and some work, that I will talk about this morning with you.

Q53 **Chair:** Thank you very much. Vicky?

Vicky Marsh: Good morning. Thank you very much for the invitation to give evidence. I work for an organisation in Manchester called Safety4Sisters; I am the interim director. The service supports migrant women who are facing domestic abuse and who have no recourse to public funds. Safety4Sisters was set up in 2009 as a campaigning group around no recourse, and we began delivering services in 2014. We were doing frontline work, such as trying to find emergency accommodation for women, as well as giving them emotional support through group work. In 2020, in the middle of covid, we set up our specialist no recourse to public funds refuge, in response to the extreme situations that migrant women were finding themselves in.

Q54 **Chair:** Thank you, that is very helpful. I want to be clear that domestic abuse is gendered, and the vast majority of the people we are talking about are women. Is that correct?

Vicky Marsh: Yes.

Q55 **Chair:** It is quite important that we say that. Could both of you set the scene, and tell us who these—mainly—women are, and what happens to



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them if they are suffering from domestic abuse? What is the picture that we need to be made aware of, and what are the gaps in the services that you are trying to fill?

Nicole Jacobs: I suppose when we talk about migrant victims of domestic abuse, as you say, we are often talking about women. However, of course, there are men who are victims of domestic abuse, and I consider it part and parcel of my role as Domestic Abuse Commissioner to represent all victims of domestic abuse—or give them a voice, rather than represent them, or feel that I possibly could myself. In particular for migrant survivors, we are talking about people with a range of different statuses. The term is a kind of catch-all: the person might be a student, someone who is here on a spousal visa, someone who is here visiting family. There is a range of people that we will see—and I am sure Vicky will tell you in much more detail—who might find themselves in a situation where they have no recourse to public funds. What that means is not that they could not go to a domestic abuse service, but rather that the options available to them at that service would be very limited. As Vicky said, not having recourse to public funds because of an immigration status affects someone's housing options, so refuge becomes difficult to access. There is a whole host of other things. When I was a frontline worker, it was very difficult. Faced with anyone who came with their children to my office and said they were not safe to go home, it was very difficult to think what options could help them right then because nothing unlocks. It is challenging in normal circumstances, but unlocking what the options for them could be becomes very difficult.

On top of that, there is immigration abuse. In other words, the perpetrator—who, we must point out, is often a British citizen—will be giving false information to that victim, or withholding information, or purposefully doing things to keep control of that victim. There is an awful lot of abuse that takes place where victims will come forward after years, maybe to a health professional, for example—someone who they may have very slowly been able to get to know, maybe the police in an emergency—and they will have all sorts of misconceptions about what will happen to them and what will happen to their children. They have so many fears that are real, as well as fears that have been imposed by the perpetrator where there is no ability to understand what is correct in what they have been told and what is not.

A third issue is the lack of buy-in for provision like Safety4Sisters, which I had the pleasure of visiting. It was one of the most inspirational days I have had as Commissioner; Vicky and her team do extraordinary work. It is very rare provision. What Vicky and her team do does not exist in most areas of England and Wales. It is quite unusual, which is why I wanted to see it so badly, so the options when seeking support are very limited.

This is my fourth and last point, and then I will hand over to Vicky. When people interact with services—whether domestic abuse services more generally, or a housing officer, a GP or a social worker—if they even get as far as disclosing domestic abuse or if it is identified, the people they speak to often have a quite limited understanding of the options available. The



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facts and figures that we have show that victims are often told that they don't have options when they actually do. For example, if they are on a spousal visa, there are options. People in all sorts of frontline services misunderstand and misinform the victims, so there are layers upon layers of obstacles for migrant victims. The good news is that I think we can solve them, which is why I am really pleased to be here talking to you today. There is a will and an ability to solve these problems.

Q56 Chair: Just before Vicky comes in, I just want to check this with you. The issue of no recourse to public funds and of people not being eligible to apply is on the basis that when people come to this country on a visa—as a student, for example—they are supposed to have sufficient funds to support themselves. That is the whole rationale behind no recourse to public funds, isn't it?

Nicole Jacobs: It is. Of course, that is true and that is right, but when you look at it through the lens of domestic abuse and our Domestic Abuse Act, which created my role, our legal definition of domestic abuse includes and understands the context of coercion, control and financial abuse. It is clear to all of us that even if someone once had the ability to support themselves, once you add the controlling nature of domestic abuse, it is often out of their control, so they find themselves destitute and in situations that they did not anticipate.

Chair: Thank you.

Vicky Marsh: I agree with everything that Nicole has said. The barriers come when a woman is in the relationship and is trying to leave, and also when she leaves that relationship. As Nicole said, abusers often use immigration as control. They abuse the woman and say, "If you go to the police, they will take you to the Home Office," or, "You will be detained and deported." Often, she doesn't know what her rights are, so she believes him. The statistics bear out that migrant women stay longer in relationships and do not leave until it becomes absolutely horrific and desperate. Quite often, one thing they fear more than the violence of the man is being deported, because when they go back to their home countries after they have left their husbands and partners, they are in danger from his extended family and sometimes their own. The fear keeps them there, and that is backed up and used by the abuser.

The other point is that they obviously have no recourse to public funds, and are more than often dependent on the partner financially. They know that if they leave, they will have absolutely no income, so they are facing destitution and homelessness. That is enough to keep them from leaving, as it would for any of us.

The hostile environment within the community backs that up. The woman knows that if she leaves, the reality is that, if she sounds or looks like a migrant, she will be picked up and asked for her ID. This is the sort of environment that, if she leaves, she comes out of a community that is surveilling her as a woman in that relationship, but also is her support.



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There are a lot of decisions that they have to make, and they have to be extremely courageous to leave that violence, as bad as it is.

Unfortunately, what we have found through the women's experience that they have talked to us about, and that we witness, is that when they do leave, some of these barriers play out for real. They go to the housing office, and they say, "Sorry, you're no recourse. You don't qualify for homelessness services." To give you some examples, some of the women we have had referred to our service have been sleeping rough in parks. We had a woman who was sleeping rough in a park, and she had a kidney problem. Both housing and social services said, "Sorry, you're no recourse. We can't help you." She was fleeing domestic abuse, so in our advocacy role we went to social services and, shockingly, they said, "Well, the park's next to a 24-hour McDonald's and they've got toilets." We did challenge them, and we won, and eventually they put her up in accommodation, but this is the sort of thing that women are up against for services.

As Nicole said, quite often frontline services—housing, social services, sometimes the police, sometimes refuges—do not understand, and they think either that all women are asylum seekers or that they are all no recourse. They tend to panic because it is immigration, and immigration is scary. Of the 196 women who rang us—we have two part-time advocates; we are a very small team—we had 147 refused refuge space last year. The reason we set up the refuge and our services was that we felt that this was not acceptable. We have also had women turning to the police who have then been taken straight to the Home Office. In the pandemic, a woman was told by the police, "Sorry, we can't move you out of the house because of covid." The same woman was told by social services, "Can you not live in another part of the house?"

It is a mixture of not understanding the women's rights and not having the resources to do something for the women because they cannot get housing benefit to get them into safe accommodation. They all play out. I have had women say to me, "I feel like I'm not worth anything. I'm not worth the safety." They see it. They get moved from different social services across social services boundaries. We had a woman who we put up in a bed and breakfast for a week while two different local authorities argued out whose responsibility she was. She had a child.

Q57 James Daly: First of all, Vicky, can I say thank you very much for everything that you are doing? You are doing more than anybody in this room to address this problem and to touch people's lives, so we all owe you a massive debt of gratitude for what you are doing. I am the MP for Bury North, so we are not a million miles apart in terms of the services that you are delivering.

I don't think Nicole meant it this way, but I do not have a point of view on the services for victims of domestic violence in any way, shape or form, whatever their background. There is obviously some good provision—I am sure that colleagues in various councils could point to good things that are happening—but in general, all over this country, the standard of support



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for victims of domestic violence is absolutely abysmal, in my view. *[Interruption.]* Apologies—I can't work my phone suddenly. There is no other word; it is abysmal. It is appalling, so your enthusiasm, Nicole, saying that we can sort this out, is a big statement. I am sure that you are going to tell my colleagues exactly how we are going to do that, but it is not working at this moment in time.

I want to ask a simplistic question—please forgive me in respect of this. I was a criminal defence lawyer for a long time. I have been involved in this sector for a very long time. If you are a victim of domestic violence in Bury, there is virtually no one to turn to. There are no services, no matter what your background is. In a very simplistic way, Vicky—it is not a simplistic issue, because every victim of domestic violence is different—when it comes to migrant victims of domestic violence compared with, to use a word I hate to use, non-migrants, or whatever the correct term is, is it the public funds issue that is the difference, if you get away from the actual personal circumstances? Is that what is making a difference between those two, or are victims of domestic violence going through the things that we are talking about here today, no matter what their immigration status is?

Vicky Marsh: I think the main problem is that they do not have access to safe accommodation—be that a refuge or social services—if they have no recourse to public funds. Therefore, a British woman who leaves her partner can go to the housing office homelessness department—or any local authority in the country for her safety—and say, “I am a victim of domestic violence. I need safe accommodation.” She may not get a refuge space because there are not enough around, but she would be put up in a bed and breakfast or in safe accommodation. The issue for migrant women is that, because they cannot access housing benefit, refuges cannot take them, social services cannot pay for them to go into a bed and breakfast, and, legally, homelessness services do not have a responsibility to them unless they have children.

Q58 **James Daly:** Can I ask you a question about refuges, or safe spaces—whatever we want to describe them as? The scale of the problem facing that type of accommodation is seen all over the country, and we need to address that. One of the most basic things we need to do—you have talked about this—is encourage the building, construction or purchase, in every council area, of sufficient accommodation to allow victims of domestic violence a safe space that they can go to until they have got their affairs in order. Would that be a good starting point?

Vicky Marsh: It would be a good starting point if migrant women had access to them—even if you had lots of refuges—

James Daly: Forgive me; I meant that.

Vicky Marsh: I think there is also a massive need for “by and for” specialist services. We provide a holistic approach, so we have partnerships with immigration lawyers, and we look wider than the immediate violence. We look at the extended family, at violence from outside the country and at issues of culture and community. We have



money for interpreters—not all refuges can afford that. We have a specialist counsellor and specialist group work. We look at the whole picture. One of the things that refuges want to have are specialist services. Also, the mainstream refuges want to look at providing interpreters. Sometimes Safety4Sisters has to pay for a taxi for women to go from where they are to a refuge, and then we pay for a refuge. Refuges do not have the funds for a taxi, and they do not have interpreters—so we pay for interpreters. There are huge problems in the mainstream, and there is an increasing need. However, specialist services for black and minority women have been cut drastically compared to mainstream services. If we had a system where the women could access benefits, then we would want specialist services properly funded.

Q59 James Daly: Can I ask two final questions? First, migrant women are at a far higher risk—in my view—of sexual exploitation and criminality. It is not necessarily abuse within a domestic setting; it is general abuse within criminal gangs and other exploitation like that. Will you give us a viewpoint on what can be done in respect of people going through that misery and whether that presents any separate challenges to some of the things you have been talking about?

Vicky Marsh: I think that if women are going into refuges, and they are specialist refuges, the workers have the networks and the training to be able to get the support that is needed for those women to stay safe. That is part and parcel of the support that is offered.

Q60 James Daly: Do you think the police are doing enough to be a conduit between the victims of abuse in that setting and the services that are there to potentially help them? You talked very articulately and passionately about how some migrant victims of domestic abuse, or abuse in general, are not aware of the services and support that there is. If somebody is being held against their will in any setting—Nicole, you might want to answer this—and English is not their first language, surely the police have a role to play, in terms of being strong and positive and trying to get over the message that some services, hopefully, are available and people can go and take advantage of them? Is that right, Nicole?

Vicky Marsh: Can I just say one thing? One of the problems that migrant women face is the inconsistency of the police. Some women get a good service; other women do not. If we could say to the women, “If you go to the police, you’ll get this, this and this,” that would be a way to support them, but at the moment we cannot do that because it is ad hoc.

Nicole Jacobs: I would wholeheartedly agree with that. Because there is not a firewall in place, there is real concern from the migrant victim about going to seek police support. We know that is the case, and I am sure we will come to that. Also, what you could expect is very inconsistent.

My office, and other people here, have been involved in a huge amount of work with Government about what to do about any number of these issues. There is a lot to cover in meetings, and people take lots of different angles, but the one thing everyone agrees on, all the time, is that the



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police would benefit from having more organisations like Safety4Sisters in their local area. Everyone, hands down, agrees on that. The Government's formal response to some of these things says that, but the trouble is that we don't see it and there is no direct plan for that happening yet.

If you would allow, I would love to come back to the beginning part of your question. I agree with you to some extent about the variability of domestic abuse services, but we have to remember that part of that variability comes from the fact that these services have never sat in core budgets. Our first refuges were upwards of 50 years ago. In 2020—Vicky was talking about 2010—some of these services were still developing. What we are mapping in my office, which I would love to send the Committee if you are interested, is all services in England and Wales, just to show the variability.

When you were picking up potentially negative views about what services are available, the fundamental question is: why do we have the variability? It is because these services have always sat on the outside of core budgets, and are not sustainably funded. That is a big driver in my office. Layer on top of that the "by and for" services, and our mapping shows that they are five times less likely to receive statutory funding or any kind of Government funding. They have been much more vulnerable to shut-down, as Vicky said, in the last 10 years. Our mapping shows that in the last year 25% of domestic abuse services have said, "Yes, we have had to make some cuts to our services." Why? Again, because they are not sitting in core budgets and not highly protected. They are doing the best they can, but they are variable.

The "by and for" services—the services more like those offered by Vicky and others who you will hear from today—were 42% more likely to say that they had had to shut down services because of cuts. The evidence is absolutely clear that we have a lot to do for services in general, and a lot more to do for "by and for" services.

Q61 James Daly: Nicole, my question was about the lack of services—

Nicole Jacobs: The lack of services.

James Daly: Not the standard of service. Where the work is going on, it is incredible—

Nicole Jacobs: I agree.

James Daly: It is the fact that we don't have the investment and the facilities in some areas. In my view, that is why the service provided to some of the most vulnerable people in this country is appallingly bad, and it deserves huge investment to make sure they have the support they need.

Nicole Jacobs: I agree. We did a general population survey of survivors of domestic abuse in England and Wales who were seeking services in the last five years, which we will send you as part of our mapping briefing. One of the key things we found is that, with the ones who were able to



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access services, you absolutely see the difference in their feelings of safety and having control over their lives, once they have had that contact. I think there is plenty of evidence that these services work, but we have to move to a much more sustainable picture.

Q62 Chair: Sorry, can I just be clear—has the mapping exercise been completed? Do you now have a map of what provision there is in England?

Nicole Jacobs: We have. It has been completed and we will be publishing a report in October, and I would love to come back to talk to any number of you, and in any Committee, about the mapping. What we are trying to show is where those discrepancies are, but also what survivors themselves say that they want, and what they are actually getting. There are some pretty big disparities there.

Q63 Chair: Does that cover England and Wales?

Nicole Jacobs: It covers England and Wales. What do we do about that? What I believe is that we have a Victims Bill, I hope, that will be able to impact some of these things. There are some opportunities in the Victims Bill to address those gaps in services, particularly “by and for”.

I feel that “by and for” services lose out at the local level—unless they are in a larger place like Manchester, and still that is tough, I can tell you, and I am sure Vicky can tell you. The local commissioning landscape makes it very difficult for a “by and for” service like Vicky’s, LGBT services or deaf and disabled services. You can go on and on. They often get squeezed out of those local commissioning arrangements. So while I would like to strengthen those, I think we need to acknowledge that we have to have a national funding pot for “by and for” services, where you can have some real regional/national planning. Imagine a service like Vicky’s having the capability to help to capacity-build and raise the quality of services. That won’t ever be planned at the local level; we have to plan that nationally. That is what I mean. There are some things that we can do that I think are very practical that would really help to move the dial on this quite considerably.

Q64 Ms Abbott: This is a question for Vicky, really. How is your organisation funded?

Vicky Marsh: Good question. At the moment, we have got nine different streams of funding, which all need reports, which all start at different times of the year—not necessarily our financial year. We have private funds, private grant makers, like the Oglesby Trust, the Tudor Trust, the sisters fund. We have had money from Comic Relief through the change makers. We apply to the victim support fund—the pilot project—so we get some money reimbursed for the refuge.

We are just about to go into our second year of funding from Manchester City Council and Greater Manchester Combined Authority, which is very new for us. For the rest, we fundraise, and we are continually looking for new pots of funding because, as you can imagine, if we are funding



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women in a bed and breakfast, we are talking £350 a week, and if Man United or Man City are playing at home, the hotel prices triple.

We are funding women in refuges, sometimes pre-DDV concession, so that the refuges will take them and sometimes, because they are not on spousal visas, they do not qualify for the DDV concession—I do not think we have talked about the DDV concession, but I presume we are going on to that. So, it is a mixture, and it is exhausted keeping going.

Q65 Ms Abbott: You have touched on the sort of support that you offer victims of domestic abuse with insecure immigration status. Do you want to give us an overall picture of the type of support you offer?

Vicky Marsh: When we get a call and it is a woman who is fleeing domestic abuse and she has told us on the phone that she has no recourse to public funds—the housing are not able to do anything for her; she has not got care needs; she has not got children, and so she is, quite often, basically walking the streets, or walking to the next place that somebody has signposted to her. She is quite often in a dangerous situation, so the first thing we would do is get her to safety. We would probably get a taxi to our office if necessary—if we cannot do it over the phone. Sometimes we give her immediate physical support. We might have to give her food. We might have to give her clothes. We might have to give her a new SIM card if he is trying to track her, or a new phone. As I said before, we work in conjunction with Greater Manchester Immigration Aid Unit, in partnership, so we try to get her independent immigration advice as soon as possible so that she knows what her options are. Quite often, we find that services, like I say, have guessed her status. We might find that she actually does have recourse to public funds. It is important that she hears that from a solicitor.

Maybe the only option available to her would be to claim asylum, because she is too frightened to go back to her own country. If that is the case, we might support her to go to the Home Office to claim asylum, and we write evidence for the SET (DV) application if she is going through the spousal route—the DDV concession and the SET (DV) route. We would take the evidence. We would also do a risk assessment, send her case to the MARAC if that is necessary, and put in place all the safeguarding. If we had space in our refuge, we would obviously put her in a refuge. Those are the immediate things. We would get interpreters. We have access to interpreters.

Sometimes, because she has been through so many services and she has been passed from pillar to post, everybody is so concerned about her immigration that they actually forget that she is in trauma and has suffered domestic abuse. We sit her down and give her a safe space to listen to her, to tell her story, and to listen to what her safety issues are. For example, we had a woman who did not give a statement to the police. The police thought that she was being unco-operative, but actually her mum was in Pakistan living in her partner's family's house, and if she gave a statement to the police, they had threatened to evict her mother, so it is complicated. All sorts of issues come up.



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We also provide specialist group work. We have a wellbeing group for women who have most recently fled domestic abuse. We have a writing group so that women have the chance to put down their experiences. They have actually started doing public performances of their poetry and their writings to give themselves confidence back, and self-determination of their own lives, because so often their experience of services is similar to the experience that their abuser has held them down and made them feel like they are not worth anything. Services that refuse make them feel that again, so it is about her building up her confidence again and being able to feel confident to make her own choices.

We also get access to ESOL classes. Quite a lot of abusers stop women getting English lessons. We also have a social group and a specialist counsellor for migrant women. We are about to start offering a therapy group, so that we do both the practical and the emotional. On top of that, as Nicole knows, we support women to go beyond and be able to talk about their experiences, to give evidence to reports and research, and to raise awareness. We also give training to all different organisations. We did a set of training last year to both voluntary and statutory agencies on best practice, and we use examples and case studies from women who have been through our service.

Ms Abbott: Thank you.

Vicky Marsh: And we do campaigning.

Q66 Ms Abbott: Of course. Vicky, what is your view of the Government's decision not to establish a firewall between the police and immigration enforcement?

Vicky Marsh: I know some of my colleagues are going to talk more about this, but of the 196 women who came through our service last year, only 57 engaged with the police. I think that is a lot to do with their fear, which the perpetrators reinforce, that the police will share their information with the Home Office and that they will face detention and deportation. We had a case where a woman called the police, and they took her straight to the Home Office in Liverpool without any independent immigration advice.

If it is not clear that there is a firewall—if the police do not make it clear to women—they will not use the police or will be reluctant and frightened to do so, except in very extreme circumstances. If there is any ambiguity further down the line, or if they go through the criminal justice system, they need to be 100% sure that when they call the police out their information is not going to the Home Office.

Q67 Ms Abbott: I have a further question for Vicky. Obviously, you work at the grassroots on this. What more should the police and immigration enforcement do to ensure that victims and survivors with immigration status feel they can approach the police?

Vicky Marsh: I think a firewall, first of all. There also needs to be consistency. We have had women tell us that the police have come out and said, "Can you come to the police station in three days when we've



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got an interpreter?" and left them in the situation. As I said before, a woman was told she couldn't leave because of covid. Sometimes when the police take the woman out of the abusive situation, they take her to a relative or friend and ask her in front of them, "Is it safe for you to stay here?" Sometimes it isn't, but the woman doesn't feel able to say anything.

The police need an understanding of domestic abuse and a wider understanding of the implications of, for example, taking a woman to relatives. We can't guarantee that the police will take the woman out of the situation and talk to her alone, especially if she has language difficulties, so it is easier for the abuser to take over and take control of the dialogue with the police. In one instance, he was round the corner in the house. If the police haven't immediately got interpreters, they might turn to him, and he might have a more convincing story and might be better at English.

There are lots of barriers. If the police had an understanding of the barriers, that would help. In Manchester, we have training with the police—we have planned it and we start it next month. We have made recommendations, and we will be talking them through the barriers. The basic one is that their role is to get the woman to safety.

Q68 Ms Abbott: Finally, do you deal with victims of modern slavery?

Vicky Marsh: We could do, but we haven't.

Q69 Tim Loughton: Can I reiterate the earlier comments about how we clearly need more of these facilities? I want to get an understanding of the status of the women you are dealing with, in terms of their reliance on their abusive partner for being in the country or whatever application for settled status they might be going through. I can see in the short term that there needs to be a place of safety, be it a refuge or with whatever support services, but in the longer term, what is the aim? What is the intention for women wanting to stay here permanently, or for a prescribed time because it is part of their studies? What is the status of the women you are dealing with?

Vicky Marsh: It varies. A lot of the women come over as dependants on a spousal visa, so they are dependent on their husband for the five years, and then they have a route to indefinite leave to remain.

If, during those five years, there is domestic abuse and they leave, then they are no longer seen as being on that spouse visa, because they are not dependent. That is why the domestic abuse concession—the DDV concession—was brought in. They can have some funding temporarily while they get limited leave and then they put their application in under the domestic abuse rule. They would continue in a way, I suppose, their route to indefinite leave to remain. They had that right when they came to join their husband, and it is only the domestic abuse that has stopped them doing that.



Say that a woman has maybe come over with her husband and he is on a business visa. If she leaves him, she has no route to safety. If she leaves him, she has no recourse to public funds and she is homeless and destitute. It might be that the woman has come over as a student and has met somebody who she then moves in with. The guy then says, "Don't worry, I will sort out your immigration status." If she leaves college and there is then violence, she has no recourse to public funds. She might be on a visitor visa. Can I give you a case history? Do we have time for that?

Tim Loughton: Sure.

Vicky Marsh: We had a Nigerian woman who needed to get out of Nigeria. She was being persecuted and was facing violence from her family because of her sexuality. They had seen her together with her girlfriend. She came over on a visitor visa. She had no idea about claiming asylum. She came over to visit her sister and stayed with her. Obviously, she had no income. The sister struggled and kicked her out. She was on the street, with no recourse to public funds. She met this guy, who said, "I'll give you a roof over your head." So she went with him, but eventually the visitor visa ran out. He said, "Don't worry about it. I will sort out your visa." He became increasingly violent. She became pregnant and did not know who to turn to. She went to the hospital, and she actually had a miscarriage because of his violence.

Unfortunately, she did not have any safe space to tell the hospital staff. He came in and made sure that she didn't. She returned after the miscarriage and then the next episode of violence was so severe that she called the police and ran out the house. The police came and arrested him. They took her to the council hostel where she could stay overnight only because she was no recourse. They could not keep her in a room, so she stayed on a bed. They told her to go to the local authority homelessness service. She went there and they said, "You're no recourse, so we can't do anything. Go to social services."

She did not have any money and she was in a bad way because of the miscarriage, so she actually tried to walk to social services. She didn't make it. She collapsed and a guy on the street said, "Can I help you?" He gave her a phone and said she could come and stay with his sister. She didn't know him. It could have turned very nasty, but luckily for her it did not. She went back to his sister's house, I think, and with the phone they had given her she rang the number for Immigration Aid Unit, which she was given at the council hostel. We work in partnership with them, and so she came to us. The first thing we did was get her off the streets, because she had had no further contact with the police and did not know whether the abuser was still running around looking for her.

I know I have diverted from what you were saying originally, but the first thing we did was give her food. She hadn't eaten.

Q70 Tim Loughton: That is an interesting and drastic case. I am more looking at those who are reliant on a partner to be here, which was not the case in that example. How does having children with that partner alter their



status?

Vicky Marsh: It does not alter their status—well, sometimes it can further down the line if they get immigration advice. If a woman is leaving and she has children, under the Children’s Act social services must give her emergency accommodation. It is the same as if she has care needs; under the Care Act, they would have to give her temporary accommodation while they are assessing her.

Q71 **Tim Loughton:** Because there is a duty of care to the children, not to her?

Vicky Marsh: Exactly.

Q72 **Tim Loughton:** So if the partner kept the children, against her will or whatever, she would lose that recourse to protection under the Children’s Act as well?

Vicky Marsh: She would. We had a woman who went to social services and her British father kept the baby—she was actually breastfeeding the baby, but he kept it—and social services turned around and said, “We don’t have a duty.” We got in contact with her through social services because the only thing they could offer her was a men’s night shelter. She actually slept in the dorm—she was at one end and the men were at the other. It is that basic sometimes.

Q73 **Tim Loughton:** And social services assessed that there was no cause for concern, even though she was breastfeeding and presumably wanted to take her baby with her?

Vicky Marsh: Eventually they did, when we did the advocacy, but originally she went to social services and they turned her away. We did not get in contact with her for six weeks, when another social worker said, “We’ve got this woman in the night shelter, can you help her?” By that time, six weeks later—

Nicole Jacobs: Can I reinforce that even with the Children’s Act—and you assume those provisions are in place—it is very hit and miss. A lot of times, advocates like Vicky have to get involved and make sure that that support is provided. It is also very short term; three months sounds like a long time, but it is not, when you think of the barriers involved and the kind of work that needs to be put in.

Even when children’s social care does say, in the best-case scenario, “We will provide three months of support,” some refugees will think, “Well, what do we do after the three months? We know good and well that we will need to carry on.” They do not want to put someone out on the street in the middle of being supported, so they will appreciate that they are taking a risk for the financial wellbeing of the charity. The barriers of that no recourse create so much more work and so many more obstacles.

Vicky Marsh: In that case, when we did the advocacy social services eventually gave her the child back because the child was British. Her route



to staying in the country was because she had a British child with her husband.

Q74 Tim Loughton: I have one final question. In terms of short-term solutions, there are now greater rights for women who are British citizens escaping domestic violence, in terms of their access to services and safehouses, etc. Notwithstanding the no recourse to public funds status—which becomes complicated, as to whether you do a wholesale change—would a solution to this be discretionary funding for local authorities to be able to fund refuge places or refuge outreach services?

It might be more appropriate for women not to be in a refuge, particularly if it is for a longer space of time—but absolutely for all the sorts of support services that you describe offering, Vicky. If local authorities were given a discretionary fund for women in those explicit circumstances, who do not qualify for public funds but are clearly in urgent need of safe places and support, they would be able to dish it out on an as-and-when basis. Is that one possibility, in the short term, in order to give immediate help to women in those positions?

Nicole Jacobs: Yes; I will take this opportunity to tell you about a report we are tabling in the coming weeks. I said earlier that one of the policy areas we focus on in the Commissioner's office is this area. We asked the London School of Economics and the Oxford Migration Observatory to answer some questions that would need to be answered in order to create solutions: how many people are we talking about? What if we extended that DDV concession to a wider range of visa holders? All those questions.

Unfortunately, because we haven't tabled it to Parliament, I have been holding back a bit of the detail on that in this session. But you will absolutely be the first people I will send it to, and we are holding an event in Parliament on 21 September. My aim in doing that is to answer those questions so we can move ahead, because I think you are exactly right. There are a few key things we could do that would prevent these kinds of situations from happening.

Rightfully, decision makers need to know how many people we are talking about and how much that might cost. One thing that we have done in our report is a cost-benefit over 10 years. I hope you will hear in a lot more detail, but it shows what I saw when I went to Safety4Sisters, which is the outcome when you talk to people who have been through all those horrendous circumstances but then are properly supported. The people I met who had those experiences were volunteering, starting to get into work activities and really contributing to society here. The cost-benefit that we have found in this report will show us that some investment now is not only the morally right thing to do and prevents all this heartache, crisis and trauma, but a benefit to us all over 10 years. This research evidence shows that society as a whole benefits. I look forward to sharing that with you. I hope that this will give you some good context so that when you do have the report in front of you, you can remember what Vicky has told you today.



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Chair: We look forward to getting a copy of that report; I think that will be very helpful.

Q75 **Lee Anderson:** Thanks for coming, ladies; I think my first question is to Vicky. Many years ago, when I worked at a citizens advice bureau, we had numerous domestic violence cases come in. To be fair, in my area it was a pretty simple process. They came to see me, we made a referral to Women's Aid or whatever local charity was in the system, and then they moved on. People knew where to come. It is different for your service users, because I imagine many of them don't speak English or their command of English is very poor, or they live in communities where they probably don't see that many people or have friends or family. How do they know who you are and where you are?

Vicky Marsh: Through our networking. We would like more money to do outreach training in community groups.

Q76 **Lee Anderson:** Can you explain networking? I am a little bit confused. How does it help?

Vicky Marsh: Okay. It helps in the way that we have links with the homeless hostel, the Greater Manchester Immigration Aid Unit, community groups and sometimes women by word of mouth in those communities. The police and different agencies know where we are. Sometimes it's just that women go on our website and read that we provide a service for women who have no recourse.

Q77 **Lee Anderson:** That is a pretty broad answer. I am still a bit concerned about that answer. Would you say that there is a lot of people who don't see who you are and where you are, and they are missing out on this vital help?

Vicky Marsh: Yes, because we are completely underfunded. We have four workers and we don't have time. We would love to. We have been to one Syrian group in the last year to talk about women's rights, and to explain what their rights are and who we are. If we could do that across Greater Manchester, we wouldn't have to cope with the number of women who come to us.

Q78 **Lee Anderson:** Thank you. Nicole, I guess back in the day we used to call these mail order brides, but we see a lot of men in this country now who are importing their brides from around the world—be that the Philippines, Thailand or eastern Europe. I suppose we have a lot of young ladies and women coming in who are coming into the unknown, and they could be facing pretty much anything when they get to this country. I know that we have something in this country called Clare's law, where a potential partner can check out their future spouse. Is that something that should be made available or promoted to women coming in from abroad, so they can check out where they are going?

Nicole Jacobs: I think that is a very good idea. It could happen, and I would say it does not happen. There is a lot of information that could be given to people coming from abroad to marry, or on fiancé visas. There could be a lot more proactivity about what information we could empower



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someone with to understand the context of what the options are in this country, and very specifically, about an individual. There is a lot of joining up that would need to happen, but it does not happen, frankly.

I would agree with what you have just tried to show with Vicky that when you talk to people—as I have done in roundtables in the last year, and before in my own frontline roles in domestic abuse—what you hear are lots of missed opportunities, where people have slightly interacted with someone who could have told them about services but maybe did not understand the situation. It takes years.

We have not highlighted health professionals, but they are very often those who spot injuries and signpost people to support. We have a lot to do to think carefully about the points where we have such opportunities, and to not just think about whether things are something we could do or would be nice to do, but something that we must do. We have to build in these processes. We know that at some points there will be mandatory information that has to be given in immigration processes, so why are we not thinking from end to end about what information could be passed along? That would not solve everything, because those barriers are often so intimidating.

While I can, I have to go back to the firewall, and to state, in case it has not been clear, that I really was disappointed in the Government's decision about not taking on board the idea about the firewall as it was recommended through the super-complaint, which I am sure you will hear about in the next panel. The clarity that Vicky talked about is so important. People who are highly vulnerable, and who are operating with a lot of challenges with understanding the context, need to clearly know whether there is going to be a negative consequence to them seeking help, or not. There are people who would worry about seeing a health provider because they are worried about immigration enforcement. There are a lot of obstacles that we would say, on the face of it, should not happen. However, it does not matter what should or should not happen, it is the obstacles in the mind of the victim that we have to think of as our starting point.

Q79 Lee Anderson: I guess—just one more point, Chair—when these women come from other countries, they are sold a dream when they arrive here, and they think it will be a bed of roses. There should be some warnings somewhere along the process that certain things may happen—right at the beginning, I think, when they are applying to come, not to scare people to death, obviously, but to give some sort of warning or a network of support once they arrive here if they do fall into difficulty.

Vicky Marsh: Coming back to your original question, the other thing that I missed out is that we work with Independent Choices Greater Manchester, which has a community language line. It is restricted by the amount of funding, but quite often women who do not have English as a first language are able to use that helpline as well. We need more funding for multilingual helplines and more training on women's rights. I agree



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that women should be told, when they come to this country, what their rights are.

Chair: Thank you for that. I am going to move on to Stuart C. McDonald.

Q80 **Stuart C. McDonald:** Thank you, Chair. Thank you to our witnesses for coming along. I am sorry that I missed the start of the session; I was at another Committee. Could I ask you both about the Istanbul convention? There has been a lot of discussion and debate around the reservation the Government have made in relation to migrant victims and survivors. What are your views on the reasons that the Government have offered for that, and on the reservation itself?

Vicky Marsh: I would be guessing. We were so excited that they had ratified the Istanbul convention, but when we found out about the reservation on article 59, it was just more of the same, I think. It is, again, mixing immigration with domestic violence and safety for women. Until domestic violence can be seen as a safety issue and not as an immigration issue, or as a safety issue first, I think the Domestic Abuse Bill that went through, the same as the Istanbul convention, left out migrant women. That is all I want to say really on that.

Nicole Jacobs: As much as you want to celebrate ratifying, having that reservation in place illustrates what we have been talking about today. It had to be in place essentially because we do not have the provision of support for migrant survivors in place. You could not possibly be adhering to the convention unless that reservation was at least highlighted and conceded. Some of the things that we are talking about today could bring us into a space where that reservation would not be needed. It would be about looking at what the practical ways are to help in the here and now, allowing people to know what their rights are, or what the possibilities are. Also, what services need to be enhanced and supported, and what decisions potentially need to be made about opening up greater options? That would unlock it. There would be no need for a reservation, in my view. It holds back a fully-fledged celebration, I'm afraid.

Q81 **Stuart C. McDonald:** It is interesting that you see this from the point of view of it not being possible to comply with the convention unless that reservation is in place. If the Home Office were here, I suspect that they would be saying, "Well, we're looking into this. We've got pilots happening. We're doing some research, and hopefully it will not be required for too much longer." I think and hope that that is what they would say, but you think that it is just time to get a move on and put ourselves in a position to make sure that that reservation can be lifted.

Nicole Jacobs: That's right. It is time to get a move on to have a permanent solution. You will hear from the amazing services. I think Safety4Sisters has benefited from that migrant survivors pilot, but it is quite limited. It is year-on-year funding. Hannana Siddiqui will tell you more in the next panel. My understanding is that it is enough funding to support roughly 450 people, whereas the estimates are obviously higher than that. Having a piecemeal approach does not bring us into line with



the Istanbul convention, so we have to have something more sustainable and more planned. That is a perfectly reasonable, practical way forward, and I think we now need to just accept that we are probably spending more time talking about the nuances of these things, fighting about short-term pilots and investing in very short-term solutions. We need to now shift to a long-term view of exactly how we will handle this. Other countries are doing this. There is no reason why we should not be moving in that direction.

Q82 Stuart C. McDonald: Commissioner, can I also ask you about a slightly different issue? It is about the idea of a working definition of immigration abuse. What difference do you think introducing that working definition would make in policies and guidance in relation to VAWG?

Nicole Jacobs: I like the idea of having more of a defined working definition, so that it elevates a bit of the status in one's mind of the kinds of patterns, and coercion and control, that a perpetrator would use in this context. The statutory guidance for the Domestic Abuse Act actually describes immigration abuse quite well. It describes the whole range of things that we have talked about today, but it does not really use that term. If we could use that term, and understand collectively what we mean by it, that would help to build much more of a platform of training, capacity building and general recognition that would move us forward, keeping in mind that one of the big obstacles that we have talked about today is when frontline services of all kinds misunderstand what is happening.

It shows that we need to invest so much more, not only to put some provision in place but to allow people a greater understanding of how this is used, how prevalent it is, and even the range of people who may suffer immigration abuse because they are operating on misunderstandings about their own status, for example. I think it just gives a definition and a status to what we see happening in a significant minority of people, causing years and years of people being isolated, not seeking support and not getting the help that they need.

Q83 Stuart C. McDonald: Very finally—this might be somebody else's remit—Diane Abbott touched on the issue of victims of modern slavery, and I think I am right in saying that we are still without an anti-slavery commissioner just now. If you cannot answer this, that is fine, but do you think there has been an improvement in the police response to victims of modern slavery—particularly those who come forward—and do you have any hopes, aspirations or fears for the promised modern slavery Bill that may be forthcoming?

Nicole Jacobs: I have to say, I do not have a very formed view about the Bill, but there is, to some degree, a bit of overlap. I would caution against too much overlap in thinking about this group of people, who might be defined as victims of modern slavery, and a whole host of options that may well need improving. There could be a tiny overlap where a relationship is involved, which would bring them into the territory of domestic abuse, but I think we can sometimes over-exaggerate that and



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forget that it is kind of a way of dismissing, and of saying, "Well, there are these options for victims of modern slavery", as if that could help some of the people Vicky sees. I simply don't think that is the case.

In terms of police response, I am the first to say that, of course, there are many, many people doing the very best they can, but across the board in all of these issues, the response is quite patchy, and I am on the record saying that we cannot tolerate that any longer; we have to have a more consistent approach and clearer expectations from force to force on exactly what should be happening for those most vulnerable victims.

Stuart C. McDonald: Thank you very much.

Q84 **Chair:** I want to ask one last question, about the destitution domestic violence concession. Nicole, do you support that being extended from three months to six months?

Nicole Jacobs: Certainly. Most people I have talked to, and my own experience, tell me that three months is not long enough, that things are not sorted out within three months for a whole host of reasons, and that we really need to see that extended. Then, of course, you will see in the report coming to you that one practical solution is to consider how we can extend that concession for other visa categories. That would get us very far ahead of some of the problems we have heard about today.

Chair: On behalf of the Committee, I thank you both for your time this morning. It has been very interesting to hear from you both. We really thank you and all your colleagues, Vicky, for the amazing work you do in your organisation. We are certainly very grateful that you have found time to come and talk to us today. We have really appreciated your insight. Thank you, Nicole, for all that you do as well.



Examination of witnesses

Witnesses: Elizabeth Jiménez-Yáñez, Dr Hannana Siddiqui and HMI Roy Wilsher.

Q85 **Chair:** Thank you very much for attending today. I will ask each of our witnesses to introduce themselves. Elizabeth, would you like to explain who you are and the organisation you are from?

Elizabeth Jiménez-Yáñez: Thank you very much for the invitation. My name is Elizabeth Jiménez-Yáñez, policy and communications manager on VAWG at the Latin American Women's Rights Service. We are a "by and for" Latin American migrant women organisation. We support over 2,000 women per year, and we offer a different range of services to support victims and survivors of domestic abuse. Since 2017, we have been leading the Step Up Migrant Women campaign, which advocates for the establishment of safe reporting mechanisms in the form of a firewall.

Dr Hannana Siddiqui: Hello, I am Hannana Siddiqui and I am the head of policy and research at Southall Black Sisters. I have been there for 35 years, so I have done some frontline casework as well as everything else within the organisation. Southall Black Sisters is over 40 years old and deals with over 11,000 cases and inquiries every year—60% of our caseload and inquiries are from migrant women who have immigration and no recourse to public funds problems. We helped to introduce the domestic violence rule, and the destitution domestic violence concession, through lobbying the Government. We are leading on running the Home Office pilot for migrant victims, and have also been involved in the Step Up Migrant Women campaign. Along with Liberty, we submitted the super-complaint on the firewall.

Roy Wilsher: Good morning, my name is Roy Wilsher and I am one of Her Majesty's Inspectors of Constabulary and Fire & Rescue Services.

Q86 **Chair:** Thank you. I would like us to start by hearing a little bit more about the specific services provided by your organisations, and how important it is to have those specialist organisations and "by and for" services. Elizabeth, would you like to start us off by explaining to us what you provide? That would be very helpful.

Elizabeth Jiménez-Yáñez: Thank you very much. As Vicky mentioned, we provide wraparound holistic and independent support to victims and survivors with insecure immigration status. What I mean by insecure immigration status is women who do not have settled status. There is a range of different women; it can include women on tourist visas or visitor visas, but also women who are undocumented. Something that is important about "by and for" services is that we understand the needs of women because we are part of the community. We are embedded in the community.

An example given by one of the survivors I have worked with in the policy area is that she describes LAWRS as her cultural translator. She understood the system in the UK thanks to the support the organisation has provided. When we talk about wraparound holistic support, we are

talking about how, when a woman accesses our service, we focus not only on advocacy, but on their emotional needs, by providing culturally and linguistically appropriate support—counselling, for instance. We provide counselling in Spanish and Portuguese. We have group work. We also have general advice as part of our service. For example, if someone has access to public funds, we support them to do housing applications and to access a different range of services.

Something that describes really well the support that we give is that the women trust us. We are the only help that these women have, in many cases. We heard from the first panel how these women are often rejected, more than once, by frontline services, including statutory services, the police and mainstream organisations. Women trust our services.

To finish, it is important to mention that we provide trauma-informed support. That means that we understand that women have been facing traumatic experiences and need specialist support to be safe and rebuild their lives. We provide long-term support because we understand that the cases of migrant women are complex. It is important to mention that that complexity is a result of the structural barriers of the immigration system, and the way that system is designed in the United Kingdom.

Q87 **Chair:** How are you funded?

Elizabeth Jiménez-Yáñez: We have a diverse range of funding. Private trusts fund our services. Our services are mainly based in London, so we are funded by MOPAC, London councils, Comic Relief and other different private trusts. For instance, Lloyds funds our campaigning work.

Q88 **Chair:** And you cover the whole UK? Can women come to you from the whole UK?

Elizabeth Jiménez-Yáñez: Yes, we see this. We work only with Latin American women, as I mentioned before. We are London-based, and the majority of women we support are from London, but with the pandemic we started a helpline service, which meant that women from outside London started to contact us. We are a small, fast-growing community in the United Kingdom, but as you can imagine, someone outside London is going to be even more isolated, with less means of support. We have been doing this work since the pandemic.

Dr Hannana Siddiqui: Southall Black Sisters was set up in 1979, and it provides a holistic model of services, developed over 40 years. It is a wraparound service. We have a national helpline, but we also provide a face-to-face advocacy service, mainly locally, but also London-wide. We provide specialist counselling as well as support group activities and educational activities for service users.

The aim is to empower women to become independent, so all our services and advice work are aimed at doing that. That includes helping them to get involved in campaigning, to speak up and to get involved in training. Training, campaigning, educational policy and research are also part of our work.



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We are a resource centre-based service, and we have a unique no recourse fund, which we set up in 2009. It basically helps to pay towards rent and subsistence for a short period for women with no recourse to public funds. We were forced to set that up because there was no other provision. It has been funded from various sources, starting with Oxfam. We now have money from London councils, MOPAC and the Home Office pilot scheme. Once the Home Office pilot finishes in March next year, there will not be a national fund that we can use. The pilot is UK-wide, so there will be no UK-wide fund for women with no recourse to public funds, which we are very concerned about.

We do crisis intervention and long-term support. In terms of the specialist provision, we are an anti-racist organisation that fights for women's rights. We are based in the community, and we provide alternatives to women that are not provided within the community. For example, we deal with a large number of women from the south Asian and middle eastern communities, who are often stigmatised, rejected and disowned for having left abusive relationships, because they are accused of bringing shame and dishonour on to the family. We do not turn women away, judge them negatively and accuse them of bringing shame and dishonour. We give them support and help within the community that is not provided in the community. That also means that we have to provide specialist provision that reflects their linguistic, cultural and religious needs and deals with issues around racism and discrimination.

Q89 Chair: Could you say a little more about the Home Office pilot? As I understand it, it is currently being evaluated.

Dr Hannana Siddiqui: Yes. The Home Office pilot started in April last year. Initially, it was only funded for one year, and now it has been extended to a second year. There is an independent Home Office evaluation of the pilot, which will only use data from its first year. They are looking at about 301 cases that were dealt with under the pilot, although 415 women actually used it. The reason they are looking at only 301 is that that is the number who completed the pilot at that stage—around March this year.

We don't have the results of the independent evaluation, but we have been given some interim findings, which we can't disclose. We will be told later about the final results, and we hope they will be published and that we can talk about them publicly. We have done our own independent evaluation, which has been done by London Metropolitan University. We found that the pilot reflects a lot of our experience and our previous research and pilots on the issue of no recourse to public funds.

Providing women and their children with subsistence and accommodation costs is critical to saving their lives. It enables them to escape abusive relationships. The problems have been around the fact that there is not enough money; you cannot give enough money for long enough. Because of the limitations of the pilot, which were imposed using the Home Office criteria, which were around using only local authority rates for accommodation, when the pilot started, we could only initially give a very

limited amount of money for rent and subsistence, which was not enough—it did not reflect the local costs for refuge accommodation, for example. A lot of women were, unfortunately, put in unsuitable accommodation, mainly hotels and bed-and-breakfast accommodation. They could not go into a refuge, because we could not fund their full costs. That is obviously variable across the UK, but in places like London it is very expensive.

The other problem was that it was not funded for long enough; we could only fund up to 12 weeks if women were on a non-spousal visa. If they were on a spousal visa, or if they had children, they have alternatives and can go to social services, even though they have problems there. If they have problems, we provide important bridging support to them for up to six weeks. A lot of the women do need longer, and the research has shown that they need at least up to six months of financial support. A lot of refuges are worried about only taking them in for three months and then finding that they do not have the resources to continue, because a lot of the women's immigration statuses might take a long time to resolve. In some cases, it can take a year, or much longer. A lot of refuges and providers would prefer if it was for a year. Some of our previous research has shown us between six to eight months, but this current research and pilot from the London Metropolitan University is seeing a minimum of six months.

The pilot is obviously highlighting the issues. One is that it is important for women to have access; it saves lives. It is also important to have wraparound support. Wraparound support was provided in kind by the service providers and delivery partners because it was not funded properly by the Home Office. That service was inconsistent. However, towards the end of the pilot, and now, the Home Office has said to us that we have more flexibility for the wraparound support. The reason was that towards the end of the first year there was an underspend because we got our contract late from the Home Office and things could not start on time. It took a while to actually start the pilot.

Q90 Chair: Just so I am clear, the Home Office evaluation is to come. Is the London Metropolitan University evaluation available now?

Dr Hannana Siddiqui: No, that will be published soon.

Chair: Okay. I come to Tim Loughton.

Q91 Tim Loughton: Thank you. Dr Siddiqui, you said that you are looking after 11,000 cases a year.

Dr Hannana Siddiqui: Cases and inquiries.

Q92 Tim Loughton: Right, of which about 60% are from migrant women.

Dr Hannana Siddiqui: Yes.

Q93 Tim Loughton: Typically, what is the breakdown of that? We heard from the previous speakers about people coming here on visitor visas, or as students.



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Dr Hannana Siddiqui: The majority are on spousal visas. These are women who come in on the basis of marriage, a relationship or a civil partnership. I have noticed that the number of women on spousal visas coming for support has increased. That is because, during the pandemic, a lot of places were closed and a lot of refuges would not take women in, and it was harder to access social services and other types of support. So we had an increase in women who were on spousal visas who came to us needing that support.

For women on spousal visas, resolving issues around their immigration status tends to be quicker, mainly because they have access to the domestic violence rule, which gives them the right to stay as victims of domestic violence. They also have the destitution and domestic violence concession, which gives them access to benefits once they have made that application. The length of support for women on spousal visas is shorter, unless it is a very complex case. For those who are on other types of visas or who are undocumented, the length is very variable because it depends on what kind of application they can make to stay in the country.

Q94 Tim Loughton: Are you seeing a surge in cases coming to you now because it was hidden during lockdown? Secondly, how much of a hidden problem is this anyway, regardless of the pandemic? Are we just looking at the tip of the iceberg of those women who are bold enough to break free? Could we be doing more with outreach services from organisations such as yours to work with communities who work with some of these women and say that there is a safe place we can offer, and so on? How big a problem is it?

Dr Hannana Siddiqui: It is really hard to say how big the problem is. We know that there are roughly 1,000 cases of women who applied for the destitution and domestic violence concession, but we do not know what the hidden figures are. Of course, a lot of women are isolated—they are often kept imprisoned within the home—and they do not know where to go for help. They also fear going for help to agencies such as the police and social services in case they are reported to the Home Office and deported through the lack of a firewall.

It is hard to say—we do not know exactly how many—but a consistent number go for the destitution and domestic violence concession every year, which is shown in Home Office figures. We have estimated that possibly 3,500 women overall have no recourse to public funds and are victims of domestic abuse. That is on the basis of about two thirds of the women on non-spousal visas who come to us—of course, we do not know how many do not come to us, and obviously a number do not.

We think there is a need to do more outreach work and to have more information available so that women have access to knowing their rights and knowing their options. Those on spousal visas have more options, whereas others don't.

Q95 Tim Loughton: Okay. Obviously, you don't know what you don't know, but if anybody knows, it is your organisation, which has been working in



this area for a long time. Are there particular communities where the women are less likely to come forward, in whatever circumstances? I am thinking of my time as Children's Minister, when we were looking at hidden child abuse that was going on. There were certain communities—for example, of certain central African heritage—where they were quite religious and, basically, elders in the community were very controlling and supportive of abusers, be it against children, female partners or whatever it might be.

Dr Hannana Siddiqui: There may be cultural justification used at times, and the way the family or community is structured might be used to justify the abuse, but it is very hard to say that the problem exists more in one community than another. Migration issues affect anyone who comes into this country, and domestic abuse is prevalent in all those communities. Of course, there may be cultural reasons that are used to justify abuse against children or women—such as notions of honour that are sometimes used, as well—and they can intensify the abuse. If you are living in extended family networks that are close-knit you might not be able to get the help and you might have more than one perpetrator who is subjecting you to that abuse. That is how the notion of honour-based violence, for example, affects women.

The domestic abuse itself affects women from all communities, but the justifications might be different.

Tim Loughton: I entirely agree. Is it just a question—

Dr Hannana Siddiqui: And the experience can be more intense, particularly if you have more than one perpetrator, and also if you have an insecure immigration status. You cannot really get out.

Q96 Tim Loughton: I completely understand that, and of course it is widespread, but it is just about whether there are certain communities where smarter outreach working to try to get into that community is more essential.

How closely is this linked to child abuse, and how many of the people you are dealing with tend to be with children as well? Or is that a minority?

Dr Hannana Siddiqui: There is a large number, especially those on non-spousal visas who have children. Those on spousal visas might have younger children, but their marriages tend to be shorter. Those with non-spousal visas generally have children. There is obviously an overlap with child abuse, and they may also be a victim of domestic abuse because they are witnessing and they are involved in an abusive household.

A lot of the time we find that when there is also child abuse within the household—say, from the father—and women with an insecure immigration status turn to social services, those services don't always take that seriously, particularly if the woman is destitute and has no recourse to public funds. Usually, the social services response is, "We know you need accommodation and support. Our response is to separate you from your child because we have a duty to children alone." The mother



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therefore does not stay with the child, who may go into care. More often, social services say that they will return the child to the father or family members, but I think that totally ignores the risk to the child.

Elizabeth Jiménez-Yáñez: Can I say something?

Tim Loughton: Sorry; I was not trying to get Dr Siddiqui to monopolise.

Elizabeth Jiménez-Yáñez: Don't worry about it. It is difficult to say whether any particular community is more impacted by this. But we in the Latin American community are invisible in the UK, which means that we are not recognised as an ethnic minority and that some means of support are not accessible because of the lack of information.

You mentioned outreach; I would say that that is one of the important roles of the specialist “by and for” organisations—working together with those of us who have the trust of the community and are also part of the community, as in our case, is really relevant. On the other hand, as Hannana mentioned, honour-based views play a role within communities, but something important to say from experience of the frontline is that in many cases the most terrified women who come to our services are with British white nationals: they are the ones who get access to more information and use that to threaten women. That is important to consider in terms of analysing how they abuse. Immigration abuse is inflicted against victims.

Q97 **Tim Loughton:** Do you want to touch on some solutions? You were listening in on the earlier session, when I raised the issue of a discretionary fund, perhaps, for support services and refuge. Is that the sort of thing that you are advocating? What practical measures could be taken quite easily to help these very specific people?

Elizabeth Jiménez-Yáñez: In terms of immediate support and funds for local authorities, we have the example of the pilot project. The evidence from that will confirm the evidence that we have had for many years. Hannana said that Southall Black Sisters have worked for over 40 years; we have worked for over 39 years. We have the experience and the evidence, which we presented into the debates on the Domestic Abuse Bill; as you might be aware, we had a set of amendments.

In terms of practical solutions, the evidence is there. We need long-term solutions. The pilot project was completely welcome in providing emergency support for women, but it is not enough. To give you an example, within our service we did not use the pilot project as much as we could have. That had to do with the fact that using the pilot project, as Hannana said, would guarantee that someone had access to accommodation for three months. That means that in three months you need to do more advocacy to find more accommodation for the women. What we do as a service is try to find long-term solutions for someone who has been traumatised and will be re-victimised if moved every three months from accommodation.



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We had a really difficult case that involved data sharing with the police and the lack of a firewall, but I will move to the pilot project now to illustrate what I am saying. The woman was provided with accommodation from the pilot project and was really grateful; she had escaped a terribly abusive relationship and was completely isolated. We had to move her from her city as she was at risk of detention or deportation because of the data sharing.

After the three months, the support ran out—the woman had no more means from the pilot project, which meant that she had to move to other accommodation and restart networking, getting in contact with her local church and things like that. She said to her caseworker that she felt she was going from one hell to another. So we need long-term solutions for women who have been traumatised and who have been abused for years, because that is the reality for women.

Tim Loughton: Mr Wilsher is looking very left out.

Roy Wilsher: We don't provide services, so—

Q98 **Tim Loughton:** Quite so. From your side of the inspectorate, will you highlight some examples of good practice and the problems you are seeing? Also, will you explain the role of the HMI super-complaints process?

Roy Wilsher: That is quite a wide question. I will start with the super-complaint. The super-complaint is very much looking at widespread, deep-rooted and difficult problems that go across policing. It is not complaints against individuals or particular police forces, so it is more systematic.

I would like to start by saying thank you to Liberty and Southall Black Sisters, because this was the first super-complaint. This methodology has only been in place since 2018. We have issued four reports and we have two more ongoing on super-complaints, and we are learning through that process.

What often happens with super-complaints is that issues that we might not have been concentrating on, such as the one we are talking about, will be highlighted. It will be ourselves, as the inspectorate, the College of Policing and the Independent Office for Police Conduct. We work together and decide. This is obviously a really big issue. It might not be something we have been inspecting particularly with policing, but we did find that there is an issue here.

In terms of services, the most I can say—and this was similar in our violence against women and girls report—is that there is a need for more support and more specialist support, and that needs to be funded. In all these aspects, we cannot police our way out of societal problems, and these are societal problems. I would agree with fellow panel members that there is a need for more support.

Q99 **Chair:** May I follow up on that particular point? We heard in the previous session about the inconsistency between police forces and police officers in



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the way they deal with this issue. One example was about a woman being taken straight to the Home Office in Liverpool by the police. Is this an issue of training? I know that in the police overall there has been a lot of training around domestic abuse over the last few years. What is the problem with this particular issue around immigration status and migrant women? Why are the police behaving in this way?

Roy Wilsher: From the super-complaint and from our investigation we found that the police communicate with and provide data to the Home Office on many aspects, so we looked at this one particular aspect. We found that information and data were being provided to immigration, but we did not find that immigration enforcement was being prioritised above safeguarding. It was the sort of thing the police always did and there were some inconsistencies in how that information was provided. Some really looked at the issue and at safeguarding first.

The benefit of the super-complaint so far is that things have started to change. We have seen updated guidance for the National Police Chiefs' Council, saying that safeguarding should come first. "Domestic Abuse Matters" is a training provision for general domestic abuse and the issues there—you mentioned extra training—and the particular issue of migrant women has now been included in that. The College of Policing has included the aspect of migrant women in its domestic abuse risk assessment methodology.

Although we have not made the progress on a firewall or a protocol that we would all have wished for, and we would like that to be progressed in some manner, I think things have started to change. Again, I thank Liberty and Southall Black Sisters for highlighting that, both to us and to the police.

Q100 Stuart C. McDonald: Thank you to the witnesses for your evidence so far. Just to follow up on that, you said that you hadn't seen as much progress as you would have liked. I understand that the Government's response to the recommendation in relation to the firewall is an immigration enforcement migrant victim protocol. What does that mean? What is the difference? And what is your view of that proposal?

Roy Wilsher: Our recommendation was for the Home Office to look at the legal framework and to consider a firewall. In fact, one of our other recommendations was a temporary firewall from chief constables, to give people time to work out whether that was the best approach. There are differing opinions; as the Home Office has already said, it is not the place—

Our concern is that we cannot really comment on the protocol because we have not seen one yet. All we have commented is that we would like that to be progressed quickly, with the Domestic Abuse Commissioner and with people from the third sector, such as my colleagues on the panel. But we do need something. Consistency of policing and immigration enforcement will come from some proper guidance, so that guidance needs to be progressed.



Elizabeth Jiménez-Yáñez: Can I say something on the protocol?

Q101 **Stuart C. McDonald:** Yes, go for it.

Elizabeth Jiménez-Yáñez: Before the super-complaint, the justification the Government were giving to us—the Home Office in particular—for why data sharing was needed involved two reasons. First, they said that the police had a legal obligation to share data with the Home Office. That was shown not to be true by the super-complaint investigation. The second thing is that they say they hold a safeguarding role. They say that by sharing data with immigration enforcement, the police are safeguarding victims. The super-complaint also showed that there was no evidence that sharing the data of domestic abuse victims constituted any form of safeguarding.

It is good to mention that in terms of underlining the protocol, because the immigration enforcement migrant victims protocol has been designed on the idea that immigration enforcement hold safeguarding functions when data is shared by the police. I just wanted to mention that to underline it. We have more comments on the very limited information that has been provided by the Home Office review, but I can return to that later.

Q102 **Stuart C. McDonald:** I suppose, Mr Wilsher, that the other reason for the recommendation was simply the deterrent effect that not having a firewall has on victims being able to seek support from the police.

Roy Wilsher: I think the central focus is on the safeguarding of the victim. That is why we are pleased that the guidance from the National Police Chiefs' Council now mentions that, and it is the same for domestic abuse. No matter the status of someone suffering violent domestic abuse or other violence or modern day slavery, safeguarding comes first, and that is where we think the risk assessment should be highlighted moving forwards.

Q103 **Stuart C. McDonald:** Dr Siddiqui, your organisation is obviously one of the ones that triggered the first super-complaint. What are your thoughts on the process, the recommendations that were made in response, and then how effective it has been in delivering the change?

Dr Hannana Siddiqui: I think the super-complaint is an important mechanism to raise concerns and to create change. I was not involved in the super-complaint, so I cannot give you all the details, but my this is my understanding. Southall Black Sisters is a small organisation, and it required a lot of work in order to get all the evidence together to submit the complaint. Obviously we felt it was very important because there is lots of evidence that we have experienced ourselves in other organisations, where women felt that they could not go to the police or had bad experiences with the police if they had insecure immigration status. I think we supported a lot of recommendations that came out of the super-complaint, but we are concerned that they have not really been implemented.



The question for us is, “Was the whole process worth it? Is it really an effective process?” because on the one hand there was supposed to be a temporary firewall, which has not really been implemented and which was supposed to be implemented immediately. We have cases where it has not been implemented, and there is some larger-scale evidence that it has not been implemented.

Secondly, on the recommendation around the Home Office review and developing the protocol, we engaged with that process with the Home Office over a long period of time in trying to take things forward because we felt that there should be safer reporting mechanisms. However, we felt let down by the Home Office, because it has ignored all our recommendations and all our experience and expertise. The protocol from the Home Office review—although we are not engaging with it any longer because we feel that we just have not been listened to—we do not think will be an effective tool to enable women to come forward.

The problem for us is that it essentially does still allow data sharing between the police and immigration enforcement. The Home Office insists that they have function around safeguarding. On immigration control functions, there is basically a total conflict of interest, because it does not constitute safeguarding.

The inspectorate itself found that in the super-complaint. That is totally ignoring the inspectorate’s recommendations. I do not think they have really listened to us about instituting safe reporting mechanisms, and at the moment we do not think the protocol will do that.

Q104 Stuart C. McDonald: If I go back to Roy, what happens now: the complaint is investigated, recommendations made—or has heard complaints about—and a response? Do you follow up on this? Do you revisit your report? Do you make further recommendations? What happens now?

Roy Wilsher: There is particular legislation around super-complaints that sets out a certain process. We carry out the investigation, we make our reports, we are allowed to make recommendations, and, for transparency, we publish all the responses—the National Police Chiefs’ Council, the Association of Police and Crime Commissioners and the Home Office all responded. But that is where our jurisdiction ends. We did recommend that we would go back and do some more inspection activity against all the other demands and resources we have, but until there is a firewall, a protocol or guidance in place, there is not a lot of point going back to inspect something that has not been implemented yet.

One thing I would say about the super-complaint process is that it has been in place for almost four years and we have had six super-complaints. It may be time for a review, to see whether it has been an effective solution. It was new for us, and for the College of Policing and the IOPC. Has it worked effectively? What do people think about it? Can it be improved? We would be happy for the Home Office to lead a review as well.



Q105 Stuart C. McDonald: Changing the subject, Dr Siddiqui, could I come to you about the Istanbul convention? Obviously in the Government's eyes, the reservation has become tied up with the pilot that you are involved in. What are your thoughts on the reservation and the need for it, and what should happen now?

Dr Hannana Siddiqui: I think the pilot has been used as an excuse for the reservation, because the pilot does not really look at the impact of residency or status, and article 59 is about residency. It really looks at the impact of giving support to women with no recourse to public funds. Having said that, we would argue that there is a need to extend the destitution domestic violence concession and the domestic violence rule to women who are on non-spousal visas—I think the reservation limits it to those who are in partnerships. We would argue that it should be for all victims of domestic abuse who have no recourse to public funds.

I think that the reservation itself should be removed. I think the pilot has been used as an excuse for that. There needs to be a longer term solution, and, given the extent of the current provisions for those on spousal visas, there would actually be no need for that reservation at all.

Q106 Stuart C. McDonald: Elizabeth Jiménez-Yáñez?

Elizabeth Jiménez-Yáñez: I think we need first of all to understand what article 59 means. Article 59 is part of the convention to reduce vulnerability by reducing status dependency on the perpetrator, which is really relevant to the case studies that Vicky mentioned. But we also need to look at the reservation as part of a continuum of exclusion for migrant women. Migrant women were left out of the Domestic Abuse Act, and we campaigned for many years to guarantee equal access for them. It sends a really dangerous message, because it keeps reinforcing to perpetrators that abusing migrant women can be done with impunity, so we were extremely disappointed. As Hannana mentioned, the excuse they gave for the reservation does not make any sense.

Q107 Stuart C. McDonald: Final question to Dr Siddiqui. Earlier on you spoke about how there is at least a sense of clarity for victims who are here on spouse visas. They know what their rights are—although we might argue for an extension and to include others as well. As for others who are trying to regularise their status, are you able to say very much about the types of application they generally will end up having to rely on to try and secure status? It would depend on circumstances, whether it be asylum or—

Dr Hannana Siddiqui: It can be asylum. Usually women need legal advice and time to work out what kind of claim they should be making, and that is what the destitution domestic violence concession allows them to do, because it gives them—well, hopefully in the future we can get six months at least to do that. Sometimes it would be asylum, but that is not always the most appropriate one; it could be something discretionary, or it could be—it really just depends on what basis they entered the country, or if they have British children. Sometimes they do not even know their rights. If they have British children, they, as the parents, can get rights to stay in the country, so getting legal advice is very important, and legal aid



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is very important. Any kinds of changes we want to implement have to involve improving legal advice and legal aid around immigration.

Q108 Chair: Thank you. I think you have asked the questions I wanted to ask, Stuart—*[Interruption.]* No, it's fine. At this point, I will ask our witnesses whether there is anything else we as a Committee need to be mindful of. We are waiting for the evaluation of the Home Office pilot and to see what will happen as we have a new Home Secretary. Is there anything you want to say to the Committee?

Dr Hannana Siddiqui: Yes, I just want to say that I have been doing some research on other models of women with no recourse to public funds in other countries, and so far, I can say that the British model is the best model in the world. The destitution domestic violence concession and the domestic violence rule have been so effective. The domestic violence rule came in 20 years ago; the destitution domestic violence concession came in 10 years ago. When talking to various women's organisations and professionals across the country, which I have done in my work and my research, everybody praises that model of intervention, which they think has helped the most women. As far as I can gather, it helps over 1,000 women per year.

If we want to give support to all victims of abuse, which is what the Government say they want to do, it is critical to extend that model to women on non-spousal visas to save lives, to protect everyone from abuse, and to end discrimination. That is what CEDAW—which the Government have signed up to—the Istanbul convention and many other conventions say. I think it is important that they implement that.

Chair: Thank you. Elizabeth?

Elizabeth Jiménez-Yáñez: I would like to end by saying that establishing a firewall is possible. We have been told by the Government that it is not possible for a range of different reasons, but it is possible and would benefit not only victims but the police. That is good to know—and important to know—in the context of all the institutional failures of the police in perpetrating, or protecting victims from, violence against women and girls.

The immigration enforcement migrant victims' protocol is institutionalising data sharing. For victims, a minimal suggestion that there will be involvement of immigration enforcement is enough to prevent them from leaving abusive relationships and coming forward.

I want to close by sharing a case that we had recently. A woman who came to our service was experiencing a high-risk case of domestic abuse and stalking. She left the perpetrator—we know that that is one of the riskier times for a survivor or a victim in terms of femicide or extended forms of violence. She came to our service with undocumented status. Something that is important to note is that we see many women with undocumented status who are undocumented as part of the abuse. Perpetrators do this on purpose; they know that by making women



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undocumented, they have more power over them because there are fewer means of support.

She came terrified. She self-referred to our helpline and, with the support of her caseworker, she reported to the police. She did not want to do that, because she was more afraid of the police than of her perpetrator. The perpetrator was sending her around 10 emails per day, saying, "If you don't get back to me, that means you want me to come and knock on your door." That is the kind of language used by a perpetrator of abuse. Her caseworker managed to convince her to report to the police—they reported online. She needed an interpreter, but the next day the police came to her house without an interpreter—that is an issue we see all the time. They undermined the case, they said she was not a victim, and they blamed her for meeting the perpetrator online—that is what happened. She felt completely humiliated.

That is not the worst part. They called immigration enforcement in front of her, and they would not leave her house until she gave them a date when she would leave the UK. She made up a date, and the next day she called her caseworker completely distressed and said, "I don't want to engage with the police anymore." Who can blame her? They were supposed to protect her, and they didn't. That was not the worst part. Her caseworker managed to keep her engaged with our service. I mentioned at the beginning that for many of these women, we are the only option, otherwise they go underground, and they are at further risk. Eight days after she reported to the police, she got an immigration enforcement letter. That was enough for her to call her caseworker and say, "I don't want to engage with you anymore. I know it's not your fault, but I cannot trust anyone." She disappeared. We don't know what has happened to her.

That is why a firewall is needed: because any involvement of immigration enforcement will prevent engagement, and it will also put a burden on the police—that is something we have mentioned. Immigration rules and legislation are so difficult to understand—you need to be a specialist—so putting the burden on the police to decide how to act on immigration legislation costs a lot in terms of the trust and safety of women.

Chair: Mr Wilsher, do you want to say anything?

Roy Wilsher: Nothing from me, thank you.

Chair: Okay. I thank everybody on the panel for coming along this morning. We thank the service providers in particular for all the amazing and really difficult work you do. We are really grateful for your time today, and please pass on our best wishes to everyone who works in your services as well. Thank you.