



HOUSES OF PARLIAMENT

Joint Committee on Human Rights

Oral evidence: [Violence against women and girls](#), HC 594

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Written evidence from witnesses:

- [Eaves for Women](#)
- [Women's Aid](#)
- [Southall Black Sisters](#)
- [British Association of Social Workers](#)

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Members present: Dr Hywel Francis (Chair); Baroness Berridge; Baroness Buscombe; Baroness Kennedy of the Shaws; Lord Lester of Herne Hill; Baroness Lister of Burtersett; Mr Virendra Sharma; and Sarah Teather

Questions 34-41

Witnesses: **Heather Harvey**, Eaves for Women; and **Hilary Fisher**, Director of Policy, Voice and Membership, Women's Aid, gave evidence.

Q34 Dr Hywel Francis (Chair) Good morning and welcome to this evidence session of the Joint Committee on Human Rights in relation to our inquiry into violence against women and girls. For the record, could you introduce yourselves please?

Heather Harvey: My name is Heather Harvey and I am from Eaves for Women, which is a charity that works on all forms of violence against women and girls. I am in the research and development team.

Hilary Fisher: My name is Hilary Fisher. I am the director of policy, voice and membership at Women's Aid, which is the key organisation that works with domestic violence victims, and we support a network of around 300 services.

The Chair: Thank you very much for that. Could I begin with the Istanbul convention? Article 18 obliges the UK to protect all victims from further acts of violence. What are your views on the legislative steps or other measures that can be taken in order to comply better with that article?

Heather Harvey: From Eave's point of view, along with other women's sector organisations, we were really pleased when the Government said they intended to sign and ratify the Istanbul convention, and we would urge that it goes ahead. We feel that it provides a much stronger obligation on the state to deliver appropriate funding, resources and support for specialist women's organisations, which will provide better protection. The convention is clear that it is not enough for the state to rely purely on the good will of religious organisations or charities: that there is an obligation for states to fund adequately and proportionately.

The convention also highlights the very gender-specific nature of violence against women and girls. That is really important as we move towards a discourse that seems to be moving away from recognising violence against women and girls and using very gender-neutral language, which is unhelpful to the resourcing, protection and support because it does not reflect the actual scale and nature or form of abuse. The convention would help to specify a gender concept.

One of my issues here is that sometimes I feel that we do not always necessarily need new legislative measures; we quite often need better implementation of existing measures. That could apply to things like forced marriage, it could apply to the Council of Europe Convention on Action against Trafficking in Human Beings, it could apply to gender asylum guidelines. There is quite a lot of very good legislation that is not adequately implemented.

Coming back to the Istanbul convention, it would also help us to improve the accountability for failings. For instance, it would lead us towards better gender-disaggregated data collection, which reflects the true scale of the problem, and it could lead us towards having a function, like an ombudsman, a commissioner or a panel, that is independent and able to analyse accountability towards implementation. I could carry on but I will pass to Hilary, because she has more detail on the convention.

Hilary Fisher: Thank you. Women's Aid also welcomes the signing of the convention by the Government, but we are very disappointed that ratification has not happened, particularly as it will come into force on 1 August. That is a significant shame because it will mean that the UK will not be part of the GREVIO committee. The level of knowledge and expertise in the UK means that that is a significant shame.

We absolutely support what Eave was saying about the gender dimension. With regard to specific legal measures, we would argue that there is an area that is not being covered at this moment, and we are part of a campaign with two other organisations, the Sara Charlton Charitable Foundation and Paladin, to campaign for the criminalisation of coercive control and patterns of behaviour and psychological harm. The offence of psychological violence is one of the requirements in the convention.

One area that was picked up by the recent inquiry by HMIC shows that the police do not understand the nature of intimate partner violence and the particular pattern of behaviour. While they may think that this is the first time a call has happened so therefore it is the first time the abuse has happened, that is extremely unlikely. Research that we have done with individual women indicates that they experience violence many, many times before they get in touch with the police. That is a massive issue.

Another area that we believe has been missed concerns the very welcome introduction of the domestic violence protection orders. That is very positive, and the evaluation of the protection

order pilots showed that. The evaluation recommended that breach of it should be made a criminal offence, but that has not been the case. We think that is a great shame.

We would also like consideration to be given to a review of statutory duties on local authorities that includes domestic violence services provision. We will probably get on to discussions about what is happening to domestic violence services, but Women's Aid is really concerned about what is happening in that area at the moment.

One of the areas that Article 18 covers is contact with victims by law enforcement agencies. We would like to mention here that we are concerned at the moment that the police do not automatically refer victims to specialist support services. This happens only in high-risk cases, although not always. The challenge with that again, as the HMIC report showed, is that the police are not in a position to be able to identify adequately who is and is not at risk. There are serious questions about the current risk register that is being used, and I know that is being reviewed by the police. We would urge the Committee to recommend that there is a direct referral to specialist services, because they know what the problem is and they can give direct support. The challenge of going to a generic service is that quite often an assumption is made by a volunteer at that service, without the specialist knowledge, that this is not a case that warrants further measures—and that may not be the case.

Q35 The Chair: You mentioned the police. What about victims who are not known to the police? How can they be better identified and protected? Is there a greater role to be played by health professionals and other services?

Hilary Fisher: There is, but there are two issues in answer to your question, because part of the question is: why do women not report? Women do not report because of what happens in the criminal justice system. A recent inquiry into women's access to justice by the All-Party Parliamentary Group on Domestic and Sexual Violence gave clear evidence of what those reasons included. We know, because we interview groups of women specifically in the services, what happens to them when they do report—and in fact being in a service many of them subsequently report. It is that specialist service that provides them with the support and encouragement to enable them to do that. We think that significant work needs to be done to give women confidence that the police will believe them and take their responses seriously. We absolutely believe that there is a role to be played not just by health visitors but by teachers and those in all sorts of areas where women are likely to be able to come into contact with them, and where they may be able to go safely without a perpetrator with them. It may be at the dentist, it could be visiting a GP, it could be going to talk to the teacher about their child. There needs to be much more training, awareness and understanding of those areas.

One of the things that specialist gender-specific domestic violence services do is work in the community to provide that knowledge, expertise and understanding, but those services are losing tenders against very large, generic services. A woman is being given a bed rather than a proper space of refuge, and that extra community awareness-raising and support is being lost. As a result, it is going to be harder and harder for women to get the support they need.

Heather Harvey: I endorse everything Hilary has just said. I was going to start with the same point: that you have to understand why women are not coming forward. Hilary has covered that. We know that women come to specialist women's only services that meet their specific needs. That is what they need, and they need the funding for that. As Hilary says, that will very often lead to people going to the police where they would not have done before, because that is where the trust starts to be built up. That means not just funding but respect for the sector. That is a

really important point, because very often women's sector services are seen as good-willed, fluffy, nice little people who are helping out, rather than people who have 20 or 30 years of dedicated expertise and experience. We are then not treated as equals in the processes that do try to safeguard women and to engage the statutory sector.

One of the other issues here is that victims who are unknown to the police are unknown for several reasons. One of them is having very complex needs. There is a whole raft of factors there. Just to list a few—I could talk in more detail if needed—obviously there are women with serious mental health issues and depression, women with disabilities, women with drug and alcohol problems, women who are ex-offenders, women who have been involved in prostitution and trafficking, women with no recourse to public funds or with insecure immigration status, women with extreme issues to do with poverty that are just practical obstacles to being able to access help, women who are concerned that if they seek help their children will be taken into care, women from black and minority ethnic communities where there is much stricter control over what they do and how they access services, as well as a lack of understanding of what is needed. All those complex needs are massively important, even for women to access specialist services, let alone to actually engage with the police. Those are specialist services that need to be funded and understood. In a hostile environment towards poverty, benefits and immigration, you are creating some real barriers to being able to access services.

Another thing that is related to that is that in our service we find that although we are there for violence against women and girls, we spend the vast majority of our time in a lot of the referrals that come to us dealing with really basic practical issues such as benefits, welfare, money and housing, because until you get that sorted out you cannot start to address the women's mental health issues and safety, domestic violence and sexual violence issues, which means that they are going to take much longer, and it will be much harder, to recover. While we always happily do that, we have noticed that in the climate of cuts and the reduction of services elsewhere, the increase of gatekeeping and the reduction of funding for adequacy and support, it is much harder to help those women, which also has the knock-on effect of the women being dissatisfied with the service. Getting and retaining their engagement becomes very difficult as well. There is a raft of questions around that.

The Chair: I think you are anticipating some of our other questions.

Heather Harvey: Fine, but I did just want to say in regard to other roles for other services that, as Hilary has pointed out, the HMIC inspection on the police handling of DV was welcome but it only focused on police. There is a really good study by Liz Kelly that some of you will be aware of called *If Only We'd Known*. It looks at the fact that there is a great deal of knowledge from family, community and colleagues about the things women are experiencing but the police are not building their cases. It is not just the police but jobcentres. Women will go to jobcentres even if they do not go anywhere else, because they have to; often their partners will force them to get the money. That is a potential role to identify someone at risk, but they are not trained to do it; they do not know how to do it.

There is a massive role for schools; you have an excellent submission from the End Violence Against Women Coalition on prevention, so I will not talk about that.

On health, we are really worried that the new commissioning framework in health is actually missing out violence against women and girls. It is being dropped between two stools: health on one side and policing on the other. A lot more could be done through other services.

Q36 Baroness Kennedy of The Shaws: You have slightly gone into some of the areas that many of us are going to raise with you, but we would like to tease this out in a little bit more detail. Do you think the United Kingdom is meeting its obligations to provide for the setting up of appropriate, easily accessible shelters in sufficient numbers? You have already dealt with some of the problems of the cuts, but is there a shortage of places for people to go to?

Heather Harvey: Yes, there is a massive shortage. As Hilary said, it is not just that a woman needs a roof over her head; she needs the advocacy, she needs the support, she needs the counselling, she needs help to navigate the system, she needs interpretation services. A whole range of support services are needed alongside a pure bed. Even then, we do not have enough beds.

Again, with the commissioning, I would say that we are backtracking on some of the commitments on equalities. We are also seeing a possible misunderstanding that is driving people to think that have to provide the same number of places for men as for women, without actually recognising, as the convention requires, a gendered analysis of what is proportionate and what is needed.

Baroness Kennedy of The Shaws: Hold on a minute. It is really important that you do not run away with this. You have so much information to give us, so really do listen to the questions and try to address the question being asked. I want to drill down into the business of why there is now a shortage of places. I am not sure I have ever known a time, and I have been involved in this for many years, as you probably know, when there was adequate provision for the scale of the problem. Has there been, in recent times, a reduction or a closing down of some of the houses or provision because of what is happening with funding?

Hilary Fisher: Can I give a specific response to that? We count the number of services. We have done an annual report since the mid-eighties on the number of services provisioned across England. The recommendation of the Council of Europe, which you know, is 10,000 per head of population. England's refuge provision currently falls short of this, with approximately 1,646 women's refuge places missing. That is based on that, so the recommendation is that approximately 5,223 women's refuge places are needed, and currently there are only 3,577 places available.

There are two elements to this, which again Heather alluded to. One is that services are being lost. In Devon recently, for example, the tender did not require any refuge provision. There are no plans for refuge provision in Devon whatever. Another thing that is happening is that refuges are being restricted by local authorities to their constituents. The real challenge with that—significant research by a woman called Janet Bowstead looked at 18,000 journeys in and out of refuge, and it is clearly a national service—is that women in those areas are not able to leave because they are not able to get places. They do not want local places, but moving to somewhere else if their area is not sharing is not going to happen.

Baroness Kennedy of The Shaws: There is no safety if you are required to be in the county or the area where you are, your local authority, and there is a reduction in reciprocal arrangements. Is that what you are telling us?

Hilary Fisher: I am saying that is where we are going. That is what is really worrying. It has not happened yet but it is going to happen.

Baroness Kennedy of The Shaws: I want to go back to my question.

Hilary Fisher: Connected to that, it is specifically a problem for BME communities, for example, who need to travel far. Janet's research shows that women move as close as they can to home, but those with a very serious perpetrator will travel four or five times and they will go a very long way, so it is really impacting on risk.

Baroness Kennedy of The Shaws: Given the reductions that you have just spoken of, is the UK meeting its obligations then?

Hilary Fisher: I do not think it is meeting its obligations for two reasons: one, because it is not meeting the numbers that are recommended; two, because it is abrogating its duties by saying that it is the responsibility of the local authorities. It is not; it is a national responsibility. Refuge is a national service; it is required nationally, and by saying that it is up to the local authority to decide what provision it is means that in some areas there is provision and in other areas there is not.

The other challenge to services is that, of those that have been able to win a tender, we already know of two areas this year where the authorities have come back and said, "We need to cut your budget by 30%".

Q37 Mr Sharma: I know that you have touched on some part of all the questions coming to you, but I am sure there will be the opportunity to expand on what you have already said. The convention requires the UK to take steps to encourage any person who is a witness to violence against women or girls, or believes that a violent act may have been committed, to report this to the competent authorities. In your experience, how can this requirement be balanced against a desire to protect a victim or build a relationship of trust with the perpetrator seeking help?

Heather Harvey: I am slightly anxious about pitting one against the other. We have to be doing both, and it does not have to be a contest between the two. Yes, there is a tension there. I risk repeating myself a little; we need to look at victims' trust. Why do they not have the trust and how do you build that trust? Given the limitations of time, we have already discussed some of the reasons why a victim does not have trust given the way they are dealt with.

However, I want to speak very specifically, if I may. The Eaves project is well known for its work on prostitution and trafficking in particular. Taking trafficking as an example of some of the problems with victims' trust issues, the Asylum Aid submission also highlights the lack of belief—the culture of disbelief—generally in immigration decision-making, particularly with regard to women. We see that in trafficking as well, where there is a general tendency to disbelieve in the first instance. The Anti-Trafficking Monitoring Group suggested possible racism in terms of those who get believed as opposed to those who do not get believed. There is a whole range of big issues just around general trust.

We find as well with our trafficking victims that all their distrust and concerns are actually realised in practice if they end up being held in illegal detention, in immigration detention or in prisons, or are criminalised, which is what is happening. Something like 30% of referrals to the Poppy Project are now coming from prisons and immigration detention centres, despite the fact that the Council of Europe Convention on Action against Trafficking in Human Beings has a presumption against both criminalisation and detention. There are some really serious issues there.

I do not know how much detail we want to go into today, but that links back to the role of the national referral mechanism and the people making those decisions. One of the things you find is

that the people who are deciding whether somebody is trafficked or not, which opens up your access to support and services, are the same people who are making asylum decisions, when in fact they should be separate. It is very clear that they should be separate; the cases are different. All the same prejudices and even similar standard template letters are being issued in both instances, with an almost knee-jerk culture of disbelief, so your distrust is then actually borne out when you see how you are treated in practice.

To highlight that, with the Poppy Project some 86% of cases we work with ultimately receive a conclusive grounds positive decision, so it is not that these are unreliable cases. They only get that conclusive grounds decision because we fight like crazy. We have advocacy and legal advice and we have to challenge decisions. Notably—we have real concerns about this—it has been suggested to us that the current holder of the trafficking contract, the Salvation Army, in its current contract it not actually supposed to provide direct legal advice or challenge decisions. There is a real issue about the level of trust, how you build that trust and how you then say that people are witnessing something and reporting it if you are not allowed to challenge those decisions.

That plays into the other thing that we find, which is that statutory organisations like social services and local authorities are meant to be first responders in the case of trafficking. They are meant to be able to identify somebody and refer them into the process. Many of them are not even aware that that is their responsibility, let alone how to do it. So there are some real concerns about that. There is a lot more that I was going to say, but I am conscious that we have a shortage of time.

Hilary Fisher: Can I just pick up on one point? We did some focus groups for the HMIC group about why women did or did not report to the police and what their experiences were. A couple of things that have not been mentioned came out. One woman said that she did not know that there were specialist services available because there was no information available about it. That is a requirement in the convention. Another thing is that women are being told by the perpetrator that if they report they will lose their children. Social services are operating in such a way that the focus is on the support for the child and they are not recognising what is happening to the woman. Research has shown that the safety of the child is most achieved by enabling support and safety for the woman. Women's Aid organised a conference with children's services and domestic violence experts. We are doing a lot of work in this area to try to bring them together, but that is a massive issue, because you are not going to report violence if you think you are going to lose your children.

Sarah Teather: I just wanted to pick up on some of the points that you made, Heather, about immigration detention. You hinted at some of these things earlier when you mentioned about gender-based asylum rules et cetera. You say that for 86% of the people you work with, it is found that there has been an incorrect decision.

Heather Harvey: No, 86% end up with a conclusive grounds decision. It is not that every one of them has overturned a decision, but a significant proportion—I am afraid I do not have the statistic but I can give it to you—we have challenged and overturned.

Sarah Teather: The question I am asking, in relation to immigration and detention, is how many people you think are missing. Do you have any sense of an estimation of the number of women who might be in detention who, were you to have greater resources to be able to work with them, might be in that category?

Heather Harvey: One of the problems is that there are so few reliable statistics on the scale and extent of trafficking generally. If they have been missed, they have been missed, so it would be hard for us to say. Having said that, we have just been getting funding from other sources to try to grow the outreach role that works in prisons and detention centres. We are certainly missing a significant amount, but I could not give you a figure at the moment.

Q38 Mr Sharma: I am going to talk about the Government's localism agenda, which has led to different local provisions and therefore created a postcode lottery in support services. How could a localism agenda work alongside the Government's desire to support victims?

Hilary Fisher: This is very much connected to the whole commissioning process. If you look at the localism agenda, which is about getting what is needed locally, and then you look at the number of large organisations that are now running services across the country, you are not getting localism because you are not getting local provision. I mentioned Devon. One of the requirements in the tender was that a local service would win it. It was not a local service that won it; it was a service that runs in Gloucester. We are talking about a significant difference.

Women's Aid has its 40th birthday this year. A number of our members have been going for 30, 38 years, and these are small organisations; they are not large organisations. They do not have a backroom full of people who do lots of bidding and tendering, so the playing field is not level. Occasionally there is a requirement for a level of funding that is not relevant to the amount in the bid itself that the organisation should have, which prevents them from doing it. It is short-term cost savings. We get cases of women calling the National Domestic Violence Helpline, which we run in partnership with Refuge, from refugees themselves because there is no counselling or legal aid support. There are none of those extra services that refugees provide.

Baroness Buscombe: Sorry to interrupt. I am just thinking aloud. Could it be because they confuse the language of refuge and refugee? We are talking about people here who may have difficulty with language and understanding where to turn.

Hilary Fisher: No. I am talking about the shelters for women.

Baroness Buscombe: I know, but people responding—

The Chair: Excuse me, if you want to ask a question, do it through the Chair, please. Could you continue?

Hilary Fisher: There is a massive disadvantage to local organisations. We are working to help support those organisations and bring them together in consortia, and a lot of work is being done to support that. We believe that what is happening is not being required. I know that the EU procurement does not have to be introduced in the case of specialist services. There are other countries across Europe where it does not happen, so I would ask the Committee: why does this have to happen for specialist specific crisis services, which are providing a particular dedicated need?

The other thing that is challenged here is that BME services are also providing specialist reports that it is not happening. We know of women who are ex-offenders or who may have substance abuse who are being refused gender-specific services because they are more costly and require support at the weekends, which is not available. The other really worrying thing is that these women are

returning to situations of risk because they do not feel that the refuge is providing them with the support that they want.

The Chair: Baroness Berridge, you want to ask a supplementary?

Q39 Baroness Berridge: You have both referred in your evidence to BME communities. One of the issues that has been a concern to the Committee for a while is the rights of women in religious communities. We are hearing evidence after you from specific charities, but have either of you found particular barriers for or concerns about women in religious communities?

Heather Harvey: Yes, I know Pragna will speak very eloquently on it, so I will not spend too much time on it. However, again, talking very specifically about our services and the Poppy Project, the contract for services for trafficked people went to the Salvation Army with a range of sub-contractors, most of which are also religious providers. I am sure there is a lot of good will there and I am not necessarily knocking that. Our concern is that the women we are dealing with may be lesbians, sometimes they may have been brutally raped and may want to have an abortion as a result of that rape, they may be viewed by their religious and ethnic background as non-conforming women or, to be brutal, sluts. There may be very brutal, judgmental language about the fact that they have been involved in sexual activity, whether or not that was through their choice. So for those women, being referred to a service that is provided by a religious organisation, even if it is not necessarily an evangelical service that is trying to change people or force people to pray, or anything of that nature, can be quite a major barrier for them even accessing that service.

Baroness Berridge: My question is aimed at the women who are in religious communities. Do they face additional barriers and issues—I am not really talking about the provision—to coming forward?

Heather Harvey: Yes. Again, Pragna will talk about it, but in any closed close-knit community, whether it is religious or anything else, it becomes very difficult to come forward. You are seen as being disloyal to your community. It is seen as some kind of treachery. It is seen as dishonour to yourself. There may be barriers to understanding. There may be barriers in language in some cases. There may be cultural judgments that go into that. In the current climate, where there has been even more polarisation, particularly around Islam and other religions, it is even harder for women to come forward. We have had examples of women who might be facing forced marriage or honour-based violence who are frightened to seek help because they think that is going to make an automatic link in the minds of statutory agencies that the family is probably a fundamentalist extremist terrorist group and it is going to bring the whole wrath of the anti-terror agenda down on women, when in fact that may not be the case. There is a range of barriers there and not just for Muslim women; they are there for women from all sorts of religious backgrounds where it is just not acceptable to talk about it. It is not acceptable to seek help. There is pressure to mediate, to stay in the family and to go along with the situation. There is a range of barriers, but Pragna will be better than me on that.

Baroness Berridge: Have reforms to legal aid affected support services or the protection of victims? You have touched on some of this.

Hilary Fisher: Absolutely. We are part of work that is being done on the rights of women by Welsh Women's Aid. We did a study where we specifically asked women what their experiences were. Fifty per cent of the women who reported to us did not have any prescribed form of evidence in order to apply for legal aid, and research showed that 60% of those women took no

further action as a result. Over 30% of women find it very difficult to find a legal aid solicitor. We welcome the broadening of the gateway; that is a positive decision that happened in April of this year, but we are still very concerned indeed. Women in abusive situations need that legal support, otherwise they face him in civil proceedings. We have cases of women who have been told they should not mention the domestic violence that happened even though, as the convention itself notes, that is an important thing to be taken on board. They are unable to access the legal aid for which they should qualify. We have reports of requirements for a doctor's letter, with a cost of between £50 and £90, depending on which area it is coming from. We are talking about women who largely do not have any resources, and we feel that the current legal aid regulations put unnecessary burdens of proof on women. It is not working in the way that it was set up to work. It is a major concern, and we think the Government are contravening their obligations both under the convention and under CEDAW.

Heather Harvey: Can I add to that briefly? I totally endorse that, and Rights of Women has provided a written submission, which we also endorse. There are other areas of legal aid that perhaps have not been thought through in the same way, for instance the restrictions on legal aid in bringing cases to an employment tribunal and bringing cases relating to housing disputes. There are potential problems with the wider forms of violence against women and girls, not necessarily domestic violence but sexual harassment, various maternity and employment rights, and sexual harassment by your landlord. There is a range of issues that have not been thought through.

More importantly, you cannot look at legal aid in isolation; you have to look at it in the wider context. There has been a significant reduction in the commitment to the equalities legislation. There are attacks on the right to judicial review. I cannot even talk about all of them; there are so many things happening that combine all at once.

Coming back to our services in particular, there are other issues with the right to compensation and reparation, which is hampered by the legal aid reforms; I have mentioned judicial review and equalities. We need to look more widely at the combination of factors—legal aid is just one part of the picture—but all that increases the risk to women and traps women in violence-against-women situations.

Q40 Baroness Lister of Burtersett: This is a question for Hilary in the first instance. In your evidence, Women's Aid raised a number of concerns about the impact of the Welfare Reform Act. You mentioned the size criteria, the benefit cap and the payment of universal credit into a single account. On that last point, in your view do the Government need to take further measures to protect against the potential exploitation of the universal credit system by abusive partners, bearing in mind what you said earlier about coercive control? If so, what would those measures be? How can they protect women who might, for very good reasons, some of which we have heard already, be reluctant to tell the officials administering universal credit that they are being abused?

Hilary Fisher: Absolutely. We estimate that around half of domestic violence survivors will experience financial abuse. The way welfare reform is set up feeds into reinforcing that abuse, and it is absolutely about coercive control and a pattern of behaviour. We raised a number of things in relation to the one payment, the split payments and the other areas. Our recommendations are very much about saying that for all universal credit and joint-claim couples with children, the whole of the money should go to the mother so that she does not have to ask the question.

Where there is a nominated payee, again the whole of the universal credit should go to the mother. We are really concerned in the case of split payments that if the application is made, he will know and there will be significant effect on her. We are really concerned about whether any of the people who will be discussing this with the family will have any understanding of domestic violence, because there is no suggestion that they would get any proper training. We are concerned about opportunities for disclosure that might happen in such a way that it puts her at serious risk. We think that as a minimum there should be very strong signposting for everyone who attends those situations to the National Domestic Violence Helpline, which I mentioned earlier.

This is a massive issue around sensitivity and communication. The easiest way to fix it is to ensure that the payment automatically goes to the woman, whether she is a mother or not. As it is a monthly payment, it could be quite substantial amounts of money.

Heather Harvey: Can I make a few more general points about welfare reform? I mentioned already the reduction of services across the board and the increase in gatekeeping generally, particularly with statutory services, mean that organisations like ours are having to do much, much more, often with fewer resources, to try to advocate to get women into a service and into housing and benefits support. There is no funding for that sort of advocacy and that sort of support. Again, very often there is very little respect in the sector for coming with those women to those appointments. Again, there is no investment in interpretation and translation for women, and often inappropriate measures are used, such as using a family member, which could be part of a coercive pattern. There are some practical issues there.

I think it is in Women's Aid's submission, but where women have more than two children and are in receipt of child benefit, that can immediately put you over the benefit cap and cause a range of problems. Moving families from one area of London to another or from one area of London right the way out to Birmingham or wherever because of the housing rent cap allowance can have a serious effect in distancing women from support networks and services that they might be accessing, as well as increase the general burdens and challenges for women in trying to bring up a family in that situation. Again, I think it is in Women's Aid submission, but the bedroom tax is potentially, in some areas, having an impact on women who have sanctuary schemes, safe rooms and panic rooms, as it is seen as an unoccupied room. Some places are taking measures to deal with that, others are not.

We have a really detailed issue—we do not have much time for it here—with the work programmes in the DWP reforms. Some of the work programmes are being administered by privatised contracts. There is no incentive for those work programmes to identify a woman with domestic violence issues and refer her into stuff. They are not trained on that. You also find that the DWP has some good measures: it has tried to put domestic violence champions in place and has put the JSA easement in place. There are some good measures, but they are not publicised. They are not drawn to people's attention, and there is a counter-incentive, if you are a privatised organisation trying to force people into work as fast as possible, not to promote any of that work. You have a real missed opportunity, where women are being forced into contact with a service where they could expose or identify but it is not safe or appropriate for them to do so, and people do not understand how to deal with such disclosures. You have some very serious missed opportunities there, which can put women at increased risk.

The other point is about access to refuge. Very often, where women are earning, it is very difficult to get into a refuge. As we know and have seen, you can be in employment but be on a zero-hours contract or on extremely low wages. You can be on part benefits, part earnings.

There are lots of problems with very detailed implementation and the reality of what living on benefits means when you are actually in violence and trying to access support.

Hilary Fisher: Can I pick up on one other thing with regard to welfare reform? Connected to the sanctuary scheme, we know that an estimated 281 sanctuary properties across 80 local authorities are impacted by the spare room subsidy. You should be aware that the police who are looking at how to implement the recommendations of the HMIC inquiry see sanctuary schemes as something that they positively want to support, so we have local authorities taking them away and the police seeing them as a useful measure.

I would like to draw the Committee's attention to the recent rules for excluding nationals from European economic area countries from receiving housing benefit. We are really concerned that the new regulation means that some nationals from these countries may not be able to access safe accommodation. It was mentioned that women find it difficult to retain their jobs, but sometimes they are at risk if they have moved to a refuge and continue to go to their place of work, as the perpetrator may know where that is. So they are required, for their own safety and for the safety of the other women in the refuge, to no longer continue with that job, but then they cease to qualify for housing benefit. If the woman does not get housing benefit, she returns to her abuser; if she continues with her work, she is likely to be abused. We are creating a Catch-22 for these women, and there is concern that it might also impact on returning British nationals who are fleeing domestic violence elsewhere. I am not sure if the Committee is aware of this because it has only recently been introduced. We are happy to give further information on this if you need.

Q41 Baroness Lister of Burtersett: As you know, the Government are providing baseline funding of £20 million annually to the discretionary housing payment scheme, which is available to local authorities to help domestic violence victims. Do you think this is sufficient, in particular in light of the proposed withdrawal of central government funding from local welfare assistance schemes, which replaced the Social Fund? Is there any evidence of how effective the schemes are that are operating at present to support victims of domestic violence? When the Bill was going through this House, one of our concerns was the impact of the abolition of the Social Fund on victims of domestic violence.

Hilary Fisher: We are really concerned about that loss. We know that services have used it for a whole range of issues. For example, a woman trying to flee may have no resources. There was a time when the police might assist her. Now they do not have resources either. So you are looking at women who go to a refuge and the refuge pays for the taxi and looks for somewhere to get the money from, but it is not there. I am not an expert on the use of discretionary housing payments, but I did attend a conference where I was informed that actually it is not being used by a lot of local authorities. They do not know when they will need it, so they are not using it. It is clearly being fought over by many, many different areas, not just by women experiencing domestic violence and refugees. From the information that we have, it is a complete postcode lottery. In some areas, that is provided and extra support is available. In other areas, it is not. Our general view is that it is not doing the job it was set out to do, and we are really concerned.

Sarah Teather: You have already mentioned some of these things, but it would be helpful if you could briefly summarise: you mentioned coercive control and the fact that you thought we needed some new legislation in that area. As a Committee, we are interested to know whether or not there were any other policy or legislative measures that you felt were needed. If you could just briefly summarise, it helps to focus our minds. Bullet points would be helpful.

Hilary Fisher: I mentioned coercive control, psychological harm, the pattern of violence, and definitely making it a requirement for a domestic violence protection order so that if you breach it, it is criminalised.

In connection to that, in Austria, which was the first to implement these requirements, the police are legally obliged to inform the local intervention service that they have taken a perpetrator away. That intervention service is legally obliged to get in touch with her, so within 24 hours she receives immediate specialist support that identifies whether it is still safe for her to be there or whether she should leave. The court is required to address that situation immediately. There is a whole package there that works really effectively. We have bits of it. We have a colander. It is full of holes and it is not going to provide the support that is needed.

There is a whole range of support that is needed. There is the issue of looking at statutory provision for domestic violence services. There really does need to be a serious look at the sanctions and measures, because they are not proportionate to what is happening. There are massive issues around access to parental rights. Article 45 says that there should be withdrawal of parental rights where violence has happened. This rarely happens. So this is also about implementing the policies to make sure that there are proper sanctions, so that women know that if you go through the process and the court process, he will receive a criminal sentence. I do not know whether you are receiving evidence from Respect, who are experts on perpetrator programmes, but they say that there needs to be a sentence of four years in order for a perpetrator programme to be in place. That is very, very rarely the case.

It is also really important for the Committee to look at the use of alternative dispute resolution. We are really concerned about how mediation is being encouraged, and Article 48 of the convention prohibits mandatory alternative disputes mechanisms. We know that research is being done in this area. We know that services that provide mediation advertise on their front pages that they do this for domestic violence cases. It is never an equal situation. There is massive concern about knowledge in the civil courts of what is happening in the criminal courts. A woman can be in the criminal court in the morning and in the same situation in the afternoon. There is no information about what has happened and it is not taken into account.

The Chair: I am very conscious of time now and I apologise, but there are two other people who have already indicated that they want to ask short supplementary questions, and then we must move on to the next panel.

Heather Harvey: Endorsing all that, you have a submission from the End Violence Against Women Coalition, and I would just urge you to look at that. One of the things we would like to see is an integrated strategy for violence against women and girls that proofs all your policies, practices and laws to actually look at the implication for women generally and for violence against women and girls specifically. There is more that we could do if we were acting on that appropriately, particularly under the Immigration Bill and the Legal Aid Bill.

We have mentioned that we want the Istanbul convention to come through and attention issues relating to children, child contact and safety and absolutely to perpetrators. There is more that we should be doing in the media. We have had the Leveson inquiry. We have heard the recommendations in that. Lots of us gave evidence, which was retained in Leveson's report, about being able to have some kind of third-party complaints mechanism to look at the discriminatory way in which women's violence is covered, which also has a real impact on women's access to justice and public perceptions.

There are some other issues. I do not exactly know how we do this legislatively, but I would like to see a greater obligation on the state to provide equal access to teaching English as a foreign language or English to speakers of other languages and interpretation—appropriate interpretation that is properly resourced—because those are real barriers for some women to be able to access services.

We also do work in relation to prostitution. I have not had time to talk about it today, but there is that whole thing about localism and a totally devolved situation and not having a clear policy—we urge the Government to look at having a clear vision, strategy, decision and direction of travel on prostitution that can be applied equally everywhere, because prostitution, like domestic violence and honour-based violence, is mobile; it is not boundary specific. You get total inconsistency and lack of transparency. We obviously argue for the Nordic model, but that is up for discussion. We definitely want to see mainstreamed into what we are doing some of the areas that are not addressed properly as violence against women and girls and do not have a strategic vision. We also urge ring-fenced funding for specialist women's sector organisations. I could go on, but I will stop. Having a really good, clear, disaggregated, gender-specific data collection system is a main thing as well.

The Chair: I am very conscious of time now and I am going to be very unpopular with my Committee. There are two colleagues who wanted to ask questions. We will write to you with those questions. Are you happy with that? Well, you will have to be anyway, because that is my ruling. Could I thank you both for the very comprehensive way in which you have answered your questions? I also thank you for your written evidence. If there are points that you feel we have not covered today, please write to us. It occurs to me, for example, that we have a parallel inquiry into the Human Rights Act and devolution, and you, particularly Women's Aid—I was going to say Welsh Women's Aid—may want to tell us something about the advantages and disadvantages that have occurred as a consequence of devolution in your field of work. Thank you very much for attending today, and could I ask the next panel to come forward please?

Witnesses: **Pragna Patel**, Director, Southall Black Sisters, **Naomi Dickson**, Executive Director, Jewish Women's Aid, **Annie Rose**, Independent Sexual Violence Advocate, Respond, and **Nushra Mansuri**, Professional Officer England, British Association of Social Workers

Q42 The Chair: Welcome to the Joint Committee on Human Rights' second panel. For the record, could you introduce yourselves please?

Pragna Patel: I am Pragna Patel and I am a director at Southall Black Sisters.

Annie Rose: I am Annie Rose. I am an ISVA for Respond and I am standing in for Noel Blackman, who is in Austria at the moment giving a conference.

Naomi Dickson: I am Naomi Dickson, executive director of Jewish Women's Aid.

Nushra Mansuri: Good morning. I am Nushra Mansuri. I work for the British Association of Social Workers. I take a lead on children's issues in social work.

The Chair: Thank you very much. Thank you for your attendance and thank you also for any written evidence that you have provided the Committee. Could I begin by asking this very straightforward question: how well do you think the needs of women from minority groups who have experienced gender-based violence are being met by the support services that are available?

Pragna Patel: When you say support services, do you mean in the statutory sector or the voluntary sector?

The Chair: Both.

Pragna Patel: You heard from the previous panel that the situation is, I think, at breaking point—a crisis situation. That is largely because we have a series of laws, policies, guidance and best practice notes that are completely contradictory and are not related, linked or integrated. In terms of the statutory sector, after considerable campaigning and lobbying we have seen some real improvements in the way in which the service support is available for BME women. Having said that, we are now seeing a whole draft of measures, brought about largely by the economic situation, the austerity measures, but also ideological approaches, particularly the promotion of faith-based service provision, that are impacting on BME women. So the gains that have been made are really under threat at the moment.

We have recognition of issues such as forced marriage, honour-based violence and other forms of harmful practices—FGM and so on. On the other hand, we have diminishing refuges and specialist services for BME women and a chronic shortage of specialist support services—shelters—particularly for different ages within the BME women's sector. All that means that whilst the awareness might be there, there is nowhere for women to turn to. Along with that, a series of legal and welfare measures have also impacted on BME women disproportionately, and you have obviously heard about that in the first panel.

We have a situation that is quite contradictory but, I think, also at crisis point, because we are facing a real threat to the gains that have been made as a result of the changes that have been brought about precisely by women's shelters and advocacy services that have campaigned for so long. Access is becoming difficult to both statutory services and services in the voluntary sector because of a loss of interpretation facilities, outreach work, shelters and legal aid and because of draconian immigration measures and so on. So we really are in a situation where I would urge

the Government to think about a more holistic integrated strategy, which means proofing all policies in all departments for their impact not only on women and vulnerable women who face abuse but on vulnerable BME women.

The Chair: Would any other members of the panel like to say something? Could you address also the question of the needs of young women and children as well?

Annie Rose: I work with women who have learning disabilities who suffer rape and sexual trauma. Respond covers the whole of England. It is a national organisation. I cover 13 London boroughs. However, it is very difficult to get statistics because this particular group of women do not seem to be recognised. We are doing a lot of training with the police now. However, with the different social services throughout London it is a postcode lottery, as was already mentioned by Women's Aid. There are varying levels of support.

In some areas, anybody who is diagnosed with an IQ of between 60 and 70 does not appear to get any support at all. They have fallen off. They used to get support in the old days, but since cutbacks there is absolutely no support. I find with some of the clients that it is very difficult even to get a safeguarding meeting and to recognise they might have been through special needs schools and under a learning disability partnership children's team. Once they hit 16, they go into transition. They have none of the support and therefore become very vulnerable. There has been no training, it appears, for front-line staff in the statutory sector, and many of my clients who come through the police and will be referred by the police have absolutely no support at all. Therefore, that adds to their vulnerability. Forty-five per cent of women I have worked with have suffered abuse since childhood, so mental health issues will come in in dual diagnosis.

Naomi Dickson: At Jewish Women's Aid we provide support, advocacy and refuge for Jewish women and their children affected by domestic violence. Women tell us that they greatly appreciate the fact that we offer a culturally specific service for them where we are meeting their needs, and there is less explanation of their cultural background and what they need to do involved when they come to us. Our support workers are specifically trained in this area, so in that sense our service meets the needs of the women we are supporting. However, because of the austerity measures, funding cuts and short commissioning cycles, it is increasingly difficult to recruit and maintain staff who are specifically trained to support the women that we need to support.

In addition to that, the Jewish population in the UK numbers about 300,000. They are largely based in London, which is where our service is focused, but at the same time there are women across the UK who are not able to access support because we are unable to fund outreach workers in those areas specifically.

I also wanted to just pick up on what your previous panel members were talking about—the prevention of domestic violence—and what Pragna said. I echo how it would be interesting to look at the general policies of educating pupils in secondary and primary schools, and their awareness of safe relationships, boundaries, taking risks and how that would feed into the prevention of domestic violence in the future. Jewish Women's Aid has a prevention programme that does specifically that, but it is funded from our own private efforts. There is no statutory funding for that kind of work, which I think the Committee might want to look into.

Nushra Mansuri: I agree with a lot of the comments that have been made by colleagues here about the need for a whole systems approach and the lack of integration across the services. The statistics tell a story. If we are looking at women and young women from minority backgrounds,

we know that the cuts have hit them disproportionately even harder. I will say, from my experience as a social worker for many years in the sector, how important it is for women and young women from particular communities to have very sensitive and specialist services. It is very sad to see the demise of that and things becoming more generic. That is not in the best interests of these women and young people.

Q43 The Chair: None of you has referred specifically to young women and children. Do any of you want to say anything specifically about young women and children?

Naomi Dickson: We have funding for a children's worker who is actually funded completely by BBC Children in Need. There is no statutory funding for her services and her workload is absolutely enormous. We could very well do with doubling the amount of support that we are offering to Jewish children affected by domestic violence but are unable to access statutory funding for that.

In terms of younger women, because of the definition of domestic violence now goes from the age of 16, we are seeing an increasing number of younger Jewish women coming forward for support, aged 16 up. We then obviously need to provide training and support to our key workers in order to put out that support to those children. That is quite difficult to come by, and some of those younger women who are coming to us are rape victims rather than domestic violence victims. There is no funding and there is no Jewish service for rape victims at all in the UK that is culturally specific. That is something that we would also like to look into.

Pragna Patel: If I can just add, there are no specialist services, or hardly any that I could think of in the whole country, for that specific age group. Issues such as forced marriage and the recent criminalisation of forced marriage are not matched by the resources out there to ensure that girls, particularly of this age, stay safe. The 16 to 18 year-old category is very difficult to service generally. They are going through a period of great change in their lives. On top of that they face all kinds of traumas. We often find with this particular age group that young girls are coming out of the frying pan and into the fire. They come out of perhaps backgrounds of forced marriage, honour-based violence, domestic violence or child abuse, and then they find themselves very quickly exploited by others who exploit their vulnerability. They find themselves in abusive situations, so the cycle of abuse repeats itself, and there are insufficient specialist refuges and shelters for children who have suffered abuse, for BME young children in particular.

The other thing I just need to highlight is that although the definition of domestic violence has been expanded to include 16 to 18 year-olds, local authorities do not treat them as vulnerable adults; nor are they treated as child protection issues. So we have this particular category of young persons absolutely falling through the cracks. We have social services saying, "These are not child protection issues", and local authority housing departments, when we apply for emerging housing, saying, "These are not our concerns because they are only suffering violence or whatever and there are no issues there to help". They outsource most of their housing/homelessness issues, so we see young girls, perhaps being forced into a marriage, being told to return to areas of risk. These are some of the battles that we are having at the moment with local authorities and social services. Although the definition of domestic violence has expanded, the support services are not responding with increased awareness by providing more resources.

The Chair: Baroness Buscombe, you want to ask a short supplementary?

Baroness Buscombe: Yes, a very short one, probably to Nushra in particular. Given something that was said in the previous session by Hilary or Heather—that there had been more of a focus on children and children’s rights, in recent years in particular—as a social worker do you feel that there has been more pressure on you to focus on the rights of children, thereby perhaps leaving the mother or carer at risk?

Nushra Mansuri: I will never disagree with promoting the rights of children. We should all be focused on that. It should not be either/or. It should not be divisive as an issue, should it?

Baroness Buscombe: But is it?

The Chair: Please, it was supposed to be one supplementary, and then we will make progress.

Nushra Mansuri: Sometimes a culture can occur when people get preoccupied. Child protection and safeguarding has become a risky business—obviously it is a risky business because we are dealing with risk issues—but the risks are the system, because of the pressures that are on the system, the very finite resources and the increasing demand. We are talking about a system at breaking point—I totally agree with that. The danger is that when you have such pressure, you can develop more rigid approaches to issues of child protection. Sometimes I would argue that, yes, some women will get a disservice as a result.

The Chair: Mr Sharma has a question directed only to the British Association of Social Workers.

Q44 Mr Sharma: Let me declare my interest first as a former paid member of BASW. I also served on the national body years ago, but still I thought I should declare it. The declaration is appropriate today. Nushra, Article 20 of the convention addresses the importance of sufficient funding and training for all health and social services staff to deal with violence against women with girls. How is this working in practice?

Nushra Mansuri: I saw that question—we received the questions a few days ago—and I will take it to our members to find out what their experiences are. On a wider level, we have had two social work reviews of education: one in children’s and one more generic. The questions have to be asked at the pre-qualifying level about the quality of that training and the coverage of these really important issues. We hear time and time again in serious case reviews—and we all know this—of the family courts and the toxic trio: domestic abuse, substance misuse and mental health issues. It should be prominent in all the training. However, we know from some of our members over the years that that is not always the case. There has to be scrutiny of both the training that social workers receive before they qualify and obviously when they go on to qualify. However—I have to go back to the issue of the reducing budgets and the pressures on services—we know that services become more reactive, and the one thing that is squeezed more tightly than anything is the training budget, and the opportunities for learning and development, very sadly.

Naomi Dickson: If I can add to that briefly, Jewish Women’s Aid has set up a training programme specifically for professionals who are supporting women with a caseload of domestic violence victims. We have found that the knowledge of those professionals, whoever they are—teachers, the clergy, social workers, councillors—their ability to recognise women affected by and living with domestic violence, and their knowledge of referral pathways have been quite patchy, so we have been providing that service for free, once again from our core funding, in order to up-skill our community. But I think you are right that it has not been a particularly consistent amount of knowledge that the professionals hold.

Pragna Patel: Can I just add that that is exactly our experience too? Training budgets have been slashed across social services—all services. Recently we provided training with Eaves for the DWP and we had to do it free. It was actually our initiative to train them on how to recognise signs of domestic violence and how to deal particularly with DDV concession applications, which are related to immigration applications, but it was our initiative because they do not have training budgets, so we had to do it for free. We have also recently been asked by local GPs to train them on how to recognise signs of abuse and on referring particularly to MARACs and generally to provide training. Again, they cannot pay for that training, so we are having to do it free, but we do not have the capacity to provide the kind of regular intensive training and follow-up training that is needed.

What is very sad is that recently I was on a homicide review panel in my area, Ealing, which was investigating the very tragic death of a woman. There were overlapping issues of mental health, domestic violence and substance misuse—a very complex scenario. A lot of opportunities had been missed, particularly by health services, PCTs and NHS and GPs to prevent that kind of death. As a result of that homicide inquiry, certain recommendations were made, which were to enhance safeguarding training, which included domestic violence in the area so that staff understood their roles and responsibilities, to raise awareness about MARAC, processes and risk assessments, and to ensure that local safeguarding teams work with GP practices in close proximity to shelters to be aware and mindful of the needs of the occupants in these refuges. I feel that all these recommendations are going to go nowhere. This is yet another exercise, yet another homicide review, where recommendations are made that seem just to go down black holes, partly because of this lack of funding. Absolutely, training is the first to go when there is this squeeze on public sector spending.

Q45 Lord Lester of Herne Hill: I should declare an interest because the Southall Black Sisters awarded me a very important award as an honorary Southall Black Sister, for which I am grateful. I would like to ask Pragna Patel in particular a couple of questions, if I may. First of all, how well are specialist support services, for example domestic violence services, currently funded and provided now? I know you have answered this to some extent, but can you give more detail?

Pragna Patel: There is a serious problem with the way in which shelters are being funded at the moment, particularly specialist refuges and rape crisis centres and so on. In the commissioning process in localities, the Localism Bill has really impacted on the way in which specialist services in particular are funded. Commissioning processes seem to work against small, specialist services. They tend to favour more corporate-like organisations that can bid and provide the kind of target-driven, time-bound outcomes that are required. A lot of support shelters or refuges have closed or are threatened with closure. Others have merged and become more generic, but they bring with them a series of problems.

For example, in my area in Ealing, the commissioning process, fortunately for us, allowed for two bids, one for specialist BME services and one generally for a generic specialist service. However, the generic specialist services have all sorts of conditions attached that subvert the very values and ethos of the way in which these services developed. The generic services, for example, are insisting in one of the conditions attached to the commissioning that they also open their services out to men. This is not to say that men do not suffer from violence and abuse, but certainly nobody can dispute that it is predominantly aimed at women and girls, so this kind of condition makes a mockery of the very values, ethos and foundation of principles upon which shelters were built.

The ways in which mergers take place means that they have to achieve economies of scale. So, for example, London Councils has commissioned a consortium to deliver specialist services for London, and one of the conditions is that we can only work with women for four weeks. After that, we have to close our files or refer them elsewhere. The problem is that there is nowhere else to refer these women, so organisations like ours have to find alternative funds in order to ensure that the files are not closed after four weeks, particularly with BME women, where complex overlapping issues and multiple needs are having to be met. Particularly where there are immigration implications, you cannot close a file after four weeks. Sometimes they take months, if not years, to resolve. That is the way in which we are being really constrained in funding processes.

The other problem that I alluded to earlier on is the ways in which funding is going to faith-based organisations that have no track record of dealing with domestic violence issues, and certainly no track record of working around women's human rights. They are beginning to get funding because they already start off with funding of their own. It is attractive to commissioners and local authorities to fund organisations that exist and have extensive resources like faith-based organisations, so we are losing funding to those groups. Funding has become a major issue in the Localism Bill, and devolution has not led to stability in these services. We need central government funding.

Annie Rose: There is only one refuge in the country for people with learning disabilities, and for a woman to get in there she has to be funded by her local authority. It is not like with normal refuges, for which there is housing benefit and other benefits. They have to agree to pay a price. It is quite expensive to be in a specialist refuge for a week, and because of the cutbacks many women are not able to access these refuges, and the re-victimisation and the cost to the country goes on and on and on.

I have women for whom the abuse started at eight years old. They are in their 50s now, and God knows how much they have cost the system because nothing was put in place. There are no support services and no way to help them to get out of the re-victimisation that they had got into—no therapeutic services, no college services et cetera.

Q46 Lord Lester of Herne Hill: Unfortunately I have to go to another meeting, which is why I am putting this question very quickly, but it is very important and sensitive. I want to ask Pragna Patel in particular about the cuts in services resulting in religious-based services and systems of arbitration in BME communities. You have been critical about that, and I know it is sensitive, but can you give examples of how current commissioning structures favour generic services or anti-rights faith-based services and tell us about the advantages and disadvantages of what is happening?

Pragna Patel: I can give some examples of the way in which current local commissioning services are favouring faith-based groups. The Northamptonshire Police and Crime Commissioner, for example, has set up a Northamptonshire office for faith-based and community initiatives and has just appointed a specific liaison person for faith groups. Why faith groups alone need a liaison person I will never know, but there we are. The aim of that office is to make improvements to crime prevention and community safety, so you can see how faith-based groups are beginning to be drawn into that whole community safety agenda. The office is seeking specifically to enhance the capacity of faith-based and community organisations and groups to help them to design and implement successful initiatives and programmes of work to increase community safety.

This has to come at the expense of existing women's organisations and specialist services. This is an example of the way in which local commissioners, in this case police and crime commissioners,

believe that faith-based organisations will increase local community participation and generate creative and innovative ideas. What has been forgotten is the very principle of shelters: the very fact that they exist has come out of women's groups and women's shelters. All the positive, progressive changes that have been made in the UK have been made as a result of the existence of those women's shelters and so on.

The Chair: We need to make some progress now. Baroness Berridge?

Q47 Baroness Berridge: This is particularly for Pragna, who came to give us evidence before. We heard about the very positive role that Jewish Women's Aid are saying they can have with faith-based provision. I want again, as I did with the other panel, to look back at the communities themselves. Obviously there are some very generic issues here about difficulties in accessing services. Where do you go? How do you access those? Are they properly funded? Can you give us some insight from your experience as to whether women in minority or religious communities face additional barriers in coming forward to access whatever that service might be—faith-based provision or not? Is there a role for a Government or local government to try to deal with those barriers?

Pragna Patel: Certainly I can speak about South Asian communities. We see that they are often quite insular and inward looking, and at times of uncertainty and crisis there is a real resurgence of religious identity as the main marker of identity within communities. That means that a lot of religious institutions that perhaps had some power but not an awful lot of power are suddenly taking centre stage in communities. They are controlling resources. They are controlling the formation of identities. They are controlling their local constituencies. That means that they decide that they represent, or claim to represent, the whole of the community, but often they are not representing the most vulnerable and marginalised within those communities, particularly women and children.

Religious institutions are one of the main barriers to accessing services. It is fine where faith-based organisations are delivering services that are based on principles of equality and human rights, but when they are simply based on the need to maintain religious values and identities, the question is: whose values and whose identity? A lot of these organisations in public may claim or profess to be in favour of equality but are actually reinforcing gender inequality. A lot of these religious organisations claim to be moderates but are actually authoritarian and patriarchal, if not fundamentalist. This is a major barrier to accessing services, and if they then start also providing the welfare services and legal arbitration, we face a situation where there are absolutely no options of exit for the most vulnerable within those communities.

Baroness Berridge: Can you, if you are able to, give us some specific examples, and what would the solution be in that particular situation?

Pragna Patel: We see the cutbacks in legal aid and the promotion of mediation, and alternative dispute resolution forums to deal with the huge legal aid budget. However, the problem is that it is religious arbitration forums that are filling the vacuum that has been created, particularly in minority communities. The Muslim Arbitration Tribunal was set up pursuant to the Arbitration Act and claims to arbitrate on commercial but also family matters. If you look on their website and the way in which they have dealt with domestic violence issues, there is absolutely no transparency. There is no indication of whether they have looked at risk assessments and best practice in relation to dealing with domestic violence. In fact, they have done the absolute opposite. In all the six cases they highlight on their website, they have reconciled women and provided mediation for the purposes of reconciling women back to abusive situations. Further,

they have intervened in criminal processes by “persuading” the CPS to drop criminal charges against perpetrators. This is the kind of approach that is taken by religious forums often where there is no transparency in decision-making processes and no foundation principles that ensure and guarantee equality, in particular gender equality. We are seeing a massive disservice being done to women and women’s rights.

Naomi Dickson: I would like to add to that, because obviously the Jewish perspective and what we are seeking to do at Jewish Women’s Aid are slightly different. Just to clarify, we are not really a faith-based group in that we do not expect a level of observance from any of our clients. Our clients can self-define as Jewish, and there is absolutely no pressure internally from us organisationally to impose any level of religious practice on the women who we are supporting. We see ourselves as a secular, cultural-specific service.

As such, there are some quite mainstream Jewish women who are coming to us quite easily. There are also some communities that are quite hard to reach. I would echo what Pragna said in that linguistically there are issues. There are parts of the community in Stamford Hill that specifically speak Yiddish and only want their services to be pretty much home grown and not particularly statutory. That said, those women are starting to reach us because we have put outreach workers into place who are focused on their communities and do awareness-raising in that area.

We have also done a lot of training of the clergy, who I mentioned before. We have set up a Rabbinic panel under the auspices of the Chief Rabbinate, which is specifically to link our women who want Rabbinic advice to Rabbis and Rabbis’ wives, who we have spent some time giving some specific training to. That has increased awareness of domestic violence and issues of violence within the Rabbinate. Because of the training and the Rabbinic panel that we have set up, we are having a higher rate of referrals back from the Rabbinate, who are then asking us to support them when they are taking women through the religious court process. The religious court process is part of the same organisation that the Rabbinate and the Rabbinic panel are under.

In terms of women getting their religious divorce, which tends to be quite a big sticking point and issue in the community, there has been quite a lot of work around women who marry under the orthodox framework, so they have a prenuptial agreement, which means that they will not get the final part of their divorce settlement until the perpetrator has given their Jewish divorce. There is a lot of work yet to be done, and the Agunot Campaign is working alongside Jewish Women’s Aid in this area.

I would say that it is not always easy. We do come across Rabbis and the Rabbinate who will say, “Go home and try harder. It is your responsibility to build a Jewish family home in the right framework”. However, at the same time, because of the massive amounts of awareness trickling down from government, and because of what we have done, we are starting to see results going in the right direction.

The Chair: Thank you for that. Baroness Lister is next. Could I encourage other panel members, Annie Rose and Nushra Mansuri, to respond first perhaps to this question?

Q48 Baroness Lister of Burtersett: Do you think that adequate information is available about support services for women who you work with in a language and format they understand? We have heard a bit about language and interpreting issues already. If not, what would be the most cost-effective way in which these services could be improved?

Annie Rose: We have been talking to the police about an easy-read hand-out, and it should be easy-read, and that is an ongoing thing at the moment. It is very difficult for a lot of my clients. When we go to court, we have intermediaries who are speech and language therapists who will do a full assessment before the statement is taken by the police. This was originally brought into the youth courts and it is now for the Crown Court as well. However, intermediaries are very scarce. Sometimes we might have to wait a month to get an intermediary for a client before she is able to give her statement to the police, so there is a re-traumatisation. Also, for three clients intermediaries have been downgraded in court by the judge. This is usually during the opening legal arguments. I feel, and this is probably a bit off subject, that it is really important that judges have better training in learning disabilities, because the intermediary is not allowed to explain to the jury what the learning disability is. That is down to the judge, and quite often judges have not had training in what a learning disability is, so you have a jury coming in with the myths of rape and the myths of learning disabilities, and it is very difficult. That needs to be increased, but intermediaries are fantastic and I just hope they are going to recruit more and put more funding into working with intermediaries for this client group.

Nushra Mansuri: That is a good question. It will be very wide and varied, and sometimes mistakes are going to be made about dialect. Interpreter issues are really important here, because there is so much concern about issues such as confidentiality and a lack of tightening of standardisation and the process around that. That can then place women at greater risk if their confidentiality is compromised. There is a lot of work to be done in this area, but sadly the resources again are really threatening this.

Annie Rose: Also, people do not know. There is no training out there, so a lot of people do not know about intermediaries and do not know that they have a right to an intermediary. We have recently had to do the training for the SOITs out of the Sapphire team, and although it is on their e-mails to use this, if I have a client I have to make sure that she gets an intermediary, and it should not be my job to push for an intermediary; it should be an automatic thing. If somebody has a learning disability or is on the autistic spectrum or has serious mental health issues, they should be entitled to an intermediary at the point of statement, so they can be fully assessed and it can be done in a language they understand.

Q49 Baroness Berridge: This might be for you, Nushra. It is a very specific question about the interpreters you use. Presumably they are all under a duty of confidentiality, but obviously there are situations in which that is breached. If a doctor breaches patient confidentiality, there is a professional body that will deal with that. Are there any ramifications that you are aware of for interpreters who breach that duty of confidentiality?

Nushra Mansuri: I was reading a piece of research on the train on the journey here today, and that is why it is fresh in my mind, because I am not an expert in this, but what I can understand, there just is not that kind of stringency, level of regulation and accountability. That is really lacking.

Pragna Patel: That is a real problem. We are not only calling for interpreters, particularly those used by statutory bodies and police, to be properly trained and have a code of conduct that they should adhere to; we are also saying that they should be trained on domestic violence. We should have specialist interpreters when police and statutory bodies are interviewing abused victims. That is not happening. Even if the interpretation might be all right, the tone, the body language and the way in which interpreters can intervene to humiliate and belittle the victim are also problematic. That has been our experience. Where interpretation is being used when you are dealing with abused victims, they should be trained on those issues.

Q50 Baroness Kennedy of The Shaws: I was going to ask you about the extent to which there was a shortage of safe shelters for the women you work with. You have all answered that one way or another: the resources are just not there and you feel that we are reaching crisis point. Would that be a fair way to summarise it?

Pragna Patel: Yes.

Baroness Kennedy of The Shaws: I feel that the question I was going to ask has been resolved.

Baroness Buscombe: I have just a short supplementary question on that. Nushra, you mentioned the increase in demand. No one else has mentioned increase in demand. Yes, there is a crisis, but to what extent is that due to an increase in demand, putting cuts aside just for one moment?

Naomi Dickson: We see a combination of the two, so only about 30% of our services altogether are funded statutorily, and that is shrinking year on year quite often. At the same time, we are seeing ever-increasing numbers of Jewish women needing our services. Every year it is more.

Pragna Patel: It is a combination of awareness-raising and campaigns that might be more successful, but there is an increase in demand. The increase in demand that we have seen has been mainly because of cuts in other services. Those cuts in other services mean that a lot of the women we are seeing have already been to one set of services and then referred on to us, because those services have had to close their files after four weeks or whatever it is. The other thing is that there are no services, so we have seen the increasing demand directly linked to cuts in statutory services and cuts in other specialist services in the voluntary sector.

Baroness Lister of Burtersett: I would like to pick up a point that was made in the first session, and that was about the barrier created by, in some areas, the expectation that there has to be a local connection and many women, understandably, want to get as far away from the perpetrators as possible. The way you are all nodding suggests that you have all found this to be a problem too.

Annie Rose: Could I just say something? I am on the ISVA group for London, and many of the ISVAs can only work in one borough because of funding restrictions. If somebody comes from the street to an ISVA, it is very borough restrictive, and that is so wrong. I am very lucky because I am funded for 13 London boroughs. I do not think that is going to last long. We are very restricted, and women fleeing from domestic violence need, as you said, to get quite a long way away. When I have a client with a learning disability who is in one London borough, she has all the support services there but it is almost impossible to get her out of that area.

Pragna Patel: It is leading to situations where women prefer to stay in abusive relationships than have these kinds of conditions placed on them. Localism generally militates against work in relation to domestic violence, because domestic violence knows no borders. Women have to feel free to be able to make choices that keep them safe in places where they feel they are going to get support. That is critical, particularly for vulnerable sub-groups within the wider category. There is the case that I alluded to earlier, a forced-marriage and repatriation case—a 17 year-old young woman from Newham who had been taken to Pakistan and was brought back by the Forced Marriage Unit. We met her at the airport and had to put a package of support in place for her, but when we went to social services, as she was only 17 years of age, social services in Ealing denied responsibility and tried to send her back to Newham. We said that that was her risk area and she could not go back to Newham because her father was looking for her and had threatened to kill her. In fact, that had been reported to the police, and services in Newham had said that it was a major risk area for her. We had to threaten social services with judicial review

before they backed down. These are the kinds of consequences that we are seeing with this rigid application of the localism agenda.

The Chair: Finally, Baroness Buscombe, and then we will have to draw this session to an end.

Baroness Buscombe: I am probably opening a whole new subject here, but forgive me. We have focused on women and violence against women. In a few seconds, what are the solutions in terms of the perpetrators? Do you think we are doing enough to deter the perpetrators? That is tough, I know, in 10 seconds.

The Chair: I think that is a rhetorical question.

Nushra Mansuri: If the obstacles get higher and higher for women who are trying to flee domestic violence, we are obviously not doing enough to give a message to perpetrators that this is not acceptable.

The Chair: I am conscious of the time. I am very grateful to you for your very detailed and comprehensive answers to our questions. Thank you also to those of you who have given us written evidence. If you feel that we have not covered adequately in this session any points that you wish to make, then please write to us. We would be very grateful to hear from you. Thank you very much.

