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Rt Hon Caroline Nokes MP
Chair, Women and Equalities Committee
House of Commons
London
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14 March 2023

Dear Chair,

Thank you again for the opportunity to give evidence to the Committee on 11 January. I am writing, as promised to Kim Johnson MP who chaired the session, with some follow up information.

1) In relation to question 70 (Mark Jenkinson) – could the Minister clarify what work the Home Office is doing to improve data collection in relation to honour-based abuse, particularly with regards to recording the characteristics of victims and perpetrators?

We recognise that the data on the prevalence of these crimes is limited. That is why, further to a commitment we made in the Tackling Violence Against Women and Girls Strategy, on 19 December 2022 the Home Office launched an invitation to tender in relation to a feasibility study to explore whether a more rigorous estimation of the prevalence of forced marriage and FGM in England and Wales can be made. An estimate of the prevalence of forced marriage in particular would in practice provide a lot of useful information about the prevalence of 'honour'-based abuse (HBA) crimes more broadly. The competition closed on 30 January, and we are in the process of selecting a supplier to carry out the study.

Furthermore, since April 2019, the Annual Data Requirement for England and Wales has required police forces to provide quarterly data returns to the Home Office on HBA offences. This return has formalised the collection of data where an offence has been committed in the context of 'honour' or preserving the 'honour' of a family or community, in order to shine a spotlight on what have historically been hidden crimes. The statistics show the offence types against which an HBA 'flag' was most commonly applied, and a breakdown by police force areas.

The most recent set of statistics show that from April 2021 to March 2022, police in England and Wales flagged 2,887 offences as HBA-related, including 141 relating to forced marriage and 77 relating to FGM, as well as 1,871 HBA-related incidents which did not result in the recording of a notifiable crime. The statistics can be found here: <https://www.gov.uk/government/collections/statistics-on-so-called-honour-based-abuseoffences-england-and-wales>

2) In relation to questions Q72 and Q77 to Minister Dines regarding support for migrant victims of honour based abuse:

- a) Please could the Minister clarify the eligibility criteria for the Destitution and Domestic Violence Concession (DDVC) and the related Domestic Violence route to indefinite leave to remain (DVILR)?**
- b) Please also clarify whether there is discretion as to this eligibility criteria (i.e. whether it can be extended on a case-by-case basis to a person who does not strictly fall within the eligibility criteria) and**
- c) Are there plans to extend the eligibility criteria more broadly to other groups of victims who do not currently qualify?**

We have specific immigration provisions to support certain migrant victims of domestic abuse:

- the Destitute Domestic Violence Concession (DDVC) which gives eligible partners a period of three months' leave outside the Immigration Rules independent of the abusive partner, with recourse to public funds; and
- the Domestic Violence Indefinite Leave to Remain Immigration Rules (DVILR) which give eligible partners settlement under Appendix FM to the Immigration Rules which provide routes to entry clearance or permission to stay in the UK based on family life.

To be eligible for either provision, a person must have been in the UK with leave as a partner of a British citizen, or a settled person under Appendix FM of the Immigration Rules, or a person with limited leave as a refugee, or settled status under the EU Settlement Scheme. An eligible victim can apply for leave under the DDVC and DVILR, or apply directly for DVILR. Evidence of domestic abuse and eligibility for settled status are considered in more detail at the DVILR application stage.

The provision of immediate settlement or access to public funds under current provisions is based on the policy rationale of the individual having a legitimate expectation of settlement in the UK had their relationship not broken down as a result of the domestic abuse experienced. Only those migrant victims with leave as a partner who would have expected to settle in the UK are eligible. Migrant victims outside the current eligibility requirements can still apply to regularise their immigration status on the route most suited to their circumstances.

We note the recommendations of the Domestic Abuse Commissioner in her 'Safety Before Status: The Solutions' report to extend the current provisions to further categories of migrant victims and we will publish a formal response on any potential extension in due course.

3) In relation to Q72 and Q73 – when will the Immigration Enforcement Migrant Victims protocol (regarding information sharing between police and immigration enforcement) be published?

We have undertaken engagement with the police and domestic abuse sector to learn from their expertise and ensure the Protocol is as effective as possible. We are currently finalising process and technology changes for the Protocol with the aim of implementing it this summer.

4) In relation to Q75 – When will the evaluation report of the Support for Migrant Victims Scheme pilot be published?

As the Committee is aware, since April 2021 the Government has provided £2.8 million of funding to deliver the Support for Migrant Victims scheme to continue to provide a support net for migrant victims of abuse with no recourse to public funds.

The independent evaluation into the Scheme aimed to further our understanding of the circumstances and experiences of migrant victims who may fall outside of the current provisions of the Immigration Rules, as well as any further support that may be required for victims.

The evaluation has produced a final report, the findings of which are now being carefully considered.. We will share these findings as soon as is practicable.

5) In relation to Q75 – the UK currently has entered reservations to the Istanbul Convention, in particular under articles 44 (1e, 3 and 4) and article 59. When does the Government intend to review these reservations?

We made a reservation on Article 59 is to enable us to fully consider the links between financial support for migrant victims and residence status. The findings of the Support for Migrant Victims Scheme evaluation, which, as outlined above, we are currently considering, will inform any future policy decisions.

With regard to the reservation on Article 44 (3), which relates to extra-territorial jurisdiction, the Convention requires that any reservations be renewed – if the country wishes to maintain them – five years after they are made; so in 2027 in this case. We have no plans to review this reservation before then, as it reflects our settled policy position.

I look forward to the Committee's report into this inquiry and working closely with you on this important issue.

Yours sincerely,

A handwritten signature in blue ink that reads "Sarah Dines".

Sarah Dines MP