

# **Evidence submitted by Centre for Women's Justice [HBA0046]**

## **Introduction**

This evidence is submitted by the Centre for Women's justice (CWJ), a lawyer-led charity focused on challenging failings and discrimination against women in the criminal justice system. CWJ carries out strategic litigation and works closely with frontline women's sector organisations on using legal tools to challenge police and prosecution failings around violence against women and girls (VAWG). CWJ provides legal advice in approximately 500 legal enquiries per year and delivers training to domestic abuse and sexual violence services across England and Wales. Our work enables us to see the broader picture around the difficulties faced by victims and survivors as they go through the justice systems and in particular, the criminal justice process. CWJ has engaged with a broad range of organisations on honour-based abuse (HBA), including through training for specialist support services run by and for Black and minoritised women across England and Wales, a research project on domestic homicides of Black and minoritised women, and convening a Femicide Working Group which has explored deaths involving HBA. We worked alongside the legal team who represented the family of two women murdered in an honour killing that is discussed in detail within this submission.

This submission also draws on the extensive experience of Pragna Patel, who was until recently the director of Southall Black Sisters. Her work has focussed on addressing all forms of gender-related abuse including forced marriage, child abuse, marital captivity, domestic servitude, HBA and related issues of homelessness, mental health and trauma, destitution and immigration difficulties faced by black and minority (BME) women.

## **Reasons for submitting the evidence**

There is no clear accepted definition of HBA but we define it as a type of violence against women that is characterised by the so-called motivation of perpetrators linked to the policing of female sexuality and restoration of family honour. The two key features that distinguish HBA from other forms of gender-based abuse is that it is usually premeditated and enjoys a high degree of social involvement since it is openly played out in communities that explicitly organise around the code of honour. (See section 2 below for a more detailed explanation) HBA is also closely connected to forced marriage and FGM since they share the same features.

In the last four decades, due largely to the campaigning efforts of women's organisations, culturally specific forms of harm such as HBA, forced marriage and female genital mutilation

have received public attention resulting in better awareness and improved state responses to these issues.

Significantly we have seen a shift in public policy; one which has moved away from the misguided view that the state should not intervene in cultural practices to an acceptance that some practices can be harmful and can constitute a violation of the human rights of minority women and children. The creation of the Forced Marriage Civil Protection Act (2007) and statutory guidance on forced marriage and on HBA produced by the government and by the Crown Prosecution Service that followed, came out of precisely this recognition. Further developments saw the inclusion of a criminal law on forced marriage in The Anti-Social Behaviour, Crime and Policing Act 2014. In 2019, the Foreign Office was compelled to abolish the practice of charging fees for rescuing and repatriating British national victims of forced marriage who were taken abroad for this purpose. In 2022, to address the practice of child marriage, the Marriage and Civil Partnership (Minimum Age) Act raised the minimum age for marriage to 18 and in 2022, virginity testing or hymenoplasty, which is associated with HBA, was made illegal under the Health Care Act 2022.

Despite such laws and policies, gaps remain in our understanding of HBA and related issues and there is growing concern about a deterioration in state responses to all forms of gender-related abuse including HBA. In particular, there is concern that the mechanisms of state accountability in the face of failures on the part of the state authorities to protect victims of HBA, is weak and not fit for purpose. The police and other statutory bodies regularly fail to implement the law with regards to their duty of care and protection towards vulnerable women and girls.

Nowhere is this failure more evident than in the findings of the recent inquest into the homicide/honour killings of Raneem Oudeh and her mother, Khaola Saleem (November 2022). The jury at the inquest concluded that there were multiple failings on the part of the police which materially contributed to their deaths.<sup>1</sup> They found that the police did not take seriously the abuse, harassment and threats to kill that Raneem faced from her husband although these were reported on many occasions not only by her but, unusually in such cases, also by her neighbours, paramedics and other third parties. The jury noted that the police lacked an understanding of coercive control dynamics and failed to implement their own domestic abuse policy or use the powers they had to investigate the matter and to safeguard Raneem and her mother. The systemic nature of the failings in this case, has prompted us to make this submission to the committee's inquiry into HBA, which is both timely and vital to our ongoing attempts to improve state accountability in such cases.

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<sup>1</sup> Inquest heard before HM Senior Coroner Mrs Louise Hunt at Birmingham and Solihull Coroners Court into the deaths of Raneem Oudeh and Khaola Saleem Oct-Nov 2022

## Summary

- 1) The true extent of HBA in the UK is not known due to the lack of proper data and the lack of clarity as to what constitutes HBA. Emerging evidence suggests that black and minority (BME) women are overrepresented in homicide cases<sup>2</sup> but how many of these relate to HBA is not known, because the police fail to consistently record ethnicity or vulnerability to HBA. HBA occurs across a range of ethnicities and religions. The vast majority of victims are women, especially younger women who are more likely to be affected by codes of honour. Unlike most cases of domestic-abuse related homicides that occur within an intimate partner paradigm, HBA is often a collective enterprise involving multiple perpetrators whose actions are pre-meditated. Another key feature of HBA is the participation of older women who play a crucial role in enabling HBA by policing the behaviour of victims. Many are also involved in conspiracies to harm and kill and others in direct violence.
  
- 2) All forms of gender-related violence in BME communities can be motivated by the desire to protect family honour. The key to distinguishing between HBA and domestic abuse is understanding the different context in which the honour motif arises. In some contexts, harm is inflicted in the name of honour and in other contexts, honour acts as a constraining factor since it prevents women from exiting abusive relationships. In the latter case, the abuse is not motivated by the desire to protect honour but it is used to prevent women from leaving the abuse. Such cases cannot be classified as HBA. The lack of understanding of these two very different ways in which the honour code is invoked amongst statutory and even non-statutory agencies often leads to inaccurate classification of HBA cases.
  
- 3) HBA is often justified by cultural and religious values that are interlinked and indistinguishable from each other. The view often expressed by minority religious leaderships that HBA is a product of dysfunctional cultures and has nothing to do with their so-called authentic religious values, needs to be treated with great caution. Those who promote this view often posit a solution that is not concerned with protecting women and tackling HBA as a violation of women's rights but about encouraging women to adhere to ultra-conservative and patriarchal religious values that lead to even greater levels of coercion and control. Although wider understanding of HBA has improved, many gaps remain. Related issues of religious-only marriages,

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<sup>2</sup> Domestic Homicides and Suspected Victim Suicides During the Covid-19 Pandemic 2020-2021  
[02d412c416154010b5cebaf8f8965030.pdf \(prgloo.com\)](https://www.prgloo.com/02d412c416154010b5cebaf8f8965030.pdf)

ritualised abuse and religious coercion and forced marriage linked to disability and homosexuality remain under researched and/or poorly addressed.

- 4) Women and girls face a range of multiple and overlapping barriers in seeking support and protection. These include cultural and religious norms that justify control over their lives, extreme isolation, discriminatory immigration and asylum rules that deny access to the welfare safety net, institutional cultures of disbelief and indifference and the lack of specialist services that are critical to creating safe spaces for victims and in assisting them to seek accountability from the state.
- 5) Police response to HBA and other forms of gender-related abuse can be characterised as inadequate, indifferent and inconsistent. The recent findings of the inquest into the homicide/honour killings of Raneem Oudeh and her mother, Khaola Saleem have highlighted a catalogue of failures in the police response to their reports of abuse, stalking and threats to kill made by Raneem's husband. At all levels of policing there was a failure to assess risk properly and to use their powers to take positive action. Key indicators of HBA were missed and a wider punitive and victim blaming culture prevalent within the police force and social services acted as a deterrence to their engagement with further police action and greatly contributed to their distrust in state authorities. The level of police failure is indicative of wider, systemic problems with policing of violence against women and girls across the UK that appear to have worsened. A radical shift is needed to address what is a structural failure of implementation. More attention needs to be paid to strengthening police accountability using local and national mechanisms with a particular focus on a range of disciplinary measures. There is also an urgent need to overhaul the ways in which social services frame and engage with the issue of domestic abuse/coercive control and to increase the provision of specialist support services for BME women.
- 6) A massive gap exists between the plethora of laws and policies, guidance and training that exist to address HBA and the reality of implementation on the ground. The problem lies not in the absence of, or limitations in the law, but in the institutional cultures of victim blaming, indifference and disbelief that are prevalent to the detriment of women and girls. This together with discriminatory attitudes combine to heighten risks to BME women and girls in particular. There is also concern that the inadequate investigations of the Independent Office of Police Conduct and the police complaints system generally contribute to the systemic nature of police failure since they frequently fails to carry out adequate and impartial investigations into police misdemeanours in this area, thus contributing to the growing lack of trust in the police.

- 7) The challenge for statutory and non-statutory services is to adequately address the many barriers and challenges faced by BME women in reporting and exiting from HBA and domestic abuse. More needs to be done to build trust and to ensure that there are sufficiently resourced specialist services including safe accommodation for different cohorts of women. Barriers to reporting such as immigration and asylum rules that trap women in abuse or deny them protection as refugees need to be overhauled if the principle of equal access to protection is to be realised.

### **This submission**

#### **1. How prevalent is honour-based abuse? What do we know about the background or characteristics of victims and perpetrators?**

**Prevalence:** The true extent of the problem of HBA in the UK is not known mainly because of the ways in which the phenomenon is understood and recorded. There is no consensus on what HBA means which results in cases being underestimated or overestimated. The experience of front-line organisations supporting black and minority women suggests that there is a tendency amongst many statutory and non-statutory agencies to view all cases of gender related abuse in minority communities as HBA or vice versa. The term is used too loosely and different forms of gender-based violence are often collapsed into each other, with the result that the specific experiences and contexts in which women and girl's experience abuse is missed.

The findings of a recent HMICFRS police super-complaint submitted by the Tees Valley Inclusion Project published on 16 December 2022 shows that a continuing failure by the police to record ethnicity of victims of sexual abuse has significantly impeded their investigation into police response to sexual abuse and related HBA.<sup>3</sup> it goes so far as to say: ‘

*‘There are significant gaps in the data collected by the police as well as quality concerns. This is a well-known problem. We believe it has now become intolerable’.*

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<sup>3</sup> [How the police respond to victims of sexual abuse when the victim is from an ethnic minority background and may be at risk of honour-based abuse: Report on Tees Valley Inclusion Project's super-complaint - HMICFRS \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/hmicfrs/reports-and-publications/how-the-police-respond-to-victims-of-sexual-abuse-when-the-victim-is-from-an-ethnic-minority-background-and-may-be-at-risk-of-honour-based-abuse-report-on-tees-valley-inclusion-project-s-super-complaint/)

Available data for the year ending March 2022, shows that 2,887 honour-based abuse-related offences were recorded by the police in England and Wales<sup>4</sup>, though the Home Office says that it is a hidden crime and these figures are likely to only represent a small proportion of the actual offences committed that year. There are no reliable statistics as to how many honour killings take place each year. In 2003, the police estimated that 12 ‘honour’ killings took place in 2002. This statistic has remained unchanged for subsequent years but there is little evidence to suggest that it is accurate. What can be said with certainty is that these figures do not include cases of HBA that result in suicide.

There is some evidence to suggest that minority women experience higher rates of domestic homicide. A recent study on domestic homicides during the Covid-19 pandemic conducted by the Home Office in collaboration with the police noted that the proportion of BME women was higher than in previous years and, in comparison to the general population.<sup>5</sup> But these figures do not tell us what proportion may have been HBA-related deaths, either within the intimate partner category or within the adult family deaths, child deaths or victim suicide categories. On the whole, there is a complete lack of data that makes it difficult to give any accurate indication of the scale of the problem.

We also do not know the numbers of women harmed or killed abroad in the name of honour. A report by the Henry Jackson Society in 2015 noted that over a third (11 of the 29) of reported cases of killings/attempted killings in the years between 2010 and 2015 were committed abroad - all of which took place in Pakistan.)<sup>6</sup> We are aware that since then there have been others including the deaths of British national women such as Surjit Atwal who was killed in 1998 and Seeta Kaur who was killed in India in 2015. The family of Seeta Kaur, a British national, has since waged an unsuccessful seven-year campaign to have her abusive husband, a UK resident, brought back to the UK to face justice. Seeta, a young, healthy mother of four children died on 31 March 2015 in what were suspicious circumstances at the home of her husband and in-laws whilst on a family trip to India. She had been subjected to years of domestic abuse, much of which stemmed from her refusal to give her son to her husband’s brother and his wife in India because they could not have children of their own. Seeta’s

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<sup>4</sup> [Statistics on so called ‘honour-based’ abuse offences, England and Wales, 2021 to 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/statistics-on-so-called-honour-based-abuse-offences-england-and-wales-2021-to-2022)

<sup>5</sup> Domestic Homicides and Suspected Victim Suicides During the Covid -19 Pandemic 2020-2021 [02d412c416154010b5cebaf8f8965030.pdf \(prgloo.com\)](https://www.prgloo.com/2021/02/d412c416154010b5cebaf8f8965030.pdf)

<sup>6</sup> Honour Killings in the UK (2015) [Honour-Killings-in-the-UK.pdf \(henryjacksonsociety.org\)](https://www.henryjacksonsociety.org/wp-content/uploads/2015/06/Honour-Killings-in-the-UK.pdf)

husband viewed the matter as a question of honour because he had promised his brother and wife that they could adopt one of his sons. Seeta died during an argument with her husband in India. Her family strongly believe that she did not die a natural death but was killed by her husband and in-laws who cremated her without their knowledge. They have struggled to compel the Indian and British authorities to investigate her death to get to the truth of what happened. Their campaign highlights the issue of extra-territoriality in criminal law and the failure of the British state to hold to account perpetrators of abuse when they kill their British national spouses abroad. Although the Domestic Abuse Act 2021, has finally extended extra territorial jurisdiction over offences such as homicides committed abroad, the proper implementation of the law remains to be seen given that the Crown Prosecution Service will continue to have discretion as to whether or not to bring a prosecution in such cases. How this discretion is exercised is significant in the light of ongoing abject police failure to protect victims of gender-based abuse.

It is also important to be mindful of the fact that the number of victims killed abroad could increase as loopholes in the law in the UK are gradually closed. Perpetrators are more likely to take their victims abroad to their countries of origin, safe in the knowledge that there is a lower risk of being caught due to weak and ineffective criminal justice systems of enforcement. This is also why the robust implementation of extra-territorial laws in the UK is vital.

**Background and characteristics of victims and perpetrators:** HBA is present across a range of ethnicities and cultures within minority communities. Many of the reported cases where the ethnicity of both perpetrators and victims is known, suggests that South Asian, Middle Eastern, Turkish, Kurdish, Afghani and some African communities in the UK feature more frequently than others. This means that both victims and perpetrators are more likely to originate from such communities. It is also particularly important to acknowledge that forced marriage is also practiced in orthodox Jewish communities but there has not been much focus on this.

**Victim Characteristics:** Evidence shows that in the UK, women and girls are the overwhelming victims of HBA. It is rare to find a case where men are the sole targets of HBA although there have been cases where men have been threatened usually because they have entered into a relationship with a woman of whom their family do not approve and/or they are on the run with a young woman who is fleeing a forced marriage. In Banaz Mahmood's case, for example, her father and various family members frequently threatened her boyfriend although he managed to escape their violence.<sup>7</sup> The only situation where men are equally likely to be forced into a marriage is where they have mental capacity issues. Statistics from the Forced

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<sup>7</sup> Bekal Mahmood, Hannana Siddiqui *Ni Safe Place Murdered by our Father* (Ad Lib Publishers, September 2022)

Marriage Unit for example, shows that in 2021, 53 of the cases in which they were involved raised concerns about their mental capacity. Of these, 30 were male and 23 were female.<sup>8</sup>

Even amongst women, it is young women who are most at risk because: a) the honour of a family/kinship rests on women's behaviour; b) they are often likely to refuse an arranged marriage and transgress from social norms and c) they are more likely to strike out for sexual, physical and intellectual autonomy precisely because, unlike men or even older women, they do not have such autonomy. Statistics from the Forced Marriage Unit for 2021 for example shows that of the 337 cases and enquiries in which they gave advice or support, 74% were from young women aged up to 25 years and the majority were British nationals.<sup>9</sup>

Younger women are also more likely to be targets of online sexual harassment, where intimate images are shared online. The misuse of intimate and personal images (whether taken with or without the consent of the victim) is often deeply distressing and intrusive for all women, regardless of race, religion or sexuality. However, in our experience, the impact on BME women is significant because of the interface of social media with the often rigid cultural and religious values and norms such as honour codes that can and do produce heightened risks for some women and girls. A woman who has taken intimate images of herself, or who appears to have consented or even acquiesced to having intimate images taken, is considered immoral and 'dishonourable'. Her dishonour or shame, and by extension that of her family and wider kinship group, is compounded if the images are shared or distributed. A woman whose body has been seen by other men - whether or not she consented to it - is likely to be considered 'unmarriageable' and 'tainted'.

Social media crimes therefore are particularly problematic for all women, but particularly for younger minority women who live in contexts where their sexuality is under immense cultural and religious scrutiny and regulation. There is however, very little research being undertaken on the intersection of honour codes and online abuse amongst BME women.

**Perpetrator characteristics:** Little is known about perpetrator involvement in HBA mainly because perpetrator programmes tend to be based on prevailing understandings of intimate partner violence within the majority community. But this framework cannot address HBA since its core feature is that it is a collective and pre-meditated enterprise that usually involves multiple perpetrators made up of immediate and extended family and kinship members and can also involve wider community participation, particularly involving those who are ultra-

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<sup>8</sup> (Error! Hyperlink reference not valid.

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conservative in outlook. What all the HBA cases show is that the abuse is lived out openly in such communities because it is the outcome of shared norms and values that are deemed to have been violated.

Whilst many of the perpetrator characteristics that feature in domestic abuse cases are also present in cases of HBA, in the latter cases, the following aspects of perpetrator behaviour are usually prominent: intense feelings of loss of control; intense feelings of shame and dishonour and damage to reputation; prior histories of forced marriage, abusive and controlling behaviour and even involvement in criminal activities; participation of extended family members, high levels of stalking and premeditation; moving the site of killings (i.e. taking victims abroad); luring victims to their deaths; use of community business and religious networks and informants to track down runaway women; the use and abuse of 'missing persons' mechanisms to find runaway women; showing little or no remorse after the killing and even boasting about it; invoking honour as a cultural excuse to attract leniency in the criminal justice process and allowing some members of the family to take responsibility for HBA if apprehended.

Often, perpetrators will also torture their victims prior to killing them since within the HBA paradigm, sexual abuse is deemed to be the ultimate form of female control and subjugation. In many of the reported cases for example, the victims were physically attacked, tied up, suffocated, stabbed and significantly, sexually abused and raped. For example, Banaz Mahmood was raped and sexually abused by her father and male relatives before she was killed. The brutal act of rape preceding the killing of a woman symbolises sexual subjugation that is often viewed by male perpetrators as an instrument of violence. What this suggests is that HBA often reveals a pattern of collective punishment and degradation aimed at women in particular.

The role of women, particularly older women in HBA cases, is also significant. For example, mothers or mothers-in-law of victims are often key accomplices in such cases. They are usually involved in the preparation and planning of such acts if not directly involved in the violence. They are often in fact enablers of HBA since they police and reinforce the cultural and religious norms that drive such acts. By speaking and spreading rumours and gossip about the non-conformist behaviour of their victims, they contribute to such women being singled out and targeted for HBA. For example, both of Shafiea Ahmed's parents were convicted for her murder in 2003 and in the Surjit Athwal case, Surjit's mother-in-law was eventually convicted in 2007 for being part of a conspiracy hatched by Surjit's abusive husband to take her to India to have her killed. Surjit was of Sikh Indian background and a mother of two children who was killed in India for seeking a divorce due to violence and abuse. It is precisely this social dimension that also makes it difficult for the police when investigating such crimes since they are likely to encounter an immense wall of silence from family and community members. In Surjit's case, it took five years following her death in 1998, before witnesses

came forward with evidence that led to the conviction of her husband and mother-in-law. In the 1995 case of Ruksana Naz, both her mother and brother were convicted of her murder. Ruksana was a British national of Pakistani origin who was killed for attempting to exit from a forced marriage and for having an affair.

## **2. What forms of violence against women and girls are motivated by so-called honour? Are these different forms understood by the Government, police and other agencies?**

In communities where the code of honour is a key organising feature of family life, all and any form of gender-based abuse can be motivated by so called honour. This includes forced marriage, FGM, domestic and sexual violence and religious or ritual forms of abuse. Although these forms of harm share many of the same characteristics of domestic abuse, they also occur in specific cultural dynamics that usually result in heightened forms of control, surveillance and violence and therefore often create greater risks for victims and greater challenges for state and non-state services.

However, in our view, the key question is not what forms of violence against women are motivated by so-called honour but whether statutory bodies and professionals are able to distinguish HBA from other forms of gender-based violence. Understanding different forms of abuse is vital since without it we cannot gauge the prevalence of HBA or categorise different forms of gender-related abuse in minority communities correctly. There is still considerable confusion surrounding the classification of HBA and this has contributed to the lack of accurate data on the prevalence of the issue and to the lack of effective state responses.

To be clear, the concept of honour features in many cases of gender-related violence but that does not mean that they are all cases of HBA. It is important to appreciate the different contexts in which the honour motif arises: In a small number of cases, honour features as a primary motivating factor for violence or murder. In such cases, the emphasis is on the restoration of honour through violence and threats and intimidation. This is usually achieved by eliminating (killing) the offending person - usually women and young girls. The quotes below are classic example of HBA cases in which the restitution of honour is seen as the only acceptable alternative and is taken to its logical conclusion - murder.

*"When one's daughter or sister runs away from home, a man's mind cannot see beyond that betrayal of trust by the woman. And please tell us what could be the alternative solution, in such circumstances?"* (Robin Zia, a Pakistani who killed his sister Zeenat, in Pakistan in 2014)

*"This should be the treatment meted out to young people from our religion who marry into families of other faiths...she brought shame to our community. How could [she] elope with [a] Hindu? She deserved to die. I have no remorse."* (The New York Daily News, May 15, 2011)

There are many other examples of such honour killings in the UK like that of Heshu Younes, a 16 year-old Kurdish woman who in 2022 was stabbed eleven times and her throat slashed with a knife by her father because she had a boyfriend, and Shafilea Ahmed, a young Pakistani girl who refused to have an arranged marriage, and as a result was killed by her family. Her body was found in a suitcase in Cumbria in 2003. Together with others cited in this submission like that of Raneem Oudeh, all of these cases can be properly classified as HBA cases because in all of them the perpetrators killed to restore their honour irrespective of whether they take place within the context of intimate partner or family violence frameworks.

However, in the vast majority of cases, the honour motif operates not as a motivating but as a constraining factor. In such cases, the violence or abuse perpetrated is not motivated by honour but honour is frequently invoked together with concept of 'shame' to prevent exit from abuse. In this context, honour operates as a silencing mechanism and is not the primary driver of the violence experienced. The 1990 case of Kiranjit Ahluwalia, an Asian woman who killed her husband after 10 years of domestic abuse, is a classic example of a domestic abuse case in which the concepts of honour and shame are internalized by women themselves making it difficult for them to contemplate leaving an abusive marriage. In the quote from her speech below, she refers to the codes of honour and shame which kept her trapped in violence for 10 years.

*“My culture is like my blood – coursing through every vein in my body. It is the culture into which I was born and where I grew up, which sees the woman as the honour of the house. In order to uphold this false honour and glory she is taught to endure many kinds of oppression and pain in silence. In addition, religion also teaches her that her husband is her god and fulfilling his every desire is her religious duty. A woman who does not follow this path in our society has no respect or place in it. She suffers from all kinds of slanders against her character, and she has to face much hurt entirely alone. She is responsible not only for her husband’s happiness but also his entire family’s happiness”*

It is submitted that a proper understanding of the distinction between HBA and domestic and other forms of domestic abuse is urgently required if such cases are to be properly recorded and analysed. Whilst all forms of gender-related violence in minority communities are socially sanctioned through social norms, the question is one of degree and motivation but this matters since it determines the level of risks involved and the protection measures that need to be put into place.

### **3. What is known about abuse practised under the pretext of upholding cultural norms? Is there available data and/or research on the prevalence of these practices?**

**Culture or religion?** It is often argued that HBA is a cultural matter that has nothing to do with religion. Such views however, need to be treated with considerable caution for two reasons: Firstly, culture and religion are inextricably linked in women’s lived experiences and cannot

be neatly compartmentalised since both are used to justify HBA. Secondly, those who argue that the two should be seen as distinct matters also insist that the solution to the problem lies in a return to so called authentic religious values that prescribe clear roles for men and women. Religious leaders often state that the problem is the lack of understanding of religious codes of conduct by young people and women in particular which if followed properly would result in harmony and not conflict in a marriage or family. They argue that there would be no dissent or transgression since everyone would be adhering to the gender roles prescribed by religion. There are two problems with this argument: firstly, de-linking religion from culture allows fundamentalists and ultra conservatives to impose a dogmatic form of religion on the communities that they claim to represent. This is then used to exercise even greater forms of patriarchal control which in turn carries even more risks for women and girls. Secondly, such arguments give religious or faith leaders even more power and status as mediators between state and community and as dispensers of 'justice' which works against the interests of women and children and other vulnerable sub-groups such as sexual minorities.

**What is known about HBA:** our understanding of HBA has improved over the years, although it remains inconsistent. What is known is that women are disproportionately affected due to traditional cultural and religious dynamics that are particularly focused on women's role and behaviours. Many minority cultures continue to be defined by strong patriarchal structures in which marriage and the family unit are constructed within heterosexual norms about gender identity, gender roles and sexuality. Across different class, education levels and ethnicities, the family remains for many women the main legitimate site of female existence. Although the family can provide women with both identity and protection, it can also restrict their independence, since within it, women occupy a subservient position. Even if women are highly educated and have professional careers, few are able to withstand social and cultural pressures when contemplating or attempting to live independently outside of family networks.

The twin concepts of honour and shame largely serves to retain male ownership of women, to regulate and control their sexuality and behaviours and to silence and restrict their speech and movements. Women are deemed to be the main upholders of family/community honour; those who transgress and seek to assert their autonomy are punished for being 'western' and 'immoral'. Punishment can range from complete ostracism to violence and in extreme cases they are killed in what are known as honour killings.

**What is unknown:** There are many areas of HBA and related issues that are not so well known and need further research and investigation. They include the following:

- ***Mental capacity and forced marriage:*** The little research that exists shows that there is a close connection between disability and forced marriage in many minority cultures. A lack of understanding of disability matters, usually driven by superstitious and religious beliefs and cultural pressures to conform to strict gender roles, can be

important contributory factors in forced marriage cases for instance. Emerging evidence shows that marriage is used by some families to provide a 'cure' or 'cover' for disability, mainly because of the immense stigma that accompanies mental and physical disability in such communities. The research that is available states that the forced marriage of children and adults with learning disabilities or indeed mental health problems is likely to be vastly underreported and significantly, can differ from the way in which forced marriage presents generally. As in other HBA cases, perpetrators are likely to be immediate and extended family members and victims are more likely to be taken abroad for the marriage. Research by the Forced Marriage Unit and the Ann Craft Trust in 2011 found that the concept of duress and coercion which is central to determining whether not a marriage is forced can manifest in different ways in cases involving disabled people.<sup>10</sup> The study urges caution against viewing the concept of duress in a simplistic way and argue that it is a complex phenomenon that may appear differently in disability cases since those with disability may be highly vulnerable to family manipulation and pressure. Some of the cases of forced marriage and vulnerable adults lacking mental capacity or who are disabled in other ways often reach the Court of Protection but we are not aware of any substantive work being done if any, to analyse these cases and to ascertain key emerging issues and protection needs.

- ***Ritualised abuse and religious coercion:*** Women and children, particularly girls and young women who transgress from community norms are also often subjected to religious rituals and coercive practices by their families to rid them of their non-conformist traits. These rituals can involve physical and sexual abuse often instigated by religious clerics and can result in deaths. There have been a number of examples where families have turned to religious or spiritual leaders in the hope that religious exorcism and other rituals will help cast out 'demons' or 'cure' various physical ailments, mental illnesses or non-conformist behaviour especially on the part of women and girls. We have also been aware of stories of families turning to 'corrective sex therapies' conducted by religious clerics when they find out that their children are gay. These parents are often encouraged by religious leaders who claim that they are 'experts' in this area.
- ***Religious-only marriage:*** There is also growing evidence to suggest that unregistered religious marriages are on the rise due to the spread of religious ultra conservative and fundamentalist norms in minority communities in the UK. Such marriages are being pursued and exploited to the advantage of men thereby exacerbating gender

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<sup>10</sup> Forced Marriage of People with Learning Difficulties (2010) [Forced-Marriage-of-People-With-Learning-Disabilities-Final-Report-on-the-Research-Project.pdf](https://anncrafttrust.org/wp-content/uploads/2010/04/Forced-Marriage-of-People-With-Learning-Disabilities-Final-Report-on-the-Research-Project.pdf) ([anncrafttrust.org](https://anncrafttrust.org))

inequality and gender-based violence. The rise in religious-only marriages in the UK has led to a corresponding rise in new forms of HBA and gender-related violence such as polygamy which is being normalised in a range of contexts. Yet it has a specific impact on women who continue to be deceived and coerced into such marriages. The two primary motivations for men pressurising women into having a religious-only marriage is to have sexual access to them and to financially exploit them. Some men are using religious-only marriages to multiple women in order to legitimise what would otherwise be extra-marital affairs, to avoid the criminal charge of bigamy or to dispose of unwanted wives without having to face any of the legal consequences that follow from the break-up of a legally valid marriage. It is a practice that conservative Muslim clerics running Sharia 'courts' in the UK accept and even promote. Women find it difficult to escape HBA and live independently because they have few legal rights outside of marriage.

- **Forced Marriage and Homosexuality:** Not enough is known about the links between HBA, forced marriage and homosexuality. Many families will force marriage on a young person who is homosexual or shows ambiguity in his/her sexual identity. The failure of a young person to conform to strict gender roles is therefore an important contributory factor for HBA and yet the close connection between homosexuality and forced marriage is an area that remains particularly unacknowledged and unexplored. As a result, religious and cultural norms that justify HBA against sexual minorities remain unchallenged.

#### 4. What are the challenges or barriers faced by victims of honour-based abuse in seeking support or protection?

Women and girls face multiple challenges in seeking support in the face of HBA, some which were powerfully set out by Dame Louise Casey in her 2016 review on opportunity and integration in isolated and deprived communities<sup>11</sup>. She noted that many of the Asian women she came across were abused and isolated and concluded that the advances made by women on equality in the country generally, were not reflected in those women's lives:

*"... in many areas of Britain the drive towards equality and opportunity across gender might never have taken place. Women in some communities are facing a double onslaught of gender inequality, combined with religious, cultural and social barriers*

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<sup>11</sup> The Casey Review - A review into opportunity and integration (Dec 2016) [The Casey Review Report.pdf](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/564222/The_Casey_Review_Report.pdf) ([publishing.service.gov.uk](https://publishing.service.gov.uk))

*preventing them from accessing even their basic rights as British residents. And violence against women remains all too prevalent – in domestic abuse but also in other criminal practices such as female genital mutilation, forced marriage and so-called ‘honour’ based crime.” (Page 14)*

Although Dame Louise Casey was referring specifically to South Asian women, her findings reflect the circumstances of many minority women who live in conservative and tight knit communities in which gender inequality is prominent. Sadly, the predicament in which such women find themselves has not changed much since 2016 and may in fact have deteriorated. The following are some key barriers:

- ***Victim blaming community cultures:*** patriarchal cultures of female victim blaming are dominant in minority communities and are directed primarily at women since community norms are largely based on the policing of women’s behaviours. Much of the coercive control and ill-treatment that women experience in their families and their marriage is normalised through concepts about female inferiority and servitude that are themselves rooted in patriarchal power relations and cultural and religious ideologies. Female victim blaming can be asserted through HBA which includes threats, violence and homicide at one end of the spectrum, and control and restrictions on speech and movement at the other. In these circumstances women internalise their abuse and the social codes of conduct that underline them, which in turn gives rise not only to further isolation and marginalisation, but also depression, trauma, suicidal ideation and other severe mental health problems all of which, add to the barriers they face when seeking to exit from violence and abuse.
- ***Isolation and extreme control:*** in the name of upholding culture and religion, many families will often exert extreme levels of control over women’s daily activities, aimed at diminishing their autonomy and increasing their isolation. Young women for instance face many restrictions that relate to how they dress, who they have contact with outside the family and their pursuit of higher or further education and careers outside the home. On the other hand, married women will often complain of abuse and about not having access to the outside world, including their own families and of being forced to carry out excessive domestic chores. Even those who are permitted to leave the house are subject to rules that limit their interactions with the outside world. For example, such women are permitted to venture out of the home to drop off children at school or to visit a GP or hospital only if accompanied by another member of the family. Those who do not adhere to such codes of behaviour are accused of infidelity or immoral behaviour and punished accordingly.
- ***Religious coercion:*** the rise of religious fundamentalism and ultra-conservatism in minority communities has also led to the further entrenchment of regressive

community norms. These right-wing forces seek to undermine any attempts to embed a rights-based culture within family and community institutions. The rise of religious based systems of dispute resolution such as Sharia councils or so called 'courts' in Muslim populations is a particularly alarming example of how women have been denied access to justice and protection in the face of gender-based harm. These informal, undemocratic and unaccountable religious bodies usually present themselves as quasi legal and professional, but what they in fact seek to do, is to exclude the application of what is considered to be 'western' secular law in private and family matters. By establishing parallel legal systems based on their fundamentalist and conservative interpretation of divine law, they make themselves immune from scrutiny. Through coercion and sheer social compulsion, many women are forced to turn to these religious arbitration tribunals to resolve marital problems. Inevitably, most cases are decided against the interest of women since evidence shows that they continue to be denied access to the knowledge and tools they need to withstand social pressures or to invoke a broader set of citizenship and human rights. Current trends suggest that not only are women more likely to be silenced and denied the opportunity to seek help from outside bodies but they are also likely to face new forms of gender-related abuse such as polygamy that are all too often sanctioned by religious leaderships. This situation raises profound questions about the direction of much of social policy and state responses which often encourage recourse to faith-based services without any thought given to the need to conduct due diligence in respect of protection and gender equality.

- ***Insecure immigration status and lack of access to welfare support:*** Women with insecure immigration status who are subject to the 'No Recourse to Public Funds' (NRPF) rule in immigration law, are particularly trapped in abusive marriages and relationships. They lack financial independence because the NRPF rule stipulates that they have no access to the welfare safety net. In such circumstances, they are even more likely to find themselves completely at the mercy of abusive and exploitative husbands, partners and families. Women in these positions echo similar stories of extreme violence and control, domestic servitude, isolation, cruelty, abandonment and neglect. All too frequently their documents and passports are taken away and they are told that any transgression on their part will result in their detention and deportation to countries of origin where they are likely to face further risks of violence and destitution and are more likely to be ostracised by their families for transgressing from social norms on marriage and divorce. Most women are therefore imprisoned in abuse and find themselves in positions that are similar to that of bonded labour in that their vulnerability and powerlessness is often exploited to the full.

Evidence also shows that the Home Office is failing to recognise gender-related persecution in asylum law. Asylum seeking women who are escaping forced marriage or other forms of HBA are all too often refused refugee status or full refugee status because there is no specific precedent establishing HBA or forced marriage as a form of



gender-based persecution. The Home Office often argue that even where women's fears of HBV are legitimate, they can 'relocate' to another area in their countries of origin to escape persecution from their family or local community. This approach in our view, betrays a lack of understanding of how women are treated by many state authorities in their countries of origin where institutional failure to protect women is all pervasive. Treating women subject to HBA in the UK differently from those fleeing HBV and seeking refuge in the UK amounts to discrimination and is indefensible legally and morally. It does not inspire confidence and trust in the government's commitment to protect all women from HBA.

- ***Institutional cultures of disbelief and indifference:*** There are also systemic problems within the police and other statutory bodies in their handling of domestic abuse and HBA related cases. Far from protecting and supporting women, the police and other state agencies may hold them responsible for their own predicament and shift the focus onto the conduct of the women themselves to suggest that they have invited the abuse and/or failed to take responsibility for themselves. This is evident when police fail to understand the barriers that prevent women from being able to support a prosecution following a report of abuse to the police, and the punitive approach taken by Children's Services when they threaten to remove children from women who have not been able to exit an abusive relationship. The recent inquest verdict into the police handling of the honour killings of Raneem Oudeh and Khaola Saleem is a case in point. This is discussed in more detail at section 4 below on police response to honour-based abuse.
- ***Lack of specialist services and alternatives:*** Due to austerity measures, cuts in funding and changes in the nature of commissioning processes, there is currently a huge gap in the provision of specialist BME advocacy services. Yet our experience and research show that women need considerable support to make informed decisions about exiting from abuse. Many BME women do not trust the police or other statutory services and rely on specialist services to provide the advocacy, emotional and practical support they need to protect themselves. Such women are unlikely to disclose the full extent of their experiences at the first or subsequent meetings - this process can take months and is dependent on the provision of safe environments and on building trust over a period of time. Specialist support services perform a vital function in helping such women become confident and self-reliant and to feel less isolated. More significantly, specialist support is vital in facilitating their access to the legal and welfare systems so that they can assert their rights. Meaningful and sustained engagement with statutory agencies such as the police and social services is also more likely to be achieved if there is the provision of one to one and peer group services and culturally specific counselling and therapeutic classes and activities that complement advocacy support. For those women subject to HBA, the process of securing protection can be even more difficult due to the additional barriers and risks faced. Some may even need to go into witness protection

which requires considerable resources to support women in overcoming the threat of violent retribution and the intense isolation, trauma and shame and financial and material insecurity that they are likely to face.

## 5. How would you assess the police response to honour-based abuse? How could it be improved?

**Police response:** The police handling of HBA and domestic abuse cases in general, remains indifferent, incompetent and inadequate. There is also considerable concern that it has deteriorated. Despite decades of laws, policies, guidance, training, reviews, inspections and recommendations on HBA and other forms of gender-based harm, the implementation of law and policies is inconsistent and even non-existent in many instances. Women continue to be failed by the police on multiple levels not least because the police frequently ignore the powers they have and the training and guidance they have received to protect women and to hold perpetrators to account. The failure of the police to use protective measures in cases involving violence against women and girls was the subject of the first super-complaint made by CWJ.<sup>12</sup> The failure is evident at all levels, from front line officers to those who supervise them. The issue is not so much about individual shortcomings or gaps in the law but of systemic failures that amount to a dereliction of the duty of care owed to victims of abuse. What the police response often shows is that in each setting, there is a failure to take gender related abuse seriously and to gather the information necessary to make appropriate interventions based on properly assessed risks. Such repeated failures are often presented as a 'lack of professional curiosity' but they are in fact, more indicative of a deeply ingrained and difficult to dislodge culture of disbelief and indifference that results in a profound failure of implementation of existing laws and policies on violence against women and girls.

To highlight the systemic nature of police failure, we discuss in some detail in this section the outcome of the recent inquest hearing into the homicide/honour killings of Raneem Oudeh and Khaola Saleem in August 2018. This was a case in which CWJ played a role from the outset in supporting the family and inputting into their legal team. The women were stabbed to death outside Khaola Saleem's home in Solihull, Birmingham, by Raneem's possessive husband who prior to the killings had engaged in a year-long campaign of physical abuse, stalking and harassment towards Raneem. He had made repeated threats to kill her both before, during and after their marriage. Much of the harm that he inflicted involved extreme levels of coercive control and physical abuse which was

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<sup>12</sup> Police failure to use protective measures in cases involving violence against women and girls. (March 2019) [Super-complaint+report.FINAL.pdf \(squarespace.com\)](#)

reported to West Midlands Police both by Raneem and by third parties such as her neighbour, a housing officer and paramedics, on eight separate occasions.

Yet each time the police were called, they failed to properly assess the risks to her or to take adequate safeguarding action or arrest her husband for various offences that he had clearly committed in the course of his abusive conduct. From the outset, the police response to Raneem's reports of abuse was riddled with a series of failures that compounded the risks to her and created a lethal climate of impunity for her husband whose abusive behaviour escalated especially in the five-month period leading up to her and her mother's deaths. The inquest jury identified multiple police failures that contributed to their deaths and concluded that many opportunities to protect her were missed. More specifically they noted the following flaws in police response:

- failure to adequately assess risk of serious harm;
- failure to detect an escalating pattern of coercive control by linking all the reported incidents of abuse;
- failure to record incidents properly in the police recording systems;
- failure of communication between various police call handlers and frontline police officers when Raneem or others reported incidents of abuse;
- failure to investigate clear criminal offences that were committed by Raneem's husband including assault, coercive control, criminal damage to her property, threats to kill and theft of her belongings;
- failure to gather evidence and witness statements;
- failure of supervision by senior officers including those from the Public Protection Unit;
- failure to use their own powers to restrain Raneem's husband for example by obtaining Domestic Violence Protection Orders;
- failure to refer Raneem to a specialist domestic abuse agency for additional support.

Each incident that was reported was either graded 'standard' or downgraded from a 'medium' to 'standard' risk partly due to the failure to gather adequate information and partly due to their own misconceptions and assumptions about Raneem and her circumstances. It was assumed that because she had separated from or was in the process of separating from her husband, she was no longer at risk. Her attempts to separate from her husband was taken to mean that she was safe rather than viewed as a classic indicator of heightened risk of serious violence. Instead of taking action themselves, the only advice police offered was to advise Raneem to obtain a Non-Molestation Order from the family courts. In fact the only benefit of such an order was that it included a power of arrest if breached. When she eventually obtained such an Order it gave her a false sense of security and in fact did not protect her as the police failed to act when it was breached.

The police response betrayed a complete lack of understanding of the dynamics of domestic abuse and coercive control and how the risks intensify for many women at the point of separation and even more so, if they come from cultures in which the honour code attaches stigma and shame to female separation and divorce and justifies the use of violence to minimise such shame. Significantly, West Midlands Police's own guidance and policies on how to handle reports of domestic abuse were not followed. The DASH risk assessment tool appears to have been viewed as a purely administrative 'tick box' exercise rather than as an exercise in evidence gathering to be used in conjunction with disclosures of abuse made by Raneem and other third parties.

Perhaps the most stand out feature of the police response in this case, is their complete failure to identify the signs of HBA. Although at times, the police carried out a DASH risk assessment which includes questions on HBA, no effort was made by the police to pick up the indicators of HBA. They failed to understand what Raneem was saying about her fear of violent retribution borne out of her husband's strong adherence to the honour code. The following trigger points of HBA were simply not identified at any point in Raneem's considerable engagement with the police:

- From day one of their marriage, Raneem's husband warned her that as his wife, he had absolute ownership of her and that divorce was not an option;
- On the day of her marriage, he threatened to kill Raneem if she ever tried to leave him;
- He made repeated threats to kill Raneem;
- He stalked her before, during and after their marriage;
- He engaged in self-harming behaviour;
- He had a history of sexual abuse towards Raneem;
- His possessive, coercive and controlling and stalking behaviour escalated when Raneem separated from him.

Had Raneem been properly assessed as a victim of repeat abuse and extreme coercive control and had the indicators of HBA been ascertained, it is likely that she would have been assessed as 'high risk' which would have then triggered a MARAC referral. If handled properly, this could have led to a more in-depth multi-agency focus on the risks posed by her husband as a repeat perpetrator and on protection measures for Raneem. The police could and should have used the powers they have to protect Raneem and together with social services should have supported her as a vulnerable adult.

In fact, one of the standout features of Raneem Oudeh's interaction with social services was that it was coloured by her overwhelming fear that her child would be taken away from her if she showed any signs of vulnerability in removing herself from her abusive marriage. Social services threatened to take her young child away from her on many

occasions showing ignorance of the fact that for some women it is more dangerous to leave their abusive husbands or families than it is to live with them. Their lack of any understanding of HBA and the risks involved was the key reason why Raneem disengaged from social services and minimised the abuse that she faced both to social services and to the police. Yet such disengagement came at a time when she most needed their support and protection

Sadly, this is not the first time the police response to HBA has resulted in fatal consequences. In January 2006, we witnessed the horrific killing of Banaz Mahmood, an Iraqi Kurdish young woman, by her father and extended male family members. Banaz and her sisters were brought up in a highly patriarchal community bound by notions of 'honour' and 'shame'. Their domineering father prohibited them from engaging in any form of dissent from the family's cultural and religious traditions which were used to wield control and to perpetrate abuse, including female genital mutilation to which all the girls were subjected. Banaz was forced into a marriage at the age of 16 but she refused to stay in her marriage due to domestic abuse. Whilst seeking a divorce, she entered into a relationship with a man the family did not approve of. In response, her father and family members made many threats and attempts to kill Banaz and her boyfriend. Eventually, they held a meeting in which they decided to kill Banaz who was seen as the primary offender since she was a woman who had broken with the male codes of honour. Prior to her death, on several occasions, Banaz and her boyfriend reported the many threats and attempts made on their lives to the police. They even named the potential suspects but the police failed to protect Banaz or her boyfriend despite being aware of the danger to her life and the clear issues of domestic abuse and HBA that had been raised. On one occasion, the police even treated Banaz as a criminal suspect when she made a report to the police.<sup>13</sup>

Whilst staying at her family home, the men in her family tortured, raped and sexually abused her before strangling her and placing her body in a suitcase and burying it in a garden in Birmingham. There followed a claim against the police brought by Banaz's sister, Bekhal, who argued that the police had acted unlawfully by not protecting Banaz and that they had amongst other things, breached their duties to investigate and protect her as required under the Human Rights Act 1998, in particular with reference to Articles 2, 3, 8 and 14. The claim stated that the police failed to record Banaz' complaints of domestic abuse and attempts to kill; failed to assess and categorise risk accurately; failed to take positive action; failed to supervise front line officers who made misguided decision; failed to identify the offences that were committed by Banaz' family; failed to

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<sup>13</sup> Bekal Mahmood, Hannana Siddiqui *Ni Safe Place Murdered by our Father* (Ad Lib Publishers, September 2022)

link up various reports of abuse and threats made to the police; failed to view Banaz as a victim, dismissing her as ‘melodramatic’, ‘manipulative’ and even the perpetrator of a criminal damage; failed to follow policies on domestic abuse and HBA and failed to train police officers adequately.

An IPCC investigation in 2008 concluded that Banaz’s murder could have been prevented had the police acted appropriately. This was followed by what was the first ever inspection of police response to HBA carried in 2015 out by the HMIC (now HMICFRS). The final report identified a series of failings in how the police handled HBA across the UK which included: wide variations in police understanding of HBA and associated risks and issues; failure to record HBA as a crime; inconsistent training on the issue; lack of appropriate safeguarding action and the lack of proactive and early intervention to manage perpetrators. The report concluded that the police have *‘some way to go before the public can be fully confident that...potential and actual victims [of HBA] are adequately...protected’*. Indeed, *‘some are well below the standards we, and the public, expect from a police force’*.<sup>14</sup>

The 2015 HMIC report made a series of suggestions that included increasing awareness and knowledge of HBA and ensuring a more effective first response and a consistent approach to risk assessment and partnership working. The HMIC’s press release, summed up the findings and recommendations made in the report as follows:

*“Inspectors found that the police are not sufficiently prepared to protect effectively victims of honour-based violence, including forced marriage and female genital mutilation. Despite there being pockets of good practice, a lot needs to improve. The service provided to victims must improve, given that they face unique difficulties in reporting such incidents and crimes. Forces must also improve engagement with community groups that support the interests of victims, in order to understand better the complexities cases of honour-based violence can pose, which will give victims and those affected the confidence to come forward”*.<sup>15</sup>

It is alarming to note that in 2018, similar failures that were highlighted by the HMIC in 2015 are mirrored in the Raneem Oudeh and Khaola Saleem’s case. Despite public assurances given by the police to improve police responses to domestic abuse and HBA, it is evident that neither the death of Banaz Mahmud nor the HMIC report of in 2015 have

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<sup>14</sup> The Depths of Dishonour: Hidden Voices and shameful crimes. (HMIC 2015)  
<https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/the-depths-of-dishonour.pdf>

led to significant improvements in the policing of HBA. As recently as December 2022, the HMICFRS super-complaint investigation on sexual abuse in minority communities also concluded that police are failing to even record ethnicity so that cases of HBA can be properly identified. Aside from identifying a list of common problems that have been identified in countless other police reviews and inspections into sexual abuse, the HMICFRS noted other failings, notably: the lack of robust data; lack of awareness of cultural dynamics; lack of adequate risk assessments and investigations and the failure to take sufficient account of vulnerability connected to HBA, all of which means that BME victims receive a 'poor' service that contributes to their lack of confidence in the police.<sup>16</sup>

Growing evidence from countless domestic abuse related homicide reviews also suggest that the police response has remain unchanged. They continue to dismiss or discredit victims' accounts of abuse and HBA and there remains an inability or unwillingness to identify and flag cases of HBA and to assess risk properly.

In CWJ's evidence to the Home Affairs Select Committee inquiry into police priorities in October 2022, we outlined a series of broader problems with the police and prosecution services that show that a large proportion of crimes involving gender-based violence remain under investigated and police powers to obtain for example, DVPOs or stalking protection orders, are severely under-utilised.<sup>17</sup> We also submitted a police super-complaint in March 2019 about police failure to use protective measures in VAWG cases and about the police's unwillingness or inability to enforce breaches of non-molestation orders.<sup>18</sup> Yet these problems have persisted.

The continuing nature and scale of police failure in such cases points to a deeper, ingrained institutional culture of misogyny which views all forms of gender-related abuse not as a criminal matter of public interest but as a private matter for which the victim

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<sup>16</sup> [How the police respond to victims of sexual abuse when the victim is from an ethnic minority background and may be at risk of honour-based abuse: Report on Tees Valley Inclusion Project's super-complaint - HMICFRS \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/hmicfrs/reports-and-publications/sexual-abuse-in-minority-communities/)

<sup>17</sup> Centre for Women's Justice evidence to Home Affairs Committee inquiry into policing priorities (October 2022)  
<https://static1.squarespace.com/static/5aa98420f2e6b1ba0c874e42/t/636503f0b118c165570073ad/1667564528839/Home+Affairs+Committee+inquiry+policing+priorities.for+website.pdf>

<sup>18</sup> Centre for Women's Justice Super-complaint - Police failure to use protective measures in cases involving violence against women and girls (2019)  
<https://static1.squarespace.com/static/5aa98420f2e6b1ba0c874e42/t/5c91f55c9b747a252efe260c/1553069406371/Super-complaint+report.FINAL.pdf>

needs to take responsibility. It is a culture that is predicated on prejudicial notions of women as inherently inferior which then serves to maintain a patriarchal status quo. This raises questions about what is to be done when an effective police response is consistently undermined by poor or flawed implementation of law, policies and guidance on HBA and gender-based violence more broadly.

**How could it be improved?** The systemic nature of police failures outlined above also extends to other statutory agencies, notably social services, with whom victims of HBA also usually have contact. The result is that each agency reinforces an institutional culture of misogyny, victim blaming and disbelief across all statutory agencies. To change such a culture, a multi-pronged approach is needed. The following are some suggestions:

- **Risk assessments:** There is an urgent need to improve risk assessment tools on HBA, forced marriage and other specific forms of harm used by the police and other agencies. Our experience is that officers are often not in a position to carry out a full risk assessment in an emergency or at the scene of the incident and therefore often do not respond adequately. Many police forces and other agencies tend to use the DASH Risk Identification Checklist, whilst others use other risk assessment tools. Although the DASH checklist covers HBA, it is not adequate since HBA questions are often viewed as ‘add on’s which may be one reason why the police in Raneem Oudeh and Khaola Saleem’s case, did not even consider HBA. Other reasons may have to do with the fact that there is a lack of understanding as to what constitutes HBA or their failure to take any form of gender-based abuse seriously. It has to be said that at the time Raneem was contacting West Midlands Police, they were piloting an alternative to the DASH model called The Domestic Abuse Risk Assessment (DARA) model which incorporates recognition of coercive controlling behaviour. Unfortunately, this did not make any difference to the way in which they responded to Raneem Oudeh’s reports of abuse and yet this model is now being rolled out across police forces. There is in any event, a need for a more comprehensive and standardised risk assessment tool used by all agencies that captures HBA and forced marriage and other more specific forms of harm as well as migrant status, as risk factors. More importantly there is a need for police to understand what these tools are for and to be trained to properly complete them - in Raneem Oudeh’s case they received virtually no training. Such a model should be developed in consultation with women’s organisations with a track record of addressing HBA from a rights-based perspective. Furthermore, any model will only be effective if the policing culture in which it is used takes survivors’ reports seriously and adopts a proactive approach to safeguarding.
- **Review of multi-agency work:** Multi-agency safeguarding guidance and police and CPS protocols on HBA including forced marriage and FGM need to be reviewed in the light of the appalling police failings in the case of Raneem Oudeh and Khaola Saleem.



- ***Robust measures of accountability:*** West Midlands's Police have said that they have made a series of changes following the deaths of Raneem Oudeh and Khaola Saleem. This includes increasing the number of specialist staff investigating domestic abuse and the creation of a scrutiny panel to review assessments and investigations. However, we believe the real problem is the continuing lack of implementation, irrespective of measures introduced for improvement and the lack of consistency in implementation across the police forces. Many of the failures keep recurring despite lessons identified in Domestic Homicide Reviews, Serious Case Reviews, police inspectorate reports and other inquiries that have taken place over the last decade or more. There is little follow-up of recommendations, no enforcement mechanisms, and similar proposals for changes are repeated over the years without being actioned. CWJ has long called for a Femicide Oversight Mechanism to bring together repeat recommendations arising from deaths and ensure national implementation. An Oversight Mechanism is under construction at the Domestic Abuse Commissioner's office and the fruits of this work are awaited.

It is significant that over the last four decades despite many tragedies like those of Banaz Mahmood, or Raneem Oudeh and Khaola Saleem, there has been no public or political outrage about the failure of the state to hold police officers to account in circumstances of gender-based violence where they have failed to protect women, despite being put on notice about the risk to their lives. In other spheres of public services for example, children's services, staff are held directly responsible for their actions or lack of actions when children are killed. But the police appear to be held to different standards of responsibility. Training to improve awareness is simply not sufficient any longer. A radical shift is needed to address what is a growing structural problem surrounding implementation. More attention needs to be paid to strengthening police accountability using local and national mechanisms with particular focus on a range of disciplinary measures.

- ***Mandatory training on HBA for all officers:*** One of the most troubling issues that emerged from the inquest into the deaths of Raneem Oudeh and Khaola Saleem is the fact that none of the officers involved, including specialist officers such as those who worked in the Public Protection Unit, had received enhanced and specialised domestic abuse training. It would appear that there is no requirement for the police to attend regular training on domestic abuse at all let alone such abuse that includes other culturally specific forms of harm. At best, officers appear to attend a general one-day training, known as 'DA Matters' that is not in-depth and/or they are expected to complete e-modules, which are not followed up. It is not clear what officers have understood from such online e-modules sessions nor any indication of what more needs to be done to equip them with a proper understanding of the domestic abuse

and HBA situations they encounter, what powers they have and how to utilise them effectively. The police urgently need to implement a programme of mandatory face to face training for all officers engaged in domestic abuse and HBA cases on understanding the dynamics of different forms of coercive control and within that the specific dynamics and warning signs of HBA and the cultural and religious constraints that prohibit black and minority women from making disclosures and exiting out of abuse. More enhanced training should also be mandatory for senior officers and those working in the Public Protection Units, and policing priorities adjusted so that specialist units have the capability to deal with the overwhelming majority of such cases. This should go hand in hand with an annual review of force policies and multi-agency guidance to be undertaken in consultation with specialist organisations working on issues of HBA and gender-based violence. The Home Secretary announced in March 2022 that tackling violence against women and girls would become a 'national policing priority', alongside terrorism, child sexual abuse and serious and organised crime.<sup>19</sup> This requires the necessary resources to upskill and employ sufficient numbers of officers for an effective policing response.

- **Provision of specialist support services:** There is an ongoing crisis in the provision of specialist support services for black and minority women across the UK. Many have lost their funding to more generic services due to funding cuts and problematic commissioning processes, whilst others continue to be threatened with closure. For example, a Freedom of Information Requests sent to all London councils by Novara Media showed that BME women's refuges lost between 45% and 52% of their annual council funding between 2009 and 2016.<sup>20</sup> This trend has continued although it is difficult to quantify the loss because local authorities often merge women's services into one contract. Yet specialist BME services have shown how critical they are in creating the conditions needed for safe reporting. Specialist services for black and minority women can ensure that women who approach them are provided with the immediate and long-term advice, advocacy, emotional and practical support they need to overcome the considerable barriers that make exit from abuse difficult and even dangerous. Due to the often overlapping and complex needs of minority women, this work is labour intensive and cannot be time bound or limited to crisis intervention

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<sup>19</sup> Home Secretary to make tackling violence against women and girls a national priority (March 2022) <https://victimscommissioner.org.uk/news/home-secretary-to-make-tackling-violence-against-women-and-girls-a-national-policing-priority/>

<sup>20</sup> [Funding for London's BME Refuges Slashed by Half in 7 Years | Novara Media](#)

only. Without such specialist support, BME women are placed at a huge disadvantage when interacting with the police, legal and welfare services.

- ***Review social services safeguarding frameworks:*** The ways in which social services frame and engage with the issue of domestic abuse and coercive control, including HBA, needs to be completely overhauled. The current focus is on child protection only which means that the support needs of vulnerable victims of abuse are completely ignored. This approach continues to foster a punitive culture that make women extremely cautious and unwilling to engage with social services for fear of having their children removed from them.. The adoption of such a problematic victim blaming framework towards abused women means that the logic of social services intervention is to punish women who cannot meet their expectations rather than understand their circumstances and needs. The fear of children being removed is even more pronounced amongst minority women who are also subject to harmful stereotypes and hostile attitudes by statutory authorities. Little effort is made to understand their specific cultural context and the multiple and intersecting barriers and extreme consequences that some BME women face in leaving their abusive partners, or families. All too often, they are judged to be either too aggressive or too passive in their responses to domestic abuse. A bold paradigm shift that moves away from the current punitive institutional culture is urgently needed to ensure that abused women are treated as vulnerable adults to whom a duty of care and protection is owed by the state.
- ***More provisions for young girls:*** Despite increased reporting of abuse, specifically tailored services such as refuges, hostels and support services for young women aged between 16-18 are non-existent. All too often, due to the lack of alternatives, young women have no choice but to seek the support of social services. Yet when they approach social services, many are put under immense pressure to reconcile with their abusive families. They are treated not as vulnerable victims requiring safeguarding but as unruly and difficult teenagers. There is no or little understanding that this cohort of women face a different set of risks and dangers that range from sexual exploitation to online sexual harassment and grooming as well as HBA. The vulnerability of young women is heightened by the fact that they end up falling between the safeguarding framework for the protection for children and the legal protection framework for vulnerable adults. Children's social care for instance, take the view that this age group are 'almost adults' and therefore do not fall under the 'jurisdiction' of children's social care which results in a serious lack of protection and care for this age group.

**6. Is the current law in relation to honour-based abuse adequate to protect victims? If not, what should change?**

As set out above, there is a growing gap between the laws and policies that exist to address all forms of gender-based abuse and the reality on the ground. What is desperately needed are not more laws - there are many criminal and civil laws, policies and protocols in place - but the political will to implement them in a professional, consistent and competent manner. In our view, it is the lack of robust implementation that remains the key obstacle to women's access to protection and justice. Deaths like that of Raneem Oudeh, Khaola Saleem and Banaz Mahmud would not have occurred if the police took their accounts of abuse seriously and used the considerable powers they have to hold perpetrators to account at an earlier stage of their offending behaviour. The theme that emerges in many of the HBA cases is the failure of the police and other state bodies to use existing laws and abide by their own policies and guidance on how to address HBA. Many of the recommendations that have come out of previous inquiries and reviews including outcomes of police super-complaints are simply not followed let alone embedded in police procedures and practices.

The role of the Independent Office for Police Conduct (IOPC) and police Professional Standards Departments also raises considerable concern since all too often, police officers who fail to adhere to their own force policies and guidance are simply not held to account for their failure unless gross misconduct is involved and even then, disciplinary hearings often lead to informal 'words of advice' or warnings rather than dismissals. The IOPC and police force disciplinary processes are more likely to accept the police version of events. We are extremely concerned about the ineffectiveness of these bodies since it adds yet another dimension to the systemic police failures that are now commonplace; all of which raises concerns about the ability of such regulatory bodies to hold the police effectively to account. Whilst the government needs to commit to the provision of adequate resources so that all parts of the criminal justice system are fit for purpose in addressing HBA and other forms of abuse, the reality is that the current problems within the criminal justice system have as much to do with institutional cultures of disbelief and indifference as with the lack of resources.

**7. What are the challenges for services supporting victims of honour-based abuse? How could those challenges be mitigated or overcome?**

We have highlighted the many challenges and barriers that victims face in overcoming HBA. These are the same barriers that services need to address if victims of HBA are to come forward to report their experiences and receive the protection and support to which they are entitled under domestic and international human rights law. Key to overcoming these obstacles first and foremost, is the willingness of statutory services to implement an

empathetic, rights respecting culture applicable to all victims of abuse. What is urgently required is the creation of better frameworks for the implementation of laws and policies and the strengthening of supervisory and accountability regimes as suggested above.

Other suggestions for change include the following:

- ***Building trust amongst victims:*** The levels of trust amongst BME women in statutory services, in particular the police and social services, are lower than for women in the wider society. Our experience suggests that building 'trust' is the single most cited factor that would motivate BME women to engage with such services to address harmful behaviour. Statutory services need to overhaul institutional cultures of indifference and victim blaming if all victims are to engage with them.
- ***Provision of holistic services:*** One of the most serious challenges faced by specialist BME women's support services is the severe lack of resources needed to provide advocacy, counselling and practical support for as long as a survivor needs it. Our experience shows that minority women often have complex needs due to the multiple and overlapping forms of discrimination that they face within their families and communities and in the wider society. Specialist services are often best placed to provide the spaces needed for women to feel safe and to address abuse. Yet there are many parts of the UK where such services do not exist or are severely under-resourced. Even where such services exist, all too often, funding requirements compel them to provide limited crisis intervention support only which is frequently inadequate in addressing HBA and related issues.
- ***Provision of adequate resources and safe accommodation:*** Insufficient safe accommodation, acute isolation, the lack of emotional and practical support and financial resources are all key factors that drive women back into abusive relationships. The lack of specific refuges and supported 'move-on' accommodation, especially for younger women is a particular problem for front line services since the accommodation that is available to older women is often not appropriate for young women who usually present with higher levels of vulnerability. A different level of support is needed since many can otherwise find themselves in unhealthy relationships, involved in drug and substance misuse and at risk of trafficking and sexual exploitation. However, specialist services and accommodation for young BME girls and women are almost non-existent. Additional resources are needed to ensure that services can create safe spaces and develop a holistic, multi-pronged approach to protecting young women that includes the provision of accommodation, advice on finances, education, employment and career opportunities, training, counselling and one to one mentoring support for as long as is needed.

- ***Provision of support for women subject to immigration controls:*** Without exception, support services find themselves in an impossible position when faced with women who are subject to HBA and have insecure immigration status. The current situation has created an unacceptable two-tier system of protection in which those who have insecure status are barred from accessing the resources they desperately need to keep safe. The denial of access to the welfare safety net means that statutory and non-statutory services tasked with protecting vulnerable women struggle to find safe alternative accommodation and financial support for them. This, together with the requirement to prioritise immigration enforcement over protection presents considerable challenges for all services. It is not possible to guarantee safety or confidentiality if services are compelled to share data with the immigration authorities. We fear that the current 'hostile environment' for migrants has created even more fear and confusion for migrant victims of gender-based violence who are deterred from seeking help by the fear of immigration enforcement action. As it is, victims of abuse remain fearful of engaging with statutory services but many are also disengaging from non-statutory services due to a profound lack of trust and fear of state retribution. The government needs to urgently repeal immigration laws that require statutory services to share data with the immigration authorities and enable abused women, irrespective of their migrant status, to access the welfare state.

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