

Written evidence from Women's Aid Federation (COV0158)

Women's Aid Federation of England is the national charity working to end domestic abuse against women and children. We are a federation of nearly 180 organisations which provide just under 300 local lifesaving services to women and children across the country. Our support services, which include our Live Chat Helpline, the Survivors' Forum, the No Woman Turned Away Project, the Survivor's Handbook, Love Respect (our dedicated website for young people in their first relationships), the national Domestic Abuse Directory and our advocacy projects, help thousands of women and children every year.

We welcome the opportunity to respond to the Human Rights Joint Select Committee's inquiry into the Government's response to COVID-19: human rights implications. It is essential that the government takes coordinated, proactive action to prevent physical and emotional harm, and meet the increased and changing needs of survivors and their children, during the long-term response to this pandemic.

What steps need to be taken to ensure that measures taken by the Government to address the COVID-19 pandemic are human rights compliant?

We know that the COVID 19 pandemic is intensifying existing inequalities in society. As Imkaan have made clear, women are experiencing two pandemics; VAWG declared by the World Health Organisation in 2013 and COVID¹. We agree with the Women and Equalities Committee that transparent publication of the government's equalities impact assessment is essential for understanding how the Coronavirus Act and wider policy making has impacted on specific groups and to support a continued response. We would expect this assessment to have included the impact of the pandemic - and the lockdown restrictions specifically - on women and girls, particularly those with additional protected characteristics, and their access to safety, support and justice.

It is also crucial that women's needs and leadership are at the heart of an effective, continued response to COVID 19. UN Women issued a set of recommendations in this regard, including ensuring equal voice for women in decision making in the response and long-term impact planning, and that public health messages properly target women - including those most marginalised. The Prime Minister himself recently agreed² that women should have been more visible in the Government's crisis decision-making, and it is vital that this changes as the government navigates the easing of lockdown.

However due to the current lack of action on these issues, violence against women and girls (VAWG) is still not being factored into the highest levels of the pandemic response. The impact of this has been clear, from: the lack of engagement with the VAWG sector in advance of 'lockdown' to enable services to adequately prepare and ensure continuity; the failure to consider the impacts of public health interventions such as 'Test and Trace' or the tracking app on survivors. Therefore it is crucial that the government consults with and works with the VAWG sector on our urgent recommendations (detailed below) to better mitigate impacts on women survivors.

What will the impact of specific measures taken by Government to address the COVID-19 pandemic be on human rights in the UK?

¹ Imkaan, The Impact of the Two Pandemics: VAWG and COVID-19 on Black and Minoritised Women and Girls, May 2020

² <https://committees.parliament.uk/oralevidence/426/pdf/>

It is widely evidenced that women and girls are at increased risk of VAWG, including domestic abuse, during health crises³. It was predictable that 'lockdown' measures would increase women's risk of physical and emotional harm, and close down their access to support and safety⁴.

Articles 2 and 3 of The Human Rights Act 1998⁵ sets out a person's right to life and their right to freedom from torture and inhuman and degrading treatment. However analysis of Women's Aid's Survivor Survey on COVID 19⁶, and the experiences of women contacting our members and direct services, has identified five key impacts of the pandemic on survivors:

- **Abuse is escalating** – 67% (31 out of 46) of survivors who are currently experiencing abuse told us that it had got worse since COVID 19.
- **It is harder to leave** – over three quarters of survivors currently experiencing abuse (78%, 36 out of 46) stated COVID 19 has made it harder for them to leave.
- **Abusers are using COVID 19 as a way to control** – 72% (33 out of 46) of survivors experiencing current abuse told us their abuser has more control over their life since COVID 19.
- There are **mental health impacts** on survivors and children – just over half of survivors (74 out of 141) who experienced abuse in the past that need mental health support are unable to access it.
- The **financial impact of the crisis** is fuelling economic abuse, and increases barriers to leaving.

Furthermore, according to Counting Dead Women, since lockdown began on 23rd March 2020, 26 women (and two young children) have been killed and details about the killings of a further seven women are also expected⁷.

Refuge services

Refuges are far more than just a 'bed for the night' - they provide physical and emotional safety and provide a package of expert, holistic support to support women and children escaping abuse to cope and recover. They protect women's right to life. Government guidance⁸ made clear that refuges with shared facilities should remain open during the pandemic, however our member services have raised concerns about how to safely manage self-isolation within communal accommodation and have been urgently calling for access to testing. Our survey of services in March 2020 found that 55% of respondents running a refuge service said that they had residents who were self-isolating with symptoms of COVID 19, and 49% said that they had residents self-isolating because they were identified as being in a vulnerable group.

Refuge services are understandably hesitant to take new referrals if existing residents have contracted the virus or accept referrals from women and children with symptoms. Government guidance on managing COVID 19 in refuge was last updated in March 2020⁹. Although refuges can access testing for staff and residents with symptoms, new residents who aren't displaying symptoms are still not able to, which is vital to ensuring safe new referrals into communal accommodation.

³ Fraser, E. (2020). Impact of COVID-19 Pandemic on Violence against Women and Girls. VAWG Helpdesk Report 284. DFID

⁴ Fraser, E. (2020). Impact of COVID-19 Pandemic on Violence against Women and Girls. VAWG Helpdesk Report 284. DFID

⁵ <http://www.legislation.gov.uk/ukpga/1998/42/contents>

⁶ The survey was designed to help us build a picture of the impact of COVID-19 on survivors' experiences of abuse, their children and their ability to access support. It was circulated via Women's Aid's Survivors Forum, Women's Aid Facebook groups, Mumsnet, Netmums and #thecourtsaid. 46 women currently experiencing domestic abuse and 247 who have experienced it in the past responded to the survey.

⁷ <https://kareningalasmith.com/2020/04/14/2020/>

⁸ <https://www.gov.uk/government/publications/covid-19-guidance-for-domestic-abuse-safe-accommodation-provision>

⁹ <https://www.gov.uk/government/publications/covid-19-guidance-for-domestic-abuse-safe-accommodation-provision>

Refuge services are also facing serious challenges in resettling women and children who are ready to leave refuge. MHCLG have stated that supporting victims of domestic abuse into safe housing, and facilitating move-on from refuge, are ‘essential moves’ which should continue¹⁰. However services continue to face numerous practical issues with resettlement. Clarity about the move-on pathway, and practical guidance for how this is to happen, is essential to ensure that spaces are made available for those who need to escape.

Homelessness and housing

Whilst the government provided clear direction and funding to councils to house those sleeping rough and in night shelters during lockdown, to date there been no clear strategy or dedicated investment in supporting homeless women. This is essential to deliver the safeguards that women survivors of domestic abuse require – including women-only accommodation, the provision of ongoing specialist support and additional security measures for safety. There needs to be a tailored approach to women’s move-on from the hotels and other emergency accommodation, informed by the expertise of the specialist VAWG sector. A generic approach to move-on will risk placing women and survivors in accommodation without the security and specialist support they need to sustain their recovery from homelessness and abuse, and leave them at risk of returning to the streets or their abusers.

Adult Social Care

The government’s emergency coronavirus legislation made changes to the Care Act 2014 in England to enable local authorities to prioritise the services they offer to ensure the most urgent and serious care needs are met. These changes to the Care Act 2014 will take away established rights and safeguards, and have a significant impact for disabled people. This is even more concerning when we consider Deaf, disabled, and blind women face increased risks of gender-based violence¹¹. The disability organisation, Leonard Cheshire, reported that people were told they will increasingly be required to rely on family members to deliver their care needs, and seen an increase in those being placed in inappropriate care settings as means of cost saving¹². Both these outcomes are of concern, especially in the context of domestic abuse, when abuse is often perpetrated by those whom disabled survivors rely on for care and support.

Social Security

The government delivered swift action to protect people’s jobs and incomes impacted by COVID 19, as well as increases to unemployment benefits and reforms to the Local Housing Allowance. Low-income families experiencing domestic abuse who rely on Universal Credit, however, continue to experience hardship during this time. For example, an out of work family with two children will still be 20% below the poverty line, despite the recent changes¹³. The single household payment which enables perpetrators to control and abuse household finances, the requirement to repay advances, and the five week wait continue to be severe concerns for survivors.

¹⁰ https://www.gov.uk/guidance/coronavirus-covid-19-guidance-for-social-landlords-on-essential-moves?utm_source=078e9495-4079-4c9c-8dbc-a390573571ec&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

¹¹ Office for National Statistics (ONS). (2018) Domestic abuse: findings from the Crime Survey for England and Wales: year ending March 2017. Published online: Office for National Statistics.

¹² Leonard Cheshire (2020.) Policy Briefing: Social Care and Covid-19. <https://www.leonardcheshire.org/>

¹³ Child Poverty Action Group, Supporting Families During the COVID-19 pandemic, 25 March 2020

Women's Aid's member services have reported serious concerns about women's access to food and basic essentials. Women in refuge are largely reliant on food banks – but these are struggling for donations, volunteers and locations to operate in. Specialist domestic abuse services are therefore using their own reserves to ensure women can access their most basic rights to food and survival.

Test, trace and tracking

As part of a comprehensive strategy, World Health Organisation (WHO) recommend that case identification, isolation, testing and care, and contact tracing and quarantine are critical activities to reduce transmission and control the epidemic¹⁴. Data protection and data privacy are, however, significant concerns for contact tracing systems. The Joint Committee on Human Rights have already highlighted that the rapid roll-out of tracking app will impact on Article 8 rights to private and family life, with concerns around surveillance encroaching on people's everyday lives and freedoms¹⁵.

Survivors of domestic abuse are likely to be impacted by the test and trace system, and the tracking app, in a number of different ways. As the government has refused to suspend data-sharing between health services and immigration enforcement during the pandemic, there are serious questions about the safety of the system for survivors with insecure immigration status as data sharing between the health system and immigration enforcement continues. We anticipate that perpetrators will be able to manipulate the app and the manual test and trace system and use them as tools for abuse. Most urgently, we recommend that the Department of Health and Social Care includes VAWG experts in the development and delivery of the NHS Test and Trace Service and COVID-19 App. This is essential to ensure that this system is safe for survivors.

Which groups will be disproportionately affected by measures taken by the Government to address the COVID-19 pandemic?

The escalation of abuse, set out above, has been coupled with limits to survivors' access to public services and support. The lockdown has meant most women and children experiencing abuse have not been able to see their wider family, friends or community members, nor attend work or school – all key areas of support and routes to safety. Using the phone for support is likely to have been unsafe if the perpetrator is constantly present and public services – including the police, social care services and healthcare providers – will be increasingly diverted by COVID 19. Barriers to support has been felt even more acutely by women facing intersecting forms of oppression, for example:

- Women with insecure immigration status and no recourse to public funds (NRPF) who fear reporting and seeking help due to legitimate concerns about their details being shared with immigration enforcement¹⁶.
- The exacerbation of existing health and economic inequalities experienced by black and minoritised communities.
- The government's guidance on COVID 19, and information on support services, are often inaccessible to women who are Deaf, disabled or blind.

¹⁴ World Health Organisation, Contact tracing in the context of COVID-19, May 2020

¹⁵ HC 343, HL Paper 59, Joint Committee on Human Rights, Human Rights and the Government's Response to Covid-19: Digital Contact Tracing, 7 May 2020

¹⁶ More than half of women surveyed by Kings College London and Latin American Women's Rights Service, reported they felt they would not be believed by the police because of their immigration status (54%), with more than half feeling that the police or the Home Office would support the perpetrator over them (52%). - Kings College London and LAWRS (2019). The Right to be Believed. Available: <https://stepupmigrantwomenuk.files.wordpress.com/2019/05/the-right-to-be-believed-key-findings-final-1.pdf>

- The impact of the changes to the Care Act 2014 for disabled survivors as a result of emergency coronavirus legislation.

Recommendations to the Committee

The rights to protection and support for all survivors must be protected through the pandemic and throughout the easing and lifting of lockdown measures. In response to the Prime Minister's Hidden Harms Summit, held on 20 May 2020, a number of VAWG organisations compiled a comprehensive list of [recommendations](#) to tackle the issues highlighted in this response, as well as interconnected and wider issues, through COVID 19. We would particularly urge the Committee to consider the urgent recommendation on long-term funding for specialist VAWG services. Whilst welcome, emergency COVID 19 funding will end in October and life-saving services face a 'cliff edge' at this point. The absence of the planned Spending Review to date means that many budgets, at national and local level, are highly insecure. We are calling on the government invest £393 million annually for domestic abuse services, including 173.8 million to ensure the national network of refuge services, and for funding to be ring-fenced for specialist refuges led 'by and for' black and minoritised women and other marginalised survivors.

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