

“I have the right
to be respected,
to be supported.
To live away from
all the violence.
The right
to be believed.”

*Mona, survivor of violence
with insecure immigration status*

THE RIGHT TO BE BELIEVED

Migrant women facing Violence Against Women and Girls (VAWG) in the ‘hostile immigration environment’ in London

Key findings

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BACKGROUND AND CONTEXT

This report is part of the Step Up Migrant Women Campaign which was established by the Latin American Women's Rights Service (LAWRS) and is currently supported by 38 organisations from the women, migrant, and human rights sectors. The project and campaign aim to build a strong evidence base working with women with insecure migrant status who have experienced Violence Against Women and Girls (VAWG) and who reside in London. Led by migrant and black and minority ethnic (BME) women, the project and campaign propose to increase awareness about the challenges faced by migrant women survivors of VAWG when seeking help from statutory and voluntary organisations, to influence key decision-makers at London and national levels. This is to ensure that the rights of victims of VAWG take precedence over immigration control and enforcement so they are able to report violence safely and obtain support without fear of destitution/ detention/deportation. It aims to influence the legislative process of the Domestic Violence and Abuse Bill, as well as police forces, local authorities, and the main organisations working in the field so that they provide appropriate services and support to migrant women survivors of VAWG.

The report outlines the evidence base underpinning the campaign derived from research with migrant women who had experienced insecure immigration status and gender-based violence. It entailed a survey with 50 migrant women, most of whom used services of specialist migrant organisations as well as semi-structured interviews with 11 migrant women with current or previous insecure immigration status

and with 10 representatives from organisations supporting them. In addition, two focus groups were conducted with a group of stakeholders from migrant organisations and with migrant women service users. The women surveyed and interviewed came from 22 different countries across Asia, Africa, and the Americas.

“My husband and in-laws were always controlling and they treated me like a slave (...) They threaten me if I said anything about reporting them to social services; they will deport me to my country and take my daughter from me.”

Rani, from India

PROFILE OF WOMEN SURVEYED

Three quarters (76%) of the women were aged between 18 and 39 with a further 18% between 40 and 59 and only 3 women aged over 60. Thirteen women were undocumented (26%), with more than a third waiting for the outcomes of visa applications from the Home Office (36%), two were asylum seekers, four were refugees, three had a spousal visa, six had another form of temporary residence and three had permanent residence. Most had previously held a family visa (26%) or a spouse visa (14%). The women lived across 17 different London boroughs. All the women had some experience of insecure immigration status currently or in the past.

INCIDENCE AND NATURE OF VIOLENCE AGAINST WOMEN AND GIRLS (VAWG) AMONG MIGRANT WOMEN

Gender-based violence experienced by migrant women is hugely diverse and experienced multiple times by manifold perpetrators.

- All women had experienced some form of violence, but psychological intimate partner violence (IPV) within the home was the most commonly experienced identified by 78% of women. The second most commonly experienced form in the home was physical violence perpetrated by intimate partners (among 68%), with almost two-thirds (62%) suffering financial/economic abuse, and 46% sexual violence. Non-Intimate Partner Violence (NIPV) within the home was often associated with violence perpetrated by extended family members, relating to sexual harassment (14%), so-called 'honour-based' violence (12%) and rape (10%), with 8% experiencing gendered forms of trafficking and labour exploitation.
- Non-IPV violence outside the home was less common but important. The most common was 'honour-based' violence (10%), including forced marriages, abortions and transnational abandonment, as well as sexual harassment and stalking (8%) trafficking (4%) and gendered

exploitation in the workplace (4%) with 1 case of rape.

- Most recent experiences of VAWG had occurred in the UK within the last year and had entailed prolonged suffering. The vast majority (78%) of women stated that it had taken place in the UK, with the remainder taking place in a range of countries reflecting the origins of the women who were surveyed. Most women reported having with most having experienced it within the last year (68%) or within the previous two years (a further 14%). Their experiences tended to be prolonged with more than a quarter suffering from between 6 months and a year (27%) and more than a third suffering for between 1 and 5 years (38%); six women had been experiencing VAWG for more than 5 years with 11 experiencing it for up to 6 months.
- Vulnerability to multiple types of VAWG perpetrated by multiple partners was closely linked with insecure immigration status. The 14 women with undocumented status had experienced the most diverse range of different types of violence inside and outside the home.

“After he cancelled my [spousal] visa, he booked my ticket, he called me and said ‘don’t come to my house, I cancelled your visa, you are illegal in this country.’”

Aisha, from India

DISCLOSURE AND REPORTING OF VIOLENCE AGAINST WOMEN AND GIRLS (VAWG) AMONG MIGRANT WOMEN

Migrant women faced multiple challenges and vulnerabilities, with much of it linked with their insecure immigration status. This in turn, affected their disclosure and reporting of violence.

- While disclosure rates to friends and family were high (76%), stigma and shame undermined the process.
- Migrant women experience multiple incidents of gender-based violence before formally reporting.
- Almost a fifth of women did not formally report their experiences of VAWG.
- The most commonly cited factor preventing women from reporting VAWG was fear of deportation (24%), followed by lack of access to information (18%) and not knowing where to go as preventing reporting (18%). This is further exacerbated by language barriers (10%) and fear of losing home and/or income (8%).
- Almost two-thirds (62%) of women said their perpetrator had threatened deportation if they reported the violence, with more than half having been told by perpetrators that they would lose their visa if they reported it (54%) .
- Half of women were afraid of having their children taken away if they reported VAWG with almost one-fifth (18%) stating the threat would prevent them from reporting.

“Inch my inch he used the system”

Katia, from Peru

REPORTING VIOLENCE AGAINST WOMEN AND GIRLS (VAWG) TO THE POLICE

Reporting of Violence Against Women and Girls (VAWG) to the police was affected by insecure immigration status linked with fear of perpetrators, of not being believed, of deportation as well as lack of information and language barriers.

- More than half of women feared that 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%).
- More than two-thirds (68%) of women reported VAWG to the police with 39% being treated well but a quarter treated badly and a further 36% were neutral about their treatment.
- Among those reporting poor treatment from police, the most common was being denied support (46%) followed by not being believed (36%).
- Almost a third of women also experienced problems with not being allowed an interpreter (32%) or feeling they had been discriminated against because of their race (32%).

THE RIGHT TO BE BELIEVED

- More than a quarter of women had had their residence status questioned (27%) with four women reporting having been arrested themselves.
- Migrant women wanted the police to believe them when they reported violence (26%) and to not be asked to disclose immigration status (23%).
- Housing and benefits advice were also important for over 60% of women, with half identifying the need to use food banks.
- Many migrant women who have left abusers lived in severe poverty, food insecurity and in precarious accommodation.

OTHER REPORTING OF VIOLENCE AGAINST WOMEN AND GIRLS (VAWG)

- Women's organisations were the most important place to report VAWG after the police, with almost half of women (47%) turning to specialist women's organisations after they had reported to the police.
- More than a fifth of women (21%) had been turned away when seeking help with VAWG, especially from social services with a further 21% not sure.
- One-third of women contacted a refuge when they experienced VAWG. Among the reasons they did not contact one, was lack of knowledge about their existence or a perception that they would not be able to get access because of their immigration status.
- The state perpetrates institutional and structural violence against migrant women victims of VAWG rooted in the hostile immigration environment and underpinned by racism and discrimination.

These women have rights to be heard, to be believed and to be supported regardless of their immigration status.

OTHER NEEDS AMONG MIGRANT WOMEN WHO EXPERIENCE VAWG

- Immigration advice (identified by 82%) and mental health support (76%) were the two major issues that women needed assistance with.

“I was scared that they might take my children, that’s why I didn’t want to call them [police]. Because my husband is British, my children are British, so I’m the odd one out, and this is what they made me feel.”

Mona, from Morocco

KEY RECOMMENDATIONS

GOVERNMENT:

- End all 'hostile environment' policies towards immigrants. Uphold human rights of people above immigration enforcement that is the universal right to access refuge and safety; the right to access healthcare, housing, specialist support and education without discrimination.
- Put an end to data sharing between victims support services and the Home Office for immigration control purposes.
- Ensure the Government's forthcoming Domestic Abuse Bill fully complies with the provisions of the Istanbul Convention, including explicit recognition of the gendered nature of domestic abuse and its disproportionate impact on women, and ensuring the protection of all women without discrimination on any ground, including race, religion, nationality, migrant or refugee status.
- Abolish the No Recourse to Public Funds Rule. Eligibility for migrant women's access refuge and state support when fleeing violence should not be determined by the status of NRPF.
- Extend the Domestic Violence rule and the Destitute Domestic Violence Concession to all migrant women.
- Provide legal aid for victims fleeing domestic abuse who require immigration advice and assistance.
- Include the voices and recommendations of migrant women survivors in consultations to inform policy and practice.

COMMISSIONING:

- Deliver a sustainable funding model to support specialist VAWG frontline services and refuges led by and for migrant and BME women, which provide a critical point of access for BME and migrant victims of violence and are central to delivering safety and protection but which have been decimated by funding cuts.
- Ring fence funding for specialist women organisations.

STATUTORY SUPPORT AGENCIES:

- Establish safe reporting pathways for migrant victims to access support from the police and other statutory agencies, including employment rights enforcement bodies, ensuring victims of VAWG and other crimes are able to come forward without fear of immigration control.
- Provide clear guidance and training to the police, social services, and other agencies on their duty to prioritise protection of migrant women victims of violence over immigration enforcement, as established by the Human Rights Act 1998.
- Establish a 'firewall' to separate vital victim support services from immigration enforcement.

“I was convinced by my British ex-husband that I had a spousal visa, but he had refused to apply for one as soon as I arrived to the UK. I continued to undergo domestic violence from my then husband who threatened me repeatedly with deportation. (...). He and his mother hid my passport away from me and he told me I would never be believed and that he would take our children away from me. I was refused support from the police and was made homeless and destitute. I was also told I had no custody over my child because I was undocumented.”

Isabela, from Brazil

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For more information on the Step Up Migrant Women Campaign see www.stepupmigrantwomen.org

For full report and more information on LAWRS see www.lawrs.org.uk

For more information on Professor Cathy McIlwaine's research see www.kcl.ac.uk/sspp/departments/geography/people/academic/mcilwaine/index.aspx and her recent project on VAWG and Brazilian women in London and Brazil see www.transnationalperspectivesonvawg.wordpress.com

*All names have been changed to protect survivors' identities

“I put up with too much abuse. He mistreated me, he hurt me, and I had to think twice before telling the police. But I am not afraid anymore. I have been stepped on for too long and now I stand up for myself. I have rights and I am free.”

Ana, from Bolivia