
Minutes of the APPG on Domestic Violence and Abuse Meeting

The draft domestic abuse bill: ensuring it works for all

3-4:30pm, Monday 25th February
Committee Room 5, House of Commons
Chair: Jess Phillips MP

The government published its draft domestic abuse bill, its response to the bill consultation as well as its research into the social and economic cost of domestic abuse on the 21st January 2019. Whilst some of bill's legislative measures are welcome, as are some within the accompanying pack of non-legislative measures, the legislation as it stands does not offer the necessary protections that migrant women need.

It is vital that the domestic abuse bill provides safe reporting pathways, appropriate support, and a fair chance for migrant women to be able to escape domestic violence. This meeting enabled the APPG to; discuss measures that are needed to ensure equal and full protection for migrant women; examine whether the bill's lack of commitments for migrant women contravenes articles in the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention); and discuss steps the APPG can take to try to raise key legislative points in relation to migrant women in to the domestic abuse bill.

The meeting was chaired by Jess Phillips MP, and the other parliamentarians in attendance included –

- Maria Miller MP
- Imran Hussain MP
- Baroness Bertin
- Baroness Lister
- Baroness Hamwee
- Baroness Armstrong

Jess Phillips MP

Jess welcomed everyone to the meeting and welcomed the publication of the government's draft domestic abuse bill. She said that both Women's Aid and the APPG needed to be credited for their work on the family courts and the included proposed ban on cross-examination in the draft bill. However, Jess added that more needs to be done on the bill, in particular for migrant women. She credited the work of the Step Up! Migrant Women coalition, and urged for the bill not to discriminate against migrant women.

Marai Larasi

Marai stated that Imkaan are the only national second-tier women's organisation dedicated to addressing violence against black and minoritised women and girls (global majority that are marginalised). Marai highlighted Imkaan's alternative bill, 'Margins to the Centre', which looks at what happens if you marginalise those at the centre and highlights the areas where the draft bill currently doesn't go far enough. She added that whilst certain elements are welcome, such as the guidance to the statutory definition broadening out the forms of abuse, there are a number of key opportunities missed and a failure to protect those most at risk.

Marai highlighted Imkaan's recent research on the lack of funding for specialist BME services and provided a specific example of the attacks and threats these services receive; Rape Crisis' BME helpline service was recently targeted by Tommy Robinson and had to be closed. She emphasised her concern that these specialist services will not be here without dedicated funding. Marai concluded by urging for opportunities within the bill not to be missed, for the domestic abuse bill to be both gendered and intersectional, and for the recommendations of the Step Up! Migrant Women campaign to be incorporated.

Janet McDermott

Janet stated that she is an Asian woman activist who started her career campaigning to set up a black women's refuge to address their specific needs. She highlighted her concern that the issues they faced then are still prominent today, and in certain areas more prominent than ever. She discussed the seven year sustainability partnership between Women's Aid and Imkaan, and stated that Women's Aid's 22 BME member services have consistently faced greater threats to their existence than other member services.

Janet explained that these specialist BME services are local but often have to serve regional areas or whole communities. She added that there are huge pressures on commissioner to offer gender neutral, non-specific tenders, which means that these services are often unable to apply for these tenders and as a result only half of Women's Aid's 22 BME services receive funding from local government. Janet called for ring-fenced funding for specialist services, with clear accountability and alignment with equality legislation. She concluded by adding that the bill should not create false divisions between women or women on particular visas, and should ensure that all women have access to the support they need.

Zehrah Hasan

Zehrah highlighted that Liberty is an organisation focused on challenging injustice and ensuring everyone in the UK is treated fairly, therefore they are focused on whether the draft bill is compliant with human rights (including European Convention on Human Rights and the Istanbul Convention). Zehrah set out a number of provisions that migrant women are not entitled to and the difficulties migrant women face in accessing refuges as a result of the No Recourse to Public Funds rule. She emphasised that migrant women should not have to choose between destitution or staying with their perpetrator, and that currently the bill does not protect migrant women or provide sufficient funding for the services they need.

Zehrah highlighted a number of organisation's alarm that the consultation response suggested women should return to her country of origin, and added that the proposed measures illustrated the government's detachment from the lived experiences of migrant women. She emphasised her concern that the Home Office often rely on perpetrator

testimonies to make decisions about a migrant women's right to stay in the country. She emphasised a number of recommendations from the Step Up! Migrant Women coalition; such as extending the length and eligibility of the Domestic Violence Rule and Destitution Domestic Violence Concession. Zehrah concluded that in its current state the draft bill leaves thousands of women at risk, falls short of our international and domestic human rights obligations, and urged for the bill's scope to be widened for it to be fair, just and equal.

Andrea Simon

Andrea explained that EAW is a coalition of specialist women's support services working to end violence against women and girls in all its forms. She stated that the draft bill proposes to create a Domestic Abuse Commissioner, which was not the sector's recommendation and is out of step with national and international frameworks and conventions. She added having a domestic abuse focus limits the roles potential, and fails to recognise lived experiences and the barriers migrant women face. Andrea stated that survivors need a Commissioner who is going to work across all public sectors, is charged with particular duties on BME women and children, and to address the current justice gap for this group.

Andrea highlighted that the proposed Domestic Abuse Commissioner is currently based on the former Modern Slavery Commissioner. She added this role faced heavy criticism, and a recent cross-party review highlighted that the Commissioner was unable to criticise government policy. Andrea raised concerns that on this basis migrant women will be unable to receive a fair hearing from a Commissioner appointed by and reporting to the Home Office, whose hostile environment immigration policies often exacerbate women's vulnerability to abuse. She concluded that the proposed Commissioner must be an independent body of accountability, be required to have a specialist VAWG representative on any advisory board, and meets the requirements set out in the Istanbul Convention.

Discussion

- There was consensus that sustainable funding for specialist services is key;
- There are other layers for the bill to consider such as religious councils, and women who work with no recourse to public funds;
- It was highlighted that extending the Destitution Domestic Violence Concession would be welcome, but important that one measure will not solve the issues and barriers that migrant women face;
- Queries were raised about the bill's parliamentary timetable and it was confirmed that there is no definite date yet but the bill is not expected until in the autumn;
- It was highlighted that more needs to be done to ensure BME women know their rights.