

**Submission to the Committee for Justice's Call for Evidence
on the Domestic Abuse and Family Proceedings Bill**

Migrant Centre NI
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Migrant Centre NI

Unit 3
CIDO Business Complex
Charles Street
Lurgan BT66 6HG

<http://migrantcentreni.org/>

Introduction

Migrant Centre NI (MCNI) is a registered Charity (no.105750) and a limited company (no.611585). The organisation was initially established as The Belfast Migrant Centre and officially recognised as a charity in March 2012. In 2014, to reflect the work of the organisation the name was changed to the current Migrant Centre NI. MCNI was established to protect the rights of migrant workers in NI, tackle racism, eliminate barriers against migrant workers, advance education and raise public awareness about their rights. MCNI has 3 offices across Northern Ireland, in Belfast, Lurgan, and Derry-Londonderry. Our current services include hate crime victim advocacy support, settlement support for EU citizens enrolling in the EU settlement scheme, and the LAVA Project programme for migrant and BME leadership development.

General Comments

Migrant Centre NI welcomes any legislation intended to better protect and support victims of domestic abuse. Because victims from migrant and BME backgrounds (including the traveller community) are particularly vulnerable to certain elements of the coercive control which plays a role in domestic abuse, we would like to take this opportunity to highlight particular considerations to address the needs of migrant and BME victims. These considerations include the need to remove barriers to interfacing with the criminal justice system, including the need for interpreters and culturally support workers and victim advocates. Perhaps more importantly, any bill which fails to address the need for adequately funded resources for victims facing loss of housing or financial stability due to abuse, regardless of whether or not they interface with the criminal justice system, should be considered inadequate. Furthermore, Migrant Centre NI echoes the Equality Coalition's call to introduce a ban on information sharing with the Home Office as part of the proposed bill, in order to ensure that women are not deterred from coming seeking help for abuse on the basis of their immigration status.

It is important to consider that migrant and BME women may be at particular risk of being trapped in abusive situations because of a lack of English language ability, knowledge of culture, and the fact that they may not have a support system of family and friends in Northern Ireland due to not having local connections. The proposed bill rightfully acknowledges that domestic abuse may take the form of behaviour “making B dependent on, or subordinate to, A” as well as “isolating B from friends, family members, or other sources of social interaction or support”, along with the other abusive behaviour outlined. While abusers are already deft at such behavior, it is unfortunately even easier to subordinate or isolate a victim with no local connections, English language skills, or knowledge of where to seek help if they need it. In addition to lack of English language ability, cultural knowledge, and local connections, abusers frequently leverage victims’ immigration status against them when it is undocumented or tenuous. Victims may feel that if they come forward about their abuse to PSNI or even to support organisations, they may run the risk of deportation. Legislation must ensure a ban on information sharing with the Home Office regarding the immigration status of any victim of abuse and a multi-lingual information campaign must be run to publicize that victims are not at risk of deportation for reporting abuse.

Furthermore, we stress the need for a coordinated and multi-lingual public education campaign regarding resources for victims experiencing domestic abuse including not only how to seek help through PSNI, but also how to access emergency accommodation and access support through organisations which serve victims of domestic abuse. However, a public awareness and education campaign is not enough on its own if victims then seek out such resources only to find that interpretation services and cultural competent support are not available. Similar to the current partnerships between PSNI and organisations with hate crime victim advocates (including Migrant Centre NI for victims of race hate crime), legislation should establish that PSNI is obligated to have domestic abuse victim support worker liaisons at specialised organisations that support particularly vulnerable groups, including migrants, disabled individuals, and LGBTQ+ individuals. Interpreters must also be ensured for those requesting or appealing housing and welfare benefits.

Though current procedures for statutory agencies require interpretation services to be available, in practice there are often substantial delays and gaps in service for those requiring interpretation, reflecting a lack of investment and priority in ensuring their availability. Furthermore, victims of domestic abuse accessing housing or benefits support often go to local women's or advice organisations only to find that there are no interpreters available to assist them due to a lack of funding.

The Gillen Review into the law and procedures in serious sexual offenses in Northern Ireland acknowledges that a criminal justice approach to gender-based violence, when carried out in the absence of adequately resourced support organisations for victims, represents a “complete failure” on the part of the government (p. 529)¹. The United Kingdom is a signatory to the Istanbul Convention on preventing and combating violence against women and domestic violence. The Convention requires State Parties to “allocate appropriate financial and human resources for the adequate implementation of policies, measures, and programmes to prevent and combat all forms of violence”². The UN Declaration on the Elimination of Violence Against Women requires State Parties to “include in government budgets adequate resources for their activities related to the elimination of violence against women”³. As part of the United Kingdom, Northern Ireland therefore has a human rights obligation in keeping with international standards to fund resources and social programmes for victims of GBV.

Summary of Key Recommendations

¹<https://www.justice-ni.gov.uk/sites/default/files/publications/justice/gillen-report-may-2019.pdf>

²Council of Europe: Convention on preventing and combating violence against women and domestic violence. <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>

³United Nations General Assembly. (1993). *Declaration on the Elimination of Violence Against Women*. https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.21_declaration%20elimination%20vaw.pdf

1. Interpretation services must be available not only as policy but in practice through the PSNI, in the courts, and at housing and benefits agencies. Furthermore, voluntary organisations which support victims of domestic abuse should receive government funding to provide interpretation services and cultural competent victim support.
2. PSNI should liaise with specialised organisations to provide victim support liaisons to the most vulnerable victims of domestic abuse, including migrants, disabled individuals, and LGBTQ+ individuals, as modeled on the current hate crime support partnership model.
3. A multi-lingual public information and awareness campaign must be put in place to reach victims of domestic abuse regarding where to seek help, including emergency accommodation and housing and benefits support
4. A codified ban on information sharing with the home office regarding victims of abuse and a multi-lingual public information campaign communicating that victims of domestic abuse need not fear immigration repercussions for reporting their abuse.