



*Empowering women or perpetuating victimhood?
Impact of Domestic Violence policy and practice for Minority
Ethnic, Refugee and Roma women*

“Putting Domestic Violence policy into practice” From international conventions to national legislation

Workshop Report

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Islington Training Network
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1. Introduction

This report is a summary of the workshop organised by Islington Training Network and IMECE, who are UK partners in the Daphne project “Empowering women or perpetuating victimhood?”

1.1 The project aims to contribute to the effectiveness of existing policy and practice on gender based domestic violence particularly for Minority Ethnic, Refugees and Roma women. Women from these communities face particular issues and challenges that hinder their access to effective services such as lack of culturally sensitive support and discrimination.

The work undertaken by the project partnership will adopt a rights based approach and will be located within the wider framework of international and national human rights instruments and standards including CEDAW.

We start from the premise that women’s rights are human rights and violence experienced at home – physical, sexual and psychological– diminish life chances of all women and those from disadvantaged communities even further.

‘We start from the premise that women’s rights are human rights’

The project will focus on four levels.

It will:

Undertake research to map national policies and legislation regarding Domestic Violence (DV) to identify similarities and differences between legislation in the partner countries –

UK and Hungary. The mapping will also include Poland and Bulgaria to extend the scope of the research.

Collect and analyse data of direct experience of survivors and practitioners to identify gaps in service delivery.

Develop and pilot training modules for service delivery agencies directly working with or likely to come into contact with survivors of DV. These include police, healthcare professionals and local authorities. The training will give participants better knowledge and tools to provide appropriate support to DV survivors, especially from minority ethnic, national minority and refugee communities.

Propose recommendations based on project activities which will contribute to raising awareness of DV issues through different mediums such as publications, partner websites and final conference.



1.2 The project partners are two organisations in the UK and one in Hungary. They are:

Islington Training Network (ITN)

It was established in 1998 and have since grown into a successful network with members from all key sectors with a majority from the community and voluntary sector.

ITN enables its members to widen participation and increase opportunities for skills development and employability through a twin track approach of direct resourcing and capacity building

ITN is committed to promoting economic inclusion and social justice through supporting a range of organisations working with a diversity of groups experiencing multiple disadvantages in the labour market and inequalities of access to opportunities and services.

Regional Social Welfare Resource Centre Budapest (BSZF)

It was founded by the Municipality of Budapest in 1997 to train social workers. BSZF collaborates with an extensive network of various institutions including NGOs. It receives funding from European Commission, government and City of Budapest to undertake a range of projects on social inclusion. Since 2000 BSZF has been working on prevention of domestic violence. It has designed and delivered training for a range of public agencies on various aspects of domestic violence. It conducts research and contributes effectively to various initiatives to tackle domestic violence in Hungary.

IMECE is a women only community organisation established in 1982. It provides advice, advocacy and information services for Turkish, Kurdish and Turkish Cypriot women. Its purpose is to raise awareness of issues such as domestic violence, racism and women's rights to enable women to overcome barriers of isolation and exclusion. IMECE also provides capacity building services for small Black and Minority Ethnic (BME) community organisations to improve their Domestic Violence (DV) services. It carries out research into DV legislation and its implementation. It also researches the specific needs of BME women survivors of DV.

2. Aims and Objectives of the Workshop

- To share information about work in progress of the Daphne project
- To bring together practitioners, survivors and policy makers to discuss the effectiveness of legal instruments underpinning their work with Black and Minority Ethnic women
- To identify gaps and good practices in service delivery as they affect Black and Minority Ethnic women

The morning focused on the work of the Daphne project with contributions from partners.

The afternoon focused on four thematic discussion groups. They were:

- Holding Government to account-A UK Commission on Violence against Women
- How effective are statutory provisions-Identifying gaps and good practice
- Linking human rights and women's rights- CEDAW as an important tool
- Resettlement and support –Education, training and employment

3. Morning Session

INTRODUCTION BY PROJECT PARTNERS

The first half of the day consisted of presentations from Daphne project partners introducing the context of the project and update on work in progress.

Sumita Dutta, Project Manager, ITN, opened the session and introduced the project and the partnership. She gave the background of the project, its rationale and objectives, areas of focus and research aims.



Feride Baycan, Director, IMECE, followed with her presentation on the project as well as IMECE's role in it.

Yesim Yildiz, Research Officer, IMECE, presented the background of the research, elaborating on the international legal framework of women's rights within which the research is embedded and giving examples of some of the interviews with Black and Minority Ethnic (BME) women in the UK conducted so far, highlighting the difficulties they have in accessing services related to domestic violence.

Fruzsina Baumann, Project Coordinator at BSZF, Daphne partner in Hungary, raised several important issues regarding domestic violence legislation in Hungary. She spoke at length about difficulties in implementation of Act 135 of 2005, highlighting the fact that development and implementation of domestic violence policy in Eastern European countries still lack political will and awareness of the issue.

Fruzsina's presentation generated questions from the audience around situation of Roma women in Hungary, the violence and discrimination they face within the community and the difficulties they have in accessing social services.

In the interesting discussion that followed it was pointed out that before dealing with gender based discrimination within the community, it is important to deal with the larger discrimination the Roma community faces in

society due to their ethnicity. This is closely related to domestic violence policies and their effectiveness where Minority Ethnic women are concerned.

EXTERNAL SPEAKERS

Helena Wilson, Project Manager, AIRE Centre (Advice on Individual Rights in Europe)

The AIRE centre, set up in 1993 in London, promotes awareness of people's rights within the ambit of European law and assists vulnerable and marginalised individuals to assert their rights through advisory and litigation services.

Helena's presentation focussed on familiarising the audience with the rights of survivors of domestic violence within European and international law and the remedies for enforcing them.

She explained, with the help of several excellent examples, how laws like the European Convention on Human Rights, EU Free Movement Law and CEDAW can provide assistance to survivors of domestic violence, although European Court of Human Rights can be approached only when all possible domestic remedies have been exhausted in the concerned country.

Only individuals from countries that have acceded to the optional protocol to CEDAW can petition it. Both UK and Hungary have acceded to the protocol.

Marcia Lewinson, CEO, WAITS (Women Acting in Today's Society)

WAITS, based in Birmingham, UK and established in 1993, works through community mobilisation to build leadership skills of local women and supports women survivors of domestic violence through advocacy, counselling and consultations.

Marcia gave an overview of the services WAITS provides to survivors of domestic violence and their work on policy advocacy, training, developing partnerships and awareness raising. She also highlighted the difficulties and obstacles that Minority Ethnic and refugee women face in trying to access services in the UK due to their immigration status, language, culture, and policies such as no recourse to public funds.

Vicky Marsh, Volunteer Support, WAST (Women Asylum Seekers Together)

WAST is a women only self-led, self-help group established in 2005 as a support group for women asylum seekers. Besides providing emotional support for women, it helps members with their asylum applications and lobbies on asylum issues which affect women specifically.

Vicky gave a very interesting presentation on WAST's activities depicted through photographs. She focussed on reasons that dissuade women from

leaving violent partners and the problems they face afterwards, particularly in terms of their immigration status and inability to access statutory services.

Shaminder Ubhi, Director, Ashiana Network, who was chairing the session opened the floor for questions after the presentations.

Shaminder raised concerns around the dichotomy between fake and genuine asylum seekers which leads to insensitivity and lack of sympathy for women seeking asylum in the UK.



This is further reinforced by popular discourses of suspicion around asylum seekers and creates difficulties for women with genuine asylum applications.

Vicky responded that while monitoring of bogus cases is important and steps must be taken to make sure that the system is not misused this should not dissuade women's groups from advocating for rights of women asylum seekers.

Another question related to how is it possible for a survivor of domestic violence to seek help without evidence of physical injury or harm.

Helena responded that domestic abuse includes mental and emotional violence as they are just as much legitimate grounds for seeking help as evident physical violence.

4. AFTERNOON SESSION: Thematic Discussion Groups

The afternoon session consisted of four facilitated discussion groups. The purpose of the session was to add value and extend the themes from the morning session.

GROUP 1: HOLDING GOVERNMENT TO ACCOUNT – A UK COMMISSION ON VIOLENCE AGAINST WOMEN

The discussion was facilitated by Sumita Dutta from ITN and Marika Mason from Hackney Women’s Forum.

“The afternoon sessions were very useful for discussing practical issues like gaps in service provisions”

There are several statutory bodies and other agencies in the UK addressing women’s rights, gender equality and violence against women, for example Government Equality Office (GEO), Women’s National Commission (WNC), Equality and Human Rights Commission (EHRC) and Ministry of Justice (MOJ) and Home Office-Forced Marriage Unit.

While each body is responsible for dealing with a certain aspect of gender discrimination and women’s rights, there is evident lack of coordination between them with the result that efforts and line of accountability are often fragmented. Despite the legislations on gender parity like Gender Equality Duty and on domestic violence like the Domestic Violence, Crime and Victims Act 2004, as responsibilities are distributed across a range of institutions it is not possible to hold one institution accountable for gaps in implementation.

A recent example is that of the UN. After three years of debate, the UN General Assembly resolved on Sep 14th 2009 to create a strong and unified women’s rights and gender equality body at the United Nations. This will combine the four existing women’s units with a vision to create a much more powerful institution within the UN to advocate for women’s rights on the global political and social agenda, raise the profile of the issues and escalate efforts at regional and global levels.



The group discussed the feasibility of establishing a high profile independent Commission on Violence Against Women (VAW) in the UK with a clear

mandate of holding to account all relevant agencies and Government departments. It should have defined mechanisms of involving a broad range of organisations such as women's organisations, trade unions and advocacy and campaigning groups.

Participants shared their experience of working with government bodies in the UK, which has not been satisfactory in most cases owing to cynical and difficult attitudes and ignorance of the complexity of issues on the part of government officials.

Even though violence against women is endemic in all communities, authorities tend to reinforce stereotypes that it is perpetrated only in non European countries or brought to UK by migrant communities, thus embedding gender based violence in the larger context of racial discrimination and prejudices.

The group presented the following recommendations:

- The proposal has definite merit. A roadmap needs to be drawn up to take it forward
- The time committed by women's organisations in participating in conferences and consultations should be appropriately resourced
- Evidence to be collected through research on the current status of women's sector and functions of government agencies and the extent to which they involve women's groups and networks (short as well as long term), as well as identify the gaps between ground reality and policy development
- Capacity building support to be provided to women's groups eg- gender budgeting
- Since initiatives on women's rights and gender equality suffer from serious lack of funds and these are decreasing further because of the difficulties of the procurement process dominated by private companies, this issue must be taken on board and procurement/commissioning process used to the advantage of women's groups/organisations.
- A cost - benefit analysis to be conducted on the consequences of cutting back funding support for women's sector and a 'business case' to be presented to the authorities.
- A 'state of the sector' summit and consultation to be organised, GEO, funders/donors and other relevant agencies to be invited to this consultation.



- Tap current resources and network and build links with regional support networks taking on board regional development agencies, organisations like Oxfam, WRC, Crisis Group and their campaigns.
 - As support services for women are mainstreamed increasing threats to survival and sustainability of specialist BME women’s organisations need to be counteracted.
 - Contact ministers and high profile key individuals and try to gather as much support for as possible for this initiative.
- Participants offered to begin working on this through existing networks and getting in touch with people who would lend support to the initiative

GROUP 2: HOW ACCESSIBLE AND EFFECTIVE ARE STATUTORY PROVISIONS FOR BME WOMEN – IDENTIFYING GAPS AND GOOD PRACTICE

The discussion was facilitated by Feride Baycan from IMECE and Shaminder Ubhi from Ashiana Network.

Participants discussed that there have been progressive legislation in the recent past on violence against women but their impact is undermined due to ineffective implementation and fragmented services. Reduction in numbers of specialist service providers for BME women is a matter of grave concern. It was pointed out that due to the drive for mainstreaming, specialist services are being eroded and what is worse is that women have to sometimes share refuge space with substance abuse survivors and rough sleepers.

“New energy to keep fighting”



Moreover, as the speakers pointed out in the morning presentations, there are issues around language and culture when Minority Ethnic women seek refuge and other services.

Partners from Hungary revealed that there are neither special shelters for women in the country nor unemployment or child benefits and women have to pay rent for social housing.

The group presented the following recommendations:

- Efforts have to be made to generate sustainable funding for women's sector which has fallen drastically due to withdrawal of mainstream sources of funding and competitive bidding and procurement process. Alternative sources of income generation through social enterprises need to be considered.
- It must be recognised that specialist services for BME women are indispensable. Advocacy for their protection and expansion is needed. Organisations providing general services should support BME organisations not supplant them.
- BME women's organisations to be included in decision making processes and to have representation on strategic boards and commissions
- Training and capacity building for BME organisations
- Immigration to be included as an issue within domestic violence since immigration and asylum status determines the extent to which some BME women can access services
- More campaigning and lobbying for women's issues to be mainstreamed into national and international priorities
- Better partnership among women's groups to avoid duplication and have a stronger voice.
- Raise awareness among wider public about CEDAW and recognise women's rights as human rights and not a cultural issue

GROUP 3: LINKING HUMAN RIGHTS AND WOMEN'S RIGHTS – CEDAW AS AN IMPORTANT TOOL

The discussion was facilitated by Yesim Yildiz from IMECE, Heather Vacciana from Cambridge Education and Shirini Heerah, independent gender trainer.

"Overall this was a really well organised workshop, which we can use to build on for future events. Well done!"

The participants discussed human rights instruments that can be used to protect women's rights such as CEDAW, ECHR, Human Rights Act and Race and Gender Equality Duties and also talked through what actions they could take in the context of real life cases where CEDAW

can be used as a tool.

In terms of CEDAW, Article 1 refers to gender based violence as a form of discrimination and general Recommendation 19 explains violence against women. The CEDAW optional protocol that enables complaints to be made to the CEDAW committee is underused at the moment. Reference to this protocol, the local policies, national legislation and other human rights treaties makes the case stronger.

The group presented the following recommendations:

- Publicise cases from various countries that have already used CEDAW as a tool as this leads to increased awareness and how it can be used to protect women's rights
- It was also agreed that consent of the survivor is of paramount importance even though publicising the cases gives them a higher profile to them as well as CEDAW it may not be in the best interest of the survivor herself
- Provide training to women's organisations in using CEDAW, having a manual or guidelines, developing practical tools
- Sharing good practice across organisations/countries
- Collect information on a number of cases as opposed to sending them individually to the CEDAW committee or collect cases with other organisations and send them as a group
- To expose the fact that UK is not fulfilling its obligations towards using CEDAW, the committee can 'name and shame' the state in its reports and evaluations
- Raise awareness of women survivors of violence as well as organisations working with them around Human Rights issues, in order to equip them with the necessary knowledge of legal instruments and their use

GROUP 4: RESETTLEMENT AND SUPPORT STRUCTURES-EDUCATION, TRAINING AND EMPLOYMENT

The discussion was facilitated by Toyin Fagbemi from Islington Training Network and Banu Aydinoglugil from IMECE

The participants discussed problems that women encounter in trying to access resources for education, training and employment.

Amongst the obstacles women face are illiteracy, lack of knowledge of the system in the UK and a low self esteem and isolation. Women tend to become dependent on benefits as there is insufficient encouragement, support and provision for accessing employment or education.



There are not enough ESOL (English for Speakers of Other Languages) classes for women and this leads to social and economic exclusion by reinforcing language barriers.

The group presented the following recommendations:

- A consultation strategy to be developed with the government to understand the impact of changes in the benefit system and including BME organisations in such consultations as well as policy formulation
- ESOL classes to be more effective and culturally sensitive
- Greater funding and training for BME women's organisations

5. Conclusions

The workshop was a great success in terms of achieving its objectives. The structure of the day enabled participants to engage actively with the issues raised. It demonstrated clearly the relevance and need for the work the project has undertaken and the importance of collective approaches.

The presentations were very relevant and informative. It was truly inspiring to listen to grassroots BME organisations talk about creative approaches to their activities such as street theatre.

The presentation by Hungarian partners provided a very useful comparative analysis of legislation on Domestic Violence in another European country.

A wide range of participants from Black and Minority Ethnic organisations resulted in a vibrant day of group discussions and concrete recommendations that reflected many common points of view.



It turned out to be an excellent platform for networking and a great opportunity to share each other's experiences and develop joint strategies, ending on a very positive note that the recommendations will be followed up by the participants.

