

Joint Cross Party Group on Women and Violence Against Women and Children

Sponsored by Sian Gwenllian MS and Sioned Williams MS

2nd December 2022

Zoom, 11:30-12:30

Attendees:

Sioned Williams MS
 Sian Gwenllian MS
 Jessica Laimann, WEN Wales
 Jennifer Mills, WWA
 Nancy Lidubwi, Bawso
 Kirsty Thompson, JustRight Scotland
 Laura Rainsford, WWA
 Aliya Iftikhar, WWA
 Maria Oftedal, WWDAS
 Paris Williams
 Carol Harris, Hafan Cymru
 Rachel Minto
 Meg Thomas, Disability Wales
 Kelly Beaumont
 Simon Borja, Safer Wales
 Tomos Evans, Chwarae Teg
 Ele Hicks, Diverse Cymru
 Eli Crouch-Puzey, NSPCC
 Michelle Whelan, Calan DVS
 Amy Bainton, Barnardo's Cymru

Chris Dunn
 Larissa Peixoto
 Maria and Stephanie, WWDAS
 Sophie Weeks, WWA

Apologies:

Delyth Jewell MS
 Carolyn Thomas MS
 Rhun ap Iorweth MS
 Peredur Owen Griffiths MS
 Laura McAllister
 Rhianydd Williams, TUC Cymru
 Jane Fenton-May, Wales Assembly of Women
 Sarah Rees, Oxfam Cymru
 Sue Roberts, Stepping Stones
 Abi Thomas, Plaid Cymru Camarthen West
 and South Pembrokeshire Constituency

<p>1 Welcomes, Apologies, Introductions</p>	<p>Sian Gwenllian MS welcomed all and apologies were noted.</p> <p>It was discussed that this joint CPG is taking place during 16 days of activism against gender-based violence which began on 25th November to coincide with International Day for the Elimination of Violence against Women and will end on 10th December which is Human Rights Day. The theme of the meeting is around no recourse to public funds. Speakers for the meeting were welcomed.</p>
<p>2 Election of office holders</p>	<p>Sian Gwenllian MS nominated as chair for CPG Women by Sioned Williams MS, seconded by Jennifer Mills, WWA – elected</p> <p>WEN Wales nominated as secretariat for CPG women by Tomos Evans, Chwarae Teg, seconded by Meg Thomas, Disability Wales – elected</p>

	<p>Sioned Williams MS nominated as chair for CPG VAWC by Sian Gwenllian MS, seconded by Jessica Laimann, WEN Wales - elected</p> <p>WWA nominated as secretariat for CPG VAWC by Bernie Bowen-Thompson Safer Wales, seconded by Jessica Laimann, WEN Wales – elected</p>
<p>3 Gender-based violence and supporting survivors with No Recourse to Public Funds (NRPF)</p>	<p>Nancy Lidubwi – Policy Manager, Bawso</p> <ul style="list-style-type: none"> • Report released in October 2022 on gender-based violence: the needs of migrant women. https://senedd.wales/media/zh5helfw/cr-ld15422-e.pdf • BAWSO support survivors of all form of violence including modern slavery and human trafficking, force marriage, honour-based violence and FGM. They run refuge in four regions in Wales, have 2 safe houses and provide mental health and wellbeing support as well as support with employment, training, bills, budgets. • Those subject to Section 115 of Immigration and Asylum Act 1999 cannot access public funds which includes NHS treatment, welfare benefits, social housing, local authority housing, or legal aid. • Reasons for NRPF: asylum seekers whose claims have failed, refugees who do not yet have documentation, people who trafficked into the UK, people whose leave to remain includes a condition of NRPF. • Welsh Government commissioned Swansea Citizens Advice Bureau (CAB) to produce guidance on NRPF to help local authorities and other public bodies to support survivors with NRPF. Disappointing that the guidance still offers exclusion to people subjected to NRPF including survivors of domestic violence. • Home office pilot project: started last year, administered by Southall Black Sisters. Between 2021-22, Bawso supported 89 women out of 171 enquires as there are still restrictions on the people they are able to support based on Home Office guidelines e.g. restrictions on visas, international students, asylum seekers. Home Office support workers not trained to provide domestic violence support. • Domestic violence support worker roles are crucial to supporting women holistically. • Reality on the ground: staff salaries and refuge accommodation are public funds. Bawso receives money from the Home Office through Southall Black Sisters to be able to pay social housing for refuge accommodation which is £282 per week. The Home Office pilot project does not cover staff support. • Bawso’s refuges accommodate roughly 70% of women with NRPF. Before the Home Office Project, they relied on fundraising to support women in refuge, with a spend roughly £24,000 per year to support women with NRPF. • Challenges: Home Office pilot project due to come to an end in March 2023, need to look for alternative means for supporting women. Salaries – who is going to pay staff salaries to support women because they are not covered to support women with NRPF. Renting Homes Act – what happens to women needing protection between now until local authorities clarify Renting Homes Act implementation plans.

- Recommendations: hoping the report and recommendations will be adopted by Welsh Government and they will set up a crisis fund that women can access to fund emergency accommodation and other issues.

Kirsty Thompson, Partner and Director, JustRight Scotland

- Charity founded by human rights lawyers who provide direct legal advice to people who would otherwise struggle to access justice, including women with NRPF.
- NRPF is a UK-wide restriction so the condition applies similarly in Scotland, JustRight are looking at how to mitigate this within a devolved context. The restriction is preventing Government, Local Government and Civil Society from responding in the way we would like to gender-based violence.
- No real data but estimates suggest there are 1.31 million people with this condition attached to their visa but total number will be much higher. Around ¾ are on study and work visas and 1/5 on family visas.
- Equality and Human Rights committee in Scottish Parliament took evidence on this and [released a report](#).
- In 2021, Scottish government and convention of Scottish Local Authorities (COSLA) came together and made a clear commitment to mitigating risks associated with NRPF. In March 2021, they published a [strategy](#) to improve support for people with NRPF living in Scotland. Lots of initiatives followed on from this strategy. There was a real effort across all levels for people to increase understanding and awareness. What are public funds, what are our statutory duties and how we can find other sources of funding to support people that don't fall within the definition of NRPF?
- Local Authority [national guidance](#) produced by COSLA, JustRight Scotland, NRPF Network and hosted on Migration Scotland Website, accompanied by a wide training programme. Contains a specific section on violence against women.
- Focus on the benefits of partnership working with the third sector. For example, British Red Cross manage a fund in Scotland from Scottish Govt to support a range of people facing destitution due to NRPF. Also, Fairway Scotland is a partnership of key charities in Scotland, academics, legal agencies, and funders to develop human rights-based pathway to ending destitution where there is NRPF. Ultimate goal to provide accommodation and a set of holistic services across Scotland within the confines of the constitutional settlement around NRPF.
- A project specifically targeted towards women at risk of or fleeing violence: partnership of statutory and non-statutory agencies in Glasgow creating joint initiative with funding to develop and implement a project for survivors of VAWDASV with NRPF, providing a basic safety net, including accommodation, and access to specialist legal advice.
- Strategies need the political will and funding. Often strategies exist but don't connect.

Laura Rainsford, Capacity Building Co-Ordinator, Welsh Women's Aid

- Migrant women face a myriad of additional complex interlocking barriers when fleeing abuse which may leave them choosing between destitution and returning to their perpetrators.
- Due to the way that the network of refuge in the UK works relies on HSG and housing benefit, which are sometimes argued to be a public fund, women who are excluded from public funds face huge challenges and long waits.
- Members of WWA can support a small number of survivors with NRPF, but without funding through social services or the domestic violence concession, this requires services dipping into their open reserves.
- Due to upcoming changes due to Renting Homes Act, we can anticipate that services will feel increasingly less able to accept migrant survivors with NRPF without secure funding in place.
- Welsh Women's Aid [Toolkit](#) alongside an [open letter](#) developed in March 2021 in response to member services and the Live Fear Free Helpline staff's want to better understand the rights of survivors subject to immigration control.
- The toolkit provides a comprehensive overview of support available and rights of migrant survivors, giving VAWDASV services key tools to access that support as we know that often before survivors reach services, lack of understanding or awareness of rights, survivors fall through the gaps for support.
- Embedded in WWA's National Quality Service Standards (NQSS) which focuses on no survivor who approaches a specialist service provider having a different level of support due to immigration status or access to public funds.
- Developed with a wide range of partners including Praxis, Wales Refugee Council, legal organisations.
- Toolkit is made up of 8 parts:
 1. Introduces immigration control
 2. Routes to accommodation and support
 3. Template letters for finding support for survivors
 4. Pre-action protocol project if unsuccessful
 5. Template letter to challenge DWP's cancellation of benefits through the DDVC
 6. List of useful helplines, services, resources, and organisations
 7. Directory of funding options
 8. Responses to a series of frequently asked questions
- Feedback from specialist services is showing the toolkit is tangibly helping them support survivors in refuge and to identify the financial support available.
- Actions: Welsh Women's Aid NRPF Forum, continued campaign for a Welsh Last Resort/Crisis fund, Live Fear Free staff training which has been consulted on with Southall Black Sisters, staff training for public services/local authorities, improving routes to legal support for women with NRPF.

4 Discussion
and questions
from
attendees

Sioned Williams noted that she was part of the enquiry mentioned by Nancy and we are still awaiting a response from the Equality and Social Justice Committee about the report. One of the key recommendations is to look at the work that has been happening in Scotland to learn from their work.

Jessica Laimann noted that Scotland now has a crisis fund in place and queried whether with the legislation moving on in the UK, for example with the Nationality and Borders Bill, whether there are any lessons to be learned in terms of making these more robust?

- A lot of the work done in Scotland about limitations both legally, in terms of migration, but also constitutionally found a real lack of understanding on several levels about the nexus of issues and that legal challenges can't solve these issues, they need real political change.
- Important for policy and parliamentarians to understand what's coming, how far the policy goes, and making sure that there are levers in place to ensure understanding and political change.

Sioned Williams proposed an action regarding Renting Homes Act.

Action: to send a letter from this Joint Cross-Party Group reiterating the concerns expressed in the open letter by Welsh Women's Aid to ensure that meaningful consultation happens urgently between the Minister and WWA. Agreed.

Bernie Bowen-Thompson: Article 59 and Article 4(3) of Istanbul Convention not ratified affecting migrant survivors. Given that the Welsh Government is committed to implementing CEDAW and the Race Equality Action Plan, we need to strengthen some of that. It may be worth really spelling this out as it ties in with that everyone experiencing VAWDASV deserves support.

Nancy Lidubwi noted that Bawso have been advised not to take referrals and are turning away women due to Renting Homes Act.

Laura Rainsford noted that a number services are petrified of the risks of the RHA and so are very tentative around referrals.

Sioned Williams noted that there was a gap in the refreshed VAWDASV strategy about the experiences of migrant women who are survivors of VAWDASV and the Minister said a strand in the VAWDASV Strategy workstreams around this was to be set up.

Action: CPG on VAWC to ask for an update on this work and for some more detail.

5 Update from the Women in Europe (Wales) Group	Rachel Minto – Wales Governance Centre <ul style="list-style-type: none">• Women on boards directive now approved so this piece of legislation now exists in the European Union.• Waiting for Commission’s new proposal on anti-trafficking directive.• Every 6 months, member states take it in turns to chair the Council of the European Union. Sweden doing this for the first 6 months of 2023. Action: add to agenda for next CPG on Women.
6 AOB	Sioned Williams welcomed the joint CPG working.