



# Southall Black Sisters

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## **SOUTHALL BLACK SISTERS Submission to the UN CEDAW Committee Recommendation on harmful practices affecting girls under eighteen**

### **About Southall Black Sisters**

Southall Black Sisters (SBS) is a leading multi-award winning minority women's NGO tackling violence against black and minority communities women in the UK. It was founded in 1979 and provides holistic resource centre based services running a national helpline and information, advice, advocacy, counselling and support services to minority women and children, particularly those from South Asian backgrounds. We deal with 3500 cases and enquiries per year, and about 20% are from young women and girls under the age of eighteen or from agencies contacting us on their behalf. Most of them are experiencing domestic and sexual violence, child abuse, forced marriage, dowry abuse and so called 'honour' based violence or honour crimes. We often act as support and advisors to bereaved families, and have assisted agencies such as the police, lawyers and the criminal, civil and coroner's courts, including by providing expert reports, in about 10 cases of domestic homicide/honour killings and 18 cases of suicide and suspected suicide as a result of abuse within the family and minority communities.

We also undertake campaigning, educational, developmental, policy and research work at a local and national level. We are particularly nationally recognised for our expertise on domestic violence and harmful practices against South Asian women and girls. We are at the forefront of influencing social and legal reform and best practice. We helped to introduce the Forced Marriage (Civil Protection) Act 2007 and the statutory and practice forced marriage guidelines issued by the Government's joint Home Office and Foreign and Commonwealth Office's Forced Marriage Unit. We were also represented on the original Home Office Working Group on Forced Marriage (1999-2000) and have been working closely with the Government, police, Crown Prosecution Service and other public bodies and NGOs on forced marriage, honour crimes and other harmful practices. We have also led the way in introducing reforms in immigration law and the 'no recourse to public funds' requirement for victims of domestic violence.

Much of our work aims to address intersectional discrimination experienced by black and minority women and children based on race, gender and social class. We operate on human rights principles, and strive to obtain justice, freedom and equality for black and minority women and children with a secular and progressive ethos.



## **Current Situation in the UK**

Generally, in the UK, there is a lack of research data on harmful practices. However, in 2010, the Forced Marriage Unit dealt with 1735 incidents of forced marriage. The Metropolitan police estimate there are 12 cases of honour killings per year (HASC, 2008), and minority and migrant women have a disproportionate rate of domestic homicide (Mayor of London, 2010). Suicide is up to three times higher amongst South Asian women, particularly those aged between 15-34, (Raleigh, 1996). They also have a proportionately high rate of self-harm (Bhugra et al, 1999). Suicide and self-harm is often linked with abusive and oppressive practices in the family (SBS, 2010).

While the UK government has taken specific action to tackle forced marriage, primarily in the form of establishing a central Government Forced Marriage Unit, enacting the Forced Marriage (Civil Protection) Act 2007 and introducing statutory and practice forced marriage guidelines, there still remains no or inadequate enforcement mechanism or procedures. In addition, due to the economic recession, cuts in legal aid and public services, such as in housing and benefits, has had an impact on ability of victims to escape abuse. In particular, severe and disproportionate cuts in funding for minority women's NGOs, which form the frontline in enabling minority women and children access mainstream services and escape violence and harmful practices, has had a devastating effect.

These cuts have occurred in a context of increased competition for funding by NGOs where large and corporate service providers are more successful in winning tenders. Commissioners often opt for providing generic, which have lower unit costs, rather than specialist provision targeted at minority groups. Policies which aim to promote social cohesion and integration have also worked against the interests of secular and progressive minority women NGOs in a context where the Government has increasingly funded religious or faith based organisations to tackle Muslim extremism, which do not advocate gender equality or meet human right standards. Funding is therefore diverted away from secular minority women's organisation or refused on the grounds that the state should not provide 'single group funding' in order to encourage community cohesion, thus ignoring the need to address race inequality.

We are also concerned that immigration controls are increasingly used to restrict the rights of migrant communities on the pretext of tackling forced marriage and other abusive practices. For example, the requirement for both spouses to be over twenty-one before an overseas spouse can enter the UK does not protect victims of forced marriage, and instead places them at greater pressure to comply with the perpetrator's wishes. It also denies young migrant couples in genuine marriage the right to family reunification. There is little statistical evidence to show large numbers of minors and young people being forced to marry overseas in order to sponsor their spouse into the UK. However, there is greater evidence to show that the majority of overseas marriages are genuine. We would argue that this policy is a disproportionate, ineffective and even a discriminatory blanket response to the problem of forced marriage, and instead, other measures must be strengthened in order to tackle this and other harmful practices (see recommendations below).

While the UK Government recently has developed a national violence against women and girls strategy (2010) and Action Plan (2011), we remain concern that the needs of minority women and girls remain marginal. While there is a greater emphasis on prevention programmes, service provision is in overall decline, particularly for minority women. Educational and awareness raising within minority communities remains limited, and the state often turns to power conservative male community and religious leaders or 'gatekeepers' to undertake this work, who have historically acted at the detriment of women's rights and leadership. Successive governments have therefore failed to recognise unequal power structures and the existence of patriarchy within minority communities

through multicultural (which had a cultural relativist or non-interventionist position on violence against minority women and girls), social cohesion, faith based and the more recent 'Big Society' and localism approaches. In addition, despite some provision for domestic violence victims who entered the UK on spousal visas, many women with immigration and asylum problems remain extremely vulnerable to removal and destitution due to no recourse to public funds requirements.

We welcome the recognition of the need to address harmful practices, which has gained momentum in the last 10 years. The notion of 'mature multiculturalism' advocated by the former Home Office Minister, Mike O'Brien, who initially set up the Home Office Working Group on Forced Marriage, represented a more liberal interpretation of multiculturalism. He said that 'multicultural sensitivities are no excuse for moral blindness' (1999), recognising, for the first time, the need for the state to intervene to protect the human rights of minority women. However, post 9/11, social cohesion, anti-terror, immigration and faith based policies and cuts in legal aid and services have undermined race and gender equality in the UK. In addition, the sensational nature of some forms of harmful practices, particularly forced marriage and honour killings, agencies have tended to 'exoticise' issues confronting minority women, thus failing to take adequate measures to address all forms of violence against black and minority women, and related issues such as racism, immigration/asylum and poverty and destitution. SBS is attempting to address this problem by developing a UK wide strategy on violence against black and minority women and girls, with the End Violence against Women coalition. This strategy is being developed following consultation with over 200 women and minority women's NGOs and individuals (see attached its 10 key actions it is calling from the state). It aims to influence local and national government, and other state bodies, to integrate the needs of minority in their mainstream and specific policies on violence against women and girls.

### **Recommendations**

SBS calls on all governments to:

1. Provide sufficient resources to tackle violence against minority women and girls, including harmful practices, in relation to legal aid, benefits, employment, education and services.
2. Urgent funding must be provided for minority women's NGOs which operate on human rights principles.
3. Introduce effective enforcement mechanisms for the forced marriage guidelines.
4. Introduce mandatory training and guidance on violence against black and minority women, including harmful practices. Minority women's NGOs should be consulted and involved in their formation and delivery.
5. Immigration laws and related welfare/benefit provision must be reformed so that they are CEDAW compliant and meet human rights standards, which do not discriminate against women experiencing gender based violence, including harmful practices, or migrant communities.
6. That educational and awareness raising programmes on violence against women and girls, including harmful practices, within minority communities are fully funded and led by minority women's NGOs.
7. That minority women's NGOs are consulted on and involved in developing policy on violence against women and girls, including harmful practices, and that their needs are fully integrated in these and other mainstream policies and initiatives.

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