

Welsh Women's Aid Briefing: Violence against Women, Domestic Abuse and Sexual Violence and Brexit

October 2019

Overview

Even in its' current uncertain state, it seems that however the UK exits the EU, women will be disproportionately and detrimentally impacted. Welsh Women's Aid is very concerned about the far reaching impact of Brexit on survivors of violence against women in Wales, such as; increasing poverty rates for women, which can put them further at risk if they are living with or moving on from violence and abuse; with financial hardship common for women post separation¹, EU women's rights to public services and their right to reside here will be under threat if they are unable to apply for EU settled status and the very real threat of the loss of basic human rights that EU legislation has progressed and protected, as uncertainty remains over the future of the Human Rights Act.

It is vital that Welsh Government delivers a positive post-Brexit agenda for women and girls and commits to protecting those who are most vulnerable. Welsh Women's Aid will be asking for assurances around the protection of services and resources and making recommendations to secure the protection of Welsh and EU migrant women who rely on such services for safety, and often for lifesaving support.

Human Rights Act

The Human Rights Act is a vital act in UK law, which incorporates the European Convention on Human Rights into UK domestic law. It includes;

- The right not to be treated in an inhuman and degrading way
- The right to respect for private and family life (including the right to physical and psychological integrity)
- The right to life.

The act has been used to hold police forces, for example, to account over failings relating to violence against women, such as domestic homicides, rape and so-called honour-based violence. It is so important because currently it is the only piece of legislation available to allow agencies advocating for survivors to challenge the police and offer women a legal route to bring a claim in UK law. While the UK Government has a policy intent to address all forms of violence against women, it has said its intention is to repeal the Human Rights Act in favour of a British Bill of Rights, uncertainty remains about what this will look like and whether this will further water down women's rights in the UK post-Brexit.

¹ The Economics of Abuse, S Davidge and L Magnusson, page 4 <https://www.womensaid.org.uk/wp-content/uploads/2019/03/Economics-of-Abuse-Report-2019.pdf>



Funding

Welsh Women's Aid has been calling for secure and sustainable funding for the specialist violence against women sector in Wales for years. We have repeatedly highlighted our concern that these services are often unable to support women fleeing violence who have no recourse to public funds, because of limited resources. We are therefore concerned about the impact on an already stretched sector, should more women find themselves without the right to public resources because they have been unable to access the EU Settlement Scheme. The security of the specialist sector in Wales will also be under threat when the country is no longer part of the EU. Between 2014-2020, the EU pledged £9.13 billion in Structural Funds to the UK. Wales receives approximately £370 million of this Fund annually and this sum has been vital for the maintenance of women's services. However, the Shared Prosperity Fund that will act as its' replacement is £730 million less. Promises were made during the EU referendum that Wales would 'not lose a penny' if the UK left the EU. These campaign statements must now be actualised with post-referendum guarantees that survivors of domestic and sexual abuse will not be detrimentally affected by any potential Brexit outcome.

Economic Impacts

Welsh Government analysis shared with the sector suggests possible increases in the cost of living, including increased cost for food and energy. This will have impacts on services as well as survivors during and post abuse.

This increased pressure on resources is likely to enable and/or intensify economic abuse. We are likely to see increased economic abuse due to the limiting of resources enabling further control, reduced financial capacity for survivors to leave an abusive partner as well as impacting on their ability to move on and build a life free from abuse.

Further to this, the impact of increased living costs on services that have had no increase in funding or have lost funding, will mean they will struggle to pay energy bills for their service properties. It will also impact on staff as increased living costs on already low wages will leave them unable to maintain their current standard of living. This is likely to lead to a number of trained and experienced staff leaving the profession in order to obtain higher wages elsewhere. This is already a problem in the sector with the current lack of sustainable funding, the impact of further cost increases and cuts in funding and resources could be devastating to the retention of staff and the maintenance of current provision levels. This inevitably will have a knock-on impact on survivors as services will be limited in what they are able to provide, resulting in increased waiting lists and survivors being turned away from services due to lack of capacity or resources.

EU Migrant Women

Welsh Women's Aid is concerned that EU migrant women may find their rights restricted and removed post-Brexit as well as facing restrictions on the application process for 'settled status' which will become compulsory for all non-Irish EU citizens following Brexit. Women impacted by domestic and sexual abuse are at greater risk of failing to access their settled status in the context of coercive control, where perpetrators can further their oppression by preventing women from proving their residency and using their immigration status to further control and isolate their partners. This will exacerbate the concerns Welsh Women's Aid already has, as mentioned in this briefing already, about

the status of women from outside the EU, who have no recourse to public funds and therefore are often unable to access specialist violence against women support.

Women experiencing violence and abuse who have an insecure immigration status or whose status is dependent on their partner face additional barriers to help seeking when attempting to exit. This approach is being aided by the hostile environment that many migrant women have reported frequently experiencing in immigration checks with healthcare, housing and education services. This cohort of women also face barriers to accessing protection, support and specialist services, because of a lack of funding within the sector. Welsh Women's Aid are concerned that this situation will worsen post-Brexit, as potentially more women will face losing their rights to public resources.

The EU has been instrumental in progressing protections for women. We are concerned that leaving the EU will lead to a regression of those rights and protections and Welsh Women's Aid urges UK and Welsh Government to outline their plan to protect women against these negative implications.

Recommendations

Welsh Women's Aid makes the following recommendations to UK and Welsh Governments;

- UK Government to overturn plans to repeal the Human Rights Act, recognising it is a vital tool in the quest for justice for women impacted by violence and abuse
- UK Government recognises women living with domestic abuse as a 'vulnerable' group in terms of accessing the EU Settled Status. We ask UK Government to clarify what support they will provide women who are living with abuse to apply for settled status
- We ask Welsh Government to ensure that all survivors of abuse will have access to funds in Wales to help them to safely access the support they need by creating a fund that survivors (or the specialist sector) can access to support all women with insecure immigration.

Any comments or questions regarding this briefing can be directed to:

Elinor Crouch-Puzey
Policy and Research Officer
02920 541 551

EliCrouch-Puzey@welshwomensaid.org.uk