



Llinell Gymorth Live Fear
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Cymorth i Ferched Cymru
Welsh Women's Aid

Rhoi Merched a Phlant yn Gyntaf
Putting Women & Children First

About Welsh Women's Aid

Welsh Women's Aid is the umbrella organisation in Wales that supports and provides national representation for independent third sector violence against women, domestic abuse, and sexual violence (VAWDASV) specialist services in Wales. Our membership comprises of 20 specialist support services. These services deliver lifesaving and life-changing support and preventative work in response to violence against women, including domestic abuse and sexual violence against children and young people, men and boys, trans and non-binary people, as part of a network of UK provision. As an umbrella organisation, our primary purpose is to prevent domestic abuse, sexual violence, and all forms of violence against women and ensure high quality services for survivors that are needs-led, gender responsive and holistic. We collaborate nationally to integrate and improve community responses and practice in Wales. We also award the Wales National Quality Service Standards (NQSS), a national accreditation framework for domestic abuse specialist services in Wales (supported by the Welsh Government) as part of a UK suite of integrated accreditation systems and frameworks. (More information on the NQSS can be found [here](#)).

Welsh Women's Aid welcome the inquiry by The Equality and Social Justice Committee following concerns raised by stakeholders around implementation and delivery of the Welsh Government Anti-racist Wales Action Plan. We strongly believe that there must be a commitment to make a measurable difference to the lives of Black, Asian, and Minority Ethnic people in Wales. Our expertise is within the area of violence against women, domestic abuse and sexual violence and instead of responding to the terms of reference, we have highlighted our specific concerns which intersect with this area as a whole.





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Violence against women disproportionately affects migrant women¹, and it is often common for perpetrators to use immigration status as a weapon of control and coercion² meaning that the survivors are too scared to disclose. Having NRPF means that the individual is subject to immigration control, and they will not be entitled to certain public funds. Whilst immigration is a matter reserved for Westminster, Welsh Government have committed to a responsibility within their Violence Against Women, Domestic Abuse and Sexual Violence Strategy 2022- 2026 and Their Nation of Sanctuary commitment to improve outcomes for all people seeking sanctuary, including those with NRPF³.

Currently there is a Support for Migrant Victims (SMV) Pilot Scheme⁴ which supports survivors (and their child) of domestic abuse and all forms of gender-based abuse who are subject to NRPF. BAWSO currently manage these referrals for Wales and the scheme provides accommodation, subsistence payments and support for up to 12 weeks. This can be extended for an additional 4 weeks but this is in exceptional cases of destitution or hardship. Many survivors have not heard back from the Home Office in regard to their immigration application after this 12 weeks, and still have insecure status, so are often left destitute and homeless. After this period has ended, BAWSO have received difficulty with local authorities in Wales accepting their duty to the survivor and their children. Refuge providers are often in a difficult position on how to fund a space with someone with NRPF if the local authority has not accepted their duty. Due to this many survivors are returning back to their perpetrator as they do not have somewhere safe to reside.

As raised previously by Welsh Women's Aid and BAWSO, there is lack of understanding and implementation of social services' duty under the Social Services and Well-being (Wales) Act 2014 and a lack of accountability of the failure to implement these duties⁵. Social services support is not a public fund for immigration purposes, and it should not be refused solely because the individual has NRPF⁶. Under Section 35 of the Social Services and Well-being (Wales) Act 2014, the local authority has a duty to meet the care and support needs of an adult if they meet the eligibility criteria or if it is necessary in order to protect the adult from abuse or neglect or the risk of abuse or neglect⁷. Therefore, there is significant scope to ensure survivors with NRPF, who are at risk of abuse are

¹"Has she got status?": Gender based violence and the needs of migrant women (senedd.wales).

² Safety-Before-Status-Report-2021.pdf (domesticabusecommissioner.uk), page 9.

³ No recourse to public funds (NRPF): guidance | GOV.WALES.

⁴ <https://southallblacksisters.org.uk/our-services/sbs-no-recourse-fund/smv-scheme/>.

⁵ MW07 - Welsh Womens Aid and BAWSO.pdf (senedd.wales).

⁶ <https://www.gov.wales/sites/default/files/publications/2020-02/access-to-social-services-and-other-care-and-support-for-destitute-asylum-seekers-with-no-recourse-to-public-funds.pdf> - there are very few categories of immigration statuses which are exempt from this support under Schedule 3 of the Nationality, Immigration and Asylum Act 2002.

⁷ Duty for children is under Section 37 of the Act.





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placed in safe accommodation, provided with subsistence and support by ensuring that duties are implemented⁸.

Although both Welsh Women's Aid and BAWSO have raised their concerns of a post-code lottery of local authorities accepting their duty, survivors of all forms of abuse and violence are being refused housing, subsistence, and support. We are significantly concerned that if local authority do not accept their duty, many survivors will be left with no other option but to return to their perpetrator.

Additionally, we are concerned of the type of accommodation that is accessible to survivors with NRPF when they are on the Pilot Scheme or receiving support. They are most likely placed into hotels with their children which have a lack of cooking facilities, and with the subsistence payments they receive, they have to find alternative ways to get the food they need. Survivors are placed in these hotels with the intention of them being safe and away from a perpetrator, however the hotels that are used are often open to the public and many do not feel safe in these environments.

We believe that all local authorities must accept their duty to protect survivors with NRPF from abuse and there must be sufficient training to ensure that there are not instances where survivors are incorrectly turned away from support. Further to this, the type of accommodation that is provided for survivors with NRPF must be safe, suitable, and accessible for their needs.

Following recent discourse by the Home Secretary and the implementation of The Illegal Migration Act, the environment for racism and wider discrimination continues to grow. In order to dismantle racist systems, practise and policies that contribute to the marginalisation of people due to their status, race, and ethnicity, must be looked at and reviewed. It is fundamental that the Action Plan, when implemented in practise, creates long-lasting change and that it does not fall short of this.

⁸ MW07 - Welsh Womens Aid and BAWSO.pdf (senedd.wales).

