



Secretariat of the Istanbul Convention Monitoring Mechanism

Council of Europe

11 December 2023

Dear Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)

We are writing jointly as four national federations representing 238 specialist women's domestic abuse and violence against women and girls (VAWG) support services across the UK. Our organisations have been part of joint shadow reports to GREVIO in our respective nations, to assist with your baseline evaluation of the UK's implementation of the landmark Istanbul Convention. We wish to write to you collectively to set out concerns which are common in the implementation of the Convention across England, Northern Ireland, Scotland and Wales. We firstly wish to note that the strategies, policies and responses to VAWG from each government in the UK differ considerably, and are not coordinated in line with obligations under Article 7. For example, in contrast to other nations, the government in Northern Ireland delivered no dedicated funding for domestic abuse services during the COVID 19 pandemic. This lack of coordination limits effective and consistent responses to VAWG, as challenges and good practice are not always shared and solutions are not joined up.

Article 8 – Financial Resources

Across the UK, funding for lifesaving services and the wider resourcing required to prevent VAWG, protect survivors and prosecute perpetrators is insufficient to meet demand. Despite the devastating impact of VAWG on women's lives, society, and the economy, we are concerned that funding remains short-term and insecure across the country. The majority of funding for the Welsh and Scottish governments comes from a block grant from the UK Treasury, the amount of which is calculated using the Barnett formula with adjustments made to reflect tax and welfare devolution in Wales and Scotland. There is considerable criticism of how the Barnett formula works as an effective means of distributing funding for public spending across the UK.

We are particularly concerned that the government in Northern Ireland cut all funding to Women's Aid Federation Northern Ireland in 2023, significantly reducing their capacity for coordinating support services and advocating on behalf of survivors in this nation.

Article 20 – General Support Services: Financial Assistance

Women's economic dependence constrains their choices and reduces resilience when they experience domestic abuse, and creates severe barriers to women's ability to leave abusive relationships, recover and rebuild independence. The rising costs of living in the UK is having a significant impact on these economic barriers, compounding the impact of austerity policies, the COVID 19 pandemic and social security reforms. Research by Women's Aid Federation of England in 2022 found that almost three quarters (73%) of women living with and having financial links with the abuser said that the cost of living crisis had either prevented them from leaving or made it harder for them to leave¹. Welsh Women's Aid's membership data for 2022-23 saw a 28% increase in reports

¹ Women's Aid Federation England, 'Cost of Living and the impact on survivors of domestic abuse', 2022. Available online: https://www.womensaid.org.uk/wp-content/uploads/2022/08/Womens_Aid_cost_of_living_survivor_survey_July_22.pdf

of financial abuse from survivors accessing community based services.² Our member services report record levels of poverty and destitution amongst the women they support.

Financial assistance, in the form of a welfare safety net, is a fundamental component of an effective state response to VAWG. Yet this safety net has been stripped away by successive UK government social security policies – including Universal Credit, the benefit cap and the two-child limit – which have worsened gender inequality, disproportionately affecting survivors of VAWG, Black and minoritised women, disabled women and single mothers across our nations. Despite efforts by the Scottish Government to mitigate the concerning impact of the Universal Credit ‘single household payment’, which gives the potential for greater control over household finances to an abuser, our federations are highly concerned about the overall impact of ‘welfare reform’ on women experiencing VAWG.

Article 22 - Specialist services

The Istanbul Convention makes access to specialist services a right for women and children experiencing VAWG. The specialist services which our members provide across the UK developed from the feminist movement of the 1970s, responding to the specific experiences and support needs of women and children experiencing male violence. They are now an established network of support services, working together to ensure hundreds of thousands of survivors can access specialist support and safety every year. Often run by women with lived experience of VAWG, they have unique expertise and a proven track record in supporting women and children. Within our network are critical services led ‘by and for’ Black and minoritised women and Deaf and disabled women which are uniquely able to meet the needs of the marginalised communities they support and have specific expertise in responding to different inequalities and forms of discrimination.

Yet across the UK, at both national and local level, we are concerned that there remains limited understanding of what specialist VAWG services are, why survivors need them and how they differ from generic support services. Our members are under severe threat from: the push to gender-neutral, ‘one size fits all’ and risk-led provision, which negatively impacts specific support for women and services delivered ‘by and for’ Black and minoritised women and other marginalised groups; procurement and competitive tendering which severely disadvantage women’s charitable organisations; short term, insecure funding which doesn’t reflect the true cost of service delivery and in some cases, no funding at all; significant issues with recruiting and retaining expert staff; and demand consistently exceeding capacity. Without urgently improved accountability for Article 22 across all nations and local commissioners, we are highly concerned that specialist VAWG services face an uncertain future in the UK.

Article 23 – Shelters

We are incredibly proud of the lifesaving women’s refuges that our members provide across the UK and of the role we play in supporting the coordinating this UK national network. For 20 years the four Womens’ Aid federations have jointly run Routes to Support (formerly UK Refuges Online), an online database of refuge vacancies and VAWG services which enables practitioners to search for refuge spaces and support services 24 hours a day. We have welcomed the Department for Levelling Up, Housing and Communities’ part funding of Routes to Support, which provides critical infrastructure to enable women and children to escape to safety across our nations.

At 1st May 2023, there were 5,238 refuge spaces in the UK listed on Routes to Support. Based on the Council of Europe recommendation of one space per 10,000 population, this means that the UK has a shortfall of 21.9% (1,465 refuge spaces). As shown in the table below, demand for refuge exceeds

² Welsh Women’s Aid, Annual Membership Report 2022-23, Forthcoming.

capacity in every nation and this results in women and children turned away daily at the point of need.

Country	Bedspace at 1st May	Population ³	#Recommended spaces	Shortfall	%shortfall
England	4,397	56,536,419	5654	1257	22.2%
Northern Ireland	128	1904563	190	62	32.8%
Scotland	441	5479900	548	107	19.5%
Wales	272	3,105,410	311	39	12.4%
Grand Total	5,238	67,026,292	6,703	1,465	21.9%

In particular, women facing inequalities and multiple support needs and no recourse to public funds face the greatest barriers to refuge. In the UK between 2022-23, just 11.6% of refuge vacancies listed on Routes to Support were accessible to women with no recourse to public funds due to their immigration status, and 1.4% to women who require a wheelchair accessible space.

Of the 1,542 survivors who were referred into refuge services in Wales in 2022-23, 46% were not able to be supported for reasons such as availability of space, safety, and individual needs. A further breakdown reveals that of those refused space, 28% were due to the refuge being at full capacity. This is a result of continued inadequate, insecure funding and poor commissioning practices which negatively impact specialist women’s refuges. Many of our members delivering lifesaving refuge services have been ‘de-commissioned’ by local government over the past decade and this has a disproportionate impact on those run ‘by and for’ Black and minoritised women. Despite a statutory duty on local authorities in England⁴ to fund support in ‘safe accommodation’ for survivors of domestic abuse, 49% of refuge services responding to Women’s Aid’s Annual Survey in England in 2022 received no funding from the statutory duty.⁵ Though refuge services are commissioned in each area of Wales as per the statutory duty set out in Welsh Violence Against Women and Domestic Abuse and Sexual Violence legislation, the number of spaces available across Wales falls 10% short of the Council of Europe recommendations.

Article 24 – Helplines

Telephone helplines for victims of domestic abuse and other forms of VAWG operate across the UK, funded by our national governments. We wish to note that the four Women’s Aid federations all played founding roles in creating domestic abuse helplines for women, facilitating referrals to our national network of support services. Despite this, only Welsh Women’s Aid and Scottish Women’s Aid now deliver these helpline services as competitive tender processes have meant that Women’s Aid in England and Northern Ireland have lost previously held contracts for the helplines we created. We are particularly concerned that in Northern Ireland, the gender-neutral helpline is staffed by both men and women and at times there are no women available to answer calls. This is of grave concern.

Article 31 – Custody, Visitation Rights and Safety

Whilst family law differs between England and Wales, and Scotland and Northern Ireland, we wish to note that women and children escaping domestic abuse across the UK face the same minimisation of their experiences, trauma and exposure to harm within our respective family courts. The ‘pro-

³ Based on the ONS 2021 mid-year population estimates

⁴ Part 4 of the Domestic Abuse Act 2021

⁵ Women’s Aid. (2023) *The Domestic Abuse Report 2023: The Annual Audit*, Bristol: Women’s Aid

contact' culture, which prioritises contact with a parent above safeguarding concerns resulting from domestic abuse, is dominant. Coercive and controlling behaviour, and its devastating impact on children, is poorly understood and judges, sherrifs and family court professionals fail to understand that abuse doesn't end – but often escalates – after separation. There is a particularly urgent concern in relation to the use of 'parental alienation' as a counter allegation to domestic abuse in the family courts, which obscures children's wishes, feelings and safety. We wholeheartedly support the UN Special Rapporteur on VAWG's recommendations⁶ in this area and urge GREVIO to consider this issue closely during your visit.

Chapter 7 – Migration and Asylum

We stand united in our opposition to the UK Government's immigration policies, and the 'hostile environment', which is exacerbating gender-based violence and harming migrant women experiencing VAWG, and their children, across the UK. Immigration status remains a key barrier to reporting VAWG and accessing safety and support across our nations; the No Recourse to Public Funds condition results in migrant women who aren't in the UK on spousal visas, and therefore eligible for the Domestic Violence Rule and Destitute Domestic Violence Concession (DDVC), routinely barred from accessing refuge spaces, welfare benefits and other support services. Migration is a reserved matter for the UK Home Office and therefore the devolved nations have very limited ability to deliver reforms to support migrant women experiencing and escaping VAWG. We are deeply concerned to see legislation and policy in the UK, including the Illegal Migration Act, Nationality and Borders Act and Rwanda Plan, which is undermining international law and human rights obligations. We fully support the recommendations for reforming migration and asylum policy which have been made by organisations supporting 'by and for' Black and minoritised and migrant women, which are made in the joint VAWG sector England and Wales shadow report.

We hope this is helpful as you conduct your baseline evaluation of the UK and we are looking forward to meeting with you, alongside our members, when you visit in 2024.

Best wishes,

Dr Marsha Scott, Chief Executive Officer, Scottish Women's Aid
Sara Kirkpatrick, Chief Executive Officer, Welsh Women's Aid
Farah Nazeer, Chief Executive Officer, Women's Aid Federation England
Sarah Mason, Chief Executive Officer, Women's Aid Federation Northern Ireland

⁶ A/HRC/53/36: Custody, violence against women and violence against children - Report of the Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem