

**MUSLIM WOMEN'S NETWORK UK
WRITTEN EVIDENCE:**

**INQUIRY INTO VIOLENCE AGAINST WOMEN AND GIRLS
BY JOINT COMMITTEE ON HUMAN RIGHTS**

1st March 2014

Introduction

1. Muslim Women's Network was formally established in 2003 with the support of the Women's National Commission (WNC), to give independent advice to government on issues relating to Muslim women and public policy. In 2007, Muslim Women's Network decided to establish itself as an independent organisation to ensure its autonomy from Government. We renamed the group 'Muslim Women's Network UK' (MWNUK) and became a Community Interest Company in 2008. In December 2013 we formally became a registered charity¹.
2. Our aim is to gather and share information relevant to the lives of Muslim women and girls in order to influence policy and public attitudes, to raise the profile of issues of concern to Muslim women and to strengthen Muslim women's ability to bring about effective changes in their lives.
3. At the time of writing, MWNUK has a membership of 500 that includes individuals and organisations with a collective reach of tens of thousands of women. Our membership is diverse in terms of ethnicity, age, religious backgrounds, lifestyles, sexual orientation and geographic location. Members are also from a range of employment sectors including: higher and further education; voluntary sector and support services including services workers; health and legal professionals; the police and criminal justice sectors; and local and central government. Our members are mainly Muslim women living and working in the UK while our non-Muslim members work with or on behalf of Muslim women.
4. Supporting actions to combatting violence against women and girls is one of our seven current priority areas and our work encompasses issues including domestic violence, sexual exploitation, forced marriage and female genital mutilation. As the only national Muslim women's organisation in the UK we are very aware of the prevalence of violence against women and girls within Muslim and/or Black Minority Ethnic (BME) communities. In turn we work on combatting VAWG in the community through a range of activities such as holding workshops and speaking at events, working at a grassroots level with the victims themselves, creating fact sheets and podcasts raising awareness and educating others as well as talking in the media as well as holding national campaigns; in February 2013 we held a postcard campaign

¹ Charity Registration Number: 1155092

directed at mosques and also directly spoke to the residents of East London and Blackburn on the matter. In September 2013, we also published ‘Unheard Voices’, a report which highlighted the oft-ignored problem of sexual exploitation of Asian girls and young women in a bid to raise awareness and tackle the problems therein.

Evidence

5. MWNUK’s constant concern has been that whilst VAWG is a complex issue prevalent within a wide cross-section of communities of varying faiths and ethnicities, there are particular hurdles and barriers as well as systematic failures which as a collective are contributing towards the continued existence of VAWG in UK within Muslim and/or BME communities.
6. At the outset, we would like to clarify that MWNUK strongly disagree with any suggestions that VAWG is in any way endorsed by Islam; on the contrary we consider Islam to be against all forms of violence against women and girls and its continued existence within Muslim and BME communities is due to a lack of understanding and/or a patriarchal interpretation or approach taken. FGM for example, is a practice which in our opinion predates Islam with no authentic basis to validate any such connection. We consider it to be a form of violence inflicted upon women and girls which must be eradicated throughout the whole world, not just the UK; one key measure therefore would be to rigorously highlight the reality of the practice so as to eradicate any suggestions based on faith and we have attempted to do so through various methods including creating an online podcast and factsheets.²
7. In turn, we aim to combat such notions through better awareness and understanding and wish to raise the particular issues in this regard within the Evidence.

VAWG and issues relating to culture, custom, religion, tradition: whether steps should be taken by the Government to address unacceptable justifications for VAWG.

8. As stated above, a key issue we have consistently found in tackling VAWG within Muslim and/or BME communities has been misguided justifications based on a lack of understanding of the faith and/or patriarchal interpretations and approaches taken so as to better serve the purposes of perpetrators. Similarly, and sadly, culture has also been invoked as justifications and we consider it vital that this is addressed within the community itself through raising awareness and further education in a bid to change the mind set at a grassroots level.
9. What is further worrying for us however is the existence of a belief within front-line professionals, such as police, social workers and teachers, who approach such cases as a matter of faith or culture and are in turn dismissive in their approach when tackling VAWG within Muslim and/or BME communities. We have consistently found that the needs of victims have not been met due to a lack of understanding of the dynamics of the abuse inflicted and/or lack of training as to what approach to be taken.

² http://www.mwnuk.co.uk/go_files/factsheets/518708-FEMALE%20GENITAL%20MUTILATION%20factsheet.pdf

10. We believe that Muslim and BME victims, including potential victims are at particular risk of being overlooked by service providers and support agencies due to a lack of will, understanding and/or ability. In turn, it leads to an inability to deter perpetrators.
11. Our report 'Unheard Voices' highlighted the serious failures of the police and other front line service providers in dealing with sexual exploitation in particular and it was worrying how commonly the assumption that Muslim and BME victims cannot be victims of sexual exploitation was played out, leading to the worsening of a situation.
12. We also have cases for example where teachers have been dismissive of FGM by stating it is a cultural practice and similarly been unable to distinguish between an arranged and forced marriage; with better training and understanding they may have been able to stop the occurrences of VAWG in both cases.
13. Indeed, we believe it is the lack of multi-agency approach thus far that has allowed VAWG to continue in UK. Health, education and social care professionals have a particularly important role to play given they are likely to be the first point of call in terms of disclosure. We would suggest that a policy is put in place making it mandatory for any evidence or potential risk to be reported in the first instance for further investigating, particularly in cases involving FGM, sexual exploitation or forced marriage; we further suggest that a dedicated team of trained officers is set up to pursue the lines of enquiry further.
14. Further training, education and support will be necessary to ensure success in such an approach so that the various dynamics and models of abuse are given due consideration. An example would be where a boyfriend and girlfriend, in a healthy and consensual relationship, are caught kissing by a third individual who then exploits the situation by stating he/she will inform both their families of their relationship should they not comply with the demands put forward and the fear of the consequences of this occurring, such as disownment or forced marriages, leads to their abuse. Furthermore, a victim of sexual exploitation may have been a part of an alleged Islamic marriage to the offender which was conducted in secret and done so with the aim of silencing the victim from opposing her so-called husband; therefore it is necessary that the individual dealing with the victim is aware of such possibilities and has the knowledge and understanding by which to investigate the matter further and explore various options whilst remaining sensitive to the needs of the victim.
15. It is also necessary to have proper information sharing procedures in place which ensures immediate actions and continuous reviews where necessary; for example, where a teacher has raised concerns of a child being at risk of sexual exploitation or being taken abroad for the performance of FGM or a forced marriage it is vital that this is kept under review by both police and social care professionals so that the child at risk is not missed later on down the line.

16. We must also highlight that teachers themselves have a very important task to play in this regard – that is, they are best placed to educate students on issues such as FGM and other forms of violence. In fact, we would like to see such topics becoming a part of the curriculum in a bid to increase awareness and assist in prevention. By doing so, this would allow awareness-raising without specifically targeting any particular students.
17. In terms of evaluating the adequacy of support services for victims of violence in line with the standards by the Istanbul Convention and CEDAW, BME specialist services have always been underfunded whilst those catering the needs of victims from a faith aspect are almost non-existent due to an ability to access funding. We have noted the reduction in the provision of local services and in particular the loss of specialised expertise and preventative work which we believe impacts upon the ability to tackle VAWG which is intertwined with faith and culture; issues of family honour and associated stigma are not matters that can be dealt with using a mainstream approach – individualities need to be catered for. If the government is serious in its commitment to tackling VAWG we would urge you to consider this obvious failing in making specialist support services available to address the issues and provide help and assistance.
18. Whilst not strictly an issue of VAWG, we wish to highlight a further matter which we believe should be addressed with urgency. Mental health matters are a frequent occurrence within our case studies and as well as being a result of VAWG, it can also be the other way round. A particular issue we have uncovered is a lack of understanding within Muslim and/or BME communities combined with a belief that the cause of such issues is related to spirit possession; this means that instead of seeking the requisite professional help, those suffering are isolated and generally hidden from the outside world thus adding to their vulnerability and opening them up to abuse. Moreover, there is a pattern of reliance on “healers”, spiritual or otherwise, who exploit such individuals and their families for monetary gain, and can also take advantage of a situation, such as inflicting sexual abuse. MWNUK is looking into this serious issue and hope to report further on the matter in due course.

The Government’s strategy for dealing with harmful marriage practices, such as forced marriage, polygamy, and non-legally binding religious marriage ceremonies.

19. We believe that coerced financial dependence and the control therein held by perpetrators allows the continuation of VAWG and is therefore a serious issue requiring immediate attention. Whilst such control manifests itself in various forms and across communities, one reason for its existence within Muslim and BME communities can be attributed to the issue of non-legally binding Islamic marriage ceremonies, by which a couple are deemed married from a religious angle but not from legally. This also means that a man may be religiously married to more than one woman in the UK without it being illegal by virtue of the fact that one or more of these marriages may not be legally recognised.
20. Upon relationship breakdown there is no legal or financial recourse for women and thus adds to their dependence upon the perpetrator. It also means women are forced to

accept conditions whilst within the relationship due to a lack of control, such as domestic violence, polygamy and perhaps even abuse inflicted on others such as the forced marriage of their children. The emotional abuse that is suffered as a result cannot be underestimated.

21. Polygamy itself is a complicated matter requiring specific attention and research in order to fully understand its existence within UK. It is our opinion that whilst polygamy is an Islamic practice, it is strictly qualified to such an extent that in essence its applicability today is virtually non-existent; however, ignorance and a lack of understanding of the very strict guidelines in the Quran has meant this practice continues to the detriment of many women in UK. We would also like it noted that there are many situations where men have not in fact entered into a bigamous or polygamous marriage but use this as a threat by which to keep control; and this they are able to do because both the victim and perpetrator are aware that should he follow through with his threat then nothing can be done against him.
22. We therefore ask that this matter is addressed with urgency both through community as well as legislative action. At present an Islamic marriage is only recognised where it has been performed by an authorised person within a registered building; otherwise a separate civil ceremony needs to occur. We consider that the key is to focus on Imams conducting such ceremonies, such as for example enabling Imams to be registered to conduct ceremonies rather than focusing upon registering buildings, or even asking Imams to encourage individuals to conduct civil ceremonies. We have examples of best practice where some Imams have opted to only perform an Islamic ceremony after the civil ceremony has been complete, and would hope that all other Imams would follow suit in this regard.
23. In relation to impact on women's rights of the use of informal community arbitration systems, such as faith-based tribunals, whilst we cannot say that such organisations cause or contribute to VAWG (and certainly we are aware of positive experiences by women as well as the negative), the issue in this regard is the lack of understanding and responsiveness displayed where issues of VAWG have come about and in turn can add to the emotional stress suffered through delays. In essence the processes in place need to be scrutinised and alternative approaches considered; MWNUK is committed to addressing this particular issue and hope to report further in due course.

The reasons underlying the relative lack of use of the right of individual petition to the CEDAW Committee from the UK.

24. An obvious reason for the lack of use is not only the considerable lack of awareness of the availability of this procedure but of a lack of awareness of the existence of CEDAW itself; we have found that women's rights organisations themselves are sometimes not aware of such possibilities let alone individuals themselves.
25. Moreover, aspects of the mechanism, in particular the fact that individual petitioners are not granted anonymity, can act as a deterrent particularly women from Muslim and/or BME communities given the potential repercussions from the community.

26. Thus in order to increase the use of the right it is necessary to first evaluate the rules in place and the extent to which they are fit for purpose and also focus upon raising awareness; working with grassroots and women's organisations and educating them on the benefits of utilising such international human rights mechanisms would assist in this regard.
27. We also find it disheartening that despite the positive work undertaken by the UK abroad, its own asylum policies do not give due consideration to issues of gender and in turn exacerbate the situation for many women within the system. It is our opinion that generally women are less likely to be able to migrate independently; many are fleeing violence suffered overseas resulting in entry through irregular channels for example. In turn they are placed in a situation of dependency and open to further abuse and exploitation. The withdrawal of legal aid in various immigration matters has also made it more difficult for women to challenge negative decisions and the issues affecting specific categories of migrants, including women with 'no recourse to public funds' who are not covered by the new Destitution Domestic Violence Concession need to be considered. We ask that the policies and procedures that are followed by the UKBA and tribunals system is given the requisite level of scrutiny so as to allow the UK to fulfil its obligations as per the Istanbul Convention and the recent CEDAW Concluding Observation.

Final Comments

28. As a point of clarification, we must explain that our comments and examples have been limited to BME and/or Muslim victims due to the nature of our organisation and its work. As a national Muslim women's organisation our work predominantly deals with Muslim and BME women albeit we also work with individuals of other faiths and are therefore also aware of issues of relevance to other faith communities. In turn we wish to clarify that where we ask for faith and culturally sensitive support packages and mechanisms we do so on behalf of victims of all race, ethnicity, religion and faith.
29. We also wish to reiterate that we do not consider VAWG to have any basis within Islam and therefore from our perspective it is not justified through the Islamic faith.
30. As a national women's organisation committed to combatting violence against women and girls, Muslim Women's Network UK would like to express its willingness to assist through training, support, information or advice or any other means in order to ensure that any cases are prosecuted accordingly and preventative measures put in place for the future.
31. We would like to thank you for providing us with the opportunity to respond to your Inquiry and hope that our evidence proves to be helpful in your considerations.

On behalf of Muslim Women's Network UK,

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