



WRITTEN EVIDENCE TO THE MINISTRY OF JUSTICE IN RESPECT OF THE PROPOSALS FOR REVISING THE CODE OF PRACTICE FOR VICTIMS OF CRIME

September 2019

Introduction

1. Muslim Women's Network UK (MWNNUK) is a national Muslim women's organisation in Britain (www.mwnuk.co.uk) that has been advancing equality, promoting women's empowerment and connecting voices for change for the last 15 years. We are a small national charity (reg. no. 1155092) that works to improve social justice and equality for Muslim women and girls. Our membership also includes women of other faiths or of no faith and men who support our work. We find out about the experiences of Muslim women and girls through research and our helpline enquiries. We identify policy and practice gaps and use this information to inform decision makers in government as well as informing our community campaigns at a grassroots level.
2. We also develop resources and train women so they are better aware of their rights. We have a separate website for our national helpline (www.mwnhelpline.co.uk) that provides advice and support on a range of issues including: domestic abuse, forced marriage, honour based violence, sexual exploitation and abuse, female genital mutilation, hate crimes, discrimination, mental health etc.
3. The impact of our work is particularly felt in reducing the vulnerability of Muslim women and girls, reducing the prejudice they face, and giving them greater access to rights and services – all of which allow them to contribute to society like any other citizen. We are also creating a critical mass of voices to influence change with more women being confident to challenge discriminatory practices within their communities and in society and to influence policy makers.
4. Although we work predominantly with Muslim/BAME women and girls and where relevant will focus on the experiences of Muslim/BAME women within our Evidence, the points we raise may equally apply to non-Muslim/non-BAME women generally (and in certain cases, men).

Evidence

5. As the only national charity working with and providing a frontline service to Muslim women and girls in the UK, it is perhaps no surprise that we deal with female victims of crimes/violence on an almost daily basis. Our Helpline evaluations (referred to at para. 9 below) show that domestic abuse has consistently appeared as a top five issue since the MWN Helpline's inception in January 2015 and for the last four years it has in fact been the top reasons for calls to our service. Forced marriage, sexual abuse/violence, sexual exploitation, so-called revenge pornography, so-called honour based abuse and FGM are also key issues that are regularly dealt with by the MWN Helpline. The support we provide to our beneficiaries ranges from providing practical and emotional support, liaising with police officers, refuges, social workers and other key stakeholders, providing case work support, providing counselling services, and providing assistance through emergency funds.
6. Informed by our service users' experiences, we also raise awareness of the issues so that victims and potential victims are better aware of their rights and the support available to them (such as through resource production, workshops and outreach activities) and also campaign for change.
7. In June this year MWNUK published its latest research report, "Muslim Women's Experiences of the Criminal Justice System" (henceforth "CJS Report") which highlights the issues and barriers faced by Muslim women when attempting to obtain justice, and the failings on the part of the criminal justice system. The combination of the issues, as highlighted in our CJS Report, are in our opinion disempowering victims and doing the opposite of what a world-renown criminal justice system (and its institutions) should be achieving and upholding. If the Ministry of Justice is truly committed to building confidence and trust, as it states in the Consultation, then we urge you to address the issues and implement the recommendations within our CJS Report as a matter of urgency. Whilst we will refer to our CJS Report throughout the body of this Consultation, we recommend that our report is read in full so that you can understand the extent of the work to be carried out. Please see the following link to access our report and hard copies can also be provided upon request: http://www.mwnuk.co.uk/go_files/resources/Muslim_Women_and_Criminal_Justice_FINAL.pdf
8. For the avoidance of doubt, all the names referred to within this Written Evidence are pseudonyms and all case studies contained within this Evidence and our CJS Report have been anonymised.
9. We also wish to bring attention to the following MWNUK resources which include various facts, cases and statistics relating to the calls dealt with by our MWN Helpline which may be useful in your considerations:
 - a. MWN Helpline Evaluation 2015:
[http://www.mwnuk.co.uk/go_files/resources/821325-MWN%20Helpline%20Evaluation%20Report%20\(Jan-Dec%202015\).pdf](http://www.mwnuk.co.uk/go_files/resources/821325-MWN%20Helpline%20Evaluation%20Report%20(Jan-Dec%202015).pdf)
 - b. MWN Helpline Evaluation 2016:
http://www.mwnuk.co.uk/go_files/resources/169284-MWN%20Helpline%20Evaluation%202016.pdf

- c. MWN Helpline Evaluation 2017:
http://www.mwnuk.co.uk/go_files/resources/460507-MWN%20Helpline%20Report%202017.pdf
- d. MWN Helpline Evaluation 2018:
http://www.mwnuk.co.uk/MWN_Helpline_Evaluation_2018_217_reportdownload.php
- e. MWN Helpline Data Dashboard (please register to log in and access our Helpline data): <http://www.mwnuk.co.uk/muslim-women-helpline-dashboard.php>

10. We now respond to the questions of the Consultation as follows:

Are there any specific areas/issues that you think we should also focus on in our second consultation?

- 11. As you state in the Consultation, every victim's journey is different and whilst for some the impact of a crime may be small, for others it may be much more distressing and longer-lasting. We wish to add that the impact can also depend on the individual circumstances of the victim, taking into account personal and cultural factors which may be at play.
- 12. In our CJS Report we highlighted the case of 'Sofia' who was being blackmailed by a female friend; this friend was threatening to share a photograph of Sofia standing next to a male friend, with Sofia's family. Although the picture was for all intensive purposes 'harmless' (as it was simply a picture of her standing next to a male friend and was not sexually explicit), had this photo been shared with her family (who were very strict), they could have interpreted the photo as her being in a relationship with said male friend and the consequences could have even resulted in honour based abuse. However, the police did not take any action until the MWN Helpline became involved and explained the seriousness of the matter; meanwhile Sofia was still getting blackmailed by her friend and being financially extorted. Surely the fact that Sofia was distressed and seeking help (especially bearing in mind that generally female, BAME victims are less likely to report a crime) should have been the clue for the police to realise that this matter is much more serious for this particular victim, but no action was taken until MWN Helpline became involved, leaving the victim helpless and in distress. We also wish to make the point that such threatening/blackmailing tactics are regularly used in sexual exploitation cases involving South Asian women and girls and it is concerning that despite all the awareness, the police did not realise the seriousness of the matter.
- 13. In another case study shared in our CJS Report, both social services and the police failed to identify and take action in respect of a clear risk of honour based abuse in a matter where the potential victim in question had already once been forcibly sent abroad to Kurdistan by her parents after they had found that she had sent a sexually explicit photo to a man she had met online. After being allowed (by her parents) to return to the UK and attend college, she started a relationship with another male student – and her family threatened to kill her. Although the MWN Helpline reported the matter to social services and the police, the social worker seemed to believe that the parents were just being "protective", despite the threats to kill and having once already sent her to Kurdistan (where she was subjected to physical and emotional abuse).

14. The above case studies highlight that victims' voices are being ignored and the impact on them of crimes are being disregarded. The CJS Report also highlights various instances where police failed to identify risks of forced marriage. It is imperative therefore that the Victims' Code includes requirements to ensure that the range of different factors, and the victim's own account of the impact upon them, is specifically considered. Unless the institutions of the criminal justice system are truly able to understand the needs of victims and the harms they face, the Victims' Code of Practice and any other entitlements included within it will be meaningless.
15. Additionally, whilst this may not be within the remit of further consultations (which we believe will be specifically focused upon the Victims' Code itself), we nevertheless wish to raise the urgent need to reform the laws surrounding 'revenge-pornography'. As well as updating the law to provide victims with anonymity, the law should also be extended so that it includes threats to share images and videos; this is especially the case when considering female Muslim/BAME victims as perpetrators are relying on the fact that they would not actually need to share any images/videos as the threat (due to the seriousness of the consequences involved) will be enough to ensure that victims comply with their demands. Additionally, it is important to extend the law so that it covers audio recordings of a sexual nature and also cover the circumstances that 'Sofia' (referred to at para. 12 above) found herself in.
16. We also urge that sentencing guidelines are updated to include as an aggravating factor, situations where a perpetrator has used threats to share images, videos or audio recordings (whether or not sexually explicit) knowing that the consequences of actual sharing of such images, videos or audio recordings could result in the victim facing abuse and violence (including potential forced marriage and honour based abuse) – or knowing that the victim would fear that the consequences of sharing would result in such harm.
17. It is also imperative that when police are recording incidents (such as violence, threats of violence, sexual abuse etc), they also record any concerns of honour-based abuse, potential or otherwise. For example, police should log whether the victim has been subjected to the crime because of honour or is at risk of honour-based abuse. We believe that this will allow us to obtain a better picture of the scale of the issue and will enable the government to strengthen its work to change attitudes and improve prevention as part of its 'Ending Violence Against Women and Girls' strategy. It is important that police identify and flag all honour-based abuse cases for effective risk profiling because there is a significant likelihood that other family members could already have experienced similar abuse. This intelligence could therefore help the police to safeguard other family members at risk and think that victims should be entitled to such reporting as it helps ensure they are protected and listened to. We therefore ask that the Victims' Code makes such reporting a requirement.
18. We also strongly urge that the provisions of the Victims' Right to Review are urgently reviewed and amended as in our opinion, it is causing serious unfairness and disempowering victims of crime. In our CJS Report, we have shared the case study of a victim of rape and sexual exploitation who did not have the right to a review. 'Samina' was befriended online and raped by a group of men. With the support of her family she made a report to the police and although various arrests were eventually made, only one of the perpetrators was charged meaning that all the other rapists were

free to walk. This was naturally upsetting for a victim who had already suffered a traumatic ordeal and had shown incredible bravery in coming forward (given the cultural factors involved) and to add insult to injury, not only was she not told why this decision was made but she was also informed that she does not have the right to review the decision.

19. The Victims' Right to Review is not available in circumstances where:
 - a. Charges are brought in respect of some (but not all) allegations made or against some (but not all) suspects
 - b. A single charge or charges are terminated but another charge or related charges continue
 - c. Proceedings against one (or more) defendants are terminated but related proceedings against other defendants continue
20. We consider the above rules to be unfair and disempowering for victims and feel that victims should always be provided with full reasons for why only some suspects may be charged or why only some charges continued; victims should also be given the right to review decisions in all such circumstances so that they have the opportunity to make representations and, at the very least, be given the opportunity to understand the reasons. The fact that Samina was raped by a gang of men and was still not afforded the common decency of an explanation as to why her perpetrators were walking free is a damning indictment of the current Right to Review rules.

Do you agree with the proposal to have separate guidance alongside the Code aimed at victims and practitioners? Please give reasons for your response.

21. We agree with the proposal to have separate guidance, alongside the Code, for victims and practitioners. In our experience, individuals tend to seek the Victims' Code when there is a specific need (that is, after they or a loved one has become a victim of a crime) and to then have to wade through a document that is 104 pages long can in many cases be disconcerting, and perhaps even frightening for some. Separate guidance will provide the opportunity to create guidance specifically tailored for its audience; that is, it can be written specifically with victims (and their supporters) in mind and similarly separate guidance can also be tailored specifically for children who are victims of violence. Any such guidance must be easy to read and navigate.
22. Additionally, our CJS Report highlights various examples of when practitioners (and we include the police in such a definition) have not acted in accordance with what is stated in the Victims' Code of Practice; lack of communication and keeping victims informed is a key failing that has been uncovered time and again and there are also examples of incorrect legal information being provided. Perhaps separate guidance for practitioners will assist in ensuring that all key stakeholders involved in the criminal justice system are clear as to what victims are entitled to and what is expected from them as a minimum.

Do you agree with the proposal to change the structure to a smaller number of overarching rights? Please give reasons for your response.

23. We do generally agree with the proposal to change the structure to a smaller number of overarching rights; to do so will help make the Code easier to navigate and

understand, helping victims to be better aware their rights and entitlements. However, our concern is that attempting to change the structure may inadvertently lead to a dilution of rights and entitlements and this must be avoided. There are already instances where the Code is lacking in the support available to victims (the Right to Review being one such key example) and we are worried that a revised structure may lead to such further instances. We therefore hope that any attempts to change the structure does not lead to removal or dilution of the rights available; although we agree that having over 100 possible entitlements for adult victims can be difficult to navigate and explain, we must not lose sight of the fact that all these entitlements exist for a reason.

How else could we improve the accessibility of the Code?

24. In the first instance we would recommend that the Code, and any separate guidance, is made available in different languages and in 'bite size'. That is, we feel that the different provisions of the Code should be made available in different formats and issue by issue. For example, there could be leaflets specifically looking at how a victim can apply for compensation, another specifically on special measures etc. We also feel such information needs to be made available in other formats, such as short videos that can be shared on social media, mini-booklets that can be carried around etc.
25. We feel that a key means by which to improve accessibility is to be proactive and share the information, in different formats, widely so that the general public is made aware of their entitlements. The Victims Code of Practice should not be something that individuals only come across when they have been a victim of a crime (or a loved one has been) but rather something they are aware of from the outset. Not only will this assist in individuals being better aware of their rights in the unfortunate circumstance that they become a victim of a crime, but we feel it will also encourage victims to seek help as they are already aware of the support and protection they can receive. We were very concerned for example, when we found that 'Samina' (the case study referred to above) had not even been informed of the possibility of special measures which could potentially be applied for in order to assist her to give evidence during trial. Although in this case MWNUK plugged the gap and the relevant information was provided by MWNUK, we do wonder (and worry) about the many other victims of crime (particularly female Muslim/BAME victims of crime who may not feel able to seek help) who are completely unaware of the support available to them. Thus, by disseminating such information through videos and advertisements we feel that victims will be empowered from the outset.
26. We think the 'pledge card' suggestion (at para 1.6 of the Consultation) is an excellent idea as we feel this will not allow victims to be better aware of their entitlements but will also act as a reminder for police officers of said entitlements and ensure that these are met. Pocket booklets could also be created for victims, particularly those who are victims of a serious crime (such as rape), so that they are able to access the information whenever they need to.

Do you agree that there is a particularly need to strengthen communication from the point of charge? Please give reasons for your response.

27. We wholeheartedly agree that there is a clear need to strengthen communication from the point of charge and in fact would like communication to be strengthened right from the start when contact is first made with the police. Although the existing Code states that victims are entitled to receive updates at key stages of their case, our CJS Report highlights various examples where there has been a severe lack of communication. The consequences of such have not only meant that alleged perpetrators have walked free but also meant that victims have felt unsupported and in our opinion, unlikely to place their trust in the criminal justice system again. This is of course very disturbing because it means that by not giving victims the entitlements they deserve, they are in effect being silenced and made more vulnerable in cases where they are victims of ongoing or repeated crimes (such as domestic violence or sexual exploitation).
28. As you state at para 1.10 of the Consultation, police are currently responsible for updating the victim between the point of making an initial allegation to the point when the suspect is charged. The Code also states that victims should be informed of how frequently they receive updates on the state of the case. Yet in the case of 'Shabana', who had reported historical sexual abuse, she had gone weeks and months without any contact from the police and eventually told (several months later and after her statement had already been taken) that no one had actually been assigned to her case which meant no progress had been made. Shabana had already gone through a horrific ordeal of having been raped and sexually abused by various members of her family throughout her childhood, and on finally taking the step to bring the perpetrators to justice, she could not even get an update from a police officer or have someone take her case seriously. Similarly, 'Samina' did not know who to contact for updates on how her case was progressing after point of charge (she wasn't even sure of when the trial dates were and thought the date of a pre-trial hearing was actually the date the trial would start).
29. There are many other cases within our CJS Report which highlight the impact a lack of communication by the police has had on victims; these are proof that there is a dire need for communication to be strengthened not just from the point of charge but also from the initial point of contact.

Should the victim's preferences relating to frequency and preferred method of contact through their criminal justice journey be recorded as part of the initial communication? And if so, should these preferences form part of the referral process between agencies? Please give reasons for your response.

30. We wholeheartedly agree that such information needs to be recorded as part of the initial communication and should also be included in any referral process. A clear example of why this is crucial can be seen by way of Mariam's case study, contained within our CJS Report. 'Mariam' was a female Pakistani Muslim in an abusive marriage and very frightened of her husband; she was depressed and suicidal and had even attempted to drink bleach. Her GP provided her with the MWN Helpline's contact details and the police were called, with Mariam's agreement. However, Mariam had stressed that the police should not come to her home as that is of course

where she resided with the abuser (her husband) and if he knew that she had reported him to the police then her life would be in danger. Various other instructions were given about the best way to contact her (including needing to arrange a translator). Despite making this clear, a police officer turned up to her house to speak to her, at a time when her husband was upstairs in the bathroom. As she could not speak English she could not explain to the police officer that her husband was upstairs and so she shut the door on him, signalling for him to go away. Had her husband been the individual to answer the door, the consequences for Mariam could have been severe. Additionally, Mariam lost her trust and confidence in the police.

31. Another case study we wish to share is that of 'Parveen'. Parveen had visited a mobile 'Hijama' or cupping service, which was conducted by a 'Pir' (faith healer). It was a group session with a number of women receiving this treatment on their shoulders and back. During Parveen's turn the male faith healer discreetly moved his hands towards the front part of her body and deliberately started touching her breasts and then proceeded to touch her between her legs. Although Parveen felt violated, the shock of what had happened prevented her from telling him to stop. After receiving months of counselling about the incident, she gained the confidence to contact the MWN Helpline and asked for help with reporting her abuse to the police as she did not have the courage to walk into a police station or call the police on her own. When the helpline tried to report the incident, the police refused to log the report and said that the victim had to make the report herself. We explained that once the police took down her details, they could contact her directly and take a statement. The police officer continued to refuse to do so even though we explained that in this case the victim felt more comfortable making the initial report via a third party (i.e. the MWN Helpline) and that if the incident was not logged and victim not contacted by the police, she was unlikely to go and report the sexual assault herself. Although eventually the matter was progressed, there is a clear lack of understanding of the impact of crimes, such as sexual abuse, on victims (particularly female Muslim, BAME victims). It is imperative that police are flexible in allowing someone other than a victim to make the initial report on behalf of the victim (at the very least where it is a reputed organisation such as MWNUK and said organisation is confirming that the report is being made with the victim's consent). Victims should also be provided with options (as alternatives to attending the police station) that are local, accessible and safe and where women can attend without being chaperoned or alerting the perpetrator (such as children's school). We strongly recommend that the Code include a requirement for police to facilitate the ability for women to report abuse in different ways and improve the reporting avenues that already exist.
32. We also feel that an element of common sense is missing when communicating with victims. For example, Samina was called on her mobile phone and asked to discuss her case whilst travelling on public transport. Whilst Samina did tell them they can contact her on her mobile phone, common sense would dictate that it is also important to check first that it is an appropriate time to discuss the case – and understand that a victim (least of all a victim of rape and sexual exploitation) would not want to discuss the case in public settings.

Do you agree with the proposal to provide agencies with more discretion on when the Victim Personal Statement is offered? Please give reasons for your response.

33. As is noted in the Consultation itself, not all victims are being given the opportunity to provide a Victim Personal Statement and we feel this point needs to be considered in detail by the Ministry of Justice first. Whilst we fully appreciate the point that the impact of a crime on the victim may not become apparent for some time and therefore statements provided at the early stages of contact/investigation may not truly capture the impact on the victim, the fact that not all victims are even offered the option to provide a statement even in the early stages is an issue that needs to be immediately addressed. Whilst we generally agree with the proposal we are concerned that, given agencies are already informally exercising discretion (by deciding not to offer the opportunity to provide a Victim Personal Statement at all), formally providing agencies with said discretion on the subject has the danger, in our opinion, of reducing the figures as to when offers are made even further – this time with the legitimate excuse that they were exercising discretion.
34. We certainly agree that it may not always be appropriate for a victim to provide a Victim Personal Statement so soon after an incident (whether this is because they are in no condition to provide such a statement, or because the true impact is not yet known) and therefore it is appropriate to provide discretion to agencies so that the offer is made at a later date. However, it should nevertheless be ensured that the victim is given the opportunity to provide a statement at least once; if they refuse to provide one, they should be asked again at a later date and if they do provide one, it should be compulsory to ask them whether they want to update or add to it.

Do you agree that victims should be provided with a copy of their Victim Personal Statement? Please give reasons for your response.

35. We do feel it would be useful for victims to be provided with a copy of their Victim Personal Statement. Aside from giving victims the opportunity to reflect on the information they provided (so that they themselves could ask for it to be updated at a later stage), we feel it would assist in victims feeling listened to and included; they are being given something that acknowledges that they are a victim and the investigation/trial is to provide them with justice.

Are there any additional comments you wish to make on changes to the Victim Personal Statement process?

36. We are generally in agreement with the proposal at para 2.6 of the Consultation but urge that a victim-led approach is used at all times and appropriate support be made available for victims at each opportunity. As is noted in the Consultation itself, not all victims will know what the impact of an ordeal is or will be on them; in some cases, providing a Victim Personal Statement at a later date may act as a trigger. Therefore it is important to ensure that offers are made in a sensitive and empathetic manner and if necessary, appropriate support is made available, such as referral to a counselling service or a specialist support service (such as our MWN Helpline). In fact, we feel it is important to work with charities and other support organisations who may be involved in the matter; they could for example find out if a victim wishes to provide or update a Victim Personal Statement.

Which agency is best placed to support victims of unrestricted patients?

37. With the utmost respect, this question is difficult to provide a response to because we are yet to find an agency that is perfect in its ability to provide support to victims; how then can we possibly suggest an agency best placed to assist victims of unrestricted patients? Nevertheless we do wish to make the comment that we feel it is wholly unacceptable that victims of unrestricted patients are not provided with the same level of support as victims of restricted patients and urge that this is immediately addressed. We see no reason why Victim Liaison Officers cannot be allocated to both victims of restricted and unrestricted patients and feel changes need to be made to the current system as a matter of urgency.

Do you agree that the right to access practical and emotional support for victims should be made clearer in the revised Code, for those victims:

- a) **who do not report incidents to the police?**
- b) **who choose to withdraw after reporting an incident to the police?**
- c) **at the end of their case?**

Please give reasons for your response.

38. As the Consultation notes, evidence suggests that around 69% of victims do not report incidents to the police due to a number of reasons. Where female Muslim/BAME victims are involved, the reluctance to report may be due to additional cultural factors; for example, female Muslim/BAME victims of sexual violence may feel unable to make a report because if their family became aware of their ordeal then they could also become at risk of honour based abuse. Additionally, our CJS Report highlights that victims may withdraw after reporting due to the handling of their case by criminal justice agencies (whether this is the police or CPS). Such victims end up suffering in silence as they are not aware of the support available. We therefore agree that it is imperative that victims be made aware of the support available but more importantly, it is important to ensure that appropriate support is in fact available to cater for their needs.

39. The MWN Helpline currently provides support and advice (including counselling and case work support) to almost 1000 beneficiaries in one year; the support we provide is faith and culturally sensitive, taking into account the specific circumstances and needs of the individual; we feel that the increase in number of beneficiaries each year proves the clear need for such specialist support. It is vital that victims are made aware of the various specialist support services that are available, such as the MWN Helpline, and funding should also be made available specifically for such services.

Do you agree with the proposed changes to eligibility categories for access to specialist support? Please give reasons for your response.

40. We neither agree nor disagree with this proposal and wish to reserve our comments until further (more specific) information is made available in this respect. We do wish to make the comment however that whilst the proposal in principle seems acceptable, we do not see how it would be workable in practice. How precisely will an assessment be made as to who the 'victims with the greatest needs' are when the evidence

available to us highlights that there is still a lack of awareness as to what constitutes 'risk' and 'trauma', particularly where Muslim/BAME women are involved? Our CJS Report highlights various instances where the level of pain, distress and/or trauma being faced or experienced by victims were underestimated or overlooked. Indeed we even have examples of cases where victims were in fact presented as offenders; it is a matter of shame for our criminal justice system that victims who have already suffered enough have then had to hear how they are the perpetrators and their abusers treated as the victims. We therefore do not see how the proposals will ensure that support will certainly be provided to those victims who need it, and victims won't simply fall within the cracks. We also wonder whether an assessment based on "greatest needs" could potentially lead to a hierarchy of victims? We would certainly suggest the Code includes guarantees as to when support will most certainly be provided (such as in the event of sexual violence). We are sure you will understand our concerns given that we have had to deal with instances where the first time a victim of rape had heard about special measures was when they approached MWNUK, even though a perpetrator had already been charged and the case was progressing towards trial.

41. Additionally, there seems to be a lack of acknowledgement (let alone provisions made) of the fact that children witnessing domestic abuse are also victims who require support. We hope that changes to the Victims Code will address this point.

Are there any other types of support or information which would benefit those victims who are offered specialist support?

42. Although MWN Helpline provides a faith and culturally sensitive helpline service catered for the needs of Muslim women and girls, we also recognise that the needs of each individual is different and it is imperative that the specialist support offered or provided to victims is appropriate and useful for them. It is therefore necessary to proceed with a victim centred approach and provide victims with a range of options and discuss the different types of support which they may be able to access. For example, rather than specifically offer or suggest faith-based counselling which may or may not be useful, it may be better to ask whether 'spiritual counselling' is something they may consider of use; the key point we wish to make is that assumptions should not be able about an individual victims needs and must be led by the victim.

What changes should be made to the existing needs assessment process?

43. Victims may need additional support not related to the trial or which may be considered ancillary to the crime and criminal justice agencies may be the first to have the opportunity to discuss wider issues of concern, we feel it is important that a holistic and victim-led approach is taken and all of the victims' needs assessed. For example, a victim of honour based abuse may have had to leave home and may now be homeless; whilst in some instances assessments have been useful in identifying such needs, this is yet another instance where it is very much a 'postcode lottery' and depends on who is carrying out a needs assessment. We would therefore recommend that the needs assessment process is strengthened to ensure that a victim-centred, holistic approach is taken to ensure that victims are truly helped. We know of many instances where for example, victims of domestic abuse have returned to their

perpetrators because the alternative was to become homeless or live in financial destitution. We should therefore be ensuring that every opportunity is taken to provide victims with the support they need so they do not have to make such devastating choices.

Do you agree that PCCs should work with their local criminal justice partners to adapt the victim guidance to explain the local offer for victims? Please give reasons for your response.

44. We are aware of all the concerns mentioned at paras 5.6 – 5.8 and do agree that a lack of assigned responsibility of certain aspects of the Code can lead to a lack of ownership of its delivery; indeed, there are shortcomings even when responsibility has been assigned, leading to organisations such as MWNUK having to plug the gaps and provide the relevant information. We therefore agree with the proposal of requiring PCCs to work with local criminal justice partners and ensure that the needs of victims are being catered for and their entitlements met. Additionally we would ask that PCCs also work with charities such as MWNUK that work with victims of crimes so that we can share any hurdles or barriers that are being faced by victims and put forward suggestions on how victims can be properly supported at a local level through a multi-agency approach. However, we must stress that PCCs must be given clear responsibilities for which they are held to account and secondly that this should not lead to a 'postcode lottery' of entitlements.

Final Comments

45. As a point of clarification, we must explain that where our comments and examples have been limited to Muslim and BAME girls, this is due to the nature of our organisation and its work. As a national Muslim women's charity our work predominantly deals with Muslim and BAME women and girls albeit we also work with individuals of other faiths and are therefore also aware of issues of relevance to other faith and non-faith communities. We are also aware that some of the issues experienced by Muslim and BAME women and girls can also be experienced by non-Muslim, non-BAME women and girls, as well as men and boys. In turn we wish to clarify that where we make any recommendations, we do so on behalf of all those within wider society who may be affected.
46. We would like to thank the Ministry of Justice for holding this Consultation and thank you for providing us with the opportunity to give Evidence. We hope it proves to be useful in your considerations.

**On behalf of Muslim Women's Network UK,
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11th September 2019

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