



WRITTEN EVIDENCE TO THE DEPARTMENT FOR BUSINESS, ENERGY & INDUSTRIAL STRATEGY (BEIS) REVIEW INTO SUPPORT FOR VICTIMS OF DOMESTIC ABUSE IN THE WORKPLACE

September 2020

Introduction

1. Muslim Women's Network UK (MWNNUK) is an award-winning, national Muslim women's organisation (www.mwnuk.co.uk) that has been advancing equality, promoting women's empowerment and connecting voices for change for over 17 years. We are a small charity (reg. no. 1155092) that works to improve social justice and equality for Muslim women and girls. 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, 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 will primarily focus on the experiences of Muslim/BAME women within our submission, the points we raise may equally apply to women of other ethnicities and faiths (or those of no faith at all) as well as to men. Where we make recommendations or ask for change, we therefore do so on behalf of those who may be affected by or may benefit from the same.

Evidence

5. As the only national charity working with and providing a frontline service to Muslim women and girls in the UK, we provide support and advice on a range of issues. This

includes domestic abuse, sexual abuse, forced marriage and honour based abuse. Our MWN Helpline statistics relating to all 42 issues that we deal with can be found at our MWN Helpline Data Dashboard: <http://www.mwnuk.co.uk/muslim-womenhelpline-dashboard.php>

6. 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. 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 we also campaign for change.
7. Our knowledge and experience is therefore derived from the very real, lived experiences of our service users and through our other activities. MWNUK take a holistic approach to the provision of support and advice and understand the many factors which may affect victims of abuse and which need to be taken into account.
8. We now make the following points for your consideration:

What support can be offered in the workplace for victims of domestic abuse?

9. It perhaps goes without saying that the workplace holds a special place of significance for victims of domestic abuse. Not only may the workplace be the only safe environment they have away from their abuser (assuming their abuser is not a coworker) and also key to making any escape plans, but being in a secure form of employment (and knowing that this form of security cannot be jeopardised) can make the difference between a victim deciding whether or not to seek support and/or leave an abusive situation. This is especially so where a victim may have children as they may feel unable to seek help if it could lead to homelessness and/or financial destitution. The barriers may also be exacerbated for female BAME victims of abuse who may become at risk of ostracisation or honour based abuse, if they take steps to leave an abusive situation. At the same time, it may be necessary to act in order to safeguard the victim as it could be the only opportunity to save them. It is therefore imperative that all workplaces recognise the very important place they have in the life of a victim, and the role they need to play to better protect and support their employees
10. In order to better support victims, it is crucial in the first instance to ensure that there is a positive culture of understanding and empathy within every place of employment. We are already aware of some positive examples where domestic abuse champions have been appointed within the workplace, specifically tasked with raising awareness of and providing support to victims of domestic abuse. We are also aware that there have been government initiatives encouraging employers to support workers affected (such as the PHE and Business in the Community toolkit¹). It would certainly be useful to roll out such practices across all places of work as we feel this helps to make clear that domestic abuse is taken seriously and that victims deserve to be supported. It also helps when the domestic abuse champion is separate to human resources and/or management as some victims can feel more reassured being able to speak to someone

¹ Gov.UK, 12.07.2018 (Online): <https://www.gov.uk/government/news/new-advice-to-help-employers-deal-with-domestic-abuse-and-stigma>

that is what they perceive to be an 'independent' individual (as opposed to someone that would usually deal with performance management or disciplinary procedures). However, the following also needs to be borne in mind:

- a. Appointing domestic abuse champions should not be treated as a 'tick-box' exercise and they should be provided with all the necessary training, support and resources to be able to fulfil the role effectively. In some cases, those who have been appointed as domestic abuse champions have been those that are genuinely passionate about supporting victims and tackling abuse but management have viewed it as a role that is 'additional' to their usual role which they can fulfil now and then and which should not interfere with their day to day work. This can then affect the level of support they are able to provide. This is very concerning because if a domestic abuse champion is approached for support, they should be able to provide the victim with all the support they need and support cannot be 'slotted' into a schedule. Victims have different needs and all require different levels of support and advice.
 - b. Training for domestic abuse champions should also be regular and continuous, and they should be encouraged to keep up to date with new research and findings. This is very easy to do within the existing framework as there are a number of charities which provide training and updates. In fact, MWNUK will be shortly relaunching its new and improved online platform, re-named the MWN Hub, which individuals can sign up to and learn more about different forms of abuse. They can also ask questions (anonymously if necessary) if they were unsure about how best to support a victim or deal with a particular situation. To give an example of the types of updates that domestic abuse champions may find useful, in our 2019 report 'Muslim women's experiences of the criminal justice system', we highlighted for the first time how abusers were also using sound recordings (instead of image based, video recordings) to harm and blackmail victims. Knowing how different perpetrators may behave would be helpful for domestic abuse champions to understand how best to support and protect victims.
 - c. Managers of both domestic abuse champions, managers generally and HR teams should also be provided with training to spot the signs and understand how best to support victims. Training should be regular, with regular reminders as it is important that domestic abuse training does not become an once-a-year occurrence that is only carried out because it is compulsory and/or because it is good 'PR' for the organisation.
11. There should also be more general training for all employees so that colleagues can learn to spot the signs and also understand how best to provide support and reassurance to a victim. For example, it can be unhelpful and potentially dangerous for a first response/advice to a victim to be along the lines of 'well, you should just leave'. Whilst understandable why this may be said, this does not take into account the many factors that may be involved and that it may not be easy for the victim to 'just leave', especially if they have not considered a safe escape plan. It could be that the victim is an Islamic-only marriage and therefore does not have the same rights as a spouse over the matrimonial home, which means they could end up homeless. They could find themselves at risk of honour based abuse if they left. Showing a lack of understanding or empathy to a victim could have a disempowering effect on a victim and perhaps the one opportunity to in fact help them leave an abusive situation could then be lost. We

are also aware of situations where victims have been offered support by friends and colleagues, such as being offered a place to stay, without truly appreciating that the victim may need to stay with them for some time after leaving the abusive home. This can then impact the relationship between the friends or co-workers and can have a serious impact on the mental health of the victim.

12. We cannot stress enough that each situation is very different and there needs to be better understanding of the different factors and risks which may be involved, as well as understanding cultural barriers. It is also important to understand that not all victims will immediately recognise that they are in fact a victim of abuse (this can be especially the case where coercive control and emotional abuse may be involved). It is very important to be prepared when dealing with difficult situations so that you do not inadvertently alienate a victim, or potential victim, or close off the possibility of them approaching someone in the workplace for support. It is crucial that co-workers and managers understand the importance of being non-judgmental and empathetic, whilst also considering the victim's safety and the possible need to take action to save lives.
13. A victim, or potential victim, of abuse can only feel able to safely discuss their abuse and seek help from their colleagues or employer if the culture within the workplace is healthy, supportive and free from any toxic attitudes. To achieve such a culture it is important to tackle all myths and stereotypes and challenge misogyny and racism within the workplace. Victims of abuse may feel unable to seek support within the workplace when they hear victim-blaming attitudes. The following comments may best describe the impact of such toxic culture:

"I have a colleague.... Now and then she will say things like, most women lie about rape or women keep children away from their fathers because they're spiteful.... Others will join in and say something similar and it makes me very sad and uneasy....No way would I ask them for help and be judged..."

"When I asked to leave early to help my sister after she had been thrown out by her in-laws... my manager made a comment like, how it's 'culture' and I found myself defending my community and culture at a time when all I wanted to do was go and pick my sister and nephews up and bring them home. I wish I had just said I was sick so I could have just left..."

14. A further means by which victims of domestic abuse can be supported in the workplace is through the granting of both paid and unpaid leave. Although we appreciate that not all places of work will be able to commit to the exact same level of paid leave (unless this can be supported by the government, which we discuss further below), it should certainly be possible for all employers (including small businesses) to commit to two - three days of paid leave as a minimum. Indeed, despite being a small charity ourselves, MWNUK have committed to provide paid leave to any employees who are victims of domestic abuse for up to three – five days. If we are able to despite our limited resources, we feel it should be possible for all employers to make some commitment to paid leave. We feel that most victims of abuse would request such leave as a last resort, because most are already worried about their financial situation and/or may be worried about how they may be judged and/or the impact on their jobs. We therefore do not think it is likely that if for example, an employer agreed to pay up to 5 days of leave, that a victim would request all five days unless absolutely necessary.

15. To this effect, we would also ask that it is not necessary for any paid leave to be taken as a single block but rather should be taken as individual days. Victims should also be able to request additional unpaid leave as may be needed. It is important to appreciate that the leave may not only be needed for immediate escape plans but there could be ongoing instances (for example, where an abuser begins to stalk the victim or keeps coming outside the victim's home and the victim is unable to leave until the police arrive and have taken statements etc). There may also be more than one victim involved; for example, where siblings or an entire family were being abused. There is also the impact on any children involved.
16. As a good practice example, we share a case where the female victim of abuse was remaining in the home whilst the abuser had left but would re-appear at the doorstep (or park just out of sight) around the times that the victim would usually need to leave the home to go to work or to drop their child to nursery. When the victim shared this with her managers, the managers made flexible working arrangements so that for the first few weeks the victim could work from home in the morning and arrive in the office later (the abuser would not have been aware of this change in working arrangements). They also temporarily moved her to different offices (where possible) so that the victim could work in peace without worrying about the abuser, or his family, arriving at or near the office. However, had the managers not shown understanding of the situation then the victim could have been disciplined for not turning up to work or turning up late every day. Similarly, some perpetrators may purposefully make it difficult for a victim to get to work on time or complete their work to the best of their ability so that the victim can lose their job and lose their last bit of independence. It is therefore very important for policies to be drawn up which consider the practical issues which could arise for victims of abuse in relation to the workplace due to being in a domestic abuse situation or leaving.
17. There may be also be a need to attend police station or the court (where prosecution is being pursued), as well as for mental health and wellbeing reasons. Unpaid leave may also be necessary for a victim and their children/family to adjust to the changes. For example, where they have relocated, they may need time to familiarise themselves with the new environment or where the perpetrator would previously be involved in childcare duties such as picking up children from school. It is also important to remember that in some cases, particularly South Asian communities, a victim may have been disowned by her family for leaving an abusive spouse due to the stigma around divorce and the prevalence attached to so-called shame and honour. We therefore ask that a flexible approach is taken both by the government and employers when setting the criteria for when a victim of abuse may be entitled to take paid leave and/or unpaid leave.
18. We do feel that the best means by which to ensure that paid leave can be provided to victims of abuse is if this can be met for by the government. That way all victims can be reassured that they can be guaranteed a minimum amount of paid leave rather than leave depending on the policies of the employer (which may be dictated by their size and/or financial resources). Given that domestic abuse costs employers and the government an estimated £1.3 billion a year², we think there is a very strong case for allocating funds for domestic abuse leave so that victims can be better supported and in turn reduce the costs for both employers and the state. The benefits of providing

² NHS Employers, 14/01/2019 (Online): <https://www.nhsemployers.org/retention-and-staffexperience/health-and-wellbeing/taking-a-targeted-approach/taking-a-targeted-approach/domestic-violence>

paid leave for victims of victims of domestic abuse should be self-explanatory but for the sake of completeness, knowing that they can plan their escape and/or make plans to relocate or seek refuge or other take other steps for their safety without needing to worry about the financial impact of it all can make the difference between taking the step in the first place. It can also be the difference between leaving that month or the following month, especially where there are a number of financial responsibilities that the victim needs to consider. It goes without saying that if a victim is able to receive the necessary support at the right time and is helped to leave an abusive situation sooner rather than later then this will be better for their health and wellbeing, and in turn cost-saving for employers and the government.

19. To counter the argument that annual leave could be used instead, the first point to make is that annual leave may need to be used for other domestic abuse related reasons (including for mental health and wellbeing reasons) and it could also be that a victim no longer has annual leave because it has been closely monitored by the abuser, who has ensured it has all been used under their surveillance.
20. We must share our concerns however that, where paid leave becomes compulsory for victims of domestic abuse, this could lead to direct or indirect discriminatory practices within the workplace. For example, employers may think that it is better to not hire women, or BAME women, due to their incorrect belief that by hiring more women/BAME women that they will be required to pay for more domestic abuse related leave. This could be allayed if any leave costs were met, or at least subsidised, by the government but it is also important to ensure that there is clear and robust guidance and training on domestic abuse to ensure such harmful attitudes are tackled within the workplace.
21. It would also be useful to allow employees to be able to receive an advance on their salaries, obtain an interest-free loan and also consider creating a hardship fund for employees in a domestic abuse situation. Such examples could be very useful where victims need to move or take over an existing tenancy (for which they may need to put down a deposit) or where they now have to pay all the financial outgoings as the abuser will no longer be contributing to them. It may also be necessary for victims to pay for emergency accommodation.
22. Employers could also help employees with their safety plans. For example, the victim may be able to slowly store essential items at work and on the day they plan to leave, arrangements could be made so that if the abuser called to check up on the victim then the abuser could be given explanations as to why the victim cannot respond that would not arouse suspicion (e.g. they are currently in an important meeting or training session). Employers can also help curb financial abuse and coercive control by for example, requiring salaries to be paid into the employee's account only (where an employee has disclosed they are being controlled and abused) and if questioned, informing the perpetrator that this is the new company policy. The workplace may also be the only safe place where someone can call the police, local authority and/or a charity without raising alarms and so employers should allow time for such calls to be made, using the work phones so that the calls do not appear on any mobile phone bills.
23. The pandemic has highlighted that, whilst not all, a large number of professions and sectors are able to work remotely and/or reduce the time needed to be in the office. This in turn has highlighted that it is much easier to accommodate flexible working arrangements and it is important to consider looking at different ways of working to

support victims of domestic abuse. This could be especially necessary just after a victim has left an abusive home and may be in a refuge or some other safe place and it is important that they cannot be traced by the abuser or his friends or family. This could happen for example, if the victim is stalked from the place of work and followed to their new place of accommodation. Where possible and convenient, employers should also consider allowing a victim to temporarily or permanently work from another office or base. Where flexible working or other measures are not possible, a risk assessment should still be carried out as to how to best support and protect an employee and put in place measures that can help; for example, ensuring the employee is accompanied when leaving the place of work; ensuring that any calls/emails to them are screened to ensure they cannot be harassed through calls/emails etc.

24. To this effect, it is very important for victims of abuse to be made aware of the different measures they can pursue so that they can be protected in the workplace, such as non-molestation orders or injunctions stopping someone visiting them at or being in the vicinity of their place of work. Resources should be made available in the workplace (which are also easily accessible) and there should be clear sign-posting to other charities and services that so that victims, and potential victims, are able to access the support they need. It is also important to ensure that information is available in different formats.
25. It is also important to ensure that a victim in such a situation is thoroughly safeguarded and any co-workers who may know the abuser must be informed not to share any information about the victim or their whereabouts. Strict action should be taken where a co-worker takes steps which could jeopardise the safety and wellbeing of an individual.
26. Domestic abuse policies should be clear and robust and be written in tone that is empathetic and understanding. It is important to note that victims may read a domestic abuse policy a long time before they actually seek help and support; it is important to get the language right so that a victim feels empowered after reading the policy, rather than discouraged. A good domestic abuse policy should include details of the types of support that could be made available, including safety measures that can be requested and safeguarding guidance. Policies should also highlight the different risk factors which could be involved (such as honour based abuse) and why it is important to take advice from a professional, expert organisation (such as a charity working with victims of domestic abuse) to seek appropriate guidance.
27. We also feel it is important to highlight, to BEIS and to employers, that calling the police may not be the end of the journey for a victim of domestic abuse nor does it mean that they no longer require any further support. Indeed, seeking support from the criminal justice system can in itself cause a number of issues; this has been highlighted in detail in our 2019 report, 'Muslim women's experiences of the criminal justice system'³. For example, someone at risk of forced marriage had made escape plans and moved to a refuge. The police were called for information purposes only, in case the family called the police to report her missing. However, the police then came to see her and tried to persuade her to make a report against her father. This upset her so much, as she did not want action to be taken against her father, that she left the refuge and returned

³ Shaista Gohir OBE (2019) Muslim women's experiences of the criminal justice system, MWNUK:
https://www.mwnuk.co.uk/go_files/resources/Muslim_Women_and_Criminal_Justice_FINAL.pdf

home. The priority should always be to protect someone from harm, which is one employers and their policies must also strive for.

28. Crucially, it must be made clear that victims of domestic abuse will not be penalised for being a victim and/or for needing support. Many victims can feel worried that they may lose their jobs, or their chances of promotion affected, if the reality of their lives became known. They may worry for example, that the perception of them may change and they will be seen as 'weak' and unable to fulfil a role. It would be interesting to look into, in detail, the extent to which such fears are well-founded and whether being a victim of abuse has led to an individual missing out on promotion or training or finding that their appraisals are affected.
29. It is in turn very important to ensure that management do not in fact treat victims of abuse unfavourably. Whilst victims of domestic abuse are likely to need short-term and/or long-term support (particularly when the abuse is escalating or when the victim has made plans to leave as that is usually the most dangerous of times for them) and there may be some impact on their work performance (how long will depend on the individual circumstances), the effects of abuse can be minimised through appropriate assistance and care. We strongly believe that this will very much depend on an employer's approach; if they concentrate on the victim's needs then it is, in our opinion, more likely to assist a victim's wellbeing and in turn their job performance. However where performance becomes the focus, then the victim is more likely to feel pressure which in turn will impact their wellbeing and in turn their performance. We are also sure that BEIS would agree that good employees should not be penalised due to the abusive actions of a third party; they have already endured enough. Financial independence and security is crucial to tackling domestic abuse and promoting women's empowerment; if domestic abuse led to a victim losing their job then they will simply be pushed further into the clutches of their abuser and may never be able to leave.
30. Moreover, there are benefits for employers as having a positive working environment where those in need are shown care and understanding, will lead to an increase sense of belonging and in turn increased morale and better staff retention rates. This in turn is likely to see a reduction in time off needed as sick leave or unpaid leave. It will also aid the promotion of equality and diversity in the workplace as whilst anyone can be a victim, women tend to make up the majority of those affected by domestic abuse.
31. We also think it would be useful for employers to consider other forms of support they can provide either internally or by partnering with other organisations. For example, law firms could consider providing employees who are victims of domestic abuse with free legal advice or representation where there is an issue related to the abusive circumstances. For example, where child custody proceedings need to be pursued or where an order of sale needs to be pursued for a jointly owned home. We appreciate however that not all individuals will feel comfortable (and it may not always be appropriate either) to have colleagues represent them and to deal with such situations, perhaps law firms can be encouraged to partner with one another so that they agree to represent the other firm's employees. Similarly hotels could agree to provide discounted rates for employees of an organisation needing emergency accommodation.
32. Although we note that the BEIS review (and in turn our submission) has focused on domestic abuse, we must ask that support within the workplace is made available to victims of all other forms of abuse, such as forced marriage and honour based abuse.

It is important that training is given to spot the signs and understand the different factors and risks which may be involved so that appropriate support can be provided. It may be that a victim is being harassed and blackmailed by a grooming gang but this is overlooked due to a lack of understanding of the different models of grooming and who can be a perpetrator or victim of sexual exploitation.

33. We also appreciate that it can be difficult for employers where those involved may in fact be co-workers themselves and there may not be a clear finding of fact (i.e. unproven allegations). Whilst such situations may be difficult, this should not mean that a victim of domestic abuse is treated differently to how other victims may be treated. They should be provided with the same level of support and greater consideration should be given as to how they can be supported and protected within the workplace. This could for example, involve requiring the two to work in different offices or bases, on different shifts and/or requiring the alleged abuser to stay away. Where there is evidence of abusive behaviour then robust action should most certainly be taken.

Final Comments

34. 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.
35. We would like to thank BEIS for holding a review into support for victims of domestic abuse in the workplace and thank you for providing us with the opportunity to make submissions. We hope our comments prove to be useful in your considerations.

**On behalf of Muslim Women's Network UK,
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