

Not Safe Here

**The systemic failures to protect women
and children from sexual violence and
abuse in asylum accommodation.**

October 2024

Acknowledgements:

Our deepest gratitude goes to those survivors who shared their painful stories with us, in the hope that doing so will create positive changes for other women and children. We hope this report does justice to your strength and courage.

Thank you to the brave and conscientious group of professionals who first approached us with their grave concerns, and who asked us to carry out this research. In particular, we would like to thank “Claire” for her wisdom, for supporting with the research during the early stages of development, and for her ongoing commitment to the project throughout its various stages; we simply could not have done any of this work without you.

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* To protect the identities of the victims and survivors who contributed to this report, all have been given pseudonyms.

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Glossary and terminology

AASC – Asylum Accommodation and Support Services Contracts. These govern the relationship between the Home Office and the three private companies ('Clearsprings Ready Homes', 'Mears Group' and 'Serco') contracted to provide asylum accommodation. The details of the services that must be provided are set out within the Statement of Requirements for the Contracts.¹

AIRE – Advice, Issue reporting and Eligibility Support. This contract has been awarded to Migrant Help, who work with the Home Office and the contractor accommodation providers to provide advice and assistance to people seeking asylum. Under the contract, Migrant Help are delivering a 24/7 helpline that is the main point of contact for asylum seekers needing support with a wide range of issues related to their experience of the asylum support system. This includes reporting issues, submitting complaints, support with housing, money and access to healthcare. The details of the services that must be provided are set out within the Statement of Requirements.²

Asylum accommodation complex – refers to the different types of asylum accommodation that the Home Office has procured to meet its statutory responsibility to provide destitute asylum seekers with accommodation and/or financial assistance to meet their basic living needs. This includes hotels, hostels, large scale sites and vessels.

Asylum seeker – a person who has left their home country as a refugee and is seeking asylum in another.

Black and minoritised – we use the term 'Black and minoritised' victims and survivors to "signify women who are discursively constructed as 'minorities' through processes of marginalisation and exclusion. We recognise that it is a broad term that can overlook differences".³

¹ Home Office. (2019). *Statement of Requirements: Asylum Accommodation and Support*. Available at: https://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AASC_-_Schedule_2_-_Statement_of_Requirements.pdf (Accessed 18 March 2024).

² Home Office. (2019). *Statement of Requirements: Advice, Issue Reporting and Eligibility Support*. Available at: https://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AIRE_Contract-Schedule_2-SoR_-_HOC_Published.pdf (Accessed 18 March 2024).

³ Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence* Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

Communication barriers – many barriers are directly linked to structural inequalities and discriminatory dominant ideologies and practices. We use the term ‘communication barriers’ when referring to “both access to adequate information and equal access to support services needed”. These are barriers faced by women who have/are: blind or visually impaired; speakers of languages other than English; Deaf; communication impairments; learning difficulties; basic or no access to literacy.⁴

Contingency asylum accommodation - this includes hotels, vessels and former military barracks. These are used to accommodate people receiving section 98 support and some receiving section 95 support.

Destitution Domestic Violence Concession (DDVC) – this was a Home Office policy that allowed victims of domestic abuse who were on a spousal visa to change their immigration status to a three-month visa which enabled them to access public funds while they prepared their application for indefinite leave as a victim of domestic abuse. This has now changed to the Migrant Victims of Domestic Abuse Concession.⁵

Dispersal accommodation – longer-term temporary accommodation managed by accommodation providers on behalf of the Home Office. Those seeking asylum will normally be able to stay in dispersal accommodation until their asylum claim has been fully determined.

FGM – female genital mutilation.

Immigration and Asylum Tribunal – the courts that handle appeals for immigration and asylum decisions made by the Home Office.

Immigration detention centres – individuals with an insecure immigration status are subjected to immigration control from the Home Office and are at risk of being held in immigration detention. The Home Office uses the term ‘Immigration Removal Centres’; however, this is misleading as most people who are detained are held for long periods of time without being removed from the UK.

No recourse to public funds (NRPF) – a person will have no recourse to public funds when they are subject to immigration control. This means they cannot access public funds or state support, including universal credit and housing assistance (including refuge support).

Refugee and asylum sector – this refers to organisations that specialise in supporting people who have left their country of origin to claim safety and settle in another.

Screening interview – the first interview that takes place after an individual has claimed asylum.

⁴ Rape Crisis England & Wales et. al. (2023). *Listen to Us! Communication Barriers: How statutory bodies are failing Black, minoritised, migrant deaf and disabled women and girls victim/survivors of VAWG*, pp.2. Available at: https://rcew.fra1.cdn.digitaloceanspaces.com/media/documents/Listen_to_us.pdf (Accessed 19 March 2024).

⁵ Home Office. (2024). *Migrant Victims of Domestic Abuse Concession*. Available at: <https://assets.publishing.service.gov.uk/media/660e-b038a43d91001c3af176/Migrant+Victims+of+Domestic+Abuse+Concession.pdf> (Accessed 25 March 2024).

Specialist by-and-for services – these services are led by and for Black and minoritised women. They “address the needs of Black and minoritised women because of a core organisational intention to design support responses around women who are likely to be the most marginalised in society”.⁶

Specialist sexual violence and abuse services – this refers to services whose primary organisational purpose is ‘working with victims and survivors of sexual violence and abuse’, are independent and trauma-informed, and offer ‘wraparound’ support for victims and survivors of all forms of sexual violence and abuse. Rape Crisis centres are an example of these kinds of services.

VAWG – violence against women and girls.

SVA – sexual violence and abuse.

Sexual exploitation – this is a form of sexual violence that occurs when an individual is coerced, manipulated or deceived into sexual activity. Sexual exploitation can include exchanging money, employment, accommodation, goods or services for sex. We know that women can be trafficked into or within the UK for sexual exploitation.

Sexual harassment – this is a form of sexual violence and abuse, and refers to unwanted sexual behavior that can make someone feel upset, scared, offended or humiliated. Sexual harassment typically involves a pattern of behaviors but can also occur as a single incident.

So-called ‘honour-based abuse’ (HBA) – this is a form of coercive control and domestic or family abuse that occurs to protect or defend against a perceived slight to the honour of a family or community.

Modern slavery – this refers to situations of exploitation where a person cannot leave due to threats of violence, coercion, or deception. Modern slavery can include human trafficking, domestic servitude, forced prostitution or forced labor.

Human trafficking – this refers to the coercion and transportation of individuals for the purpose of exploiting them for profit.

National Referral Mechanism (NRM) – this is a framework for identifying victim-survivors of human trafficking and modern slavery, and ensuring they receive appropriate support.

Destitute – people are considered destitute when they are unable to meet their basic needs (including food, shelter, heating, and clothing). Migrant communities, who do not have recourse to public funds, are at much higher risk of destitution.⁷

⁶ Defined by Imkaan: Imkaan. (2024). *The Politics of by and for*. Available at: <https://www.imkaan.org.uk/by-and-for>, and Centre for Women's Justice, End Violence Against Women Coalition, Imkaan and Rape Crisis England & Wales. (2023). *What's Changed? Government's Rape Review Two Years On*. Available at: https://rcew.fra1.cdn.digitaloceanspaces.com/media/documents/The_Rape_Review__Two_Years_On.pdf (Both accessed 25 March 2024).

⁷ See further: Joseph Rowntree Foundation. (2023). *Summary: Destitution in the UK 2023*. Available at: <https://raceequalityfoundation.org.uk/news/study-reveals-alarming-increase-in-destitution-in-the-uk/#:~:text=It%20is%20estimated%20that%201.1,the%20mainstream%20welfare%20safety%20net> (Accessed 19 March 2024).

Victim-survivors – we refer to individuals who have experienced rape and/or sexual abuse as ‘victim-survivors’. This is in acknowledgement of the different ways that individuals define what they have been subjected to and where they are now in their understanding of their experiences, identities and lives.

About us

Rape Crisis England & Wales (RCEW) is a national charity which works to end sexual violence and abuse. We provide specialist information and support to all those affected by rape, child rape and sexual abuse (CRaSA), sexual assault, sexual harassment, and all other forms of sexual violence and abuse in England and Wales. We hold the contract for the 24/7 Rape and Sexual Abuse Support Line.

RCEW is also the national membership and quality assurance organisation for a network of 39 independent Rape Crisis centres that provide wraparound support for victim-survivors including advocacy, counselling, emotional support and peer support services. RCEW undertakes policy and research in order to support the work of the Rape Crisis network, and ultimately, for victim-survivors.

Imkaan is a second-tier support organisation for the Black and minoritised women and girls ending VAWG sector in the UK.

We have 38 members in England, Scotland and Wales who specialise in supporting Black and minoritised women subjected to multiple, intersecting forms of violence including domestic, sexual violence, economic abuse, forced marriage, so-called honour-based violence, immigration/asylum related abuse, and female genital mutilation (FGM).

We provide capacity building and sustainability support to member organisations. We also undertake research, strategic advocacy and policy work from a Black feminist intersectional perspective. Imkaan works in a way to achieve systemic change through the ongoing inclusion of Black and minoritised women and girls in all aspects of society, including by promoting their participation, representation and involvement. Imkaan works around human rights, social justice and equalities frameworks.

Key Findings & Recommendations

A. Headline findings

This report seeks to give voice to the many women who have endured sexual violence and abuse, prior to, during and since attempting to seek safety in the UK. Through detailed interviews with asylum-seeking women, as well as the professionals supporting them, we found:

- Women do not feel safe, and in all of the examples we heard from women with lived experience of the asylum system, they do not appear to be safe, within the asylum accommodation complex.
- The asylum system compounds existing trauma experienced by women who have previously endured sexual violence and abuse - whether in their countries of origin, en route to the UK, or within the asylum accommodation system. At Rape Crisis England & Wales (RCEW), we know that women who have experienced sexual violence and abuse need to feel safe, believed, and supported, before they can begin to recover from the trauma experienced. However, key features of the asylum system prevent this and indeed exacerbate existing trauma. Such features include:
 - The process for applying for asylum, wherein women are expected to immediately disclose histories of sexual violence and abuse (especially where these experiences form part of women's reasons for seeking asylum) or face penalties for not having done so.
 - Traumatic asylum interviews, akin to interrogations, which are conducted by interviewers with little understanding of (or training in) trauma and how it manifests, or barriers to disclosure. Women also face demands for 'evidence' of sexual violence and abuse and have their 'credibility' scrutinised.
 - Poor accommodation – women we spoke to reported that the accommodation they were provided with contained dangerous mould and infestations of cockroaches and bedbugs. We also heard that accommodation is often mixed-sex and women live in fear due to harassment and violence from other residents and staff members.

- Women and girls are at risk of experiencing (further) sexual violence and abuse in the asylum system because of key harmful elements of that system, including:
 - The Home Office policy of forcing women and children to share communal areas, and sometimes bedrooms, with unrelated adults, including men.
 - The reported failure of accommodation providers to effectively vet and train staff working in asylum accommodation, or appropriately handle complaints of misconduct, including sexual violence and abuse of asylum-seeking women.
 - The reported failure of accommodation providers and Migrant Help to address barriers to disclosure for women who have experienced sexual violence and abuse whilst living in asylum accommodation.
 - The lack of specialist support and advocacy available to asylum-seeking women who have experienced sexual violence and abuse.
 - The Government's no recourse to public funds (NRPF) policy, which forces women with failed asylum claims into destitution, making them more vulnerable to exploitation and abuse from perpetrators who are able to use their insecure immigration status as a tool to control.
- Against the backdrop of a hostile immigration environment, reports of safeguarding failures and often uninhabitable asylum accommodation, women told us that they manage to find pockets of care, community, and connection through the services of specialist third sector organisations. These services provide a lifeline to women trapped in a system which in practical terms shows almost no care or compassion at all for their individual circumstances. However, these services are perennially at risk due to a lack of funding and investment.

B. Key recommendations

To support women and children:

- The Secretary of State must develop a plan to end the use of institutional accommodation, and where this is not possible, ensure that at a minimum, asylum-seeking women and families are housed with other women and families only.
- The Home Office and sub-contracted service providers should provide victim-survivors with regular updates as to the progress of their asylum applications and any complaints that they have made.
- Long-term, sustainable funding must be provided for specialist sexual violence and abuse services and by-and-for organisations supporting migrant, refugee, and asylum-seeking women to strengthen specialist support in the wake of increased racism, xenophobia and the targeting of asylum accommodation.

- Independent and holistic asylum advocate roles must be created, to support with the early identification of vulnerabilities and risk assessments of women entering the early stages of the asylum system. The advocate role must be designed by by-and-for organisations with VAWG expertise, knowledge and experience of holistically supporting migrant, asylum-seeking women. It must be commissioned and delivered as part of an integrated, holistic package of support, and located within specialist by-and-for, voluntary and community organisations supporting migrant, refugee, and asylum-seeking women.

To support hotel/hostel/housing professionals we recommend that there should be:

- Robust training and guidance on safeguarding, equalities, and the rights and entitlements of asylum-seeking residents, particularly women and families. We specifically recommend that specialist by-and-for organisations, focused on Black and minoritised women and children, are commissioned and resources to provide such guidance and training, these organisations having the requisite specialist knowledge to support such survivors.
- Thorough vetting of asylum accommodation staff, including enhanced DBS checks to ensure those working with asylum-seeking women are able and fit to do so.
- Robust complaints and misconduct procedures. The Home Office should ensure that all contractors, including accommodation providers, have robust misconduct procedures in place that are strictly adhered to when complaints are lodged against staff.

We recommend that policy makers:

- Ensure that women seeking asylum are recognised and included in current, and any future, government strategies on tackling violence against women and girls (VAWG). This must be achieved through consultation with the specialist women's sector.
- Abolish NRPF provisions to allow women with insecure immigration status to access support.
- Establish safe reporting mechanisms to ensure victim-survivors of VAWG with insecure immigration status are able to access safe pathways to report all violence and abuse.
- Include migrant women's lived experience and feedback into policy-making as key stakeholders.

To improve accountability and oversight, we recommend:

- Independent inspections are conducted to monitor and evaluate the provision of sub-contracted accommodation, including initial, contingency and dispersal asylum accommodation.

- There is a clear and transparent record of safeguarding concerns that arise. The Home Office should be notified by all contractors (including Migrant Help and accommodation providers) of all concerns raised that relate to sexual harassment, abuse, exploitation or misconduct. This should be done in a way that protects the identity of victims and survivors, and the subsequent data should be published.
- The Home Office must appoint a new Independent Chief Inspector of Borders and Immigration (ICIBI) with immediate effect.
- An independent review of the Asylum Accommodation and Support Services Contracts (AASC) and Advice, Issue Reporting and Eligibility Support (AIRE) contract.

Right of Reply

Prior to the publication of this report, we wrote to the four organisations who at the time of writing held Home Office contracts for the provision of asylum accommodation (Clearsprings Ready Homes, Mears Group and Serco) and the national Advice, Issue Reporting and Eligibility Support (AIRE) helpline and support service (Migrant Help). We provided each organisation with a summary of the issues pertaining to their organisation, as cited in this report, and provided them with a right of reply.

Migrant Help and Serco provided responses, and we include their comments at the relevant points throughout the report.

For completeness, Serco also provided the following comment on our overall report: *"We completely refute the suggestions that you are making about the work that we do in providing accommodation for asylum seekers and the facts that I have provided demonstrate that the accommodation, communication and complaints systems are all meeting the standards required. We also have complete confidence that our teams who are responsible for providing the accommodation services to these vulnerable people at a particularly difficult time in their lives are carrying out their work in a professional and compassionate manner".*

Please note that despite requests from Serco for further details of the women that raised concerns about their services, the report authors did not provide such details, in order to respect and protect the confidentiality of the women who shared their stories with us.

Introduction



From when the women arrive until the end, it's a constant risk. They live in such an uncertain and unsafe environment. It's an environment that doesn't protect them, doesn't support them. And, actually, puts them more at risk because they are completely disempowered, especially after living in this accommodation for months or years.'

– Tia, specialist support worker for asylum-seeking women

Thousands of women and girls who have previously experienced sexual violence and abuse are currently seeking asylum in the UK. Although the exact prevalence of sexual and gender-based violence is not known, globally it is estimated to affect up to 70% of women who have forcibly migrated.⁸ Refugee and asylum-seeking women and girls going through the asylum process are likely to have been subjected to multiple different forms and threats of sexual violence and abuse across different contexts, and across their lifetimes. Sexual violence and abuse is often a major driver for women to leave their country of origin, as well as a common experience of women and girls on their journey to the UK.⁹

Under the Immigration and Asylum Act 1999, the Home Office has a statutory duty to provide accommodation and support to asylum seekers and their families, who otherwise would be destitute, whilst their asylum claims are being processed.¹⁰ Individuals who are awaiting a decision from the Home Office as to whether their asylum claim has been accepted are

⁸ See: Gonçalves, M. and Matos, M. (2016). *Prevalence of Violence against Immigrant Women: A Systematic Review of the Literature*. Journal of Family Violence, 31 (6): 697–710. DOI: 10.1007/s10896-016-9820-4.

⁹ Women for Refugee Women interviewed 106 asylum-seeking women. 78% had experienced gender-based violence in their country of origin; 49% had experienced rape, sexual violence, torture, physical violence and/or imprisonment on their journey to the UK to seek asylum. See: Dudhia, P. (Women for Refugee Women). (2020). *Will I Ever be Safe? Asylum Seeking Women Made Destitute in the UK*, p.6. Available at: <https://www.refugeewomen.co.uk/not-safe/#:~:text=Asylum%2Dseeking%20women%20are%20being,while%20destitute%20in%20the%20UK> (Accessed 18 March 2024).

excluded from accessing mainstream welfare or public funds, as they do not have the right to work. Therefore, all asylum seekers, including victim-survivors of sexual violence and abuse, are entirely dependent on the Home Office to survive. For women who have experienced sexual violence and abuse, this means that they are also dependent on the Home Office for their recovery from sexual violence and abuse.

This report seeks to give voice to the stories of refugee and asylum-seeking women who have been subjected to sexual violence and abuse, prior to, during and since seeking safety in the UK. Our main aim is to shine a light on the experiences of these often-silenced women, whilst also examining the political context and policy landscape within which their stories played out.

We spoke to eight women with lived experience of sexual violence and abuse, and of living in UK asylum accommodation. These women told us that they did not feel safe, either physically or psychologically, whilst living in Home Office provided asylum accommodation. Not only was the environment retraumatising for these victim-survivors due to the poor physical conditions, mixed-sex settings, lack of support, and the scrutiny they faced throughout the asylum-seeking process, but women faced further sexual violence and abuse *whilst living in* asylum accommodation. The reported failure of accommodation providers to properly vet, train or discipline staff¹¹, or to provide appropriate accommodation for these women, exacerbates the risk(s) of them being subjected to further abuse.

As well as hearing from women with lived experience of violence and abuse within asylum accommodation, we interviewed four professionals working with asylum-seekers and/or victim-survivors of sexual violence and abuse, who attested to the inadequate conditions, poor safeguarding and management of such settings.

We have heard evidence which strongly suggests that the Home Office is neglecting the needs of asylum seekers, particularly women who have experienced sexual violence and abuse – either directly, through the maintenance of its ‘hostile environment’ and NRPF policies, or indirectly, by outsourcing its responsibilities to other agencies who are also failing to safeguard those in their care. At the time of writing, key government asylum contracts are held by:

- Migrant Help (for provision of the national Advice, Issue Reporting and Eligibility Support (AIRE) helpline and support service).
- Clearsprings Ready Homes, Mears Group and Serco (for provision of asylum accommodation).

¹¹ We provided all accommodation providers contracted by the Home Office at the time of writing with a right to reply to comments made about them in this report. Serco provided the following comment on this section: “We completely refute the suggestion that Serco fails to properly vet, train or discipline staff. All employees on the Serco contract are DBS cleared. During the initial stages of employment, all employees must complete a five day mandatory induction which covers expected standards of behaviour and related safeguarding matters that are relevant to the asylum seekers, including child safeguarding, adult safeguarding, modern day slavery and FGM. All staff then undergo annual refresher training to ensure our staff are up to date with requirements. On those occasions where misconduct is identified, Serco has a robust investigation and escalation process to ensure that incidents are managed effectively to safeguarding our people”.

Chapter 1 of this report examines the context, both in terms of the common lived experiences of sexual violence and abuse of asylum-seeking women, and UK asylum policy. Chapter 2 examines ways in which the asylum system compounds existing trauma held by asylum-seeking women who have experienced sexual violence and abuse before their arrival to the UK. It considers how accommodation conditions and asylum interview practices appear to obstruct recovery from trauma, resulting in women living in heightened states of alert which can exacerbate and prolong trauma's impact. In Chapter 3 we give voice to asylum-seeking women who feel that the asylum accommodation system increased their risk of experiencing (further) sexual violence and abuse - at the hands of staff, residents, and/or external perpetrators.

Finally, Chapter 4 explores the importance women placed on feelings of connection, community and solidarity, as a means of survival. Women spoke about forging informal networks or relationships of care where possible, as a way of responding to the formal asylum 'support' system, which they felt inflicted structural violence and offered a dereliction of care. Specialist sexual violence and abuse services and other specialist services working with migrant, refugee and asylum-seeking women emerged as places of safety, in stark contrast to their experiences of the accommodation and support offered by the Home Office and its contractors. These services offered specialist by-and-for support aimed at supporting women to recover from their experiences, and to come together to overcome social isolation and loneliness.

Based on our interviews with asylum-seeking women and professionals who have experience of the asylum accommodation complex, we found that asylum accommodation and support services failed to meet the needs of those women who have survived sexual violence and abuse, as well as failing to protect them from further sexual violence and abuse. Based on the testimony of those women, we are deeply concerned at the risk to other asylum-seeking women who are placed in outsourced asylum accommodation run by the same private providers who operate on a for profit-based model, and the possibility that they will also be made to live in these reportedly unsuitable and sometimes dangerous environments. The survivors and professionals we worked with cited obvious signs of mismanagement within these settings, and a failure to fulfil contractual obligations, coupled with an absence of oversight or accountability.

We welcome recent some changes to asylum policy such as the scrapping of the Rwanda scheme and the announcement that use of the Bibby Stockholm barge as asylum seeker accommodation will cease at the end of its current contract in January 2025. However, as evidenced by recent racist, anti-migrant and Islamophobic violence across the UK, including the setting fire to asylum-seeker accommodation, the consequences of longstanding anti-migrant rhetoric and policies looms large over the country and poses a direct threat to those in living in asylum-seeking accommodation, as well as Black and minoritised communities in general. This is in addition to the reported dangers and risk of retraumatisation outlined in the report.¹²

¹² Imkaan. (2024). Urgent letter to the Prime Minister, in response to the recent far-right attacks across the UK. Available at: <https://www.imkaan.org.uk/imkaan-urgent-letter-to-prime-minister> (Accessed 27 August 2024).

We note that despite the Rwanda scheme being scrapped, the consequences of this deeply harmful policy remain, as highlighted by the recent legal action brought by Bail for Immigration Detainees (BID) against the Home Office regarding the longstanding detention of 150 people seeking asylum.¹³ We are also deeply concerned by announcements to clear the backlog of asylum claims by expanding detention capacity and speeding up the deportations and removals of migrants and refugees. These new measures, intended to boost Britain's border security, would have a harmful impact on women who have experienced VAWG, with migrant rights organisations such as Migrant Voice calling for regularisation of undocumented people's statuses at this time.¹⁴ It is also very problematic that these announcements came at a time when we recently witnessed racist, anti-Muslim, and anti-migrant violence targeting Black, minoritised, and migrant communities in the UK. While details of the forthcoming Border Security, Immigration and Asylum Bill are limited at time of writing, Government rhetoric on 'clearing the backlog' and ending the use of hotels has focused on mass deportations rather than safety. We need a clear plan to end the use of institutional accommodation so that asylum-seeking people can safely reside within communities and to ensure asylum-seeking women can access the support they need.

We therefore make several recommendations to Government to make urgent changes to the current asylum system in order to protect asylum-seeking women and girls who have experienced, and could likely experience more, sexual violence and abuse in the UK asylum system.

¹³ CrowdJustice. (2024). Help people detained under the Rwanda scheme secure justice. Available at: <https://www.crowdjustice.com/case/justice-for-rwanda-detainees> (Accessed 27 August 2024).

¹⁴ Migrant Voice. (2024). Migrant Voice calls for regularisation. Available at: <https://www.migrantvoice.org/home/pagenews/migrant-voice-calls-for-regularisation-300824145104#:~:text=Together%20with%20more%20than%2080,to%20secure%20a%20recognised%20status> (Accessed 11 September 2024).

Methodology

Aims

RCEW was approached by a small group of professionals working within the asylum context who shared concerns for the safety and security of asylum-seeking women. These dedicated professionals brought to our attention their concerns for women and girls living in Home Office provided asylum accommodation, who are experiencing, and living under the constant fear and threat of, sexual violence and abuse.

We were compelled to take on this research as a specialist organisation working to end sexual violence and abuse. Asylum-seeking women are among the most disadvantaged and overlooked women in our society. Many are already survivors of sexual violence and abuse before they reach the UK; many more will experience sexual violence and abuse whilst navigating the UK asylum system. There is limited research looking at the specific and unique experiences of women navigating the UK asylum system and this report seeks to address this gap.¹⁵

Our research aims were simple: we sought only to listen and give a platform for the voices of women who have navigated the UK asylum system as survivors of sexual violence and abuse. Whilst not representative of *all* asylum-seeking women's experiences, it is important to listen to those who have been able to speak out, and to take action to protect those who can't or won't be able to do so in the future.

Interviews

We conducted interviews in two phases:

Phase 1: interviews were conducted with four professionals working in the voluntary sector, either within specialist refugee organisations or organisations with a focus on supporting women affected by gender-based violence, including sexual violence and abuse. All four professionals had significant experience of working with migrant and asylum-seeking women who were survivors of, or at risk from, sexual violence and abuse in the UK.

¹⁵ We note the important leadership and work by Women for Refugee Women throughout this report. Additionally, we note the important contributions from the SEREDA Project.

Phase 2: interviews were conducted with eight women who:

- a. Have lived experience of the UK immigration system, and
- b. Are survivors of male violence.¹⁶

In order to identify interview participants, we approached a wide range of third sector organisations whose focus is on supporting refugee and asylum-seeking women, and/or survivors of sexual violence and abuse (including the Rape Crisis membership of 39 specialist sexual violence and abuse services). The survivors who came forward wanted to share their stories of navigating the UK asylum system as survivors of sexual violence and abuse. Eight survivors were interviewed. At the time of writing, half of the women we spoke with were still seeking asylum; half had received refugee status.

All women received a summary of our research intentions and were asked to provide written consent. Given the risk of re-traumatising vulnerable women, ethical considerations were of utmost importance. We sought to give as much agency to participants throughout the process by, for example:

- Providing the interview questions to women in advance, so that they were aware of what would be asked and not taken by surprise at any of the subject matter.
- Encouraging women to omit any questions they did not wish to answer.
- Giving all participants the choice of a one-to-one or small group interview, taking into account emotional needs, English language ability, and personal preferences.
- Encouraging women to bring a supporter or supporter worker to the interview if they wished to.
- Providing an interpreter, where required, to support women's communication.
- Scheduling regular comfort breaks during interviews, but also encouraging women to pause or take a break at any point.
- Ensuring iterative consent throughout the process.

Interviews were carried out either remotely via video call or in person. The interviews were semi-structured with a mixture of open and closed questions that focused on women's experiences of seeking asylum in the UK and their histories of sexual violence and abuse.

¹⁶ NB: we sought to recruit interview participants who were survivors of SVA specifically, but all were survivors of other forms of male violence too. This was unsurprising given that forms of VAWG often overlap.

The length of interviews averaged 90 minutes. As a result of our team prioritising the needs of women participating in interviews and working flexibly, participants were able to take the lead and share their experiences in a way that felt most comfortable to them.

Interviews were recorded, transcribed, and thematically analysed using a coding framework. All interview quotes contained in the final report have been anonymised, and pseudonyms have been used to safeguard and respect the privacy and confidentiality of individual participants.

Demographics

- The eight women we interviewed came from six countries: Iran, Nigeria, Albania, Democratic Republic of Congo (DRC), India, and Sierra Leone.
- A decision was taken not to collect any further demographic data. Further data did not feel relevant to such small-scale research which focusses on individual women's voices, rather than representative population samples. Protection of women's identities was also a significant consideration.

Limitations

Given the sensitive subject matter, it was challenging to find interview participants for both phases of the research, and it took many months to do so. Professionals who have experience in supporting survivors in the asylum system were understandably concerned about the consequences of speaking out against the institutional violence they witnessed, and about how being identified could harm them professionally.

Women with lived experience of both sexual violence and abuse and navigating the asylum system were often not ready to speak out about their experiences.¹⁷ The specialist organisations we approached often identified many women that they worked with who would be eligible to participate in the research, but who did not wish to engage – either because they were still in crisis, or in the very early stages of processing their trauma. We also know that for a range of reasons discussed later in this report, many women are never able – or may never wish to discuss – their experiences of sexual violence and abuse.

¹⁷ We note that this is very common and was also found in other important research. See, for example: Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence*, p.65. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

Lastly, many women were fearful of speaking out due to not having secure immigration status. Indeed, some women had been in the asylum system and awaiting a decision on their immigration status for several years. Women were understandably concerned that disclosing experiences may negatively impact their claim for asylum, particularly if they experienced sexual violence and abuse or the threat of sexual violence and abuse whilst living in Home Office provided accommodation – as all of our participants did.

Chapter 1.

Context

1A. Asylum-seeking women's experiences of sexual violence and abuse

Migrant, refugee, and asylum-seeking women occupy a vulnerable position within our social context. Women and girls going through the asylum process are likely to have been subjected to acts of sexual violence, abuse and/or exploitation.¹⁸ Gender-based violence and abuse are often due to multi-layered forms of human rights violations, as a consequence of conflict, persecution, or state-imposed policies that systematically discriminate against women and girls.¹⁹ These risks are a major driver for women to leave their country of origin. Research by Women for Refugee Women found that 78% of women interviewed had experienced gender-based violence in their country of origin – 59% had been raped, 30% had been raped by representatives of state authorities, and 10% were fleeing female genital mutilation (FGM) or the threat of FGM on their daughters.²⁰

The women we interviewed spoke of being subjected to different forms and threats of sexual violence and abuse throughout their migration journey and across different contexts. This included:

- Repeated rape, often within abusive relationships.
- Sexual harassment, often within the asylum accommodation complex.

- Sexual exploitation and trafficking, either before entering the asylum system or after their claim had been rejected.
- Histories of FGM, forced marriage, so-called 'honour-based abuse' (HBA), and child rape and sexual abuse (CRaSA) in their countries of origin.

Women spoke of multiple perpetrators, across various points of their lives – their experience of sexual violence and abuse was never a singular or isolated incident.

Tia*, a professional we interviewed, who worked in the refugee and asylum sector, told us:

"I don't think I've ever interviewed a woman where there hasn't been some gender-based violence and they might think that it's normal, so they don't raise it as an issue. But it is an issue or something that has affected them. Things have always happened... So many women have experienced sexual violence or other forms of gender-based violence. They might not recognise it as an issue because it's so commonplace for them."

¹⁸ Although the exact prevalence of sexual and gender-based violence is not known, it is estimated to be around 70% of women who have forcibly migrated; see: Gonçalves, M. and Matos, M. (2016). Prevalence of Violence against Immigrant Women: A Systematic Review of the Literature, *Journal of Family Violence*, 31 (6): 697–710. DOI: 10.1007/s10896-016-9820-4; Keygnaert, I. and Guieu, A. (2015). What the eye does not see: a critical interpretive synthesis of European Union policies addressing sexual violence in vulnerable migrants, *Reproductive Health Matters*, 23 (46): 45–55. DOI: 10.1016/j.rhm.2015.11.002.

¹⁹ See further: Dudhia, P. (Women for Refugee Women). (2020). Will I Ever be Safe? Asylum Seeking Women Made Destitute in the UK. Available at: <https://www.refugeewomen.co.uk/not-safe/#:~:text=Asylum%2Dseeking%20women%20are%20being,while%20destitute%20in%20the%20UK> (Accessed 18 March 2024).

²⁰ Ibid

These experiences illustrate what Professor Liz Kelly referred to as the continuum of sexual violence.²¹ This contextualises individual instances of sexual violence and abuse against a much broader backdrop of sexual harms experienced by women and girls across their lifespan. Kelly argued that women's (multiple) experiences of sexual violence, abuse, harassment and harm are interconnected; can manifest and be experienced in a diverse range of ways; and may involve an array of different perpetrators. Thus, women's experiences of multiple forms of abuse, in multiple contexts, forms a continuum. The SEREDA Project has identified a similar *continuum* of harms in forced migration, and - in particular - a continuum of sexual and gender-based violence.²²

Sexual violence and abuse victim-survivors often endure significant trauma, stress, and emotional and psychological challenges as a result of the violence they have been subjected to. For women who are seeking asylum, the impacts of sexual violence and abuse are compounded by multiple factors relating to their reasons for leaving their country of origin, traumatic and dangerous journeys, the uncertainty arising from existing within the asylum context, and their position of 'other'²³ in the UK, which attracts racism and dehumanising treatment.

We interviewed Josephine*. Her story, page 22, is illustrative of the experiences that asylum-seeking women have endured before reaching the UK:

 **“So many women have experienced sexual violence or other forms of gender-based violence.”**

– Tia

²¹ Kelly, L. (1988). *Surviving Sexual Violence*. London: Polity Press.

²² Pertek, S. and Phillimore, J. with Akyüz, S., Block, K., Bradby, B., Özçürümez, S., Perez Aronsson, A. and Vaughan, C. (2022). *“Nobody helped me”: Forced migration and sexual and genderbased violence: findings from the SEREDA project. Research Report. University of Birmingham.* Available at: <https://www.birmingham.ac.uk/documents/college-social-sciences/social-policy/iris/2022/sereda-international-report.pdf> (Accessed 8 October 2024).

²³ Kelly, L. (1988). *Surviving Sexual Violence*. London: Polity Press.

Josephine's story

Josephine* is currently seeking asylum in the UK with her children. She was forced to leave Nigeria three years ago because she is from an indigenous minority ethnic group that is violently targeted by Boko Haram militants. Josephine told us about the extent and impact of the violence inflicted by the militants on her village and community:



[They] come to our place, kill our people and rape our women... My village is empty; people have run away out of my village because of what is happening... My home is not... I can't even talk about it. I can't even think of nearing the boundary to go to my home."

In addition to facing persecution due to her belonging to a minority ethnic group, Josephine spoke about fleeing Nigeria because of her experiences of sexual and gender-based violence in her intimate relationships. Josephine told us that her younger daughters were at risk of FGM after her husband had forced the procedure on their eldest daughter. Josephine was aware of the dangers and feared for her daughter's life. She was particularly afraid as one of her nieces had died as a result of this procedure.

"But if they talk about circumcising those two again, even after what happened to the family, I said, 'No. This has got to stop here'. I can't, can't see this happening to them. What if they didn't survive it. What if one of them can't make it. I'm the one carrying the pregnancy for nine months."

Josephine's husband insisted that the girls undergo circumcision in accordance with family tradition. Josephine objected and her husband became violent towards her:

"He spoke to me about it but I refused. The last day before I left the country, that day he beat the hell out of me. I went to the police station. But because he knows them there in the [state] police, they did nothing. And advised me to listen to my husband."

“ It was horrible back home.”

– Josephine

Josephine's experiences illustrate the nexus of private and structural violence that women seeking asylum are likely to have been subjected to, negotiate, and suffer on an ongoing basis. The failure of the police to protect Josephine and her children left her in a situation where she had no choice but to flee. Josephine told us that this was not the first time she had experienced violence from her husband. She disclosed that she had been raped and sexually abused by him on multiple occasions.

"So back home is where I experienced a raping from my husband. Even when you don't want, you have to. Some days I don't have strength to struggle, I don't struggle. I don't like talking about these stories anyways. It was horrible back home."

Josephine shared that, before she left Nigeria, her husband and the community had found out she was bisexual. Josephine fears persecution based on her gender and sexual orientation were she to have stayed in Nigeria. Human Rights Watch have documented that the current law in Nigeria criminalises same sex relations and a culture of intolerance exists, from both the state and the public, towards LGBT+ people.²⁴

²⁴ Human Rights Watch. (2021). *Human Rights Watch Country Profiles: Sexual orientation and gender identity*. Available at: <https://www.hrw.org/video-photos/interactive/2021/04/23/country-profiles-sexual-orientation-and-gender-identity> (Accessed 19 March 2024).

1B. Policy context

Summary

In recent years, some forms of VAWG, particularly domestic abuse, have moved up the UK political agenda, with various Government strategies²⁵ setting out plans to improve the prevention of VAWG, as well as the protection and support of victim-survivors. However, the experiences and rights of migrant, refugee and asylum-seeking women and girls are frequently missing from policies and other reports. This silence is particularly poignant given the special protections afforded to women seeking asylum under various international laws and conventions specifically *because* of their vulnerable status in society, but it is also in direct opposition to the UK Government's obligations under such treaties.²⁶

The Istanbul Convention sets out specific protections for asylum-seeking women, which signatories to the international treaty must comply with. The UK Government has been a signatory for twelve years, and the recent ratification of the Convention reaffirms the Government's commitment to tackling VAWG.²⁷ A key requirement under the Convention is to ensure sexual and gender-based violence be recognised as a form of persecution under the United Nations 1951 Refugee Convention and “*ensure that a gender-sensitive interpretation is given to each of the [Istanbul] Convention grounds*”.²⁸ The Refugee Convention does not explicitly mention ‘gender’, as grounds for persecution because of their identity, as such defining the ‘membership of a particular social group’ grounds to include gender is of critical importance for the protection of women and girls who have experienced sexual violence and are seeking asylum.²⁹

In addition, the Istanbul Convention requires the UK Government to implement “*legislative or other measures to develop gender-sensitive reception procedures and support services for asylum seekers as well as gender guidelines and gender-sensitive asylum procedures*”.³⁰

²⁵ See, for example: HM Government. (2021). *Tackling Violence Against Women and Girls*. Available at: https://assets.publishing.service.gov.uk/media/6194d05bd3bf7f054f43e011/Tackling_Violence_Against_Women_and_Girls_Strategy_-_July_2021.pdf and HM Government. (2021). Domestic Abuse Act 2021. (Both accessed 19 March 2024).

²⁶ Home Office. (2021). *Istanbul Convention: 5th Progress Report 2021*. Available at: <https://www.gov.uk/government/publications/istanbul-convention-implementation-progress-report-2021/istanbul-convention-5th-progress-report-2021-accessible-web-version#introduction> (Accessed 19 March 2024). See further: UNHCR: The UN Refugee Agency. (2022). *News comment: UNHCR's Grandi fears UK legislation will dramatically weaken refugee protection*. Available at: <https://www.unhcr.org/news/press/2022/4/626975e14/news-comment-unhcrs-grandis-fears-uk-legislation-dramatically-weaken-refugee.html> (Accessed 19 March 2024).

²⁷ NB: The Government ratified their commitment to the Istanbul Convention in July 2022.

²⁸ Article 60, Istanbul Convention.

²⁹ See further: UNHCR: the UN refugee Agency. (2016). *UNHCR's Views on Gender Based Asylum Claims and Defining "Particular Social Group" to Encompass*. Available at: <https://www.unhcr.org/us/sites/en-us/files/legacy-pdf/5822266c4.pdf> (Accessed 19 March 2024).

³⁰ Ibid

The former Government evaluated its compliance to each of the Convention's articles in its most recent progress report, stating that it complies with both Article 60 on asylum applications based on gender and Article 61 on non-refoulement.³¹³² However, as we explore in this report, the suggestion that the state is successfully complying with the requirements under the Convention is wholly unconvincing. It is unclear to what extent or how compliance has been determined.

The former Government partially ratified the Istanbul Convention, with a specific reservation on Article 59, which gives settlement rights to migrant women whose status depends on an abusive partner.³³ Whilst ratification is welcomed, the reservation actively excludes migrant women from accessing support and protection under the Convention. What this means in practice is that the Government's "zero-tolerance approach"³⁴ to VAWG does not apply equally to all women and girls; rather, it discriminates against migrant women. This exclusion undermines Article 4.3 (non-discrimination), which requires that provisions within the Convention must equally apply to *all* women and girls, irrespective of their immigration status.

We have significant concerns that successive (hostile) immigration policies, have created barriers for migrant and asylum-seeking women in accessing support, safety or justice. This creates a context whereby already vulnerable women are more at risk of violence and abuse, whilst at the same time making them less able to access specialist support or justice.

In addition, for the last decade we have seen the introduction of policies and legislative measures seemingly designed to make life as difficult and as challenging as possible for those without secure immigration status – often referred to as the 'hostile environment'. The ultimate aim of the 'hostile environment' is to deter asylum seekers from coming to the UK, and to "to identify and reduce the numbers of people in the UK without immigration status",³⁵ including those seeking asylum. However, not only is such an aim a contravention of international laws and obligations regarding asylum seekers, but it also exposes those asylum seekers who do reach the UK in search of safety, to (further) harm and abuse.

³¹ Home Office. (2021). *Istanbul Convention: 5th Progress Report*. Available at: <https://www.gov.uk/government/publications/istanbul-convention-implementation-progress-report-2021/istanbul-convention-5th-progress-report-2021-accessible-web-version#introduction> (Accessed 19 March 2024).

³² NB: The 'Rwanda' policy for offshore processing risks undermining article 61 of the Convention. We have already seen instances whereby survivors of rape and sexual violence have been threatened with notices from the Home Office for deportation to Rwanda.

³³ NB: The Government ratified the Istanbul Convention in July 2022 with reservations on Articles 44 and 59, which provide protection and support for migrant women.

³⁴ HC Deb (28 March 2023). vol. 730. Available at: <https://hansard.parliament.uk/commons/2023-03-28/debates/FE023A0A-22AC-4B9CA699-66D12B402DE2/ViolenceAgainstWomenAndGirls> (Accessed 19 March 2024).

³⁵ Qureshi, A., Morris, M. and Mort, L. (Institute for Public Policy Research). (2020). *Access denied: The human impact of the hostile environment*. Available at: <https://www.ippr.org/articles/access-denied> (Accessed 19 March 2024).

The Nationality and Borders Act and the Illegal Migration Act introduced by the former Government have further enshrined a harmful and discriminatory approach to people seeking asylum in the UK. These legislative changes have weakened protections for individuals seeking asylum and concerns have been raised that changes are inconsistent with the UK's obligations under the Refugee Convention.³⁶

The key principles under the Refugee Convention 1951 give refugees the right to non-discrimination, non-penalisation and non-refoulement. Article 31(1) of the Convention sets out that refugees should not be penalised for their illegal entry or stay in the country they flee to, where they are "coming directly from a territory where their life or freedom was threatened".³⁷ However, the Nationality and Borders Act has established two tiers of refugee status; if you arrive through 'irregular' routes, have delayed claiming asylum (a particular issue for victim-survivors of trafficking or sexual exploitation) or have not come directly to the UK, access to your rights under the Convention will be limited.

Domestic law clearly discriminates against certain groups of refugees depending on how they have arrived to the UK. Alongside these policies, media narratives have notably contributed to framing asylum seekers as both a threat to national security and financial stability.³⁸ The ongoing scapegoating of asylum seekers, for example as 'invaders', in the current political discourse, has detrimental consequences for those who have very few choices and are desperately trying to seek safety and protection, particularly women and children.³⁹

³⁶ UNHCR: The UN Refugee Agency. (2022). *News comment: UNHCR's Grandi fears UK legislation will dramatically weaken refugee protection*. Available: <https://www.unhcr.org/news/press/2022/4/626975e14/news-comment-unhcrs-grandi-fears-uk-legislation-dramatically-weaken-refugee.html> (Accessed 19 March 2024).

³⁸ Cooper, G., Blumell, L. and Bunce, M. (2021). 'Beyond the 'refugee crisis': How the UK news media represent asylum seekers across national boundaries', *International Communication Gazette*, 83(3), pp. 195–216. DOI: 10.1177/1748048520913230.

³⁹ Syal, R. (2022). 'Analysis: Invasion of the UK? Experts dubious of Suella Braverman's claim', *The Guardian*, 1 November 2022. Available at: <https://www.theguardian.com/uk-news/2022/nov/01/bravermans-invasion-claim-not-backed-by-facts-say-experts> (Accessed 19 March 2024).

1C. Policy Timeline

Here we set out a policy timeline which provides more details of the key policies, legislation and research that adversely impact on asylum-seeking victim-survivors of sexual violence and abuse. We believe that an understanding of the UK context is crucial when hearing the experiences of the asylum-seeking women whom we spoke to.

Their stories are marred by misogyny, racism, and disbelief, situated within a hostile immigration environment, and failure to acknowledge the lived realities of migrant women in domestic VAWG policy.

Policy Timeline

2012:

The Conservative-Liberal Democratic coalition introduced the Home Office's 'hostile environment' as part of a strategy to reduce immigration figures, as promised in the Conservatives' election manifesto. It referred to a set of policies and immigration enforcement measures designed "to identify and reduce the numbers of people in the UK without immigration status".¹ These measures were purposefully designed to make life difficult and challenging for those without a secure immigration status.

January 2016:

The Shaw Review examined the Home Office policies and procedures that affect the welfare of vulnerable immigration detainees. It recommended that the Government reduce its use of detention facilities and "investigate alternatives to detention".³ It also recommended that the Government end the detention of pregnant women and victim-survivors of sexual violence and wider forms of gender-based violence.⁴

2014 and 2016:

The Immigration Acts of 2014 and 2016 set the legislative foundations of the 'hostile environment'.

- The legislation introduced immigration checks and controls into every aspect of life in order to police those without status. As a result of these changes, employers, landlords, NHS staff and other public services are expected to check people's immigration status before offering jobs, housing, healthcare, or other support.²
- The 'hostile environment' policies restrict migrant women from accessing welfare benefits or essential services, including free healthcare and refuges. Those without a secure immigration status cannot legally work or claim benefits, which pushes women into extreme poverty and destitution, and significantly increases the risk of exploitation. Undocumented migrants accessing public services such as healthcare, education or the police run the risk of deportation as their personal data is frequently shared with the Home Office for immigration enforcement purposes – there is no firewall between essential services and the police/immigration control.

September 2016:

The 'adults at risk' policy was introduced in response to the Shaw Review. The policy established a clear presumption that detention is not appropriate for those who are vulnerable or particularly "at risk" of harm. It has since been updated and published as statutory guidance.⁵

November 2017:

Release of the '*We are still here: The continued detention of women seeking asylum in Yarl's Wood*' report, published by Women for Refugee Women.¹⁰

- This report found that victim-survivors of sexual violence and abuse were still being detained in Yarl's Wood Immigration Removal Centre, despite Home Office policy recognising victim-survivors as a vulnerable group who should not be detained. Eighty-five per cent of the women interviewed had experienced rape, domestic violence, forced marriage, forced prostitution or female genital mutilation in their countries of origin. The report draws attention to the poor conditions and mistreatment of women at Yarl's Wood, establishing a retraumatising environment for the women who were being detained.
- The report recommended that the Government "*implement a proactive screening process to ensure that survivors of sexual and gender-based violence, and others who are vulnerable, are being identified before detention*".¹¹

November 2017:

Launch of the Step Up Migrant Women campaign.⁶ A campaign run by and for migrant and Black and minoritised women, which is led by Latin American Women's Rights Service (LAWRS).⁷ The campaign coalition formed in response to the specific challenges that migrant and undocumented women face due to the 'hostile environment', and builds on the extensive national campaign spearheaded by Southhall Black Sisters (SBS) calling for reforms to the immigration rules and the NRPF requirement so that women experiencing violence are not facing a choice between violence, deportation or destitution.⁸ The campaign advocates to support migrant victim-survivors to access the support and protection they deserve.⁹

January 2019:

The Home Office introduced new contracts to provide asylum accommodation and support.

- The Home Office awarded the AASC to three private contractors: Clearsprings Ready Homes (Clearsprings), Mears Group (Mears), and Serco.¹² It stated that these new contracts offered “a range of improvements” to ensure that vulnerable asylum seekers have access to the support they need,¹³ and set clear requirements on the standard and condition of accommodation. Providers are required to have proactive maintenance plans, to make sure that they regularly inspect properties and to report back to the Home Office on the findings of these inspections.¹⁴ The contracts have an estimated total value of £4 billion for the 10-year period from 2019 to 2029.
- The new national AIRE helpline and support service was established. The Home Office awarded the contract for this to Migrant Help, which is expected to provide advice and guidance to asylum seekers on the process and their rights, as well as to signpost to other support services. Migrant Help also provides a single point of contact to report issues, which is independent from the accommodation provider and the Home Office.¹⁵

July 2019:

Release of the ‘*From one hell to another: The detention of Chinese women who have been trafficked to the UK*’ report, published by Women for Refugee Women.

- Women for Refugee Women interviewed 40 Chinese women detained in Yarl’s Wood (Immigration Removal Centre). The majority of these women were brought to the UK and forced into sexual exploitation, and were awaiting decisions about deportation. Despite the Government’s Adults at Risk policy (see above), this report found that vulnerable groups, including survivors of sexual exploitation and gender-based violence, were routinely being detained and harmed by detention. Instead of providing victim-survivors with the protection they were entitled to, the Home Office was failing to protect women by continuing to place them in conditions that retraumatise them and significantly harm their mental well-being.¹⁶

March 2020:

Release of *'Reclaiming Voice: Minoritised Women and Sexual Violence'* report, published by Imkaan.¹⁷

- This report explored the nature of sexual violence and abuse experienced by women and girls from Black and racially minoritised communities, as well as its impact on their wellbeing, patterns of disclosure and the responses they receive when seeking justice and access to support.¹⁸ The research identified Black and minoritised women and girls valued flexible and accessible holistic support at the point that they needed it, and particularly valued "seeing themselves" in the services.¹⁹

November 2020:

Publication of the joint report *'Decriminalisation of Rape: Why the justice system is failing rape survivors and what needs to change'* published by Rape Crisis England & Wales, Imkaan, EVAW, and the Centre for Women's Justice.

- This report presented an analysis of what is going wrong in the criminal justice system's response to rape, with recommendations for change. One recommendation called for the Government to fund research to better understand who does and does not access the criminal justice system, and to further investigate the experiences of Black and minoritised, and asylum-seeking victim-survivors' access to, and experiences of, criminal justice interventions.²²

November 2020:

Release of *'Will I Ever be Safe'*²⁰ report, published by Women for Refugee Women.

- This report explored the experiences of 106 asylum-seeking women rendered destitute in the UK after their asylum claims failed. Women shared their experiences of this, and their struggle to simply physically survive. Women for Refugee Women's findings highlight the ways in which women seeking asylum are subjected to patterns of sexual violence and abuse. Thirty two of the 106 women (30%) who engaged in the research had been raped or sexually abused in their country of origin and then again when made destitute in the UK.²¹

March 2021:

Release of the 'New Plan for Immigration' policy paper, published by the Government.

- This strategy statement set out a higher standard of proof for asylum claims, which involves a credibility assessment and the consideration of all relevant evidence.²³ The statement noted that this assessment would include the "consideration of opportunities the person had to claim asylum in other countries. If previous opportunities to make a claim have not been taken, or if a claim is contradictory, that could impact on the credibility of a person's testimony".²⁴
- To meet this evidential threshold is especially challenging for survivors of sexual violence and abuse, as often the only evidence is the testimony of the survivor.

April 2021:

The Domestic Abuse Act was passed.

- Key changes introduced by the Act included a widening of the legal definition of 'domestic abuse' to include children as victim-survivors, a ban on the so called 'rough-sex' defence and the introduction of an offence of non-fatal strangulation.
- The Act did not introduce any specific measures to support or increase protections for victim-survivors with an insecure immigration status, drawing criticism from a wide range of stakeholders, including the Domestic Abuse Commissioner.²⁵ Southall Black Sisters reflected: *"[W]e are clear that without equal protection for all survivors, the Bill is neither 'landmark' no 'transformational', it is discriminatory [...] Had these amendments²⁶ been accepted, they would have put a decisive end to the two-tier discriminatory system of support that exists for victims of abuse in the UK; a system which determines whether or not a woman deserves safety and security based on her immigration status".*²⁷

June 2021:

The Ministry of Justice published its 'End-to-End Rape Review' report.

- The 'Rape Review' was commissioned in response to systemic failures in the criminal justice system's handling of rape and serious sexual offences.
- The Government's stated ambition was for a change of practice and longer-term culture change in the police and Crown Prosecution Service (CPS), as well as a return of the volumes of police referrals, CPS charges and rape cases reaching court to pre-2016 levels.³⁰

April 2021:

The Home Office launched the 'Support for Migrant Victims' pilot scheme.

- This is the first and only fund dedicated to supporting migrant victim-survivors of domestic abuse and their children with NRPF. Delivered by Southall Black Sisters,²⁸ the pilot scheme provides much-needed access to safe accommodation (for up to 12 weeks), legal advice, subsistence payments, counselling and support groups.

In a recent evaluation, victim-survivors reported greater independence and wellbeing, and an ability to rebuild their lives following domestic abuse. However, the evaluation also noted that the support offered was too brief.²⁹ The pilot has been extended twice by the Home Office and is set to end in March 2025.

July 2021:

The Home Office published its 'Tackling violence against women and girls strategy'.

- Women seeking asylum had been largely absent from previous Government strategies focused on VAWG. This new strategy stated that *"the safety of women and girls across the country is our priority"*; however, there was minimal reference to migrant women, and it failed to recognise asylum-seeking survivors at all.³¹ This undermined the strategy's effectiveness and credibility, and brought little hope of change for migrant, refugee and asylum-seeking women.

12th April 2022:

The British Prime Minister announced plans for offshore asylum processing to Rwanda.³⁵

- Women for Refugee Women stated that threatening the removal to Rwanda for women fleeing sexual violence and gender-based violence *"exposes them to further risk of violence and harm and is unthinkable cruel"*.

January 2023:

It was reported that unaccompanied asylum-seeking children at a Brighton hotel were being targeted and abducted by traffickers.³⁶

The Minister for Immigration confirmed that 4,600 unaccompanied children had been living in asylum hotel accommodation since July 2021, with 440 reported missing.³⁷

April 2022:

The Nationality and Borders Act was enshrined in law.

- The Act enforced a system whereby an asylum seeker's access to settlement rights and public funds is dependent on how they entered the country (whether they arrived to the UK directly or through 'irregular' means), and whether they submitted an asylum claim immediately.³² The Home Office imposed a requirement on asylum seekers to 'claim without delay', with women applying for asylum now at risk of being penalised for any delays in making their claim or for the late provision of evidence to support their claim.³³
- This inevitably has a disproportionate impact on women who have been subjected to male violence.³⁴ The requirement in effect demands women seeking asylum to immediately disclose sexual violence and abuse, in order to access their full rights and entitlements as an asylum seeker. This seriously lacks any understanding of trauma and the many other factors that make it difficult for survivors to disclose.
- As a result, women with histories of sexual and gender-based violence are held to a higher standard of proof and, concerningly, more women are likely to be wrongfully denied protection.

5th April 2023:

The Home Office announced the use of vessels to accommodate asylum seekers.³⁸

- The proposed use of the Bibby Stockholm – a three-story barge – to house asylum seekers caught public attention due to safety and wellbeing concerns. The proposal signalled an expansion of exclusionary and containment practices, rather than the development of safe and secure housing for those seeking asylum.

July 2023:

The Illegal Migration Act was enshrined in law.

- During the Bill's passage through Parliament, the Government introduced an amendment to increase detention powers, including permitting the detention of vulnerable groups such as pregnant women and families with children. Under the Act, the Government increased its powers to allow for the detention of asylum seekers for up to 28 days without the right to contact a lawyer.⁴¹
- In response to these changes, Women for Refugee Women led a powerful campaign urging the Government to uphold the 72-hour limit on the detention of pregnant women. The campaign proved successful after Peers in the House of Lords voted to pass an amendment to protect pregnant women from the harms of indefinite detention.⁴²

June 2023:

The Government partially ratified the Istanbul Convention.

- The Government put a specific reservation on Article 59, which gives settlement rights to migrant women whose status depends on an abusive partner.³⁹ Whilst ratification was welcomed, the reservation actively excludes migrant women from accessing support and protection under the Convention. It is evident that the Government's "zero-tolerance approach"⁴⁰ to VAWG does not apply equally to all women and girls, as partial ratification of the Convention discriminates against migrant women.

March 2023:

The Victims and Prisoners Bill was tabled.

- The Victims and Prisoners Bill presents a legislative opportunity for the longstanding call of the Step Up Migrant Women campaign⁴³ to establish a firewall between agencies that may be contacted by asylum-seeking women for support (e.g. police and support services) and immigration enforcement agencies. This would allow migrant women to report violence and abuse safely, without fear of being deported due to insecure immigration status, as is currently the experience of some women.⁴⁴ The proposal of a firewall has received cross-party support and been endorsed by the Domestic Abuse Commissioner's Office⁴⁵ and London's Victims' Commissioner.⁴⁶

August 2023:

The press reported the rape of a 12-year-old girl in a south London asylum hotel.

The perpetrator pleaded guilty and was sentenced to 12 years in prison.⁴⁷

September 2023:

The Home Office introduced its 'hotel maximisation/optimisation' policy.

- The Home Office wrote to local authorities informing them of its decision to implement a 'hotel maximisation' policy. This entails increased forced room sharing in selected hotels housing asylum seekers, in order to double the capacity of hotel accommodation currently available. The policy was reportedly introduced because of the Home Office's inability to procure dispersal accommodation and the growing need to accommodate asylum seekers awaiting a decision on their claim.⁴⁸ The implementation of such a policy raises serious safeguarding concerns and we believe it is increasing both women and children's risk of harm, as discussed in Chapter 2.

24th October 2023:

The Home Office announced plans to end the procurement of new asylum hotels and move asylum seekers out of hotels.⁴⁹

November 2023:

The Supreme Court ruled the 'Rwanda' policy unlawful, concluding that Rwanda is not a safe country and leaves people sent there at risk of human rights breaches. The policy would undermine UK's commitments and legal obligations under the Refugee Convention.⁵⁰

December 2023:

The Safety of Rwanda (Asylum and Immigration) Bill entered the House of Commons. In response to the decision of the Supreme Court, the Government brought forward new legislation designed to override any legal obstacles, with the aim of declaring Rwanda to be safe.

January 2024:

Seven Home Office accommodation hotels are decommissioned following a High Court ruling in 2023 deeming their regular operation as unlawful. This followed media reports of 440 children seeking asylum going missing. Lone children seeking asylum placed in Home Office hotel accommodation have been found to be at increased risk of trafficking and exploitation.⁵¹

22nd April 2024:

Parliament passed the Safety of Rwanda (Asylum and Immigration) Act. The legislation states that Rwanda should be regarded as a safe country *“for the purposes of relocating people, including in UK courts and tribunals”*.⁵²

17 July 2024:

The King’s Speech formally announced the Border Security, Immigration and Asylum Bill which aims to “modernise the asylum and immigration system, establish a new Border Security Command and deliver enhanced counter terror powers to tackle organised immigration crime”.⁵⁴

6 July 2024:

Newly elected Prime Minister Sir Keir Starmer announced that the Rwanda deportation scheme is “dead and buried”, following a manifesto pledge to scrap the scheme.⁵³

23 July 2024:

The Minister for Border Security and Asylum, Angela Eagle, announced that the contract for the use of the Bibby Stockholm barge for housing asylum seekers will not be renewed beyond the end of the contract in January 2025.⁵⁵

Timeline Endnotes

¹ Explained well in: Qureshi, A., Morris, M. and Mort, L. (Institute for Public Policy Research). (2020). *Access denied: The human impact of the hostile environment*. Available at: <https://www.ippr.org/articles/access-denied> (Accessed 19 March 2024).

² Ibid.

³ Shaw, S. (2016). Review into the Welfare in Detention of Vulnerable Persons: A report to the Home Office by Stephen Shaw, pp.193. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/490782/52532_Shaw_Review_Accessible.pdf (Accessed 18 March 2024).

⁴ Ibid.

⁵ Home Office. (2022). *Immigration Act 2016: Guidance on adults at risk in immigration detention*. Available at: https://assets.publishing.service.gov.uk/media/60a285c48fa8f56a366b128c/6.7166_HO_FBI5_BN_O_Leaflet_A4_FINAL_080321_WEB.pdf (Accessed 19 March 2024).

⁶ Step Up Migrant Women UK. (2024). 'About'. Available at: <https://stepupmigrantwomen.org/about-sumw/> (Accessed 19 March 2024).

⁷ The Latin American Women's Rights Service (LAWRS) is a feminist and human rights organisation run by and for Latin American migrant women living in the UK. They support women who are exposed to violations of their fundamental human rights, including violence against women and girls, exploitation in low-paid sectors, trafficking, and severe poverty and deprivation. LAWRS also actively advocates for women's rights, migrant's rights and the rights of ethnic minorities at local, national and EU levels, and campaigns to tackle the vulnerabilities faced by Latin American women.

⁸ In 1999 SBS led a successful campaign, this led to the government announcing its first domestic violence concession, allowing those on spousal or partner visa and whose relationship has broken down as a result of domestic violence, to obtain Indefinite Leave to Remain (ILR) if they can prove that the relationship actually broke down due to domestic violence – this historic legal change to national immigration rules, marked a significant step forward and formed the foundations of the work undertaken by the Step Up Migrant Women campaign. See: Kesete, N. (EAVES and Southall Black Sisters). (2013). *Destitution Domestic Violence Concession – Monitoring Research Report*. Available at: <https://i3.cmsfiles.com/eaves/2013/12/DDV-Concession-Scheme-Monitoring-Report-Final-f14013.pdf> (Accessed 8 October 2024).

⁹ Home Office. (2019). 'News story: New asylum accommodation contracts awarded', *Home Office, 8 January 2019*. Available at: <https://www.gov.uk/government/news/new-asylum-accommodation-contracts-awarded> (Accessed 19 March 2024).

¹⁰ Lousley, G. and Cope, S. (Women for Refugee Women). (2017). *We are still here: The continued detention of women seeking asylum in Yarl's Wood*. Available at: <https://www.refugeewomen.co.uk/wp-content/uploads/2019/01/women-for-refugee-women-reports-we-are-still-here.pdf> (Accessed 19 March 2024).

¹¹ Ibid.

¹² Ibid, note 9.

¹³ NB: Under the AASC, there are three levels of support. The first refers to asylum seekers' basic and immediate needs, including the accommodation provided, financial support via cash payments, and the provision of information related to accessing health services. The second level of support includes the information, advice and support asylum seekers need whilst being accommodated. This includes signposting to both Migrant Help and any relevant services and support available in the local areas e.g. those operated by the voluntary sector. The third level of support refers to additional information and/or advice provided by third parties (including the voluntary sector, local authorities, Migrant Help, NHS/healthcare service providers and the police). The accommodation provider is expected to liaise with, and work in parallel with, these third-party organisations to facilitate the delivery of additional support that may be required.

¹⁴ Ibid, note 9.

¹⁵ House of Commons Public Accounts Committee. (2021). *Asylum Accommodation and Support Transformation Programme: Twenty-Fifth Report of Session 2019–21*, pp.20. Available at: <https://committees.parliament.uk/publications/3561/documents/34409/default/> (Accessed 19 March 2024).

¹⁶ Lousley, G., Hudson, S. and Cope, S. (Women for Refugee Women). (2020). *From one hell to another: The detention of Chinese women who have been trafficked to the UK*. Available at: <https://www.refugeewomen.co.uk/wp-content/uploads/2019/07/From-one-hell-to-another-Women-for-Refugee-Women.pdf> (Accessed 19 March 2024).

¹⁷ Imkaan is a second-tier support organisation for the Black and minoritised women and girls ending VAWG sector in the UK. In addition to undertaking research, strategic advocacy and policy work from a Black feminist intersectional perspective, Imkaan provides capacity building and sustainability support to its 43 member organisations in England, Scotland and Wales.

¹⁸ Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence*, p.65. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

¹⁹ Ibid.

²⁰ Dudhia, P. (Women for Refugee Women). (2020). *Will I Ever be Safe? Asylum Seeking Women Made Destitute in the UK*, p.49. Available at: <https://www.refugeewomen.co.uk/not-safe/#:~:text=Asylum%2Dseeking%20women%20are%20being,while%20destitute%20in%20the%20UK> (Accessed 18 March 2024).

²¹ Ibid.

²² Centre for Women's Justice, End Violence Against Women Coalition, Imkaan, and Rape Crisis England & Wales. (2020). *The Decriminalisation of Rape: Why the justice system is failing rape survivors and what needs to change*. Available at: <https://rcew.fra1.cdn.digitaloceanspaces.com/media/documents/c-decriminalisation-of-rape-report-cwj-evaw-imkaan-rcew-nov-2020.pdf> (Accessed 18 March 2024).

²³ Women for Refugee Women, et al. (2022). *Joint Briefing on Clause 31 Well-founded Fear Test Nationality and Borders Bill, House of Lords Report Stage*. Available at: https://www.refugeewomen.co.uk/wp-content/uploads/2022/02/NEW-WRW_ILPA-Clause-31-briefing-2.pdf (Accessed 18 March 2024).

²⁴ HM Government. (2021). *New Plan for Immigration: Policy Statement*, pp.22. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/972517/CCS207_CCS0820091708-001_Sovereign_Borders_Web_Accessible.pdf (Accessed 19 March 2024).

²⁵ Domestic Abuse Commissioner. (2021). 'Vulnerable survivors failed as government rejects recommendations that would protect migrant victims of domestic abuse, says Domestic Abuse Commissioner', *Domestic Abuse Commissioner*, 16 December 2021. Available at: <https://domesticabusecommissioner.uk/vulnerable-survivors-failed-as-government-rejects-recommendations-that-would-protect-migrant-victims-of-domestic-abuse-says-domestic-abuse-commissioner/> (Accessed 15 April 2024).

²⁶ Amendments were tabled with the aim of extending the Destitution Domestic Violence Concession (DDVC) and establishing a firewall to ensure all abuse victims receive equal and effective protection and support, regardless of their immigration status.

²⁷ Southall Black Sisters. (2021). *The struggle continues: SBS responds to the government rejection of amendment to protect migrant women*. Available at: <https://southallblacksisters.org.uk/news/the-struggle-continues-sbs-responds-to-gov-rejection-of-amendments-to-protectmigrant-women> (Accessed 20 December 2023).

²⁸ Southall Black Sisters provides holistic advocacy services aimed at helping Black and minoritised women live free from all forms of violence and abuse.

²⁹ Southall Black Sisters, (2023). 'Support for Migrant Victims Fund Evaluation', *Southall Black Sisters*. Available at: <https://southallblacksisters.org.uk/submissions-campaigns/support-for-migrant-victims-fund-evaluation> (Accessed 10 December 2023).

³⁰ Centre for Women's Justice, End Violence Against Women Coalition, Imkaan and Rape Crisis England & Wales. (2023). *What's changed: Government's 'End-to-End' Rape Review - Two Years On*. Available at: <https://www.endviolenceagainstownen.org.uk/wp-content/uploads/2023/06/RapeReviewReport-160623FINAL.pdf> (Accessed 19 March 2024).

³¹ HM Government. (2021). *Tackling Violence Against Women and Girls*. Available at: https://assets.publishing.service.gov.uk/media/6194d05bd3bf7f054f43e011/Tackling_Violence_Against_Women_and_Girls_Strategy_-_July_2021.pdf (Accessed 19 March 2024).

³² S12 Nationality and Borders Act 2022.

³³ S19 and s26, Nationality and Borders Act 2022.

³⁴ Taylor, D. (2022). 'Female trafficking survivor targeted for UK removal to Rwanda', *The Guardian*, 5th July 2022. Available at: <https://www.theguardian.com/uk-news/2022/jul/05/female-trafficking-survivor-targeted-for-uk-removal-to-rwanda-says-charity> (Accessed 19 March 2024).

³⁵ Syal, R. (2022). 'UK to send asylum seekers to Rwanda for processing', *The Guardian*, 13th April 2022. Available at: <https://www.theguardian.com/uk-news/2022/apr/13/priti-patel-finalises-plan-to-send-asylum-seekers-to-rwanda> (Accessed 19 March 2024).

³⁶ Townsend, M. (2023). 'Revealed: scores of child asylum seekers kidnapped from Home Office hotel', *The Guardian*, 21st January 2023. Available at: <https://www.theguardian.com/uk-news/2023/jan/21/revealed-scores-of-child-asylum-seekers-kidnapped-from-home-office-hotel> (Accessed 19 March 2024).

³⁷ HC Deb (24 January 2023). vol. 726, col. 859. Available at: <https://hansard.parliament.uk/commons/2023-01-24/debates/290AF292-5D7E-411C-8FB8-A6E0F288365C/UnaccompaniedAsylum-SeekingChildren> (Accessed 19 March 2024).

³⁸ Home Office. (2023). 'News story: Vessel to accommodate migrants', *Home Office*, 5 April 2023. Available at: [https://www.gov.uk/government/news/vessel-to-accommodate-migrants#:~:text=Today%20\(Wednesday%205%20April\)%2C,significant%20increase%20in%20Channel%20crossings](https://www.gov.uk/government/news/vessel-to-accommodate-migrants#:~:text=Today%20(Wednesday%205%20April)%2C,significant%20increase%20in%20Channel%20crossings) (Accessed 19 March 2024).

³⁹ NB: The Government ratified the Convention in July 2022 with reservations to Articles 44 and 59, which provide protection and support for migrant women.

⁴⁰ HC Deb (28 March 2023). vol. 730, col. 809. Available at: <https://hansard.parliament.uk/commons/2023-03-28/debates/FE023A0A-22AC-4B9C-A699-66D12B402DE2ViolenceAgainstWomenAndGirls> (Accessed 19 March 2024).

⁴¹ Taylor, D. (2023). 'Draconian' migration bill could leave tens of thousands destitute or locked up', *The Guardian*, 22nd March 2023. Available at: <https://www.theguardian.com/world/2023/mar/22/draconian-migration-bill-could-leave-tens-of-thousands-destitute-or-locked-up> (Accessed 19 March 2024).

⁴² Women for Refugee Women. (2023). 'Great News! The 72-hour time limit on the detention of pregnant women is maintained'. Available at: <https://www.refugeewomen.co.uk/great-news-the-72-hour-time-limit-on-the-detention-of-pregnant-women-is-maintained/> (Accessed 19 March 2024).

⁴³ The campaign is led by Latin American Women's Rights Service (LAWRS) and is working in partnership with Southall Black Sisters and Safety4Sisters.

⁴⁴ House of Lords House of Commons Joint Committee on the Draft Domestic Abuse Bill. (2019). *Draft Domestic Abuse Bill: First Report of Session 2017–19*, pp.65. Available at: <https://publications.parliament.uk/pa/jt201719/jtselect/jtddab/2075/2075.pdf> (Accessed 19 March 2024).

⁴⁵ Domestic Abuse Commissioner. (2023). *Safety before status: How to ensure the Victims and Prisoners Bill meets the needs of all victims*. Available at: https://domesticabusecommissioner.uk/wp-content/uploads/2023/11/FINAL-DOC_Firewall-Report_2023_V2.pdf (Accessed 9 April 2024).

⁴⁶ Waxman, C. (2023). 'Statement on Victims and Prisoners Bill Report Stage - London's Victims' Commissioner', *Mayor of London*, 5th December 2023. Available at: <https://www.london.gov.uk/who-we-are/city-hall-blog/statement-victims-and-prisoners-bill-report-stage-londons-victims-commissioner> (Accessed 8 October 2024).

⁴⁷ Majeed, Z. (2023). 'Afghan asylum seeker jailed for raping 12-year-old Albanian refugee girl at London hotel', *Republic World*, 1st September 2023. Available at: <https://www.republicworld.com/world-news/uk/afghan-asylum-seeker-jailed-for-raping-12-year-old-albanian-refugee-girl-at-london-hotel-articleshow> (Accessed 19 March 2024).

⁴⁸ House of Commons Public Accounts Committee. (2023). *The Asylum Transformation Programme: Seventy-Sixth Report of Session 2022–23*. Available at: <https://committees.parliament.uk/publications/41815/documents/207356/default> (Accessed 19 March 2024).

⁴⁹ Home Office. (2023). 'News story: Home Office to exit first 50 asylum hotels by the end of January', *Home Office*, 24th October 2023. Available at: <https://www.gov.uk/government/news/home-office-to-exit-first-50-asylum-hotels-by-the-end-of-january> (Accessed 24 March 2024).

⁵⁰ Doughty Street Chambers. (2023). 'Supreme Court rules that Government's Rwanda policy is unlawful', *Doughty Street Chambers*, 15 November 2023. Available at: <https://www.doughtystreet.co.uk/news/supreme-court-rules-governments-rwanda-policy-unlawful> (Accessed 24 March 2024).

⁵¹ Ayeb-Karlsson, S., Valiquette, T., Cockbain, E. and Durán, L. (ECPAT UK). (2024). *Behind Closed Doors: A Storytelling Legal and Empirical Analysis of Human Trafficking Risks in Home Office Hotels Compared to Other Accommodation for Unaccompanied Children and Young People Seeking Asylum in the UK*. Available at: <https://www.ecpat.org.uk/Handlers/Download.ashx?IDMF=b6fe36f8-4e04-4d3a-81bc-990633b7067c> (Accessed 21 August 2024).

⁵² Home Office. (2024). 'Press release: Rwanda Bill to become law in major illegal migration milestone', *Home Office*, 23rd April. Available at: <https://www.gov.uk/government/news/rwanda-bill-to-become-law-in-major-illegal-migration-milestone#:~:text=We%20introduced%20the%20Rwanda%20Bill,not%20be%20able%20to%20stay> (Accessed 25 April 2024).

⁵³ Francis, S. (2024). 'Starmer confirms Rwanda deportation plan 'dead'', *BBC News*. Available at: <https://www.bbc.co.uk/news/articles/cz9dn8erg3zo> (Accessed 15 August 2024).

⁵⁴ HM Government. (2024). *The King's Speech 2024*. Available at: <https://www.gov.uk/government/speeches/the-kings-speech-2024> (Accessed 15 August 2024).

⁵⁵ Home Office, Immigration Enforcement and Dame Angela Eagle DBE MP. (2024). 'Contract for Bibby Stockholm not renewed past January 2025', *Gov.uk*, 23 July 2024. Available at: <https://www.gov.uk/government/news/contract-for-bibby-stockholm-not-renewed-past-january-2025> (Accessed 15 August 2024).

Chapter 2.

The asylum system compounds existing trauma from sexual violence and abuse

As set out in the previous chapter, many women and girls seek asylum in the UK to escape gender-based violence and abuse, including sexual violence and abuse, or have experienced sexual violence and abuse in their countries of origin. However, their treatment on arrival to the UK often does little to address or even acknowledge their trauma. In this chapter, we look at how this trauma is compounded by the asylum process. Women with experience of the asylum system told us that asylum interviews and inadequate living conditions in particular exacerbated their feelings of unsafety and poor mental health.

2A. Applications for asylum

It is not unusual for women to live with the impacts of sexual violence and abuse for many years before naming their experiences or disclosing them.⁴⁰ We know that a multitude of conditions must be met before women feel able to talk about experiences of sexual violence and abuse – including time, support, trust, safety, belief, and a non-judgmental environment.⁴¹ In addition, victim-survivors are more likely to disclose fully to trusted individuals or staff from specialist sexual violence and abuse organisations, and/or by-and-for organisations supporting refugee and asylum-seeking women, than they are to statutory bodies and authorities. Disclosures are often fragmented as they are inextricably linked to trauma, which can impact on memory.⁴² It can take a great amount of time, and careful and specialist support for victim-survivors to share a comprehensive account of their experiences; for some people, it will never be possible to remember all of the details or talk about every aspect of their experience. However, the UK asylum system demands that refugees and asylum seekers disclose some of the most personal, sensitive and traumatic experiences they have faced with immediacy and under conditions that make them feel scrutinised, intimidated and disbelieved.

We examine these conditions in this section, and the impact on asylum-seeking victim-survivors of sexual violence and abuse.

The expectation of immediate disclosure

Since the Nationality and Borders Act 2022 was passed into law, women applying for asylum are now at risk of being penalised for any delays in making a claim, as well as for the late submission of evidence to support such claims.⁴³ Victim-survivors of sexual violence and abuse and other forms of VAWG are faced with an unreasonable expectation to disclose immediately, or risk having their claim and rights adversely effected.

This requirement for immediate disclosure disregards common factors that may cause a delay in an asylum application from a victim-survivor of sexual violence and abuse. For example, some have been trafficked into the UK and held under abusive conditions for extended periods of time, making it impossible to submit a claim for asylum as soon as they entered the country. Others may have been in an abusive relationship, making it equally difficult to disclose abuse. As well as ignoring the practical barriers to disclosure, the change in law also disregards other personal and structural barriers to disclosure, as set out below.

⁴⁰ Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence*, p.65. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

⁴¹ Baillot, H., Cowan, S. and Munro, V.E. (2009). 'Seen but Not Heard? Parallels and Dissonances in the Treatment of Rape Narratives across the Asylum and Criminal Justice Contexts', *Journal of Law and Society*, 36(2), pp. 195-219. ISSN: 0263-323X.

⁴² This is now widely accepted as fact and as such is embedded into the Crown Prosecution Service's own guidance on rape and sexual offences. See: Crown Prosecution Service. (2021). *Rape and Sexual Offences - Annex A: Tackling Rape Myths and Stereotypes*. Available at: <https://www.cps.gov.uk/legal-guidance/rape-and-sexual-offences-annex-tackling-rape-myths-and-stereotypes> (Accessed 19 March 2024).

⁴³ Sections 19 and 26 Nationality and Borders Act 2022.

The impact of trauma

Women seeking asylum are – self-evidently – often still processing trauma and in the early stages of crisis upon arrival to the UK. Even fleeing one's home and social network can be deeply traumatic, but women escaping sexual violence and abuse and other forms of VAWG are likely to be additionally disadvantaged and distressed as a result of their particular experiences. This fact is not, however, taken into consideration by the current process, which places undue pressure and expectation on women to immediately and coherently describe the details of sexual assault and abuse in order to justify a claim for asylum in the UK.⁴⁴

Many decades of specialist research into rape trauma have shown that the fragmentation of memories, in addition to anxiety, panic attacks, flashbacks, and disassociation, are all possible and normal responses to trauma, as is denial and difficulty with recall and disclosure.⁴⁵ The mental, physical, and emotional responses to trauma can make it difficult for survivors to talk about or even reveal their experiences to begin with. There are also important differing cultural norms when it comes to expressing distress and or discussing abuse, discussed shortly.

The recently updated Home Office guidance on 'Assessing credibility and refugee status in asylum claims' acknowledges that decision makers should evaluate the impact of several factors, including emotional trauma, feelings of shame, fear (including fear of officials), insecurity, and lack of information when determining whether a claim was made without delay.⁴⁶ The guidance states:

*"We cannot expect the same outcomes and behaviour from different people; particularly when we are looking at people from different social, political and cultural backgrounds. Personal circumstances and cultural differences must always be taken into account when assessing the credibility of a claim. In line with this, it is important to clearly state in your decision any factors that affect a victim's ability to give clear and consistent evidence, and how you have considered these factors in relation to any inconsistencies or 'delayed disclosure'."*⁴⁷

⁴⁴ Bögner, D., Herlihy, J. and Brewin, C.R. (2007). 'Impact of sexual violence on disclosure during Home Office interviews', *British Journal of Psychiatry*, 191(1), pp. 75–81. DOI: 10.1192/bjp.bp.106.030262.

⁴⁵ This is now widely accepted as fact and as such is embedded into the Crown Prosecution Service's own guidance on rape and sexual offences. See: Crown Prosecution Service. (2021). Rape and Sexual Offences - Annex A: Tackling Rape Myths and Stereotypes. Available at: <https://www.cps.gov.uk/legal-guidance/rape-and-sexual-offences-annex-tackling-rape-myths-and-stereotypes> (Accessed 19 March 2024).

⁴⁶ Home Office. (2023). *Assessing credibility and refugee status in asylum claims lodged on or after 28 June 2022*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1086137/Assessing_credibility_and_refugee_status_post_28_June_2022.pdf (Accessed 19 March 2024).

⁴⁷ Ibid.

The guidance recognises reasons why a survivor of sexual violence and abuse might have been unable to disclose their experience immediately, as well as how the impact of shame and trauma can result in their oral testimony being inconsistent or incoherent⁴⁸ and this is important and welcomed; however, it is difficult to see evidence of it operating effectively. In practice, it appears decision makers are inadequately trained to handle, and take into consideration, traumatising accounts. This affects their capacity to apply the guidelines correctly and consistently. The officials assessing claims need to have awareness of the effects of sexual violence and abuse trauma on memory and how a woman will relate to someone who is questioning them on that trauma. Previous research has identified inadequate training of asylum case workers as a key factor influencing poor decision making.⁴⁹ Furthermore, in an attempt to reduce the backlog of asylum applications, the Home Office is recruiting asylum case workers who have no prior experience or knowledge of the asylum system, or an awareness of the trauma that survivors of sexual violence and abuse face.⁵⁰

Shame, fear, stigma and the intersections of identity

It is widely understood by the specialist VAWG sector that the process of disclosing a history of violence and abuse is often

incredibly difficult for victim-survivors. Among the general British public, women and girls frequently delay their disclosure of sexual violence and abuse due to of shame, discomfort, or fear.⁵¹

Many won't ever disclose. Black and minoritised women and refugee and asylum-seeking women, face further barriers to disclosure as a result of a range of often intersecting aspects of their sex, gender identity, race, ethnicity, class, age and faith – which also shape their experiences of sexual violence and abuse. Black and racially minoritised women and girls are subjected to racism and sexism and often other multiple intersecting forms of structural inequalities and oppression.⁵² These factors can influence the ability to disclose and the process of disclosure. However, these difficulties faced by asylum-seeking women appear to be overlooked, despite the direct impact on their ability to claim asylum in the UK. Being subjected to sexual violence and abuse is viewed as shameful across different communities and women can feel a strong sense of discomfort when asked to open up about these experiences. This is often rooted in fear of judgment and rejection from their families and wider communities, or previous experiences of disclosing and being met with disbelief. For example, Evelyn*, who was trafficked to the UK, told us what happened when she told her father she had been raped

⁴⁸ Ibid.

⁴⁹ Freedom From Torture. (2018). *Lessons Not Learned: The failures of asylum decision-making in the UK*, pp.8. Available at: https://www.freedomfromtorture.org/sites/default/files/2019-09/FFT_LessonsNotLearned_Report_A4_FINAL_LOWRES_1.pdf (Accessed 19 March 2024).

⁵⁰ Kelly, N. and Townsend, M. (2022). 'Revealed: supermarket staff recruited to make 'life and death' asylum decisions', *The Guardian*, 5 November 2022. Available at: <https://www.theguardian.com/world/2022/nov/05/revealed-novice-staff-making-life-and-death-asylum-decisions> (Accessed 19 March 2024).

⁵¹ Baillot, H., Cowan, S. and Munro, V.E. (2012). 'Hearing the Right Gaps': Enabling and Responding to Disclosures of Sexual Violence within the UK Asylum Process', *Social and Legal Studies*, 21(3). DOI: 10.1177/0964663912444945.

⁵² Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence*, pp.5-7. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

when she was 12 years old, and the impact of his response:

"When I spoke to my own father about it, he didn't believe me. He thought I was chatting shit. And I tried to kill myself; this was in Nigeria, not here. And then coming over here, where I thought I was going to be okay, but I was not; I wasn't okay... I hated myself. I started drinking from the age of 14. Drinking, taking drugs, just because I wanted to numb the pain. I wouldn't have had to do that if I was listened to and heard. But I had no one to listen to me and then it happened a second time. And I think that that shattered me, it completely shattered me. And you know what my parents said to me? 'Brush it off and move on', that is what I was told..."

It has made me not trust anybody. And it has made me fear many people in my life and made me not comfortable around them. I don't have no trust, because I felt like the person I could trust, which was the person that gave life to me, they did not trust me enough to believe me..."

Not only does this fear of speaking out impede women's capacity to speak freely about their own experiences, but this sense of fear is rooted in – and compounds – women's internal feelings of guilt, self-blame and shame following sexual violence and abuse. Many Black and minoritised women and girls are confronted with an additional barrier due to the social stigma associated with sexual violence and abuse within their communities.⁵³ We spoke with Aysha*, an advocate at the Angelou Centre, who are a specialist service

for Black and minoritised victim-survivors, she told us:

"Rape, in any, any community, you know, it's seen as bad, really bad thing, especially for women. But in the South Asian community, if a young woman or any aged woman, especially a young woman – how will she feel is that's the end of [her] life, because no man or no family will ever accept them because it's their fault. They would have asked for it. They would think, 'Why did I do that?'"

Bájélà*, an asylum-seeking victim-survivor of sexual violence and abuse, shared in her interview similar cultural⁵⁴ barriers to speaking out:

"To be honest, back in Africa we experience such, we are not allowed to, to talk; women, you know, you are, you have to keep quiet, even if you are in abusive relationships... because of the stigma, what the community, the family, the judge, what they will say. So we die in, in the marriage, you know? You die in the marriage."

Aysha reflected on how openly talking about sexual violence and abuse can be difficult, even when women are accessing specialist services led by-and-for Black and minoritised women:

"When we talk to the women about sexual abuse, women will first be shy of talking about it."

Aysha shared that one of the women she had been supporting, *"could not even bring herself to say the word [rape]"*.

⁵³ Ibid.

⁵⁴ NB: We are aware that culture is not static; it has important conceptual and practical value, but it can perpetuate racism/discrimination when only used to describe VAWG in Black and minoritised communities. See further: ASCENT and Women's Resource Centre. (2017). *Good Practice Briefing Strengthening responses to forced marriage and female genital mutilation*, p4. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/611398bcb0e2730c3c2baacf/1628674237145/Strengthening+response+to+forced+marriage+and+female+genital+mutilation+Good+Practice+Briefing+-+HP.pdf> (Accessed 9 April 2024).

In line with previous research by Imkaan, we found that women who had faced marital rape found it difficult to identify their own experiences as constituting sexual violence and abuse.⁵⁵ In our interviews, it was clear that women often found it much easier to disclose their experiences of *domestic* violence and abuse, but felt hesitant, shy or embarrassed when speaking about *sexual* violence and abuse, and tended to use vague terms and euphemisms instead. The women we spoke to put themselves forward for interview, had been/continued to be supported by specialist support organisations, and also had had the chance to reflect on the experiences, which had happened a number of years prior. Despite this, they still struggled to speak about their experiences – illustrating the enormous difficulties many face in doing so at all. Yet the asylum process expects women to open up and talk about these experiences immediately on arrival to the UK, with no support and often with very little time between the experience of sexual violence and abuse and the interview in which they could process what had happened to them.

Conditions for disclosure

Women need and deserve to feel safe, respected and believed when making a disclosure of sexual violence and abuse, especially if it is demanded that they make this disclosure before they feel ready – as is common in the asylum system. However, the women we interviewed were clear that the conditions under which they were asked to share deeply personal experiences of sexual violence and abuse were wholly inappropriate.

Lack of privacy and confidentiality

Tia, a professional, who also previously worked at an initial accommodation centre, shared her perspective on the setting in which women are expected to disclose:

“It [application for section 95 support] was done in a room full of people, where there was no privacy; sometimes in front of family members, children roaming around. It was just like really, really bad practice. If the questions were asked [about their history of sexual or gender-based violence], it was not a safe environment; not even just to have an interview, let alone disclosing any personal experiences.”

We heard that when Migrant Help is supporting women to complete their Section 95 applications, some women are questioned on the circumstances that led them to seek asylum – including histories of trafficking, sexual or gender-based violence – within their asylum accommodation. As set out below, accommodation is often shared with many other asylum seekers – including men, women and children – and is often staffed by individuals who are not trained in working with traumatised and vulnerable people. Because women sometimes share accommodation with individuals who pose threats of further violence and abuse to them, there seems little doubt that it is inappropriate at best, that they are asked to divulge intimate details of their experiences in these settings.

⁵⁵ Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence*, pp.24. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

Gender of interviewer and length of interview

We spoke to Anisha*, a victim-survivor of sexual violence and abuse from India who had been subjected to a history of so-called 'honour-based' abuse from both her husband and her family. She feared returning to India as, during the last time she saw her parents, her father had threatened to kill her. Anisha shared her experience of submitting a claim for asylum, which involved a lengthy interrogation by a man who she clearly was not comfortable speaking to about such intimate experiences:

"When I had the interview, the interpreter, he was a man. It was so hard for me to sit in front of them and explain what happened to me. I was talking about my rape in front of the man. They didn't even support or give me any women. I said, 'I'm scared of men'. And there was an immigration officer, he kept asking me stupid questions. I was there for seven to eight hours. He was English and the immigration officer was [from] Pakistan."

Anisha's experience with the Home Office highlights a contradiction between policy and practice. Despite Home Office guidance encouraging sensitivity towards women and girls' histories of VAWG – stating that, before the screening interview takes place, claimants should be asked if they would like a female interviewer and interpreter – this is not consistently applied.⁵⁶ It is now accepted in the justice system that women and girls who report sexual violence and abuse should be offered the option of speaking to a woman, to aid their comfort in disclosing.

However, this does not appear to be an option afforded to asylum-seeking women who have had experiences of sexual violence and abuse. In addition, there is a lack of training with regards to handling sensitive and personal information, particularly around disclosures of sexual violence and abuse or other forms of trauma, for professionals responsible for the screening interviews.

Expert sexual violence support practitioners understand that it is neither realistic nor trauma-informed to expect immediate disclosure from victim-survivors seeking asylum. Before they are able to discuss their painful experiences, they need time to build a foundation of confidence and trust from others around them.⁵⁷ As a result, it is likely that a disclosure could only safely take place in the context of ongoing specialist support from women.

Evidently, unless gender-sensitive policies during the asylum decision-making process are upheld, and women feel – and are – safe, sexual violence and abuse is unlikely to be disclosed in full leaving victim-survivors who are not ready to come forward at risk of their asylum claims being wrongfully rejected. Even when experiences of sexual violence and abuse *are* disclosed, women's accounts are often not believed or properly incorporated into applications for asylum, as discussed below.

⁵⁶ Ibid.

⁵⁷ Bögner, D., Herlihy, J. and Brewin, C.R. (2007). 'Impact of sexual violence on disclosure during Home Office interviews', *British Journal of Psychiatry*, 191(1), pp. 80. DOI: [10.1192/bjp.bp.106.030262](https://doi.org/10.1192/bjp.bp.106.030262). (Accessed 19 March).

Scrutinising survivors' credibility

Women and girls are subjected to excessive scrutiny of their credibility in the asylum process but this is not unique to the asylum system; it has come to be widely regarded as a central feature of how survivors are treated within the criminal justice system (CJS) in England and Wales. Independent researchers working on Operation Soteria⁵⁸ recently concluded that police are running 'victim credibility units'.⁵⁹ In no other crime type is the victim-survivor subjected to the same level of scrutiny as in sexual offence cases. The barriers to justice are further compounded for Black and minoritised survivors, due to the multiple and intersecting forms of structural oppression and violence that these women are subjected to.⁶⁰ Fears around being believed have frequently been expressed by minoritised women and girls. This can prevent their access to justice and is influenced by racialised and gendered myths perpetuated by criminal justice agencies.⁶¹ In addition, recent findings from Baroness Casey's independent review into the culture of the Metropolitan Police Service found institutional racism, misogyny and homophobia within the force.

The findings of the review support many of our concerns, including a systemic racial bias across the Met, which routinely disbelieves victim-survivors resulting in complaints being dismissed rather than acted upon.⁶²

Research has shown that gender stereotypes impact on women and girls seeking asylum, and that myths and stereotypes embedded in the CJS are similarly ingrained in the asylum system:

*"...some of the problematic myths and assumptions that beleaguer the CJS in relation to rape investigation and prosecution are also manifest in the asylum process... asylum decision-makers' evaluations of the credibility of women's rape claims are at risk of being similarly influenced by gender stereotypes, and these can interact in uniquely problematic ways with dubious cultural preconceptions, as well as with the broader evidential, procedural and political constraints of the asylum context."*⁶³

⁵⁸ NB: Operation Soteria is a government funded research project. It is a collaborative program that has brought together police forces with academic research teams to understand how and why rape investigations are failing victim-survivors and what changes need to be made. They have created a national operating model for all police forces to support them to transform their approach to rape investigations.

⁵⁹ Stanko, B. (2022). *Independent report: Operation Soteria Bluestone Year One Report*. Available online: <https://www.gov.uk/government/publications/operation-soteria-year-one-report/operation-soteria-bluestone-year-one-report-accessible-version> (Accessed 19 March 2024).

⁶⁰ Centre for Women's Justice, End Violence Against Women Coalition, Imkaan, and Rape Crisis England & Wales. (2020). *The Decriminalisation of Rape: Why the justice system is failing rape survivors and what needs to change*. Available at: <https://rcew.fra1.cdn.digitaloceanspaces.com/media/documents/c-decriminalisation-of-rape-report-cwj-evaw-imkaan-rcew-nov-2020.pdf> (Accessed 18 March 2024).

⁶¹ Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence Key*, pp.35. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

⁶² Baroness Casey Review. (2023). *Final Report: An independent review into the standards of behaviour and internal culture of the Metropolitan Police Service*. Available at: <https://64e09bbc-abdd-42c6-90a8-58992ce46e59.usrfiles.com/ugd/64e09bf3b0605584624bf5afc024cd9d826e35.pdf> (Accessed 09 April 2024).

⁶³ Baillot, H., Cowan, S. and Munro, V.E. (2014). 'Reason to disbelieve: evaluating the rape claims of women seeking asylum in the UK', *International Journal of Law in Context*, 10(1), pp. 105–139. DOI: 10.1017/S1744552313000396.

Migrant women seeking asylum in the UK are met with distrust and suspicion from the outset, because of the 'hostile environment' which perpetuates racism and discrimination towards asylum seekers, and views these individuals through a prism of illegality. It is not uncommon for those who have made a claim relating to sexual or gender-based violence to have the initial claim rejected due to a concern about their credibility. This is often the case when there is a delay in disclosure, an omission, or when discrepancies in their account or retelling have been identified,⁶⁴ despite these being normal features of a disclosure of sexual violence and abuse.

Previous research conducted by Asylum Aid found that Home Office decision makers place *"a significant burden on the woman's own testimony, and a focus on her credibility"*.⁶⁵ It found that women's credibility was the most frequent reason for refusing asylum, and that 'credibility' was often poorly assessed by Home Office officials whose decisions were often overturned at the point of appeal.⁶⁶ A case file review found that 87% of women's asylum claims were initially rejected, with 42% of these being overturned on appeal.⁶⁷ Women for Refugee Women has also drawn attention to the 'culture of disbelief' surrounding Home Office's decision-making on asylum applications. It stated that, in practice, this has the effect of *"placing an unrealistic and unlawful evidential burden on the person seeking asylum"*.

*This leads to flawed credibility assessments and erroneous decisions, subjecting women who may otherwise have legitimate grounds for asylum to ongoing uncertainty and danger."*⁶⁸

We strongly support calls for the Home Office to collect and publish disaggregated data in relation to asylum claims, initial decisions, appeals and final outcomes as a key component of enhancing their accountability for their decisions. This is necessary to better understand the inequalities that exist in the asylum process, to monitor outcomes for women who have survived sexual violence, and to improve overall system transparency.

Each and every one of the women who spoke to us about their asylum claims told us that they were – from the outset – disbelieved and treated with suspicion by Home Office decision makers. They frequently described how their experiences of VAWG, including rape and sexual abuse, were dismissed; they were also required to provide further 'evidence' in support of their claims – something which for a myriad of reasons (including the fact that rape and sexual assault are typically perpetrated in private and without witnesses) it is uniquely difficult to provide in sexual violence and abuse cases.

⁶⁴ Baillot, H., Cowan, S. and Munro, V.E. (2009). 'Seen but Not Heard? Parallels and Dissonances in the Treatment of Rape Narratives across the Asylum and Criminal Justice Contexts', *Journal of Law and Society*, 36(2), pp. 195-219. ISSN: 0263-323X.

⁶⁵ Clayton, G., Crowther, T., Kerr, J., Sharrock, S. and Singer, D. (2017). *Through her eyes: Enabling women's best evidence in UK asylum appeals*. Available at: https://www.asylumaid.org.uk/sites/default/files/2021-07/2017_Through-Her-Eyes_Enabling%20Women%27s%20Best%20Evidence.pdf (Accessed 19 March 2024).

⁶⁶ Ibid.

⁶⁷ Asylum Aid. (2011). *Unsustainable: The Quality of Initial Decision-making in Women's Asylum Claims*. Available at: <https://www.asylumaid.org.uk/sites/default/files/2021-08/asylum-aid-unsustainable.pdf> (Accessed 18 March 2024).

⁶⁸ Dudhia, P. (Women for Refugee Women). (2020). *Will I Ever be Safe? Asylum Seeking Women Made Destitute in the UK*, pp.22. Available at: <https://www.refugeewomen.co.uk/not-safe/#:~:text=Asylum%2Dseeking%20women%20are%20being,while%20destitute%20in%20the%20UK> (Accessed 18 March 2024).

Bájélà shared her experiences of submitting an asylum claim related to her previous experiences of sexual violence and abuse:

“If you flew from your country because of violence, you know, all that. If you tell the Home Office, they don’t believe you. They will be telling you, ‘Where is the proof? Proof from that they want to kill you’. That you know you will have [to give] evidence. You have evidence with your mouth, with the word of your mouth. And maybe if you have marks, you know, or they wouldn’t, they don’t, they don’t believe you.”

Josephine, whose case we detailed earlier in this report, spoke about the scrutiny she was subjected to when making a claim for asylum:

“I was refused because I was not able to get the evidence of [my daughter’s] circumcision. I said I did not remember the date my daughter was circumcised. So, it’s assumed that I’m lying. I tried my best to get it [the evidence]. So, because of it, I was denied and I was asked to go back to Nigeria and go to other states and live.”

Josephine said that, even after obtaining written evidence from the hospital regarding her daughter’s experience of FGM, this was not enough to satisfy the Home Office’s evidential demands. Her inability to recall the precise date her daughter was circumcised was used by the Home Office as justification for rejecting her application. Josephine reflected on how the trauma at seeing her daughter abused has impacted on her ability to recall the date that it happened, and how this was used by the Home Office to question her credibility:

“I don’t even want to remember it because it’s, it’s, it’s not even something [I am able] to think about it. So, because of it, they rule that I am lying. That they don’t accept it. They completely disregarded everything... Even if you can’t accept my words. But at least with the evidence... I submitted the evidence. Yet they refuse it.”

Josephine’s primary concern is to remain in the UK to ensure the safety of her young children. After she received her letter of rejection, the Home Office deferred her to the family returns process. Josephine was told to return to Nigeria and resettle in a different state. She shared:

“They even offer to give me £15,000 to go back with my children; so you expect me to risk my life and the life of my children because of £15,000? I cried. I cried.”

The cross-party House of Commons Women and Equalities Committee acknowledged the difficulty of ‘proving’ sexual violence and abuse in the findings of its most recent inquiry into the UK asylum process. It also highlighted the impact that trauma can have on victim-survivors’ recall of the sequencing and/or detail of events.⁶⁹ The Committee concluded that the Home Office’s primary reliance on an interview for the asylum decision-making process disadvantages women who have submitted a claim on the basis of sexual or gender-based violence. It recommended that, “women should be afforded sufficient time and space to recount distressing and traumatic experiences in a safe and supportive environment. They should be supported in all aspects of the process by an independent specialist advocate”.⁷⁰ We strongly support this recommendation.

⁶⁹ House of Commons Women and Equalities Committee. (2023). *Equality and the UK asylum process: Fourth Report of Session 2022–23*, pp.17. Available at: <https://committees.parliament.uk/publications/40580/documents/198406/default/> (Accessed 19 March 2024).

⁷⁰ Ibid, pp.22.

The impact on survivors' mental health

Rejecting asylum applications on the basis of disbelieving them has significant problematic implications for asylum-seeking women's safety and that of their families, as demonstrated by Josephine's story above. The very large majority of people seeking asylum are doing so legitimately, and due to fear of returning to their country of origin.⁷¹ Those whose claims are delayed and/or convoluted live with the ongoing fear of being forced to return to the place of danger they are trying to flee, face delays in rebuilding their lives and recovering from trauma, and are often retraumatized by systems which scrutinize and disbelieve their experiences, and do not recognise or protect them from those harms. For the women we spoke with, these experiences are incalculably damaging to their mental health, wellbeing and resilience.

We interviewed several women who were still in the process of seeking asylum. All spoke about the interrogation they faced, the relentlessness of having to prove what has happened to them, and the serious toll this has had on their mental health and wellbeing. Bájélà recounted how the stress of the interview process affected her and how she was discredited and undermined after sharing her story with Home Office officials:

“I started the journey of the asylum like eight years ago and it was so rough. So tough. The problem with the asylum, you know, you claim the asylum, everything you tell the government, they don't believe you and when they interview you they will be putting pressure, stress on you. And, during that time, maybe you are feeling and you're having anxiety, you are having mental health problem, you know. You will not know what to say. And what, anything you are saying they will use it against you, you know, in court. So, it's really hard.”

⁷¹ According to the Refugee Council, 75% of initial decisions made in 2022 resulted in a grant of asylum or other form of protection.

2B. Asylum accommodation and support

Due to Home Office failures to make timely decisions, women seeking asylum face extended waits ranging from six months to over a year for their applications to be resolved. This leaves many women feeling that they are “living in limbo”, and with significant fear and uncertainty for themselves and their children. Women we spoke to discussed having spent anywhere between six and 12 months – and in some cases even longer – in ‘initial’ or ‘contingency’ accommodation, before being relocated to longer-term ‘dispersal accommodation’, where they could remain for several years.

Whilst they wait for their asylum claim to be processed, asylum-seekers do not have the right to work and remain dependent on a limited weekly allowance of £49.18.⁷² Pregnant mothers and those with children between 1-3 years old can obtain an extra payment of £5.25 per week, and those with babies under 1 years old can obtain an additional £9.50. This enforced hardship and the financial crisis women and children found themselves in was consistently front-of-mind for the women we interviewed.

Independent bodies scrutinising the Home Office have exposed the extent to which contractors within the asylum system are delivering services which are not fit for purpose and are failing to comply with the Statement of Requirements which they are contractually obliged – in particular, where housing provision is inadequate and does not comply with the Statement of Requirements that they are contractually obliged to meet.⁷³ David Neal, the former independent Chief Inspector of Borders and Immigration, recently described the Home Office’s management of the asylum system as “dysfunctional” and “in need of reform”. He revealed that within the last 18 months, four different officials had overseen asylum accommodation – something he described as “absolute madness in terms of accountability”. His concerns about some of the conditions in accommodation used to house children are particularly concerning – he described them as being worse than detention centers in Afghanistan.⁷⁴

It would appear then that asylum-seekers (and their children) are made to live in environments that would not be considered suitable for the rest of the population. Refugee Action states that the set of policies governing the asylum accommodation complex has essentially created a system of ‘de-facto detention’ and the racialised segregation of people seeking asylum in the UK.⁷⁵ Claire*, one of the professionals we interviewed, stated:

⁷² HM Government. (2024). *Asylum support: What you’ll get*. Available at: <https://www.gov.uk/asylum-support> (Accessed 8 October 2024).

⁷³ See, for example: Independent Chief Inspector of Borders and Immigration. (2022). *An inspection of the use of hotels for housing unaccompanied asylum-seeking children (UASC) March – May 2022*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1111982/An_inspection_of_the_use_of_hotels_for_housing_unaccompanied_asylum-seeking_children_UASC_March_to_May_2022.pdf (Accessed 19 March 2024).

⁷⁴ Casciani, D. (2024). ‘Home Office is dysfunctional, says ex-borders watchdog David Neal’, *BBC News*, 11 March 2024. Available at: <https://www.bbc.com/news/uk-68528149> (Accessed 19 March 2024).

⁷⁵ Refugee Action. (2023). *Hostile accommodation: How the asylum housing system is cruel by design*, pp.9. Available at: <https://www.refugee-action.org.uk/wp-content/uploads/2023/03/Hostile-Accommodation-Refugee-Action-report.pdf> (Accessed 19 March 2024).

“Initial accommodation isn’t that far away from a prison. Yes, theoretically, [asylum seekers] can walk out, but, in reality, they do not have anywhere to go.”

In this section, we reflect upon the poor living conditions that asylum seekers report that they are made to endure, and how this can affect the recovery of women who have experienced sexual violence and abuse.

Physical conditions

The private companies managing accommodation for people seeking asylum have been heavily criticised for providing “inhuman” living conditions.⁷⁶ In some cases breastfeeding mothers have not been able to continue breastfeeding because they were so malnourished by the food provided, and young children lost weight for the same reason.⁷⁷ The women we spoke to reflected on the substandard quality of housing provided to them. They described unsanitary conditions, as well as accommodation that lacked basic facilities, such as functioning bathroom taps, electricity and heating. Several women spoke of living in houses with leaking roofs, dangerous mould and damp, as well as infestations of cockroaches or bedbugs. These issues can have severe

consequences for both physical and mental health and safety. Devastatingly, in early 2023, the Guardian reported that a two-year-old refugee boy died due to a failure of the housing provider to tackle severe damp and mould.⁷⁸

Evelyn described the condition of the dispersal accommodation she was placed in whilst awaiting a decision on her asylum application:

“Not only that the house was leaking water, there were rats everywhere; there were cockroaches. I felt bad for myself, I felt sorry when I saw the kids that were living in there in that condition for a long time, longer than me. And I said to myself, ‘I can’t stay’... And the housing officer actually came and he did nothing about it. They don’t fix it, they just leave it there. When I was living there I was crying because, I wasn’t crying for me, I was crying for the kids... And this was the housing that the Home Office provide. And that is where we are expected to stay.”

Clearly these conditions are unacceptable and do not meet even a basic standard of living. All asylum-seeking people should be entitled to clean, safe and adequate accommodation, and we are concerned that there is very little in UK law that ensures their basic rights. Human Rights Watch have rightly called on the government to “ensure the right to an

⁷⁶ Human Rights Watch. (2023). *“I Felt So Stuck” Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom*. Available at: <https://www.hrw.org/report/2023/09/14/i-felt-so-stuck/inadequate-housing-and-social-support-families-seeking-asylum> (Accessed 19 March 2024).

⁷⁷ Refugee Action. (2023). *Hostile accommodation: How the asylum housing system is cruel by design*. pp.9. Available at: <https://www.refugee-action.org.uk/wp-content/uploads/2023/03/Hostile-Accommodation-Refugee-Action-report.pdf> (Accessed 19 March 2024).

⁷⁸ Booth, R. (2023). ‘Social landlord in England said mould was ‘acceptable’ in refugees’ homes’, *The Guardian*, 28 March 2023. Available at: <https://amp-theguardian-com.cdn.ampproject.org/c/s/amp.theguardian.com/world/2023/mar/28/social-landlord-england-said-mould-acceptable-refugees-homes> (Accessed 19 March 2024).

adequate standing of living, including the rights to adequate housing, food, and social security are incorporated into UK law, giving everyone affected by violations the right to an effective remedy”.⁷⁹ In an in-depth survey of 100 asylum seekers, Refugee Action found that 71% of respondents reported a deterioration in their mental health since living in Home Office provided accommodation.⁸⁰ 90% of respondents stated that the hotel they were living in was unsuitable for children, and 61% reported safeguarding issues. The report also cited serious outbreaks of infectious disease, such as chickenpox.⁸¹

As well as impacting on physical health, living in such environments leads to asylum seekers feeling a loss of dignity and sense of self. For women who have experienced sexual violence and abuse, this can also severely hinder recovery from the trauma of it. By its very nature, sexual violence and abuse removes agency from victim-survivors, and many speak of the importance of regaining control over their lives as an important part of recovery. Women and girls who have experienced violence and abuse are likely to have specific physical and mental health needs and requirements, including basic safety, dignity and autonomy. Poor living conditions not only compounds their trauma and impedes recovery, but actually exposes them to additional harms and risks of harm, as evidenced by the women’s stories, below.

Fear, isolation, and emotional wellbeing

As well as living in poor physical conditions, women spoke about other aspects of their asylum accommodation that led them to feel unsafe and insecure, including: being forced to live in mixed-sex settings with minimal, if any, privacy and security; sharing bedrooms with other asylum seekers that they didn’t know (including men); being housed with others from their country of origin who may know their identity or the identity of their perpetrators; being housed in the same area to which they were initially trafficked; being rehoused frequently and with no notice or information about their new localities; not being referred to support for coping with the trauma of sexual violence and abuse. Evelyn’s story, below, highlights many of these issues, which are common for asylum-seeking women who have experienced sexual violence and abuse.

⁷⁹ Human Rights Watch. (2023). *“I Felt So Stuck” Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom*. Available at: <https://www.hrw.org/report/2023/09/14/i-felt-so-stuck/inadequate-housing-and-social-support-families-seeking-asylum> (Accessed 19 March 2024).

⁸⁰ Refugee Action. (2023). *Hostile accommodation: How the asylum housing system is cruel by design*, pp.9. Available at: <https://www.refugee-action.org.uk/wp-content/uploads/2023/03/Hostile-Accommodation-Refugee-Action-report.pdf> (Accessed 19 March 2024).

⁸¹ Ibid.

Evelyn's story

Evelyn is a survivor of child rape, and sexual abuse and exploitation. Evelyn described her childhood growing up in Nigeria as very traumatic, sharing that she was “neglected, bullied, abused and ... raped by the age of 12. Twice”. Evelyn was trafficked to the UK into domestic servitude when she was 19 years old, and was sexually abused by her trafficker:



I came here on a student visa; I thought that I was going to go to school. Back home I had just done my GCSEs and I had passed. And I was told I was going to come here; obviously I did not want to come here, but I was told I had to come here. And when I got here, it was not what I expected, but I just kind of gave in and did everything they asked me to do and everything...

And it got to a point where, the reason why I left the house was when he was trying to rape me. I can't even tell you what happened; it was a blur. I left and when I was going, I fell down and I fractured my ankle. And I still have that pain from that fracture, because I never actually got it checked out. So that was it. I was sleeping rough..."

After escaping, Evelyn was homeless for two years. She explained that she was sofa surfing, and this exposed her to an additional risk of violence with no access to support. She was befriended by an older man, who she described as a religious 'prophet.' With no other choice she moved into his house and was living on his sofa.

Whilst living with him, Evelyn was subjected to unwelcomed and inappropriate sexual advances, which led her to feel unsafe and uncomfortable. Over time, his behavior escalated:

"He said something to me and then he was touching me and everything. And I did not like that. I told him I didn't like it and I told his wife that her husband was making me feel uncomfortable. But she did not believe me... And he tried it again when his wife was not there. And I was really uncomfortable... I don't know what to do."

When Evelyn turned down his advances, he threatened to evict her unless she had a sexual relationship with him. She was in a clearly dangerous situation and feared further sexual exploitation and abuse.

"He said to me, 'You have three days to get out of my house if you don't want to sleep with me.'"

After entering the asylum system, Evelyn was living in Home Office provided accommodation for eight years. During this time, she was relocated on five separate occasions.

"The Home Office don't listen to us. They don't care about our mental state because personally, for me, I went through a lot during that time. I was moved to a place where I wasn't safe... Everybody living there will tell you, hands down, that they are not safe. It's like you are not safe from the other people around you; you are not safe from yourself. Imagine, you're in a room where you have severe depression and so do the people around you. And there is no support out there. If it was not for charities that are offering support, the Home Office don't offer support..."

The first two places that Evelyn was housed in accommodated both men and women. Because she did not feel psychologically or physically safe, she isolated herself from others around her:

"I did not come out of my room. The only time I would leave was if I was leaving the hostel and going for a walk. I don't want anybody near me. Imagine, we had to share a bathroom with [men]. I was crying all the time, because I was not comfortable, but they don't listen to me... They should give one bathroom to women and one bathroom to men. I was like, 'Do you know how it feels when I look out the window and I see a man outside?'. It scares me, it terrifies me. People from my own community who I do not feel safe around. I didn't want to be in the house; I did not want to be anywhere near any of them".

Evelyn's history of sexual violence and abuse made it difficult for her to feel safe in an environment with people she did not know. She spoke of feeling extremely anxious from being surrounded by others from the Nigerian community.

"There is so much uncertainty and you are put in a room with people you do not trust. You don't know them. Because you can't control that, you cannot trust nobody. They housed me with people from my community; the person that trafficked me is from the same community... And I speak up about my concerns and I get shut down for it. I don't know who they know or if they know me. Putting me in that same environment is not safe... I couldn't speak, I couldn't even go into the kitchen to cook. Nothing. To wash my clothes was a nightmare."

Evelyn recalled that, anytime she attempted to raise her concerns with the accommodation provider and advocate for herself, she was ignored and dismissed. She shared that, without the support of her lawyer, her concerns would not have been taken seriously.

Evelyn also described her experiences of sexual violence and abuse trauma, including flashbacks and nightmares:

"When I was moved into asylum accommodation, I couldn't sleep for like three weeks because all I was hearing was him, the voice, his voice. The talk, you know what I mean. Everything I was just hearing that. It was like that for weeks. And I am still thinking that; it is not something that has gone. It has made me terrified of being in the same room as a man. It's put a fear in me, which I have tried to break, but it's hard to break it. Thinking about it gives me that uncomfortable feeling, that flashback that I do not want"

Evelyn's trauma, compounded by her unsafe environment, had a serious impact on her mental health and emotional wellbeing. She became suicidal, but, rather than being offered specialist support for her trauma, she was medicalized – simply given medication without any corollary talking therapy:

"And then I was starting to like go into a severe depression; I had to get a mental health team to come to me every morning or evening to give me medication. This was the situation. I completely shut down, you know. Being in that building I was one of the youngest... I was one of the youngest ones there on my own. So, I got totally shut down"

Evelyn reported that, after requesting to be relocated once again, she was informed with very little notice that she would be sent to an area of London where she had been living after being trafficked to the country.

"And they said they were going to move me to [a location]. I don't want to stay there for two minutes. Because [the location] is a place where I am not safe at all. Because when I came here I was trafficked here. And [this] was the place where the trafficker was located. I was really angry and I told the Home Office and my lawyer that this is not a place where I am safe at. I don't understand why they put me there... When I moved into that house, I did not unpack my stuff. I did not want to stay in this place. It was damp, it smelt. I felt unsafe. I called my lawyer immediately and told her I am not safe here, in this area. I don't know who knows me. I told her, 'I am really scared'. She knew this was where I was living when I was trafficked to the country. She said I shouldn't have been put there. I didn't stay there; I left to go to my friend's place. I couldn't stay there."

The Home Office failed to identify the direct risk of moving Evelyn to where her trafficker was based, and consequently she was moved for a fifth time. This was despite them being aware that Evelyn had been trafficked to the UK, had survived sexual violence and abuse, and was at risk of being re-trafficked. An assessment of her distress and vulnerabilities ought to have been made when Evelyn first entered the asylum system, to ensure the accommodation and environment provided supported her needs. This would have prevented the need to move on multiple occasions, which added further stress and destabilisation.

“ I was moved to a place where I wasn’t safe... Everybody living there will tell you, hands down, that they are not safe.”

– Evelyn

Every woman we interviewed shared that they were concerned for their safety whilst living in Home Office provided accommodation. Claire, a frontline worker for a small community-based organisation that supports asylum seekers, shared:

“It’s hard to convey just how intimidating the environment felt for women we supported.”

All the women we interviewed shared concerns with living in mixed-sex accommodation and noted that this left them feeling unsafe. Women’s feelings and emotions associated with their initial trauma are likely to resurface in mixed accommodation, because the overwhelming majority of women who have endured rape and sexual abuse, do so at the hands of men. As a result, many victim-survivors will be fearful of men. This means that sharing mixed sex accommodation can be both re-traumatising, but also triggering - producing

flashbacks and heightened states of physical and sensory arousal due to being exposed to what their bodies perceive as a threat i.e. the presence of men, irrespective of their behaviour towards them.

As they are without choice or control, and living in a constant state of hypervigilance due to being surrounded by men they do not know or trust, such living arrangements can be especially harmful and retraumatising.

Makena*, one of the women we interviewed, shared how her experiences of sexual violence and abuse made her feel very unsafe around men, and how she was traumatised by the environment in which she was housed.

Makena's story

Makena* is a survivor of sexual violence and exploitation, from Sierra Leone. She disclosed being trafficked for sexual exploitation whilst she was in Sierra Leone:



I came from a country where there was war. And then, you know, where there is war, that's when these men go and look for women and then take them away, all this. And then try to do to you sexual things... It's very painful. It stays with you for a long time. Makes you feel like all men are the same. Make you angry at them. It never leaves you. But sometimes it's very difficult to talk about."

Makena shared that, once she had arrived in the UK, she found herself subjected to further abuse from an individual who she had previously trusted. She then fled, and was told she would be taken to a Safe House⁸² whilst she waited for her asylum claim to be processed.

"I was told that the Home Office has a safe place for people like me, where, you know, you can go and just stay there for a while until you get your [contracted accommodation provider] house... So, I was happy, because I was going to live alone and nobody was going to stop me, beat me up; there's so many things I went through... And then, when I, when I went to that house, it was horrible that Safe House. Cos they call it 'Safe House', [but] it was a hostel where you have different types of people, people who do drugs, men and women, were all living together so it was so bad."

The Home Office was aware of Makena's history of sexual violence and abuse. Yet, despite this, she was accommodated in mixed housing.

"I was scared of the people that I was living with ... So, I was so scared that I was gonna be raped, I was scared that I was gonna be forced to take drugs, I was scared that they were gonna open my door at night, you know what I mean... I used to pray every time to God, 'Please God, get me out of this house'. It was so traumatising, it was so scary. It was the most scary seven months in my life."

“ It was so traumatising, it was so scary. It was the most scary seven months in my life. ’

– Makena

⁸² A Safe House is Government-funded accommodation for victims and survivors of human trafficking.

The asylum accommodation complex, as it is currently structured, does not recognise the needs of survivors of sexual violence and abuse. As is clear from the experiences of the women set out above, Home Office provided accommodation can be an inadequate and unsafe environment for the many women who live with the trauma caused by sexual violence and abuse. Mixed-sex accommodation can not only increase feelings of unsafety, which are antithetical to the conditions required for victim-survivors to recover from trauma, but also increase the risk of violence and abuse, as explored further in Chapter 3.

The absence of support and the impact on mental health

The absence of specialist and holistic support that meet the specific needs of women within the asylum system who have experienced sexual violence and abuse, is also a great concern. One of the professionals we spoke to who is working in the refugee and asylum seeker support sector, voiced her concerns about the lack of support for women:

“If people are staying there for a long time, it’s not just about safety. It is about a model of support that needs to be built around women who experience violence. The lack of safety with the accommodation could be tackled by having women-only facilities within the accommodation. Because, even if a woman who has experienced gender-based violence is living in initial asylum accommodation for just one week, that week could put that woman in serious risk. Not only must the individuals’ immediate needs be met, for example, food, shelter, and clothes, but, if a woman is staying for a longer period of time, you need to start thinking about wraparound support. And, at the moment, where women are living whilst they are waiting for their asylum claim to be processed is longer-term accommodation, it’s not temporary.”

As well as a lack of access to specialist support, we heard that women often felt intimidated and unsafe around accommodation staff who are supposedly there to assist residents, particularly male members of staff. Some of the women told us that they faced significant levels of hostility from staff working in the asylum accommodation complex, and shared examples of accommodation staff being rude, intimidating and unresponsive to their needs or concerns. Several women described feeling afraid to approach or speak to male staff working in their accommodation. This was a particular source of anxiety when approaching male staff members with an issue or a need, particularly when related to their basic needs as women, such as asking for sanitary pads during their menstrual cycle. The women we spoke to conveyed how this created a culture of fear and mistrust among those living within the asylum context, and this fear is compounded by their previous experiences of sexual violence and abuse.

Living in fear within unsafe environments, without basic needs being met, will inevitably lead to poor mental health. All of the women we interviewed reflected on their feelings of insecurity and danger, which exacerbated their symptoms of trauma and in turn increased depression and suicidal ideation. Based on the experiences of our small sample of women, and broader research, it seems apparent that the asylum accommodation complex does not fully support women’s physical safety, mental health, or emotional wellbeing. This points to a clear need for systemic change, with women seeking asylum being housed in long-term, community-based accommodation, staff members having access to appropriate training, and ensuring access to trauma informed models of support as they wait for their asylum decision.

Chapter 3.

Women and girls are at risk of experiencing (further) sexual violence and abuse within the asylum system



They are walking into an essentially unsafe, insecure environment from the very beginning.”

– Natasha

Everybody deserves to have a home, and to feel safe within that home. As set out in the previous chapter, this is particularly important for victim-survivors of sexual violence and abuse who are attempting to recover from the trauma they have experienced. However, not only does the asylum accommodation complex make victim-survivors *feel* unsafe, but - as is apparent from our interviews with women with lived experience - the way it can be managed means that asylum seekers, particularly women, *are* unsafe. We interviewed professionals and women with lived experience of the asylum system, who told us how they were made to share accommodation, and, in some cases, bedrooms, with unrelated males. We heard of predatory residents and staff who subjected women seeking asylum to intimidation, harassment, racism, violence and abuse, as well as external perpetrators who were able to easily target asylum accommodation and the vulnerable residents housed there. In all examples, we heard about how the risk of sexual abuse, and actual instances of abuse, were facilitated by seemingly inadequately trained staff, ineffective safeguarding, vetting, complaints and misconduct processes, and a lack of access to support and advocacy for those asylum seeking women who wished to complain. As a result, women seeking asylum have been left at risk of abuse with minimal protection, on top of (in many cases) existing trauma from previous experiences of sexual violence and abuse.

3A. The risk of abuse from other residents

The AASC states that providers should not accommodate unrelated adults of the opposite sex in the same room.⁸³ However, this rule appears to be inconsistently applied, particularly within hotel and hostel accommodations. Several women we interviewed were made to share bedrooms with unrelated men, increasing their risk of being sexually abused.

Even where women are not made to share bedrooms with unknown men, they do share the same accommodation buildings and areas within them – bathrooms, kitchens and communal areas. Men may be given bedrooms next door to women, and so they have easy access to women's bedrooms. Ola* told us how she experienced intimidation and harassment when living in mixed-sex asylum accommodation, and described the impact this had on her and other women she lived with.

⁸³ Syal, R. and Dugan, E. (2019). 'Unvetted staff working in hotels housing child asylum seekers, report says', *The Guardian*, 19 October 2022. Available at: <https://www.theguardian.com/uk-news/2022/oct/19/child-asylum-seekers-hotels-adults-dbs-criminal-record-checks-home-office#:~:text=An%20independent%20inspection%20has%20severely,refugees%20stayed%20in%20the%20building> (Accessed 19 March 2024).

Ola's story

When Ola* entered the asylum system, she was pregnant and living in a mixed-sex hostel. Ola gave birth not long after and remained living in shared accommodation with her newborn for four months. She spoke of the challenges related to sharing a floor with male residents, and the fear this caused.



So usually [women feel unsafe] because it's a very mix. So many people mixed together. And the people, the young men who are single, they live four or five in one room. They drink together, they smoke different things. And they are just next to a room with a single woman who is pregnant or with baby in the room. They will go knock on [your] door and when you go to the toilet, they will follow you. It's quite hard."

She recalls herself and other mothers living in the same accommodation forming groups to use the shared toilets – two would go to use the toilet so that one could watch the door and a third would stay in a room watching the children. Ola shared that she felt her safety and the safety of her children were at risk whilst living in asylum accommodation. She explained that she often felt threatened, as she was regularly being approached, intimidated and sexually harassed by male residents:

“ I remember finding letters in my pram from guys asking me where your room is. Or men following me, things like this... Having a very small baby and each time you put the baby in [the] pram you’ll find something [notes from male residents]. That is not really what you’re interested [in], that will follow you till you leave the hostel, even after.”

3B. The risks presented by asylum accommodation staff

The women we spoke to raised numerous concerns about staff employed to maintain and oversee the day-to-day operations of the asylum accommodation complex. We heard deeply concerning stories of asylum-seeking women being subjected to sexual harassment, violence, exploitation and intimidation by members of staff working in hotels and other Home Office provided accommodation. We

have seen evidence of failings in vetting procedures and safeguarding training, as well as wholly inadequate complaints and misconduct processes, and a dearth of support for asylum-seeking women subjected to inappropriate behaviour and abuses of power by accommodation staff. This points to systemic issues of sexual violence and abuse, rather than isolated incidents. The two case studies below demonstrate many of these issues, which are explored further in this chapter.

Azadeh and Zarah's story

Azadeh*, a refugee woman from Iran, works for a community-based organisation supporting women living within the asylum context. When we interviewed Azadeh, she spoke about a woman she had supported, Zarah*, who was living in an asylum hotel with her two young boys.



So you either keep silent, and bear with it, in the hope of actually getting out of it one day....For some women there is a sense of shame to expose what has happened to them and fear if they do say anything it might jeopardize their application process.”

– Azadeh

Zarah had approached Azadeh and disclosed that she had been sexually harassed by a member of staff working at the hotel. The member of staff pursued Zarah over a period of time and eventually coerced her into a sexually abusive relationship. Zarah confided in Azadeh that she feared the male member of staff would enter her room when she was sleeping. As a result, she could not sleep and would spend nights holding onto her children and trembling until the morning. Zarah told Azadeh that she thought she should be safe in the asylum accommodation provided to her, but she did not feel it.

Migrant Help hold the government contract to provide support to UK asylum seekers on a range of issues, including complaints regarding asylum accommodation providers. However, similar to other women we interviewed, Zarah was concerned that reporting the sexual harassment by the male staff member would jeopardise her asylum claim. Fortunately, Zarah was able to access support from the organisation that Azadeh worked for, which is independent of the asylum system. With the support of this specialist community-based organisation, Zarah submitted a complaint regarding the staff member's behaviour to Migrant Help, as well as to the Home Office and the contracted accommodation provider, via email.

However, Azadeh told us that no response was received from any of the three agencies. Instead, Zarah received an intimidating message from the male staff member she had reported, warning her not to take any further steps to complain about him. It is unknown how the staff member had come to know about Zarah's complaints, but it is assumed that one of the three agencies informed him that Zarah had made the report against him.

Zarah was left with no further route to address her concerns. Azadeh told us that Zarah felt so unsafe that she chose to return to Iran and face the risk to her safety that had caused her to seek asylum in the UK in the first place:

“[She] received no response, no help at all, and had to return to a place where she felt unsafe with her two teenage boys. She left the UK and went back to Iran, with so much fear to... face.”

Lana's story

Lana* is a refugee woman who fled Iran due to threats against her life from the Iranian Revolutionary Guard.



He said, 'I want to show you my home'. I accept that because that accommodation was horrible. And I said this, his home was better than there. At the time in my mind, I think he couldn't do any wrong. Because he works for, you know, the Home Office. But I didn't know he could. Really. He could."

On arrival to the UK, Lana was placed in hostel-style initial accommodation, where she remained for two years. She recalled that, when she arrived, she received no information about what to expect from the asylum process, her entitlements, where to eat, and what her next steps for applying for asylum would be. Lana further raised concerns about the rude and intimidating way in which the accommodation staff interacted with asylum-seeking residents, sharing that *“it wasn’t a friendly place”*.

Lana was subjected to sexual harassment and sexual exploitation by two members of staff whilst she was living in initial asylum accommodation. One of the perpetrators initially portrayed himself as a manager who could be trusted, and she turned to him to complain about another member of staff who had been sexually harassing her. However, the member of staff she turned to was not in fact a manager and went on to abuse his position of trust and power, emotionally manipulating Lana and coercing her into a relationship. Like many survivors, she did not recognise the abuse at the time.

“I accepted his number. And from then, he starts to text me. He made me feel like I could trust him. When I think back, both these men were harassing me. He played with my emotions... He asked me one day, can you come with me... I want to invite you to a restaurant. We went there and after I really expected he returned me to hostel, but he took me to his home. And I said to myself, ‘Why he brings [me] here?’. He said, ‘I want to show you my home’. I accept that because that accommodation was horrible. And I said this, his home was better than there. At the time in my mind, I think he couldn’t do any wrong. Because he works for, you know, the Home Office. But I didn’t know he could. Really. He could. And he did. Yeah. Yeah. Because he abused my situation. You know, I thought that maybe he was trustable person.”

Lana recounted several visits to this male staff member’s house. On one visit he had been drinking and became verbally and physically aggressive towards her. On another occasion, he hit her and threw her out of his house. Lana called the police, and he was arrested. However, the police told her that there was not enough evidence to further investigate. Lana tried to encourage the police to take the case forward. She informed them that he works with vulnerable people who would be at risk if he were able to continue in his job; however, no action was taken.

After this incident, Lana reached out to Migrant Help for support, disclosing what had been happening. A complaint was submitted on Lana’s behalf by Migrant Help and the behaviour of the male member of staff was flagged to both the accommodation provider who employed him and to the Home Office. Safeguarding leads within the Home Office, Migrant Help and the accommodation provider were also informed of the incident. The individual was suspended temporarily.

However, there was no effective route to follow up after the complaint had been submitted. Lana was not directly contacted about the progress of the investigation or the outcome of her complaint. Instead, individual members of staff from Migrant Help had to chase the Home Office for an update on the outcome of the complaint. We heard that no further action was taken because it was ‘her word against his’.

The perpetrator remained working within the same hostel and there were no further consequences for his behaviour. Lana shared that the perpetrator continued to target and pursue sexual relationships with other women living within the asylum accommodation.

Safeguarding failures

The two case studies above demonstrate the failings of the UK asylum accommodation system to safeguard the often vulnerable people housed within it. Male members of staff were able to harass and abuse residents with ease, and these women were unable to leave. We also heard that, even where accommodation staff were not directly abusive, they were often ineffective in safeguarding the asylum-seeking residents of the accommodation in which they worked, which itself increases the risk to residents. This section examines evidence of safeguarding failures with regards to vetting, training and implementing policies.

Vetting

David Neal, the ex-Independent Chief Inspector of Borders, recently reported on the inconsistent vetting of asylum accommodation staff employed to work with extremely vulnerable asylum seekers.⁸⁴ Inspections into two hotels housing vulnerable asylum seekers, including women and children, found that staff living and working on site had not been vetted by the Disclosure and Barring Service (DBS). Whilst the DBS process does have limitations, as histories of male violence may not always be identified unless there is a formal record of official complaints, DBS checks are standard for anybody working with vulnerable adults. Enhanced checks should be undertaken for anybody working with children.⁸⁵

It is reported that, since Neal's inspection report was published, *"the Home Office has accepted a recommendation that only those who have been cleared with an enhanced check should be allowed to reside or work at the hotels"*.⁸⁶ However, this should have always been the policy for staff working with vulnerable adults and children, and the fact that it was not demonstrates a clear failure to safeguard asylum-seeking residents. In the context of such failings, it is easy to see how Lana and Zarah's experiences were able to happen.

Training

As well as failures in basic vetting, we heard evidence that accommodation staff were not properly trained to work with and safeguard residents in the context of protecting them from external risk.

Several practitioners raised serious concerns that asylum accommodation is easily being targeted by traffickers and perpetrators looking to exploit women and children seeking asylum. One of the professionals we spoke with, Natasha*, shared:

"When you're in initial accommodation, in this kind of hostel accommodation, you have no money. You're isolated; people know where they are. And, if you want to exploit people, it's just an ideal place to go and do it, isn't it? It's just such an obvious [choice]."

⁸⁴ Syal, R. and Dugan, E. (2019). 'Unvetted staff working in hotels housing child asylum seekers, report says', *The Guardian*, 19 October 2022. Available at: <https://www.theguardian.com/uk-news/2022/oct/19/child-asylum-seekers-hotels-adults-dbs-criminal-record-checks-home-office#:~:text=An%20independent%20inspection%20has%20severely,refugees%20stayed%20in%20the%20building> (Accessed 19 March 2024).

⁸⁵ Disclosure and Barring Service and Home Office. (2022). *DBS Checks: Guidance for Employers*. Available at: <https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers> (Accessed 19 March 2024).

⁸⁶ Syal, R. and Dugan, E. (2019). 'Unvetted staff working in hotels housing child asylum seekers, report says', *The Guardian*, 19 October 2022. Available at: <https://www.theguardian.com/uk-news/2022/oct/19/child-asylum-seekers-hotels-adults-dbs-criminal-record-checks-home-office> (Accessed 19 March 2024).

Tia, a professional working with asylum-seeking women, recalled an occasion when one of her colleagues told her that a woman had left her asylum accommodation with a man she had just met outside. Tia was immediately concerned for the woman's safety and her risk of being exploited or trafficked. Her colleague did not identify this as a potential risk and instead allowed the woman, who spoke very little English, to leave with the stranger without asking any questions. Tia's colleague, who was a safeguarding advocate, had not considered the risk, demonstrating a clear lack of understanding or awareness of safeguarding vulnerable women.

Tia also shared that she was aware of women being targeted by men seeking to exploit their position of economic disadvantage and insecure immigration status – putting them at risk of experiencing further victimisation:

"...women are targeted outside the initial accommodation because people know that this is a hostel, that there are a lot of vulnerable people that have no clue where they are or what their rights are. And if they don't speak English, and if a man can speak their own language, women start to trust them because they don't know anyone else in the country. And then they just befriend people and then just take advantage of situations like this. So, the risk is not only from inside but also from outside."

This risk is compounded by wider failings in the national approach to safeguarding former survivors of human trafficking and sexual exploitation. Victim-survivors do not always

have access to Safe House accommodation though the National Referral Mechanism (NRM); previous research has identified gaps in suitable housing support for women who have been identified as potential victim-survivors of trafficking, due to a lack of Safe House places available.⁸⁷ Within Safe House provision, victim-survivors of trafficking are entitled to single-gender bed spaces, with access to specialist support,⁸⁸ counseling, financial and medical support. Concerningly, victims-survivors of trafficking are instead often accommodated in regular initial or contingency asylum accommodation. This is often completely inappropriate for their needs, not secure and puts them at risk of being re-victimised.

Natasha, a professional we spoke to, reflected on the implications of this risk:

"I was really shocked that you have so many people that are victims of trafficking [living in asylum accommodation], but because they also went into the asylum category, for some reason they stay in these hostels. And then if you've got lots of people that are trafficked in one place, and some people are still in touch with their traffickers, it's just a no-brainer that people will know who's in these hostels, and, you know, people can visit their friends in these hostels. So that means that, if someone is still linked to their trafficker, there's no reason why that trafficker might not, you know, have access to people in these hostels."

⁸⁷ Hibiscus. (2020). *Closed Doors: Inequalities and injustices in appropriate and secure housing provision for female victims of trafficking who are seeking asylum*. Available at: <https://hibiscusinitiatives.org.uk/resource/closed-doors-report/> (Accessed 19 March 2024).

⁸⁸ Home Office. (2024). *Modern Slavery: Statutory Guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and Non-Statutory Guidance for Scotland and Northern Ireland*. Available at: https://assets.publishing.service.gov.uk/media/66ffde903b919067bb482c61/Modern+Slavery+Statutory+Guidance+_EW_+and+Non-Statutory+Guidance+_SNI_+v3.11.pdf (Accessed 19 March 2024).

We are incredibly concerned that, in the stories highlighted above, staff working in asylum accommodation did not appear to understand the risks posed to asylum-seeking residents, either from other residents and staff within the accommodation, or from external individuals seeking to exploit and abuse vulnerable residents. This concern is further supported by news reports of unaccompanied asylum-seeking children at a Brighton hotel being targeted and abducted by traffickers.⁸⁹ The unknown whereabouts of these children highlights a significant failure of both the sub-contracted providers and the Home Office to safeguard and protect extremely vulnerable groups of children.

Implementation of safeguarding policies

As well as apparent failings to properly train staff to spot VAWG related safeguarding concerns, we have found discrepancies between safeguarding policy and practice within the asylum accommodation complex, which contributes to failures in the protection of women and children.

For example, the Home Office's own guidance states:

“Where an asylum seeker reports that they are a victim of domestic abuse, the Home Office accommodation provider must offer alternative safe accommodation for the victim and any children immediately.”

The provider is expected to ensure the individual is relocated to alternative accommodation that is not known to the perpetrator.⁹⁰

One London-based community organisation supporting asylum seekers wrote to us to share their concerns about the inconsistent approach to safeguarding they have seen applied to two similar cases of gender-based violence. They shared:

“Last year we worked with two women who experienced threats of violence within their hotels – one woman was alone, whilst the other lived alone with her three-year-old child. Both women reported fearing violence at the hands of men who they knew were also asylum seekers, but were housed in other hotels. These men had a history of violence toward them. Both women reported that the men used their social networks within hotels to find out where they were, and were sending them threats via WhatsApp, alongside making threatening phone calls. As a result, both women feared leaving the hotel and largely isolated themselves to their rooms.”

When the women disclosed to an independent outreach organization for asylum seekers, professionals within this organisation made urgent referrals to the accommodation provider's safeguarding team in order to organise their relocation and ensure their safety, in line with Home Office policy. However, whilst one woman was relocated within two days, it took over two weeks for the second woman and her child to be relocated, leaving them unsafe and in distress for this time.

⁸⁹ Townsend, M. (2023). 'Revealed: scores of child asylum seekers kidnapped from Home Office hotel', *The Guardian*, 21st January 2023. Available at: <https://www.theguardian.com/uk-news/2023/jan/21/revealed-scores-of-child-asylum-seekers-kidnapped-from-home-office-hotel> (Accessed 19 March 2024).

⁹⁰ Home Office. (2022). *Domestic Abuse: responding to reports of domestic abuse from asylum seekers*, pp.12. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1049475/Asylum_support_domestic_abuse.pdf (Accessed 19 March 2024).

The woman and child were only relocated after the outreach organisation chased the housing provider's safeguarding team. There was no explanation for the delay. This clearly demonstrates a failure on the part of the accommodation provider to put safeguarding guidance into practice, leaving a vulnerable woman and her child at risk of harm for a period of two weeks.

3C. Ineffective complaints and misconduct procedures

Complaints processes

In our interviews with women with lived experience of the asylum system, we heard multiple examples of women voicing their concerns about staff (and other residents) through the correct mechanisms and appropriate channels. However, their complaints were not handled appropriately, leaving them at further risk of violence and abuse. This is powerfully illustrated in Lana and Zarah's accounts, above. Both of their experiences of sexual violence and abuse were minimised and even seemingly ignored by accommodation providers.

Migrant Help is contracted by the Government to handle complaints and reports of violence and abuse. However, we heard of numerous

limitations to Migrant Help's complaints process. Interviewees told us that Migrant Help often record an issue and then pass it on to either the Home Office or the accommodation provider, who then ignore it. Migrant Help is limited in its capacity to follow up with the complaint with either agency. Professionals have informed us that email complaints are also no longer accepted by Migrant Help; instead, they must be filed through web chat or phone. Some professionals feared that a lack of email chains could result in a lack of accountability and transparency as to where the information goes. In addition, women told us about the barriers to logging complaints through this process. We were told of lengthy wait times when contacting Migrant Help, and the difficulty in finding someone who could assist them once they were connected.

The AIRE contract's Statement of Requirements states that calls to Migrant Help must be answered within a minute and that all calls must wait a maximum of three minutes to be connected to a staff member.⁹¹ However, a report by The Observer stated that only 13% of calls were answered within an 'accepted timeframe' and that asylum seekers often face three-hour hold times, unanswered calls and calls being disconnected.⁹² Women shared their frustrations about the delays in response times from the agencies that are contracted to support them:⁹³

⁹¹ Home Office. (2019). *Advice, Issue Reporting and Eligibility Support, Schedule 2 Statement of Requirements*. Available at: https://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AIRE_Contract-Schedule_2-SoR_-_HOC_Published.pdf (Accessed 19 March 2024).

⁹² Das, S. (2022). 'It just rings and rings': Home Office helpline for asylum seekers rated inadequate', *The Guardian*, 6 November 2022. Available at: <https://www.theguardian.com/uk-news/2022/nov/06/it-just-rings-and-rings-home-office-helpline-for-asylum-seekers-rated-inadequate> (Accessed 19 March 2024).

⁹³ Prior to publication of this report, Migrant Help were given a right of reply to comments made about their organisation. Regarding lengthy waiting times on their helpline, Migrant Help made the following comment: 'We are aware that wait times on our helpline are sometimes lengthy. Although the average response time in the last three months has been 10 minutes, we accept that some people are encountering longer wait times. Since the start of our contract with the Home Office, demand has been significantly higher than was originally forecast...alongside numerous legislation changes directly affecting people seeking asylum. As a result, our clients' needs have become more complex, requiring longer phone conversations to provide appropriate support or signposting. In response, we have grown our main helpline team more than ten-fold in the last three years, tripled the size of our specialist adviser team and introduced a new safeguarding team. This growth is ongoing. We have also introduced an online webchat service which can be used to report complaints, maintenance and payment issues, as well as feedback and requests for assistance. Any webchat-based reports are passed on to the relevant provider within 30 minutes, for appropriate action to be taken. Please also note that the Observer report was from November 2022. We are pleased that following extensive recruitment drives and staff training, these figures are improving and over the past two months 39% and 32% of calls were answered within the 'accepted timeframe' respectively'.

“With Migrant Help, it’s a dead end; with [contracted accommodation provider], it’s a dead end. With Migrant Help, I don’t call them anymore because I don’t have time.’

- Makena

Even where complaints are successfully logged, we heard there is often no follow-up, as set out in some of the examples above and below. This leaves vulnerable women with no recourse to safety and at risk of (re) victimisation.

“If you complain... they say it will take a few weeks. And you hear nothing. When you call the Home Office, they tell you to wait for Migrant Help, who tell you, ‘We are going to speak to your housing officer’ – but we already done that. They are just not doing their job.”

- Evelyn

Barriers to disclosure

Many women are not even able to make a complaint, as they face many barriers, which are not addressed by the complaints processes in place:

a) Fear

There is a clear imbalance of power between staff employed by the Home Office, Migrant Help and accommodation providers, and asylum-seeking residents. This power dynamic plays a key role in making women feel as if they are unable to speak out about the discrimination, sexual harassment and abuse they face, especially when perpetrated by accommodation staff. As explored earlier, women shared with us that they feel silenced, due to the precarity of their immigration status and the power that the institutions they perceive to be harming them have over their status.⁹⁴ This is on top of the practical difficulties they face in making a complaint.

“There is a fear; they put a fear in us we can’t even complain at all. Because, when you complain to the Home Office you are shaking because you are scared that it might affect your decision. People don’t know what to say. And the Home Office, for the asylum seekers, they are hard to contact; you can’t just call them. If you want to find out what is going on with your claim they say your lawyer has to do it. But it is our right to actually call them and ask them how is that process going. But they don’t do that. It was only when I met someone who works for an organisation and she said, ‘This is your right to ask the Home Office about the progress and what is going on’. Most of us seeking asylum don’t dare to try it and speak to them. Because of fear. If they call you into the office, you are crying, you are shaking, thinking, ‘What has happened?’ You won’t sleep, you won’t eat.”

- Evelyn

⁹⁴ Prior to publication of this report, Migrant Help were given a right of reply to comments made about their organisation. Regarding this section, Migrant Help made the following comment: “Migrant Help staff are mindful of the potential power imbalance as described, and we work hard to try and minimise this... But we are always looking to do more and would welcome feedback or further discussions with RCEW”.

b) Lack of knowledge around rights and entitlements

We also heard that accommodation providers and Migrant Help are not always fulfilling their duties to ensure that asylum seekers know their rights. As a result, women who face abuse/a risk of abuse do not feel equipped with the knowledge or information to advocate for themselves.

Claire, a professional working to support asylum-seeking women, shared:

“So, all residents should have information about their rights, information about what they should receive, when they’ll receive it... etc. That should all be explained to them in their own language – this is a contractual obligation between the Home Office and the accommodation providers, but we didn’t see any evidence of that actually happening. And this was brought up repeatedly, by numerous third sector organisations, with both the Home Office and the accommodation providers. The accommodation provider eventually produced a pack, and they said it was being used, but I never saw any translated copies. As far as I could tell, when I was going in and out of the initial accommodations, from what I was told by women, the accommodation providers and staff on the ground were never using interpretation to speak to people. When we raised this – and this had been raised by multiple groups with the Home Office – you know, we were told, ‘Oh, yes, you know, everyone’s got access to interpretation if they need it’ – but we never saw any evidence that [it was] actually being used.”

c) Communication barriers

Linked to the above, women told us that they often faced significant language barriers when considering or attempting to access formal complaints procedures or support.⁹⁵ Women who do not speak English find it far more difficult to share how they are feeling or to make a formal complaint about inappropriate staff or residents. This further compounds feelings of isolation and exclusion amongst women living within asylum accommodation, and women are left feeling unheard and unsupported.

Makena, the survivor of sexual violence and abuse and sexual exploitation from Sierra Leone, spoke of the challenges that women who are speakers of languages other than English face whilst living within the asylum accommodation complex:

“[The Home Office] need to check the environment because sometimes they put asylum seekers in a place where there’s only English speaker and [asylum seekers] sometimes they don’t even understand English. And then they’re far away from their communities that are going to help them. So, it can be a barrier. They have the language barrier, they don’t know where to go, and, when they bring you, they don’t show you the supermarket, they don’t tell you where to go, they don’t show you anything – they just drop you and go... [Asylum seekers are] scared that, you know, you come to this country, new, and somebody put you in a place where there’s only English people; you look through the window, you can only see English people, your English is not good, you are scared, you don’t know where to go. So, you just stay in the house, and then you start calling people and people don’t even know where you live because they put you far away.”

⁹⁵ Rape Crisis England & Wales et. al. (2023). ‘Listen to Us! Communication Barriers: How statutory bodies are failing Black, minoritised, migrant deaf and disabled women and girls victim/survivors of VAWG, pp.2. Available at: https://rcew.fra1.cdn.digitaloceanspaces.com/media/documents/Listen_to_us.pdf (Accessed 19 March 2024).

Communication barriers create additional obstacles for survivors to access any form of help and support, including from accommodation providers, the police, and specialist support services. This can prevent women from accessing timely support and enables perpetrators to continue to isolate and harm them. Migrant Help is contractually required to ensure the availability of translation and interpretation services, yet we have heard that this is not consistently or readily available.^{96 97}

d) Lack of support

The AIRE contract states that Migrant Help has responsibility for providing “*impartial and independent*” advice, information, and assistance to those seeking safety, in order to help them understand the asylum support system.⁹⁸ However, we are concerned that the contract explicitly prohibits Migrant Help from advocating on behalf of asylum seekers, as this severely limits the provision of independent support available to those living within the asylum context.⁹⁹

As will be discussed in Chapter 4, there are a number of independent third sector organisations working to provide asylum seekers with independent advice and advocacy, to fill the gap left by the Home Office. However, as with all voluntary organisations, there is patchwork provision due to a lack of funding. This means that refugees and asylum

seekers in some areas do not have access to support and therefore will feel unable to utilise the complaints processes when they are at risk of sexual violence and abuse. In our interviews, it was clear that independent specialist organisations supporting asylum-seeking women were often the only bodies effectively advocating for these vulnerable women. However, it should not be left to charitable organisations to provide these essential services, especially where they do not receive any/sufficient funding from the Government.

Ineffective misconduct processes

Lana’s case (above) clearly demonstrates an inappropriate misconduct process, following her complaints of sexual harassment, intimidation and sexual exploitation against asylum accommodation staff. The professionals that we interviewed as part of this research also spoke of similarly ineffective misconduct procedures and outcomes in other asylum accommodation.

We heard not only that accommodation staff are not reprimanded for their actions, but the view that existing misconduct processes actively facilitate further abuse. Natasha, a professional who supports asylum-seeking women, shared with us her concerns that the Home Office, and their contracted accommodation providers, fail to appropriately record complaints against staff members, report them to the police, or share relevant information within their own

⁹⁶ Home Office. (2019). *Advice, Issue Reporting and Eligibility Support, Schedule 2 Statement of Requirements*. Available at: https://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AIRE_Contract-Schedule_2-SoR_-_HOC_Published.pdf (Accessed 19 March 2024).

⁹⁷ Prior to publication of this report, the authors wrote to Migrant Help, and all three organisations contracted by the Home Office to provide asylum accommodation (Clearsprings Ready Homes, Mears Group and Serco), to offer them a right of reply. Serco said the following, with regards to communication and knowledge around rights: “*Serco has a contract with Big Word, an over the phone translation service enabling direct communication with asylum seekers in a language that they understand. Information about how to make a complaint and receive support is provided during the initial induction process and is widely available throughout the accommodation. This fact should be properly reflected in any article you publish*”.

⁹⁸ Home Office. (2019). *Advice, Issue Reporting and Eligibility Support, Schedule 2 Statement of requirements*. Available at: https://data.parliament.uk/DepositedPapers/Files/DEP2018-1112/AIRE_Contract-Schedule_2-SoR_-_HOC_Published.pdf (Accessed 19 March 2024).

⁹⁹ Ibid.

organisation or with external agencies. This means that perpetrators are able to be moved to work in different locations and repeat the same predatory behaviours without consequence:

“Because there are so many subcontractors and other organisations and because it doesn’t get reported in the way you would, it’s not like it’s a DBS issue... So even if he might have been removed from that position, he could easily be moved to another hotel elsewhere because there’s nothing on a DBS record to say, ‘This man acts in a predatory way’. Because it never gets reported. It’s just an internal mechanism.”

We argue that these ineffective misconduct processes also constitute a safeguarding failure; such inaction on the part of accommodation providers and the Home Office puts more vulnerable asylum seekers at risk of harm.¹⁰⁰

3D. The risk of abuse from external perpetrators

Above, we set out the risks to asylum-seeking women from external perpetrators looking to exploit their vulnerability. Women identified failures of asylum accommodation staff to safeguard them, which increased their risk of being abused. Women we interviewed also spoke to us about the risks of (further) sexual violence and abuse that arise once their asylum applications have been rejected.

Failed applications are not uncommon, as asylum-seeking women’s credibility is often scrutinised in the asylum process, and, when they recount their experiences and reasons for seeking asylum, they are often disbelieved, as set out in Chapter 2. Following the refusal of an asylum claim, the Home Office will advise the applicant to depart the United Kingdom. If the claimant is a single woman without children, her benefits under the asylum support system will be withdrawn 21 days after receiving that letter. At this stage, a woman may be eligible to apply for Section 4 support (women must demonstrate their destitution and meet a certain requirement to be eligible for this support). The Home Office permits support to be provided to women who are actively seeking to leave the country, but need support while they are doing so because of barriers or delays beyond their control; women who are unable to travel for health or medical-related reasons; and women who have submitted an application for judicial review. Due to the strict criteria, most women who have been refused protection are unable to qualify or access support under Section 4, and are forced to live destitute in the UK with NRPF. When a woman is under the NRPF condition, she cannot access public funds or state support such as universal credit or housing assistance (this includes refuge support).

Victim-survivors looking to appeal a decision require access to specialist legal advice and representation; however, cuts to legal aid and gaps in provision mean that it is difficult for asylum seekers to find lawyers to take on their cases.¹⁰¹ The result is that poor

¹⁰⁰ In their ‘right of reply’, Serco provided the following comments on this section regarding ineffective misconduct processes:

“We completely refute the suggestion that ‘our staff are not reprimanded for any inappropriate behaviour or actions nor that ‘existing processes within the Home Office and organisations contracted to provide asylum accommodation actively facilitate further abuse’. Nor do we accept the suggestion that Serco ‘fails to record complaints against staff members, report them to Police or share relevant information within their own organisation or with external agencies’...there are well laid out processes for complaints to be raised and investigated and this suggestion is completely unfounded. Please provide any evidence you have to support these allegations about Serco staff so we can properly investigate them”.

NB: The report authors did not provide Serco with any further details of the women who shared their stories with us, as we take their right to confidentiality very seriously.

¹⁰¹ Refugee Action. (2018). *Tipping the Scales: Access to Justice in the asylum system*. Available at: <https://www.refugee-action.org.uk/wp-content/uploads/2018/07/Access-to-Justice-July-18-1.pdf> (Accessed 18 March 2024).

first-time decisions can go unchallenged or women can end up waiting many months, if not years, before they are able to access legal support to submit an appeal and have their case examined.

Once a claim is rejected and the appeals process fails,¹⁰² asylum-seeking women can find themselves in a situation of **forced destitution**, where they run the risk of being subjected to sexual violence and abuse again and are likely to experience cumulative harm because of their insecure immigration status. Migrant survivors with failed asylum claims are systematically excluded from the support and protections afforded to other survivors of sexual violence and abuse; the hostile immigration system they are trapped in further perpetuates the continuum of sexual violence and trauma. Women are exposed to further abuse as they find themselves economically disadvantaged, homeless or destitute, which can push them into situations where they become economically dependent on an abuser or sexually exploited. Without recourse to public funds, not being permitted to work leaves women financially vulnerable and completely unsupported by the state. Previous research has repeatedly shown how immigration insecurity can force migrant and asylum-seeking women into a position of vulnerability, which increases the likelihood of them being targeted by perpetrators.¹⁰³ Perpetrators of violence use this vulnerability to coerce and maintain control. Fleeing an abusive relationship is likely to bring the threat

of homelessness, destitution, or deportation. Women and children are left feeling trapped in an abusive context, without a clear route to safety and support. Women are prohibited from housing support and therefore cannot access safe accommodation, including refuge services.¹⁰⁴ Migrant women face multiple fears, making it virtually impossible for them to leave. Not only are they rightfully afraid that they will not be believed, due to their insecure immigration status, but they also resist reporting abuse to the police for fear of deportation.¹⁰⁵

We argue that access to the right to work and abolishing NRPf will help to remove economic barriers, reduce women's vulnerability to exploitation, remove reliance on asylum support and ensure asylum seekers are able to feel part of their communities. Furthermore, there must be a clear pathway of support for all survivors of sexual or gender-based violence, regardless of their immigration status. Women will continue to be trapped in cycles of violence and abuse without safe reporting mechanisms, access to safe housing, or specialist support provided by sexual violence services, particularly by-and-for services that are tailored to their needs.

Mado's* story, below, demonstrates how women are at increased risk of (further) sexual violence and abuse once their claim for asylum has failed and they are forced into destitution. Her story has a synergy with Evelyn's story, which we looked at in the previous chapter.

¹⁰² NB: Asylum seekers are able to formally appeal decisions at the First-tier Tribunal. If an individual loses their appeal at the First-tier Tribunal, they may be able to appeal again at the Upper Tribunal. In order to do so, an individual must apply for permission, explaining why they believe the First-tier Tribunal judge made an error.

¹⁰³ Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence*, pp.14 Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

¹⁰⁴ Domestic Abuse Commissioner. (2021). *Safety before status: Improving pathways to support for migrant victims of domestic abuse*. Available at: <https://domesticabusecommissioner.uk/wp-content/uploads/2021/10/Safety-Before-Status-Report-2021.pdf> (Accessed 19 March 2024).

¹⁰⁵ McIlwaine, C., Granada, L. and Valenzuela-Oblitas, I. (King's College London) and the Latin American Women's Rights Service. (2019). *The Right to be Believed: Migrant women facing Violence Against Women and Girls (VAWG) in the 'hostile immigration environment' in London*, p.32. Available at: https://kclpure.kcl.ac.uk/ws/portalfiles/portal/110500935/The_right_to_be_believed_Full_report_final.pdf (Accessed 18 March 2024).

Mado's story

Mado* fled the Democratic Republic of Congo and has been in the UK asylum system for nearly two decades. She spoke to us about how she felt trapped in the system, as several of her asylum claims have been rejected. Mado was also detained for approximately a year in an immigration removal centre. Mado shared painful accounts of the violence she endured after losing her Section 95 asylum support, which left her homeless and destitute.



Yes, it did happen to me because err I find myself seven times on the street, nowhere to go, nowhere to turn round, no, even to eat, to shower. Then you end up finding yourself in that position, not because you want to, because you are desperate. It shouldn't be that way... when I get kicked out from Home Office accommodation, that's where I face the problem. Because I'm vulnerable. I'm homeless. That's why I find myself in this situation..."

Mado was made destitute after receiving a refusal from the Home Office. This pushed her into further danger and precariousness. She was sexually abused by a man who supported her after she found herself destitute and entered into a relationship with him. He took advantage of her insecure status and exploited her isolation to control and abuse her.

“...the men take advantage of you from the moment he knows you don't have a paper. He expects you, you work for him, sexually uses you, cooking, you do all these things for him... He's doing that on purpose. He knows very well that you, you are weak, you don't have anything to say. And that's why he will take advantage of you to do that to you. Yeah. I was in that in situation. I didn't like it. I didn't like it. And he abuses you cos he believes that, whatever he do, you will not call the police on him cos you don't have paper.”

Mado found herself trapped in a situation of domestic servitude and sexual exploitation. She shared that she had felt completely isolated and disempowered by the system, with no route to safety or support.

Her experiences highlight immigration abuse as a barrier to support and protection. This form of abuse is compounded by immigration legislation, policy and practice, and pushes survivors further away from accessing the vital support they require.¹⁰⁶ The absence of support available to migrant survivors under the NRPF condition, and the risk of enforcement action if they report to the police, allows perpetrators to exploit the system and abuse with impunity.¹⁰⁷

“There are some people in this country that will be living under the roof of men for ten years, five years. I can't tell you what the men can do to that person, just because the person cannot stand and speak for themselves... It's happening in British land. So, the British they should stand against that. Stop this from happening. It should never happen, I say, 'No' for that. It's not nice. It's so, it's a very, very bad experience; I experience it. This, I'm telling you the truth. And that's what I can say about this. Until the British stand and put the law on this issue, it will never end. It will never end.”

Mado spoke strongly for the need to amend the law around the NRPF condition in order to safeguard and protect women seeking asylum and others whose status is insecure. She emphasised the vulnerability this creates and the lack of equal protection that currently exists.

“The law does not cover asylum seekers. They do not cover us; we are left empty. It's empty, in between. It's not, it's not, it's not covered. And then people take advantage of you, trust me, until the law changes and say, 'No, stop' for those, it will never end it... If he didn't know you were weak, if he didn't know you don't have paper, he would not come to you. He cannot go to the person who has a paper like him because he finds out that there is not anything that he can use to exploit the person.”

¹⁰⁶ Domestic Abuse Commissioner. (2021). *Safety before status: Improving pathways to support for migrant victims of domestic abuse*, pp.21. Available at: <https://domesticabusecommissioner.uk/wp-content/uploads/2021/10/Safety-Before-Status-Report-2021.pdf> (Accessed 19 March 2024).

¹⁰⁷ Ibid.

Chapter 4.

Care, community, and connection: women finding ways to cope and the benefit of support



And we are running away from something, which means we cannot come back home. Some people are willing to go back home and face that suffering they are willing to die because here is so bad. They would rather die back home than live the life they are living here. People are depressed; no one is reaching out to you, and the Home Office is not there for you. I had to find my own support.”

– Evelyn

The asylum-seeking women we interviewed shared with us the importance they place on feelings of genuine care, connection, community, and solidarity – vital for their survival, as well as their ability to access justice within the asylum context. Whilst women seeking asylum are embroiled within the asylum context, by-and-for, voluntary and community specialist organisations supporting migrant, refugee and asylum-seeking women, strive to create a sense of belonging and are an essential source of support for those navigating the hostile asylum system. This stands in stark contrast to the conditions fostered by the asylum accommodation complex, as discussed in previous chapters. Informal networks and relationships of care have emerged as a way to respond to the failings of institutions involved in the asylum system and statutory support structures. These organisations often provide support without appropriate funding or resource.

By-and-for, voluntary and community specialist organisations understand that the women who are seeking safety and going through the asylum process are likely to have already encountered sexual violence and abuse or wider forms of gender-based violence because of their past experiences of conflict and persecution. These services see women as individuals with complex life histories who are deserving of care and support, rather than just another number in the asylum system.

Specialist services for refugee and asylum-seeking women offer holistic, wraparound support, including wellbeing and recovery work in addition to group activities that acknowledge the distress and trauma that survivors have experienced.

The women who participated in our research spoke of regularly attending a range of group activities and classes, and accessing holistic support tailored to their individual needs, including: English language classes, digital inclusion sessions, legal advice drop-ins, campaigning and empowerment workshops, and a wide range of creative activities. Women also spoke of the importance of accessing specialist sexual violence and abuse support from Rape Crisis centres, including specialist counselling, advocacy, and peer support groups. Previous research has identified that Black and minoritised victim-survivors value an accessible, flexible, and by-and-for led intersectional and trauma informed response to sexual violence and abuse.¹⁰⁸

In this chapter, we outline the benefits that accessing specialist voluntary and community support can bring to asylum-seeking victim-survivors of sexual violence and abuse.

1. Reducing social isolation and loneliness, and improving wellbeing

Many women seeking asylum are facing social isolation and loneliness. Community groups and activities can provide a safe place for women to come, meet others, learn and develop new skills or hobbies. Women have access to a space where they can share their stories, and offer informal support to one another. This helps women to establish strong networks of support, build relationships with others who have similar experiences, and strengthen their ability to integrate into their local communities. The women we interviewed spoke about the importance of having access to these spaces, as well as the benefits it has for their overall mental health and wellbeing.

¹⁰⁸ Thiara, R. (University of Warwick) and Roy, S. (Imkaan). (2020). *Reclaiming Voice: Minoritised Women and Sexual Violence*, p.50. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/621d2268b8dfac09dc68894b/1646076524316/2020+%7C+Reclaiming+Voice+-+Minoritised+Women+and+Sexual+Violence+%5BKey+Findings%5D.pdf> (Accessed 18 March 2024).

Bajela shared:

"Without the group that support women... or other groups, you know, it could have been hell... They help us; some of us cannot speak English or express themselves, you know. And they have so many things lined up for us to be doing, you know. Like sewing, knitting, you know, cooking, you know. So many activities that keeps our brain, our soul going, you know. That is why we look forward in coming..."

Access to these groups and activities is especially important as those seeking asylum in the UK are deprived of the right to work as they wait for a decision on their asylum claim. Community-based organisations provide a safe space for women to be themselves, experience joy and maintain hope whilst living within the asylum context, which reduces social isolation. Evelyn shared with us:

"We all come together and sing. We are a group of vulnerable women [who] all have struggled, and we come together. And we go to different places. We get invited to perform together. And that is amazing for us... It feels like an accomplishment; I am at a place where I have a chance to be. Singing together gets the anger out of your system. The rage is out, and you know they have supported me. If I'm struggling with food, they give me vouchers; they check in on us to see how we are doing."

2. (Re)gaining agency and empowerment

Women spoke about how volunteering and engaging in activism and campaigning groups gave them a sense of empowerment. These opportunities facilitated by community organisations enable asylum-seeking women to take steps to gain a sense of agency and control of their own lives whilst living within the asylum context.

Evelyn shared:

"I've been able to build a community for myself. I've been with the choir for quite a long time, and they have always understood the fact that I struggle with anxiety sometime. And they go the extra mile to help and support you. They have a policy, which means it is only ladies; it is a group for vulnerable women; it is a community. I really love it; it's just yourself and you're singing and there's music and just being you. I've been there a long time and the women there who runs it she gets me. She understands, if I am not okay, she will reach out. And ask if I am okay. She will talk to me and ask if anything has happened. She is there for me and that is lovely; it makes me have something."

I am also part of another women's group with [a specialist refugee women's organisation]. It is a feminist group. It is an interesting subject and we come together to talk and rant. For whatever the hell we want to rant about, like the Home Office. That's what I would do: go do different activities and groups run by charities and get back to the accommodation at 11pm at night. Just to sleep. And that is the beauty of it, it gets you out the house and you can meet people, socialise and get interesting thoughts."

The women who participated in this research spoke about how crucial it is to have a network of people they can rely on for support, information, and knowledge. Women spoke of the importance of shared and collective knowledge about their rights and entitlements, and how this was an important tool for empowerment.

3. Accessing specialist sexual violence and abuse support and advocacy

As it stands, within the asylum support system, providers are only required to meet asylum seekers' basic and urgent needs. However, as detailed by the asylum-seeking women we interviewed, above, providers do not always meet these needs, and women told us that they therefore have to rely on support from the third sector to fill the gap. Refugee and asylum-seeking women who are victims and survivors of sexual violence and abuse must rely on specialised women's organisations to access the support they need to heal from their trauma.

Anisha, a victim-survivor of rape, forced marriage, and so-called honor-based abuse, shared the impact of accessing specialist therapeutic support from a Rape Crisis counsellor:

"Who I am now, I am different. Before I came here, I was like, I had no confidence; I was shy and scared. I didn't see people or talk to anyone. I was so weak before I came here, but [my counsellor], she gave me so much strength and confidence. But when I came here, she just really helped me. I came out from this, it took about one year to speak about what it was and now it is a new life for me... Because before it was really difficult; I'm just so scared to go out to like, interact with people, especially men. And now I am going out... I grew a lot, honestly. Before, as I told you, I didn't know where I need to go. Where I needed to go, who I need to talk to. Because I think information and knowledge is very important. Yeah. If women, they don't know how they can get support, they just going to sit at home; they're gonna cry; they're going to blame themselves..."

In addition, the by-and-for, voluntary and community specialist organisations supporting migrant, refugee, and asylum-

seeking women highlighted the importance of advocacy support in facilitating women's access to justice. Third sector organisations we spoke to identified different points at which women require advocacy though their asylum journey. For example, advocacy on a practical level to help them through the process of submitting an application for asylum; advocacy whilst they are accessing the asylum support system to ensure their rights and entitlements are upheld; and advocacy and support for women who need to access legal advice and case work – particularly when their claim has been rejected and they would like to appeal the decision.

4. Meeting basic socio-economic needs

Lastly, it is well established that the asylum support system fails to meet asylum seekers' basic socio-economic needs. Women shared that they often do not have enough money to eat each week or to buy essentials such as sanitary products, formula milk or nappies. Women spoke about being reliant on local community-based organisations for food vouchers, clothes, bus fares and pre/post-natal care packages to supplement the limited support of £49.18 a week they receive from the Home Office.

Specialist support services at risk

The support that these local community-based organisations and specialist services provide has a profoundly transformative effect on the lives of women navigating the asylum system. For women who have faced numerous difficulties and trauma, the support they offer can be a lifeline. However, each organisation that engaged in our roundtable discussion told us that securing funding for services remains the most significant challenge. Funding and adequate resources must be made available to guarantee that women can access the support they need,

while also enabling organisations to build their capacity to effectively respond to increasing pressures.

Latin American Women's Rights Service (LAWRS) told us about the pressures faced by specialist by-and-for services such as theirs:

"There is such limited resource to support refugee and asylum-seeking women within the VAWG sector and within the voluntary sector in... general. We need to talk about funding, because the needs of asylum-seeking women are different to other groups of migrant women. And we need to make this clear. For a by-and-for organisation like LAWRS, that was founded by refugee women, we need to have more resources to develop the ability to provide the specific support that these groups of women need."

Within the broader VAWG sector, which works with all women and all forms of gender-based violence, there is a need for specific funding that would allow specialist by-and-for services with skills, expertise and a track record of working with women who are going through the asylum process. This would ensure that they are able to reach these communities of women. We understand that women in the asylum context require support that is distinct and meets their unique needs; thus, further development within the VAWG sector is required. We therefore recommend:

- Long-term, sustainable funding for specialist sexual violence and abuse services and by-and-for specialist services supporting migrant, refugee and asylum-seeking women. There should be ringfenced funding for specialist VAWG services led by-and-for Black and minoritised women, which provide a critical

point of access for asylum seeking, refugee and migrant victims and survivors of sexual violence and abuse.¹⁰⁹ Both national and local funding pathways must include local, community-based services across the specialist sector supporting migrant women and girls. This will help to develop existing community engagement and outreach work with women living within the asylum accommodation complex, and would provide opportunities for service development, including: legal advice, education and information session about their rights and entitlements in the UK, and drop-in support groups to ensure they have support and guidance to navigate the complexities of the asylum system.

“ There is such limited resource to support refugee and asylum-seeking women within the VAWG sector and within the voluntary sector in... general. We need to talk about funding, because the needs of asylum-seeking women are different to other groups of migrant women.”

¹⁰⁹ See further: McIlwaine, C., Granada, L. and Valenzuela-Oblitas, I. (King's College London) and the Latin American Women's Rights Service. (2019). *The Right to be Believed: Migrant women facing Violence Against Women and Girls (VAWG) in the 'hostile immigration environment' in London*, p.32. Available at: <https://stepupmigrantwomenuk.files.wordpress.com/2019/05/the-right-to-be-believed-full-version-updated.pdf> (Accessed 18 March 2024).

Conclusion

Our research has shown that the asylum support system does not always provide for the specific needs of women, nor does it treat all women with the dignity or the respect they deserve.

The stories of the women we interviewed for this report show that women who have come to the UK to seek refuge are not always safe or protected; many find themselves in a system that compounds their trauma. For many women, there is inadequate specialist support available. From Chapter 4, we can see how effective and important access to the specialist voluntary sector can be for survivors of sexual violence and abuse seeking asylum.

Women who do not yet have a settled immigration status are subjected to additional vulnerability to structural and state inflicted violence from the various legislative and policy frameworks that work to discriminate and limit the rights of those seeking asylum. Instead of providing survivors who have fled sexual and gender-based violence with safety and support, the legislative changes enacted by the Nationality and Borders Act, and now the Illegal Migration Act, are set to strengthen the 'hostile environment', and create more challenges for women seeking refuge in the UK.

The punitive immigration agenda rolled out and reinforced over several years has created significant barriers for women fleeing gender-based violence, including sexual violence and abuse, to seek asylum in the UK, and the continuum of trauma and sexual violence is maintained and perpetuated by it. We have evidenced, like many before us, that migrant and asylum-seeking women who arrive in search of sanctuary can instead find themselves trapped within a system that puts them at risk of further sexual violence, abuse, and exploitation.

This lack of political will or engagement on the issues faced by migrant survivors of sexual violence and abuse has established a hierarchy of victimhood, whereby the challenges for domestic survivors of rape and sexual abuse remain vast, yet are even worse for asylum-seeking survivors who do not appear to be on anyone's agenda. Failure to recognise and respond to the needs and experiences of migrant and asylum-seeking survivors means that these women are excluded from accessing vital support, and has effectively created a hierarchy of victimhood that renders some of the most vulnerable women and girls invisible. The women we spoke to powerfully evidenced how perpetrators have exploited dysfunction and lack of accountability in the asylum system.

There is a distinct need for the asylum process to consider and respond to the specific needs and experiences of survivors who are claiming asylum due to sexual violence and abuse. All women and girls must be protected against sexual violence and abuse and supported to re-establish life after being subjected to it, regardless of immigration status. The Government, newly elected in July 2024, was voted in with an ambitious target of halving VAWG in a decade. Without addressing the needs of asylum-seeking women this is simply not possible. The Government now has the opportunity to show leadership and create a new approach to asylum, one based on human rights, dignity and compassion. Without this, and a concrete plan to address the needs of asylum-seeking women with experience of sexual violence and abuse, the concerns raised in this report will most likely continue.

Recommendations

To support women and children:

1. Appropriate accommodation:

The Secretary of State for the Home Department must develop a plan to end the use of institutional accommodation (including contingency and temporary hotel accommodation facilities) and move asylum seekers into long-term, community-based accommodation as they wait for their asylum decision. Where there is no option other than to house women and girls in institutional accommodation:

- a. The Home Office should ensure that asylum-seeking women and families are housed with other women/families only. Where this is not possible, there should be limited access to women's bedrooms and communal spaces by unknown men.
- b. The Home Office should immediately revoke its policy of enforcing unrelated adults (and children) to share bedrooms. This is especially urgent where women and children are forced to share bedrooms with unrelated men.
- c. The Home Office should enforce a policy to ensure accommodation providers do not place male staff in women's asylum accommodation. Where this is not possible, there should always be women staff available, in addition to male staff.

2. Accessible communication and timely provision of information:

- The Home Office should implement consistent and accessible communication with those seeking asylum. Asylum seekers should be provided with regular updates as to the progress of their asylum applications and any complaints that they have made.
- Home Office sub-contracted service providers (including Migrant Help, Serco, Clearsprings, and Mears) must be obliged to meet the communication needs of individuals accessing their services. For example:
 - Sub-contracted housing providers must fund translation and interpretation services for service users.
 - Information about rights and entitlements, including how to make a complaint and receive support, must be provided in a timely manner to service users and in an accessible format, including in an accessible language.

3. Long-term, sustainable funding for specialist sexual violence and abuse services and by-and-for specialist services supporting migrant, refugee and asylum-seeking women:¹¹⁰

RCEW and Imkaan have long called for a cross-government sustainable funding model for specialist sexual violence and abuse services, including Rape Crisis centres.¹¹¹ There should also be ringfenced funding for specialist VAWG services led by and for Black and minoritised women, which provide a critical point of access for asylum-seeking, refugee and migrant victims and survivors of sexual violence and abuse.¹¹² Both national and local funding pathways must include local, community-based services across the specialist sector supporting migrant women and girls. This will help to develop existing community engagement and outreach work with women living within the asylum accommodation complex, and would provide opportunities to strengthen support, including: legal advice, education and information sessions about their rights and entitlements in the UK, and drop-in support groups to ensure they have support and guidance to navigate the complexities of the asylum system. This is particularly important in light of the prohibition on Migrant Help providing advocacy to asylum seekers¹¹³ and following the recent increase of racism, xenophobia and targeting of asylum accommodation.

4. Independent asylum advocates:

The Home Office should fund the provision of independent asylum advocates to women living within asylum accommodation and accessing the asylum support system. This is consistent with recommendations put forward by the parliamentary Women and Equalities Committee.¹¹⁴ These individuals should be trained to understand the particular vulnerabilities of asylum-seeking women, knowledge of the local area and local specialist support services, and safeguarding expertise. The role would support with the early identification of vulnerabilities and risk assessments of women entering the early stages of the asylum support system.

¹¹⁰ Imkaan. (2018) *From the margins to the centre: addressing VAWG alternative bill*. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/607eea86aaa24a6d365cf3ba/1618930331127/2018+%7C+Summary+of+the+Alternative+Bill.pdf>; Imkaan. (2023) *Our sector, our voice, our work: A Participatory Evaluation of the Comic Relief Supporting and Sustaining Specialism Programme for the ending-VAWG Black & Minoritised women-led by and for sector*, pp.7. Available at: https://assets.ctfassets.net/zsfvzwzfgl3t/6gMpiSDmePxz1YiYdwmtOc/84a18937cd7141386d60ac79e6984a01/Supporting___Sustaining_Specialism_Final_Evaluation_Report.pdf (Both accessed 18 March 2024).

¹¹¹ See, for example: Rape Crisis England & Wales. (2021). *Holding it together: The courage, resilience, and innovation of Rape Crisis centres during the Covid-19 pandemic*. Available at: <https://rapecrisis.org.uk/news/record-breaking-demand-for-rape-crisis-services/> (Accessed 18 March 2024).

¹¹² McIlwaine, C., Granada, L. and Valenzuela-Oblitas, I. (King's College London) and the Latin American Women's Rights Service. (2019). *The Right to be Believed: Migrant women facing Violence Against Women and Girls (VAWG) in the 'hostile immigration environment'* in London, p.32. Available at: <https://stepupmigrantwomenuk.files.wordpress.com/2019/05/the-right-to-be-believed-full-version-updated.pdf> (Accessed 18 March 2024).

¹¹³ The authors gave Migrant Help a right of reply to comments made about them in this report. In response to this recommendation Migrant Help stated that they "would be happy to support this recommendation and the development and implementation of such services".

¹¹⁴ House of Commons Women and Equalities Committee. (2023). *Equality and the UK asylum process: Fourth Report of Session 2022–23*, p.22. Available at: <https://committees.parliament.uk/publications/40580/documents/198406/default/> (Accessed 18 March 2024).

In addition, the advocate role can support women whose applications have been rejected and are at risk of destitution. The advocate role must be developed in consultation with the by-and-for sector and commissioned and delivered as part of an integrated, holistic package of support and located within specialist by-and-for, voluntary, and community organisations supporting migrant, refugee, and asylum-seeking women, rather than generic organisations that lack the necessary specialism.

For hotel/hostel/housing staff:

5. Training and guidance:

- All members of staff working in asylum accommodation must complete thorough safeguarding training. This must include training around the specific vulnerabilities of asylum-seeking women and children who are often survivors of sexual violence and abuse, and must be more substantial than the current e-learning training.
- Training must include in-depth, anti-discrimination equalities work that addresses myths and stereotypes about sex, race/ethnicity, social class, disability and other protected characteristics. There should also be training on the impact of VAWG on Black and minoritised migrant women. This should include an understanding of practical cultural sensitivities. We recommend that this training is delivered by specialist by-and-for Black and minoritised organisations as they are best placed to provide comprehensive training within an intersectional framework that is required to understand victim-survivors with multiple overlapping inequalities.
- Training must also cover how best to support asylum-seeking women in accessing their rights and entitlements, which should also be detailed within induction/welcome packs provided by accommodation providers. At a minimum, accommodation staff must be able to support women to register at their local GP practice, and support women and girls to access local specialist support services.
- The Secretary of State must develop guidance on how the Home Office, contracted accommodation providers and Migrant Help should respond when an asylum seeker experiences sexual violence and abuse in the UK and needs safe housing and support. At a minimum, the principles and actions within the Home Office guidance on responding to reports of domestic abuse from asylum seekers¹¹⁵ must apply to victims and survivors of sexual violence and abuse, and be properly implemented.¹¹⁶

¹¹⁵ Asylum Support Appeals Project (ASAP). (2024). *Asylum Support for Survivors of Domestic Abuse*. Available at: https://www.asaproject.org/uploads/FS_18_-_February_2024.pdf (Accessed 18 March 2024)

¹¹⁶ Migrant Help responded to this recommendation stating that they would “welcome this guidance, feed into its development and ensure that it is followed once implemented”.

6. Vetting:

All staff working within asylum accommodation must be subject to enhanced DBS checks, including existing staff.

7. Robust complaints and misconduct procedures:

The Home Office should strengthen accountability mechanisms to ensure that all contractors, including accommodation providers, have robust misconduct procedures in place that are strictly adhered to when complaints are lodged against staff. By-and-for Black and minoritised VAWG organisations should be involved in reviewing and providing feedback on Home Office and accommodation provider internal policies that relate to complaints and misconduct of staff in their treatment of asylum-seeking women. Any criminal allegations made against staff should be reported immediately to the police and Home Office, with the consent of the complainant. Staff members who are accused of any form of sexual violence and abuse should be immediately suspended from their roles working with vulnerable people.¹¹⁷

For policy makers:

8. Inclusion of migrant women:

The Home Office must ensure that women seeking asylum are recognised and included in current, and any future, government strategies on tackling VAWG. This includes taking action in line with the migration recommendations of Imkaan's Manifesto 'In Our Words'.¹¹⁸

¹¹⁷ The report authors provided the above-named contractors with an opportunity to respond to our recommendations. Serco provided the following comment with regards to recommendation 7: "Serco already follows the complaints processes that you recommend. Asylum seekers have a range of options to submit complaints or concerns of misconduct. They can report this to their housing officer, or if they feel uncomfortable with doing that, can log their complaint with Migrant Help, the AIRE provider. Any complaints logged through AIRE are escalated to Serco management to investigate with strict timeframes for initiation. The Home Office have complete visibility of these complaints, adding an additional layer of transparency and accountability to ensure a suitable and safe outcome for all involved".

¹¹⁸ Imkaan. (2024.) *In Our Words: End violence, racism, and inequality against Black and minoritised women and girls*, pp.7. Available at: <https://static1.squarespace.com/static/5f7d9f4addc689717e6ea200/t/6682a2060155861778fb4a2c/1719837199435/Imkaan+VAWG+Sector+Manifesto+2024+-+In+Our+Words.pdf> (Accessed 27 August 2024).

9. Abolition of NRPF provisions:

Consistent with previous recommendations made by Southhall Black Sisters (SBS) and the Step Up Migrant Women campaign,¹¹⁹ the Home Office must end the NRPF rule. This would allow women with insecure immigration statuses (including migrant women and women made destitute during their asylum journey) to access refuge and state support when they have experienced sexual and other gender-based violence.

10. Safe reporting mechanisms:

Consistent with previous recommendations made by Latin American Women's Rights Service (LAWRS) and the Step Up Migrant Women campaign,¹²⁰ the Home Office must establish a firewall for a clear statutory separation between any form of immigration enforcement and the police and statutory support services (including Social Services and the Department of Health). This would ensure victim-survivors of VAWG with insecure immigration status are able to access safe pathways to report violence, access support and seek justice without fear of being deported or subjected to any form of immigration control.

11. Victim-survivor voice:

The Home Office, Migrant Help and agencies responsible for the delivery of the AASC contract must consider the ways in which women have opportunities to feed back about their experiences and shape the way the asylum support system operates. Further, survivor voice must be included in any future consultations regarding asylum accommodation, in order to inform policy and practice.

¹¹⁹ McIlwaine, C., Granada, L. and Valenzuela-Oblitas, I. (King's College London) and the Latin American Women's Rights Service. (2019). *The Right to be Believed: Migrant women facing Violence Against Women and Girls (VAWG) in the 'hostile immigration environment' in London*, p.32. Available at: <https://stepupmigrantwomenuk.files.wordpress.com/2019/05/the-right-to-be-believed-full-version-updated.pdf>; Dudhia, P. Kesete, N. (EAVES and Southall Black Sisters). (2013). *Destitution Domestic Violence Concession – Monitoring Research Report*. Available at: <https://i3.cmsfiles.com/eaves/2013/12/DDV-Concession-Scheme-Monitoring-Report-Final-f14013.pdf> (Accessed 19 March 2024).

¹²⁰ Latin American Women's Rights Service and Step Up Migrant Women. (2020). *Establishment of Safe Reporting Mechanisms*. Available at: <https://lawrs.org.uk/wp-content/uploads/2020/12/Domestic-Abuse-Bill-Briefing-on-Safe-Reporting-Mechanisms-and-End-to-Data-Sharing-House-of-Lords-September-2020..pdf> (Accessed 8 October 2024).

To improve accountability and oversight:

12. Monitoring and evaluation:

- The Home Office must regularly monitor the provision of sub-contracted accommodation, including initial, contingency and dispersal asylum accommodation. This should include mechanisms to monitor and evaluate the physical conditions, as well as the management of the accommodation, with policies and procedures put in place to safeguard residents.
- Consistent with previous recommendations made by Women for Refugee Women, the Secretary of State should immediately publish plans to monitor the impact of the Nationality and Borders Act and Illegal Migration Act on women seeking asylum.¹²¹

13. Transparency and accountability:

- Migrant Help should implement a procedure to identify systemic VAWG trends arising within asylum accommodation and regularly report to the Home Office VAWG team.
- Consistent with recommendations made by Asylum Matters,¹²² the Home Office should commit to publishing performance management information relating to the services provided by Migrant Help. This will enable far greater scrutiny of the service delivery under the AIRE contract and facilitate the measurement of how Migrant Help are upholding their contractual Statement of Requirements.
- To ensure that there is a clear and transparent record of safeguarding concerns arising, the Home Office should be notified by all contractors (including Migrant Help and accommodation providers) of all concerns raised that relate to sexual harassment, abuse, exploitation or misconduct – in a way that protects the identity of victims and survivors. This data should be published.¹²³

¹²¹ Women for Refugee Women. (2023). *Written Evidence of Women for Refugee Women to the Human Rights Joint Select Committee Inquiry into Human Rights of Asylum Seekers in the UK*. Available at: <https://committees.parliament.uk/writtenevidence/114390/pdf/> (Accessed 18 March 2024).

¹²² Asylum Matters. (2020). *Wake Up Call: How Government Contracts Fail People Seeking Asylum*, p. 19. Available at: https://asylummatters.org/wp-content/uploads/sites/24/2020/07/Wake-Up-Call-Report_July-2020_final.pdf (Accessed 18 March 2024).

¹²³ The report authors provided all current Home Office contractors with an opportunity to respond to our recommendations. On this point, Migrant Help provided the following comment: "We take our safeguarding responsibilities very seriously and welcome any feedback that can help us improve and better support clients who have undergone this type of trauma. Our specialised Safeguarding Team was established in 2022, to provide staff with specific advice and training on safeguarding issues, and to monitor the quality of our safeguarding activities. Where sexual abuse or harassment is reported, as well as contacting emergency services in cases of immediate danger, we help people to report to the police if they want to, and signpost to specialist support. We have an established Incident Reporting process, and concerns raised, and actions taken are passed to the Home Office and the relevant accommodation provider. Although we can also call the accommodation provider to highlight urgent cases for them to prioritise, we are not able to request relocations. Our role is to report the issues – the accommodation provider is then responsible for assessing and taking appropriate actions". Serco, one of the three organisations contracted by the Home Office to provide asylum accommodation at the time of writing, also provided a comment on this recommendation: "All incidents are logged on Serco's central database and shared with the Home Office. Additionally, any high-level incidents are escalated urgently through the form of High Profile Notification systems managed by our internal risk and security team".

- The Home Office should collect and publish disaggregated data in relation to asylum claims, initial decisions, appeals and final outcomes. This is necessary to better understand the inequalities that exist in the asylum process, to monitor outcomes for women who have survived sexual violence and abuse, and to improve overall transparency.

14. Independent Chief Inspector of Borders and Immigration:

The Home Office must appoint a new Independent Chief Inspector of Borders and Immigration with immediate effect. Future inspections and inspection processes for asylum-seeking women's accommodation must be developed and delivered with experts from the by-and-for and sexual violence and abuse sectors, who hold significant knowledge and expertise on VAWG and migration.

15. Independent review of the AASC and AIRE contract:

- The Secretary of State must commission an independent review of the services delivered under the AASC and AIRE contract (currently fulfilled by Serco, Clearsprings, Mears, and Migrant Help, respectively). The review should evaluate the management and delivery of services provided by current contractors, including a review of:
 - Complaints made against contractors, and action taken in response (including communication with victim-survivors).
 - Safeguarding training, policies and practices.
 - Internal vetting and misconduct processes (particularly where a complaint has been made about a member of staff in relation to sexual misconduct or allegations of sexual violence and abuse).
 - Current processes and mechanisms for handling requests for assistance and complaints by Migrant Help.

- Whether contractors are complying with their contractual obligations, and whether the contractual obligations are sufficient to safeguard the asylum-seeking people they are supposed to serve.
- Whether the Home Office and its contractors are complying with domestic and international legislation and conventions, particularly regarding VAWG.
- The Home Office must work with the specialist by-and-for and sexual violence and abuse sectors to implement the changes informed by the review.¹²⁴

¹²⁴ The report authors gave all current Home Office contractors a right to reply to our report, pre-publication. We were encouraged by the response of Migrant Help, who regarding this specific recommendation stated: *"Migrant Help would cooperate fully with any review initiated. Our chief priority has always been, and will continue to be, the safety and support of our clients"*.

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Annex 1 – Asylum Support Available

Section 98

Section 98 support is provided to a woman seeking asylum immediately after her screening interview. It is often called 'initial' accommodation, and is usually full-board, temporary, emergency accommodation for those who would otherwise be destitute. This includes contingency accommodation such as hotels and hostels. Women will continue to receive section 98 support until the Home Office has made a decision on their eligibility for section 95 asylum support. Migrant Help is contracted by the Home Office to provide asylum seekers with information, advice and support in completing their Section 95 applications.

Section 95

Section 95 support should be granted to asylum seekers within 35 days of arriving to initial accommodation. Under section 95, support asylum seekers are moved into longer-term accommodation provision, for example a flat or shared house, known as 'dispersal' accommodation. Accommodation is provided on a 'no-choice' basis. The Home Office provides an allowance of £49.18 a week to cover essential living costs. If a woman's asylum claim is denied by the Home Office, section 95 support will end in 21 days; if she is given refugee status, section 95 support will end in 28 days.

Section 4

If a woman is refused asylum, she may be eligible to apply to access Section 4 asylum support. This consists of limited, short-term accommodation and financial support if they cannot afford to meet their essential living needs. In order to access this support, woman must evidence that they are destitute and that they meet a strict criteria. The Home Office allows support to be given to: women who are taking steps to leave the country voluntarily, but require support while they are in the process due to barriers or delays outside of their control; those who are unable to travel due to medical/health related reasons; or if they have made an application for judicial review. Due to the strict criteria, most women who have been refused protection are not entitled to this support and are forced to live destitute in the UK.



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