

**IN THE UK COVID-19 PUBLIC INQUIRY
BEFORE BARONESS HEATHER HALLETT
MODULE 10**

IN THE MATTER OF:

**THE PUBLIC INQUIRY TO EXAMINE THE COVID-19 PANDEMIC IN THE UK
MODULE 10**

**SUBMISSIONS ON BEHALF OF
SOUTHALL BLACK SISTERS, SOLACE WOMEN’S AID AND
LATIN AMERICAN WOMEN’S RIGHTS SERVICE
“THE DA GROUP”
PRELIMINARY HEARING
18 FEBRUARY 2023**

Introduction

1. Southall Black Sisters (SBS), Solace Women’s Aid (SWA) and Latin American Women’s Rights Service (LAWRS) are grateful for their designation as Core Participants. They are represented jointly by Public Interest Law Centre and leading and junior counsel and are collectively as “the DA Group”. Their interest in the Inquiry, and specifically in Module 10, is in respect of all of the areas identified in the Provisional Outline of Scope but in particular in relation to:
 - a. Key workers in the domestic abuse sector;
 - b. Safeguarding and support for victims/survivors of domestic abuse;
 - c. Those within the immigration and asylum system;
 - d. Those affected by the operation of the civil (family) and criminal justice system;
 - e. The access to housing and homelessness services;
 - f. The effect of the pandemic and lockdown on children victim/survivors of domestic abuse.

Southall Black Sisters

2. SBS is a not-for-profit organisation established in 1979 to meet the needs of Black, minoritised and migrant women. For more than four decades SBS have been at the forefront of challenging domestic and gender-based violence locally and nationally and have campaigned for the provision of proper and accountable support services to enable women and their children to escape violent relationships. Whilst SBS's focus is on the needs of Black, minoritised and migrant women, it also assists any woman who needs emergency help. SBS runs an advice, advocacy and resource centre which provides a comprehensive service to women experiencing violence and abuse and other forms of inequality. Many women turn to SBS having experienced violence and abuse and related problems of homelessness, mental illness, poverty and insecure immigration status. The organisation's advice and casework ranges from dealing with one-off enquiries, to undertaking mid to long-term casework, which covers a number of overlapping support needs. SBS's casework has a national reach through their advice line. The organisation handles on average over 5,000 cases and enquiries every year, increasing to around 7,000 each year during the pandemic and lockdown. It has a crisis fund through which they support women with No Recourse to Public Funds ("NRPF") fleeing gender-based violence with emergency accommodation and support they would otherwise have no way to access. Its advocacy has focused in particular on the exclusion of migrant women (women with NRPF comprise 60% of its cases and enquiries) from domestic violence protection measures in the UK and SBS have been instrumental in effecting policy change in the Home Office to the advantage of migrant women.

3. With SWA, SBS was a designated Core Participant in Module 2.

Solace Women's Aid

4. SWA was established 50 years ago and is one of the single largest providers of services for survivors of violence against women and girls (VAWG) in the UK. SWA's aim is to work to prevent violence and abuse as well as providing services to meet the individual needs of survivors particularly women and children. SWA runs 19 refuges, offering 159 rooms for women and children, including a specialist refuge for women with mental health difficulties and substance abuse issues. SWA also runs several specialist housing and support projects for particular groups of survivors including women who have experienced severe and multiple disadvantages including street homelessness; older women; children and young people; young BME women; and Irish travellers. SWA runs the East London Advice Line and the North London Rape Crisis Centre. In 2022/23, SWA worked with over 22,000 women and children across its services. In 2020, during the pandemic, SWA supported 10,692 survivors of domestic abuse through advice, advocacy and support, and 920 women and children across its 22 refuges. SWA campaigns and conducts public advocacy, including regular parliamentary advocacy. The organisation also produces and contributes to influential policy work on the issue of VAWG.
5. With SBS, SWA was a designated Core Participant in Module 2.

Latin American Women's Resources Service

6. LAWRS was founded in 1983. They are a feminist human rights organisation founded and run by Latin American migrant women. They formed as a result of witnessing and experiencing a significant gap in service provision for their migrant community and regular violations of their human rights at different stages of their UK migration experience. In the 41 years since its inception, LAWRS has supported the practical and strategic needs of Latin American migrant women, as well as BME migrant women nationally facing intersectional violence and discrimination shaped by their race, class, gender, immigration status, amongst others. They offer direct support in the form of casework for women experiencing gender-based violence, counselling and emotional support, advice on housing, benefits, women who have No Recourse to Public Funds ("NRPF"), employment rights, family and immigration law, workshops and other integration activities. LAWRS advocates for women's rights, migrant's rights and the rights of ethnic minorities at local, national and EU levels. They work with

sister organisations in the women and migrant sectors, as well as networks and campaigns, to tackle the vulnerabilities faced by Latin American women, who are affected by intersectional layers of discrimination. In their mission to pursue equal rights and social justice for all Latin American women and migrant women in the UK, LAWRS support around 2,000 women every year. LAWRS have a prominent position in the migrant women's community and during the pandemic and lockdown took a leading role in advocating for this cohort. As such, LAWRS have become a recognised and important authority on the impact of the pandemic on Latin American and BME migrant women in the UK.

7. All three organisations were at the frontline during the pandemic and lockdown, providing advice, refuge accommodation and other services to victims/survivors of domestic abuse. They have direct, first-hand experience of the demands on their staff (whom they consider to be key workers) and the effects of the pandemic and lockdown on domestic abuse victims/survivors.

Counsel to the Inquiry's Note for the Preliminary Hearing

Scope

8. The DA Group suggests that the impact of the pandemic and lockdown on individuals with all types of mental health conditions, not just those with severe mental health conditions, is considered. It may be that this is within the scope of paragraph a) but if not, it should be included.
9. The DA Group notes that the Provisional Outline of Scope includes consideration of the impact of the pandemic, and the measures put in place, on "those within the immigration and asylum system". The questions at paragraph 19 a) – m) do not include any references to those within the immigration and asylum system. The DA Group suggests that the impact on those within the immigration and asylum system should include consideration of:

- a. Domestic abuse victims/survivors who were undocumented and/or had No Recourse to Public Funds (NRPF), and were thus subject to additional control, isolation and abuse from perpetrators, as they were at risk of breach of immigration controls and/or destitution if they left the abusive situation;
- b. Those in immigration detention;
- c. Those in asylum support accommodation provided by the Home Office; and
- d. the impact of closing borders in relation to victim/survivors of domestic abuse who were unable to access support networks abroad (if they were required to remain in the UK) or in the UK (if they remained abroad);
- e. any other points relating to particular vulnerability for those within the immigration and asylum system.

10. The DA Group makes the point that the impact of the pandemic and that of lockdown were inter-related, but also had separate and different impacts, as well as cumulative impact. For example, a person could suffer profound loss from the pandemic itself (persistent ill health personally, loss of a relative or friend). Similarly a person could suffer profound loss from lockdown on its own (loss of employment or self-employment, isolation, developing or exacerbating mental health conditions, loss of a loved one). Crucially for domestic abuse victims/survivors, their accounts show that the combination of both the pandemic and lockdown caused harm. In relation to domestic abuse, the harm caused by lockdown is self-evident: the forced sharing of space with an abuser and inability to escape. The harm caused by the inter-relationship between pandemic and lockdown is less self-evident but exists: the evidence presented in Module 2 showed that many abusers used the fact of the pandemic, such as fear of infection, to exert additional isolation or abuse.

11. Throughout these submissions, therefore, the DA Group refers to the effects of the pandemic and lockdown, by which it means both the pandemic and lockdown as two separate events causing harm and the combined effect of the pandemic and lockdown.

12. We note that throughout the description of scope and questions likely to be considered refers to the effect of the pandemic. We note, of course, that lockdown was a consequence of the pandemic but consider that the correct terminology should be the effect of the pandemic and lockdown.

Roundtable events

13. The DA Group welcomes the decision to hold a series of roundtable events. We hope that this will produce accounts of experiences during the pandemic and lockdown from lockdown as well as from organisations. It looks forward to information as to how it can participate, and how it can encourage other organisations to participate.
14. The DA Group suggests that other Violence Against Women and Girls (VAWG) organisations are invited, including Women's Aid (from throughout the UK), Refuge and Imkaan. They consider it essential to invite "by and for" organisations, where domestic abuse services are provided by members of a particular community to those from that community, must be invited. We would be grateful for confirmation that a list of potential invitees supplied by the Group will be considered.

Systematic Evidence Review

15. The Systematic Evidence Review should include published research on the effects of the pandemic and lockdown on victims/survivors of domestic abuse and the effects on their mental health. Research as to the disproportionate impact on black, minoritised and migrant victim/survivors should be included, including their access to healthcare. There was a particular impact on migrant victim/survivors who were either undocumented, or had a NRPF condition on their leave. Research on this point should be included.
16. The DA Group is also aware of research into the effects of the pandemic and lockdown on specific migrant communities (for example the Latin American community) and on access to healthcare.

17. Research into access to domestic abuse services, and access for domestic abuse victims/survivors to health care, housing services, police response to domestic abuse and the accessibility of the civil justice and criminal justice systems during the pandemic and lockdown and after the pandemic and lockdown is relevant.
18. The DA Group suggests that the effect of the mental health on key workers should be included, if such research exists. It also considers that the evidence review should include research into the increased demand on services (domestic abuse services, statutory services such as social services, homelessness and mental health) after the pandemic and lockdown, as a result of the pandemic and lockdown.
19. The DA Group is happy to share the research currently available in respect of domestic abuse, including specific studies referring to the disproportionate impact on black, minoritised and migrant victims/survivors. We emphasise that much of the published research is on mainstream services. Specific attention should be paid on the availability of mainstream services for black, minoritised and migrant victims/survivors, and also on specialist services for black, minoritised or migrant victims/survivors.

Expert material & instruction of expert witnesses

20. The extensive reports in Module 2 should be considered as part of Module 10, including that on “Structural Inequalities and Gender” by Dr Clare Wenham and “Ethnicity, Inequality and Structural Racism” by Professor James Nazroo and Professor Laia Becares.
21. The DA Group suggests that the instructions to the psychiatric experts includes the impact of the pandemic and lockdown on those with mental health conditions who experienced domestic abuse, and those who experienced domestic abuse and as a result experienced an effect on their mental health. SWA & SBS presented evidence to Module Two on the increase in the numbers of victims/survivors who were “complex cases” and an increase in the complexities of those cases, for example

seeing increases in the numbers with suicidal ideation, the numbers who had been abused with weapons, and the particular effects of abuse at a time of isolation, both during and in the immediate aftermath of lockdown. Black, minoritised and migrant victim/survivors were also more likely to present with complex case, and more likely to experience complex mental health and trauma.

22. The DA Group observed, from its casework, a catastrophic impact of lack of access to health care services, including mental health services, amongst migrant communities. Some of our experience is in the Latin American community, but we observe that the same experience will have been replicated in other communities. Service users who were undocumented, or were present in the UK for a short period of time and then trapped when the lockdowns were announced and borders closed, had difficulties in obtaining repeat prescriptions, registering for primary care and obtaining mental health support. Difficulties in accessing health care further isolated victims/survivors of domestic abuse. Furthermore, it meant that the physical effects of domestic abuse could not be treated, or treatment might be delayed.
23. The DA Group suggests that evidence is sought into an increase in requests for counselling and also – in general terms without breaching confidentiality – the extent to which those receiving counselling showed increasing complex conditions.
24. The DA Group also suggests that the mental health impacts of the pandemic and lockdown on those in immigration detention should be considered, together with the impacts on those in Home Office accommodation for asylum seekers. The Group has already the point that undocumented migrant victim/survivors, and those with NRPF, were particularly isolated, suffering the triple whammy of domestic abuse, the isolation of pandemic and lockdown, and therefore the increased opportunities for abusers to isolate and control those victims/survivors.
25. We suggest that a specific expert on trauma, not limited to psychiatric conditions, is instructed.

26. On the disproportionate impact of the pandemic (and lockdown) on people from a range of specific socio-demographic backgrounds, we would expect that the specific isolation experienced by victims/survivors of domestic abuse is included, noting again that black, minoritised and migrant victims/survivors, those migrant victims/survivors who were undocumented or subject to NRPF were subject to particular and additional abuse. We also note that many households were in temporary accommodation, such as those accommodated under homelessness duties, accommodated by social services, or by the Home Office (asylum seekers) and therefore there was a particular impact on being isolated in accommodation where the standards and conditions can be low, and may often be overcrowded, and also being subject to domestic abuse.
27. The DA Group would expect that the economic effect of the pandemic and lockdown is considered, including the loss of employment, especially that of casual, insecure or informal employment (where it may have been difficult to obtain government help or furlough), an increase in debt, including increase in rent or mortgage arrears, debts owed to essential utility companies,

R9 requests for information

28. We expect that the three organisations comprising the DA Group receive R9 requests. We would add in Women's Aid (throughout the UK), Refuge, and Rights of Women. We suggest that organisations representing migrants' rights are sent R9 request (we have already suggested JCWI and we note that the Migrants' Rights Consortium is a CP).
29. Outside of London the Angelou Centre provides services for women from black and minoritised community in the North East of England and Safety4Sisters provides services for migrant women in the North West of England. Imkaan is an umbrella organisation addressing violence against black and minoritised women and girls. We repeat the submission that evidence from "by and for" organisations is essential.

30. A relevant avenue of inquiry would be women in the prison and immigration detention systems. We suggest Hibiscus Initiatives who support black, minoritised and migrant women in the immigration and criminal justice system.
31. The DA Group may suggest further recipients of R9 requests.
32. We request that the R9 requests seek overall evidence from these organisations (and others) but also asks for individual accounts and specific stories.
33. In Module 2, SBS & SWA requested evidence from 12 different VAWG organisations, and summarised their response. The DA Group is happy to undertake a similar exercise.

Disclosure

34. The DA Group requests three Relativity licences to be distributed between counsel, solicitor and paralegal. We submit that direct access by legal representatives to Relativity will save considerable time (otherwise a legal representative will request a document from a licensed user so two legal representatives will be engaged in finding, downloading and sharing the document).
35. We request that documents disclosed on Relativity should be labelled if previously disclosed and, if so, in which Module. This would save the DA Group (and other CPs) considerable time if they are aware that they previously considered the documents (for the DA Group in Module 2).

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5 February 2025

