

Sarah Dines MP
Minister for Safeguarding
Home Office
2 Marsham Street
London
SW1P 4DF

5 July 2023

Dear Minister

Tackling the unjust criminalisation of Black, minoritized and migrant victims of violence against women and girls

We are writing to you on behalf of the Centre for Women's Justice and the Tackling Double Disadvantage partnership on the occasion of today's Westminster Hall debate on the above topic.

We are grateful to Kate Osamor MP for applying for this important debate. It raises cross-cutting issues requiring a cross-government response, and we are therefore copying this letter to the Minister for Prisons and Probation as well as the Independent Domestic Abuse Commissioner.

We enclose a copy of the Tackling Double Disadvantage partnership's ['One Year On' progress report](#), published today, which examines the progress made to tackle inequalities experienced by Black, minoritised and migrant women in contact with the criminal justice system. We have found that despite the efforts of some frontline services, progress so far has been limited and piecemeal, and a more strategic, cross-government approach is required.

We also enclose a copy of the briefing we have circulated to MPs taking part in today's Westminster Hall debate. This summarises the evidence of gaps in law and practice that lead to Black, minoritised and migrant women being unfairly prosecuted and convicted of offences that result directly from their own experience of abuse. Overleaf, we have set out nine questions arising from the debate.

We would be grateful for a written response to these questions from you and the Minister for Prisons and Probation, and a meeting with you both to discuss these questions and the findings of the 'One Year On' progress report.

Yours sincerely



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cc. Rt. Hon. Damian Hinds MP, Minister for Prisons and Probation, MoJ
Nicole Jacobs, Independent Domestic Abuse Commissioner

Westminster Hall debate to be held on Wednesday 5 July 2023 from 9.30-11.00am:

That this house has considered the criminalisation of victims of violence against women from ethnic minority and migrant communities

Questions for the Minister for Safeguarding (Home Office) and Minister for Prisons and Probation (Ministry of Justice):

- (1) Will the government amend the Victims and Prisoners Bill to introduce statutory defences for victims of domestic abuse who are accused of offending, and add a commitment to the Victims' Code to protect all victims of VAWG from unjust criminalisation, ensuring they have their rights upheld as victims and are not stigmatised?
- (2) Will the ministers work with Black, minoritised and migrant women with lived experience and the organisations led by and for them to implement a strategic approach to changing the culture of the police and other criminal justice agencies, and reforming their practice, so that women and girls who experience VAWG can be confident that if they themselves are suspected of an offence, they will have the opportunity to disclose any context of abuse and they will have that properly taken into account by the police, prosecutors and courts?
- (3) Will the government increase investment in women-specific services for victims of VAWG facing criminal proceedings to ensure they have a safe space to disclose abuse and receive support at the earliest stage in proceedings, including services led by and for Black, Asian, minoritised and migrant women?
- (4) Will the government ensure Black, Asian, minoritised and migrant women in contact with the criminal justice system have access to cultural mediation, translation, interpreting and international calls; and provide Black, Asian, minoritised and migrant women with improved standards of interpretation and the ability to choose the gender of the interpreter?
- (5) Will the government implement a firewall to end the sharing of victims' and witnesses' data between the police and the Home Office for immigration enforcement purposes, as recommended by the Justice Select Committee, Domestic Abuse Commissioner and women's sector services?
- (6) Will the government withdraw proposals in the Illegal Migration Bill that would limit the rights of potential victims of trafficking?
- (7) Will the ministers press HM Inspectorate of Constabulary Fire and Rescue Services to undertake a thematic inspection of the police response to women and girls as suspected offenders without further delay, as commissioned by the then Home Secretary in 2021, and work with senior police leads, women and frontline specialist services to ensure its recommendations are implemented?
- (8) Will the Minister for Prisons and Probation meet with the Director of Public Prosecutions to explore changes needed to the Code for Crown Prosecutors to strengthen decision making in cases involving victims of VAWG who are accused of offending, and the potential for developing an effective mechanism for challenging inappropriate prosecution decisions?
- (9) Will the government commit to annual publication of disaggregated data on gender-based violence and its links with women's pathways into the criminal justice system, including a distinct focus on Black, Asian, minoritised and migrant women?