



8 July 2020

Dear local residents,

A number of residents have raised their concerns about my decision not to support New Clause 22 of the *Domestic Abuse Bill* and I would like to take this opportunity to set out the reasons for my decision.

Absolutely no-one should be subject to domestic abuse - this is a truly abhorrent crime, which has no place in our society.

I am, therefore, fully supportive of the action the Government has taken to combat this, by significantly strengthening our laws and introducing new tools to protect survivors. The action taken includes:

- the criminalisation of forced marriage;
- new stalking offences;
- an offence for failing to protect a girl from Female Genital Mutilation (FGM);
- lifelong anonymity for victims of forced marriage and FGM;
- a mandatory reporting duty on FGM;
- the national roll-out of the Domestic Violence Disclosure Scheme - also known as 'Clare's Law' -, making Domestic Homicide Reviews mandatory; and
- a new offence of domestic abuse covering controlling and coercive behaviour.

I also fully support the [Domestic Abuse Bill](#), which is a landmark piece of legislation designed to create a legal definition of domestic abuse to provide clarity that it can be financial, verbal and emotional, as well as physical and sexual, and that, critically, it is about patterns of abuse over time. Additional measures in the Bill include the introduction of new Domestic Abuse Protection Notices and Domestic Abuse Protection Orders to further protect victims and place restrictions on the actions of offenders.

Furthermore, a Domestic Abuse Commissioner has been appointed to stand up for victims and survivors, raise public awareness, and monitor the response of local authorities, the justice system and other statutory agencies and hold them to account in tackling domestic abuse. It is right that the commissioner will be required to have a specific focus on the needs of victims and survivors from minority or marginalised groups, including migrants.

With regards to New Clause 22 of the Bill, this amendment sought "to ensure that certain provisions under the Immigration Acts – including exclusion from public funds, certain types



of support and assistance and the right to rent – do not apply to survivors of domestic abuse.”

I cannot stress enough that all victims of domestic abuse should be treated as victims and have access to support they need, irrespective of their immigration status. This is a key priority for the Government.

Whilst I was, therefore, supportive of the intention behind the amendment, I could not vote in favour of it as it presented a number of issues. As the Minister for Safeguarding explained during the debate:

“In 2012, we introduced the [destitution domestic violence concession](#)—the DDVC—to support migrant victims of domestic abuse who are living in this country on the basis of certain partner visas. Such people have come to the UK with the intention of living here permanently with the reasonable expectation of obtaining indefinite leave to remain.

The DDVC is not available to people who enter the country on other visas, such as visitor, student or work visas, or, indeed, to anyone who is here illegally. This is because in order to obtain such visas they will have confirmed that they are financially independent and therefore require no recourse to public funds, and their stay will be for a defined period of time. They do not, therefore, have a legitimate expectation of securing indefinite leave to remain.

Simply extending the DDVC to all migrant victims is therefore not the way to address the needs of migrant victims who currently cannot claim under that scheme. We need to find a way of ensuring that they have adequate support, rather than provide a pathway to indefinite leave to remain or a blanket lifting of the no recourse to public funds condition.

Last July, we committed in our response to the Joint Committee that [scrutinised](#) the draft Bill to review the Government’s response to migrant victims of domestic abuse. We published the findings of that [review](#) last week. Despite our call for evidence to support the review, there is currently a lack of evidence to demonstrate which cohorts of migrants are likely to be most in need of support, the numbers involved and how well existing arrangements may address their needs. Without clear information that identifies the groups of migrants who may be most in need of support, it is not possible to ensure that any additional funding or support services are targeted correctly and effectively. We need to address those evidence gaps before we are in a position to take well-grounded decisions on how best to protect these victims in the long term.”

Jane Hunt MP



House of Commons

When questioned as to why the Government does not just lift the provisions and requirements on no recourse to public funds until the research is completed, the Minister responded that the Government does not have that bedrock of evidence and that it must have the data to ensure that anything that it is putting forward in the longer term best meets the needs of victims and is sustainable.

The Minister went on to say that this is why the Government is launching a £1.5 million pilot scheme to support migrants who are subject to domestic abuse:

“The pilot programme is to determine how we ensure that victims can obtain immediate access to support, and that any future strategy meets the immediate needs of victims and is fit for purpose. Support for migrant victims is a very important issue for all of us. We recognise that, which is why we are committed to launching the pilot project as quickly as possible. We are currently reviewing the options for implementing the pilot and expect to make further announcements in the summer, ahead of its launch in the autumn. We must resist the urge to act before we have the evidence on which to base comprehensive proposals, to ensure that measures are appropriate.”

I remain absolutely committed to ensuring that everyone who has been subjected to such vile abuse can access the support they need but I hope that this clarifies why I could not support this specific amendment. I will continue to follow the Government’s work in this area closely.

With all best wishes,

A handwritten signature in blue ink that reads 'Jane'.

Jane Hunt MP