

Call for Evidence: Domestic Abuse Act 2021



House of Lords Select Committee on the Domestic Abuse Act 2021

Submission by the Latin American Women's Rights Service (LAWRS) and Step Up Migrant Women Campaign (SUMW)

April 2026

1. About the Latin American Women's Rights Service (LAWRS)

- 1.1. LAWRS is a human rights, feminist organisation led by and for Latin American migrant women living in the UK. We support women who are exposed to violations of their fundamental human rights, facing violence against women and girls, exploitation in low-paid sectors, trafficking, or enduring severe poverty and deprivation.
- 1.2. Our direct support includes casework for women experiencing gender-based abuse, counselling and emotional support, advice and casework on employment rights and exploitation, family law and immigration, among others.
- 1.3. We also advocate for women's rights, migrant's rights and the rights of ethnic minorities, working with sister organisations in the women, migrant and anti-slavery sectors.

2. About the Step Up Migrant Women Campaign

- 2.1. Step Up Migrant Women (SUMW) is a campaign that works to defend and advance the rights of migrant women in the UK, and advocates for the establishment of safe reporting mechanisms. It is made up of more than 50 organisations across the UK.

3. Executive summary

- 3.1. **Statutory definition of domestic abuse** - LAWRS supports the inclusion of different forms of abuse in the statutory guidance, and the acknowledgement that 'immigration status' is weaponised for coercive control. However, whilst

the elements of immigration abuse experienced by migrant victims are accounted for, comprehensive protective measures to address this are needed.

- 3.2. **Local authorities, statutory bodies and agencies and multi-agency working** - Service users with *No Recourse to Public Funds* (NPRF) continue to face systemic barriers to accessing support from local authorities and statutory agencies, including gatekeeping practices. Extensive advocacy by specialist services like LAWRS is routinely required to address these barriers.
- 3.3. **Policing and courts** - Referrals and support provided by police are deficient and problematic. There is a lack of understanding of the different forms of abuse and requirements to present evidence that are unrealistic. Data-sharing between police and Immigration Enforcement continues to be a regular practice, deterring reporting by migrant victims and harming trust in the police. As immigration policies become increasingly hostile and restrictive, the Act's aspiration to support all victims will not be realised unless victims feel safe to report violence and abuse.
- 3.4. **Community service providers** - Migrant victims rely on *by and for* providers like LAWRS which are under increased pressure due to underfunding and issues with the current commissioning system. Ringfenced funding for specialist, *by and for* organisations is urgently needed to ensure that migrant and minoritised victims receive appropriate support.
- 3.5. **Inclusion** - Whilst the recognition of immigration status as a vulnerability impacting migrant victims of domestic abuse is welcome, the structural inequalities faced by migrant victims are not sufficiently addressed. Stronger protections must be included to protect and support migrant victims - in particular, a full firewall to prevent data-sharing with Immigration Enforcement is needed.
- 3.6. **Gaps** - The Act does not sufficiently address the gaps in provision for migrant victims. The protections in place are highly restrictive, leaving out significant numbers of victims.

4. Introduction

- 4.1. LAWRS welcomes the opportunity to submit evidence to the House of Lords Select Committee on the Domestic Abuse Act 2021 and to highlight the experiences of migrant women who are victims and survivors of domestic abuse.
- 4.2. While the Domestic Abuse 2021 Act ('the Act') introduced important protections, its impact on migrant victims and survivors has been limited at best. For many in this cohort, the provisions of the Act are effectively out of reach, since the risk of immigration enforcement upon reporting means that

many victims and survivors do not come forward, leaving them without access to the protections the Act was intended to provide. For those with NRPF attached to their immigration status, reporting abuse and seeking help rarely results in obtaining the support they need.

5. Topic 2: Statutory definition of domestic abuse.

- 5.1. LAWRS supports the inclusion of different forms of abuse and the particular experiences migrant victims and survivors face as part of the Domestic Abuse Act's Statutory Guidance 2022 ('the Guidance'), as this change was essential to improve understanding of domestic abuse.
- 5.2. The inclusion of 'immigration status' as a tool for coercive control in the Guidance is a welcome and key addition. It includes, but is not limited to, threats of deportation, withholding passports and documentation, and a sponsor's deliberate failure to process or renew visa applications, whether openly or covertly, exposing victims and survivors to undocumented or irregular immigration status¹.
- 5.3. This reflects the realities we see at LAWRS, where the majority of cases present different elements of immigration abuse.² Unfortunately, misinformation and misunderstanding among statutory services about how immigration abuse works in practice or how to recognise it regularly leads to police officers, local authorities and social services prioritising immigration offences over the abuse that has caused it. This impacts our ability to support victims and survivors, as well as the trust that migrant communities can have in the system that, rather than protect them, re-victimises them and causes further harm.
- 5.4. The Guidance further recognises that the fear of data-sharing between the police and other agencies with Immigration Enforcement deters victims and survivors from reporting. However, it is insufficient in articulating comprehensive protective measures.

Case Study

Karla* arrived in the UK on a tourist visa and began a relationship with a British man. When she found out she was pregnant, her partner convinced her not to terminate the pregnancy, and promised to make an immigration application for her to live in the UK. After coercing Karla to carry on with the pregnancy, he did not submit the application and Karla's visa expired,

¹ Home Office (2022). *Domestic Abuse Act 2021: Statutory Guidance*, para 105

² 62% of women interviewed for our report 'The Right to be Believed' said they had been threatened with deportation by their perpetrator if they reported the abuse to the police. Additionally, 54% of the women felt they would not be believed by the police due to their immigration status. Online: <https://lawrs.org.uk/wp-content/uploads/2025/01/LAWRS-The-Right-To-Be-Believed-Report.pdf>

leaving her undocumented.

Karla's partner was highly controlling and jealous. He was verbally and physically abusive towards her and her other child, and did not allow her to register with the GP or go to the hospital for prenatal care. He constantly threatened to report Karla to the Home Office for overstaying her visa, and told her that if she called the police, he would have her and her child removed from the UK.

After an emergency trip to the hospital, Karla was able to escape from her partner with support from hospital staff. Once she reported him, Karla was placed in a hotel by the police for one night, but she was made street homeless with her child the next day. As she was undocumented, she had no right to rent and no right to work. Her and her child were financially dependent on the father of the child.

**Not her real name.*

6. Topic 3: Local authorities, statutory bodies and agencies, and multi-agency working.

- 6.1. According to Women's Aid latest reports,³ the proportion of refuge vacancies open to women with NRPF has grown from 4% in 2019-2020 to 11% in 2022-2023. However, these figures only reflect eligibility, as being considered for a vacancy does not mean a woman will be accepted.
- 6.2. LAWRS' service users experience particular challenges accessing safe accommodation due to their immigration status, mainly related to the NRPF condition —nearly 30% of the victims and survivors supported by LARWS have NRPF—, but also to local authorities' gatekeeping practices. Extensive advocacy is often required to facilitate access to safe accommodation, and frontline staff routinely encounter uncooperative to hostile responses and refusal to follow entitled pathways.
- 6.3. One such issue is refuge providers being unable to accept referrals for our service users when MVDAC has been recently granted, since there is a period of at least six weeks between changing status and obtaining Universal Credit. Refuge providers, often underfunded and over capacity, are forced to absorb the costs or decline referrals. During this period, victims and survivors are left in an extremely precarious situation.
- 6.4. Even under Section 17 of the Children's Act 1989, local authorities regularly fail to provide housing to victims and survivors and their children, either by

³ Women's Aid. (2025) The Annual Audit 2024, Bristol: Women's Aid. Online: <https://womensaid.org.uk/wp-content/uploads/2024/02/Annual-Audit-2024.pdf>

Children's Social Service Teams or Housing. As a result, women and their children are often forced to return to their perpetrator or become homeless or destitute.

- 6.5. Undocumented victims and survivors have no protections, no access to safe accommodation under current provisions. When escaping the perpetrators they risk becoming destitute and homeless.

7. Topic 5: Policing and courts.

- 7.1. LAWRS experiences ongoing issues in working with the police which have not seen any change since the Act came into force. While the Act and Guidance recognise a broad range of abusive behaviours, including emotional abuse and coercive control, this is not consistently reflected in practice. Police responses often continue to rely on evidential thresholds more suited to physical abuse, with survivors being asked to provide evidence of forms of abuse that are inherently harder to document, such as emotional and psychological abuse.
- 7.2. Post-separation abuse and coercive control, although recognised in law, are frequently minimised in practice. We have encountered cases where ongoing abuse is framed by police as relating to child arrangements, rather than recognised as continued coercive or controlling behaviour.
- 7.3. We have also supported cases involving serious forms of abuse, including non-fatal strangulation, where the police response has been inadequate. In one case, the perpetrator was released within 24 hours due to "lack of evidence," despite the severity of the incident, on the basis that the survivor did not present visible marks. This raises serious concerns about the understanding and evidential approach to high-risk forms of abuse.
- 7.4. Police referrals are often inconsistent and deficient. We frequently receive women who have been signposted instead of formally referred, which places the burden on victims and survivors to initiate contact with support services. Where referrals are made, they often contain minimal or insufficient information (e.g. only stating that the survivor requires support, without details on language needs, risk level, or safe times to contact).
- 7.5. There are also delays and difficulties in obtaining further information from police following referrals. In some cases, key details such as the survivor's preferred language or whether it is safe to make contact are not shared, which can delay or compromise effective support. Overall, referral pathways remain inefficient and lack the necessary information for safe and timely interventions.
- 7.6. We have experienced significant delays in police taking statements from victims and survivors after an initial report is made. In many cases, we are

required to follow up repeatedly with officers to ensure statements are taken and investigations progressed.

- 7.7. Additionally, victims and survivors are sometimes asked at a very early stage whether they wish to proceed to court. Many women are not in a position to make such decisions immediately after reporting abuse, particularly when they are still in crisis, meaning that they lose the opportunity to do so at a later stage.
- 7.8. Finally, although police officers are not legally required to share personal data with Immigration Enforcement, this remains a regular practice,⁴ creating a well-founded fear among migrant victims and survivors that reporting domestic abuse risks detention, removal or deportation. This results in migrant women enduring abuse for longer periods. This practice also reinforces the fact that there is truth behind the threats from perpetrators.
- 7.9. The hostile environment, compounded by hostile immigration policy and legislation by successive governments, deepens this mistrust. Immigration enforcement is rightly perceived as taking precedence over safety of victims and survivors, which delays seeking help, and the government's problematic narrative on immigration trickles down to practices that undermine safety. The Act's aspiration to support all victims and survivors will not be fully realised while this structural deterrent remains in place.

8. Topic 6: Community service providers.

- 8.1. *By and for* organisations such as LAWRS provide language specific and culturally competent support that takes into account the intersecting barriers faced by migrant victims and survivors. In spite of this essential support, the sector is chronically underfunded, resulting in limited capacity.
- 8.2. LAWRS shares the sector's concerns over the current commissioning system⁵. Tenders and grant calls place increasing demands on organisations, requiring them to divert substantial resources from daily operations to prepare bids for contracts that are often short term. This dynamic contributes to increasingly hard and precarious working conditions, and smaller organisations struggle to guarantee stability to their staff in a changing commissioning landscape. This results in staff leaving the sector and organisations losing specialist knowledge.
- 8.3. Moreover, the government's principle of systematically prioritising cost-effectiveness when commissioning contracts and grants undermines the objective of supporting all victims and survivors, as specialist support is

⁴ LAWRS (n.d.). *What we know*. Online:

<https://lawrs.org.uk/step-up-migrant-women-campaign/what-we-know/> (Accessed 20 April 2026)

⁵ Imkaan (2018). *From Survival to Sustainability: critical issues for the specialist black and 'minority ethnic' ending violence against women and girls sector in the UK*. Online: <https://www.imkaan.org.uk/publications>

necessary to address the intersecting needs of minoritised victims and survivors who are not appropriately supported by mainstream services.⁶

- 8.4. Without ringfenced funding for specialist, *by and for* organisations, Black, migrant and minoritised victims and survivors of domestic abuse will fall through the cracks of a system that does not establish safeguarding measures to effectively reach them.

9. Topic 8: Inclusion.

- 9.1. LAWRS considers the inclusion of ‘immigration status’ as a factor that can lead to specific experiences, needs and considerations as a step in the right direction. However, the structural inequalities faced by migrant victims and survivors of domestic abuse are not sufficiently addressed by the Act and Guidance. Migrant victims and survivors of domestic abuse require stronger provisions for safe reporting mechanisms and accessibility, namely a firewall between the police and Immigration Enforcement and considerations around, for instance, language access.
- 9.2. LAWRS and the Step Up Migrant Women Campaign have for many years advocated for a firewall that prevents police and other statutory services from sharing victim’s data with Immigration Enforcement, as we regularly see police officers and social workers prioritise victims’ immigration status over their safety. The responses to this issue have been insufficient to provide meaningful protections to the most vulnerable victims and survivors. The Home Office’s Violence Against Women and Girls (VAWG) Strategy 2025⁷ pledged to introduce ‘*a requirement for police to seek a domestic abuse victim’s consent before sharing their information with Immigration Enforcement.*’ LAWRS is highly concerned about the challenges to obtain real informed consent from victims and survivors who are in an asymmetrical position, facing language barriers and without accessible information on their rights and entitlements.⁸ The Home Office has not yet disclosed information about how their new data-sharing policy will work in practice.^{9 10}

⁶ As an example of the need for more specialised support, LAWRS often receives referrals from mainstream organisations for cases of NRPF or undocumented women. Most often, these referrals take some extra work to inquire what safeguarding actions have been put in place, if there has been involvement from the police or Children’s Social Services, etc.

⁷ Home Office (2025). *Freedom from Violence and Abuse: a cross-government strategy to build a safer society for women and girls. Volume 1: Strategy.* Online:

https://assets.publishing.service.gov.uk/media/697c7e14043a4ade0f7b503f/31.260_VAWG_01_Strategy_Slip_FINAL_v5_290126_WEB.pdf

⁸ LAWRS (2026). *Real change is possible.* Online: <https://lawrs.org.uk/blog/2026/03/12/real-change-is-possible/>

⁹ Other organisations have also expressed concerns about ‘informed consent’: Hibiscus Initiatives (26 March 2026). *No Borders to Safety, No Barriers to Rights campaign.* Online:

<https://hibiscusinitiatives.org.uk/news/no-borders-to-safety-no-barriers-to-rights/>

¹⁰ LAWRS regularly supports victims and survivors of trafficking and exploitation who have been referred into the National Referral Mechanism (NRM) who have no knowledge about the referral being made, what the NRM means, their entitlements within the system, and the risks to having their data shared with the Home Office as

Case Study

Lucia* is from Latin America and came to the UK on a visitor visa in 2019. She met her partner online, and after some months, he proposed and convinced her to stay in the UK by telling her he would marry her before her visa expired.

As the relationship progressed, he became aggressive and threatening and began isolating her from friends and family, increasing his control over her when the pandemic hit. At the end of 2021, she ended the relationship. He did not accept this and began to threaten and insult her over messages and emails and to stalk her.

She sought support from LAWRS as the abuse led to a deterioration of her mental health and to suicidal thoughts. Despite the risk, Lucia was afraid to contact the police due to her lack of legal status, but as the threats and stalking grew worse, her caseworker supported her to report him to the police. They filed an online report asking for an interpreter.

When the police came to her home, no interpreter was provided, for which Lucia felt that her case and evidence were undermined. She felt embarrassed and blamed as police officers asked her if she did not know that meeting people online was not safe. Later, when the police asked for an ID and looked through her passport with her expired visa, they called Immigration Enforcement in front of her and told her that she should be ready to leave at any moment. The officers refused to leave until she gave them a date for her return to her home country.

They told Lucia that she was not a victim of crime as her perpetrator was not threatening her, and their only recommendation was that she change her contact details. Lucia was not provided with a crime reference number or given any commitment that her abuser would be investigated.

This was the first time Lucia sought support from the police after three years of being in an abusive relationship. She felt let down by the police and scared of being removed from the country as a consequence of having reported the crime. Meanwhile, her abuser continued to harass her, sending her emails with threats to come to her house.

The police report to Immigration Enforcement filled Lucia with terror. She contacted her caseworker extremely distressed, saying she did not want to have any contact with the police. As abuse escalated again, her caseworker

part of the process. Considering that the NRM requires express consent from victims and survivors before completing a referral, what we are seeing is highly worrying and adds to our concerns that victims and survivors of domestic abuse will in fact be able to give their consent before having their information shared.

suggested that she made another report, which Lucia opposed as she was more afraid of deportation. Eight days after the police report, Lucia got a letter from Immigration Enforcement. The letter exacerbated Lucia's fear and made her decide to disengage from LAWRS' support altogether. She told her caseworker that she did not believe there would be a way to obtain any justice. Despite being a victim, she felt she was treated as a criminal facing negative consequences due to her immigration status.

**Not her real name.*

- 9.3. While successive governments have expressed concerns and suggested different unsuitable alternatives to a firewall that prevents the sharing of data, extensive evidence from around the world shows that this practice can protect victims and survivors, increase trust in the police, and help bring perpetrators to justice.¹¹
- 9.4. Around 70% of the women who access our services require an interpreter. Language barriers significantly limit migrant victims and survivors' ability to access rights, entitlements and support services. Where information is not readily accessible or unavailable in victims and survivors' own languages, perpetrators' threats of deportation, removal and homelessness go unchallenged. Uneven provision of interpretation services across different areas means that access to support is determined by a 'postcode lottery,' leaving many victims and survivors without recourse.

10. Topic 10: Gaps.

- 10.1. While the Act recognises the particular vulnerabilities faced by migrant victims and survivors of domestic abuse, it has failed to ensure its provisions sufficiently protect them. Although the Guidance mentions a pathway¹² for migrant victims and survivors to access support, the eligibility requirements are highly restrictive and only apply to a specific cohort within this group.
- 10.2. The **Migrant Victims of Domestic Abuse Concession (MVDAC)** enables a 3-month grant of temporary leave to remain, during which the NRPF condition is lifted so victims and survivors can access life-saving support. Unfortunately, the MVDAC is only open to those whose immigration status depends on a partner or spouse who: is a British citizen; has settled status or Indefinite Leave to Remain (ILR); has a work or study visa; has refugee status; or is a member of the armed forces, leaving many locked out of this option.

¹¹ LAWRS (n.d.). *International examples*. Online:

<https://lawrs.org.uk/step-up-migrant-women-campaign/international-examples/> (Accessed 20 April 2026)

¹² The Guidance mentions the Destitution Domestic Violence concession (DDVC), which has since been replaced by the MVDAC.

- 10.3. On the other hand, the **Victims of Domestic Abuse (VDA) route**¹³ is a permanent settlement status¹⁴. The eligibility is much narrower than for the MVDAC, as it is only available to migrant victims and survivors whose partners are British citizens; have ILR or settled status in the UK; are refugees, or are members of the armed forces. This means many women who have been recognised as victims of domestic abuse that require life-saving support face a 'cliff-edge' after 3 months, unable to progress along the route because of the immigration status of their perpetrator.
- 10.4. Moreover, the MVDAC's short timeframe places significant stress on victims and survivors, who have a limited window to gain access to safe accommodation and legal aid, in addition to navigating the uncertainties related to the immigration system when applying for ILR under the VDA route when applicable.
- 10.5. Notably, there are no pathways for undocumented victims and survivors, nor for those whose status is independent from the perpetrator—such as with student or work visas. These groups face higher risks when escaping violence, excluded from critical protections and depending on the support they receive from specialist *by and for* services to escape violence, or else risk destitution and homelessness. At LAWRS, these represent the most high risk cases, who often see themselves forced to return to an abusive partner due to a lack of safe options.
- 10.6. The restricted eligibility of the MVDAC, compounded with the cliff-edge created by the Appendix VDA, results in migrant victims and survivors of domestic abuse being excluded from life-saving services and support, including emergency accommodation, welfare and legal aid.

11. Recommendations

- 11.1. It is vital that the Act's provisions be readily accessible to all victims and survivors of abuse. To fully achieve this, LAWRS makes the following recommendations for action:
 - Implement a firewall that prevents police and other statutory services from sharing personal data of victims and survivors with Immigration Enforcement.
 - Abolish the No Recourse to Public Funds (NRPF) condition that keeps women from accessing safety and support.

¹³ Home Office (2025) Appendix Victim of Domestic Abuse. Online: https://assets.publishing.service.gov.uk/media/69bc18c4106c68d7289b64bc/Appendix_Victim_of_Domestic_Abuse.pdf

¹⁴ The Appendix VDA is not mentioned as such In the Guidance. It has since replaced the Domestic Violence Indefinite Leave to Remain (DVILR), which is only briefly referenced as a route to ILR.

- Reform the VDA route and MVDAC to extend eligibility to all migrant victims and survivors.
 - Establish a statutory entitlement to support for migrant victims and survivors regardless of immigration status, including expanding the MVDAC duration and the lifting of the NRPF condition.
 - Ensure ringfenced funding for specialist, *by and for* service providers supporting migrant and minoritised victims and survivors of domestic abuse.
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