

Transcript

Jeanette Copperman interview with Meena Patel

The OU's Jeanette Copperman talks to Meena Patel, Operations Manager of Southall Black Sisters, about the organisation and the impact of immigration law on some of their clients.

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K271 SOCIAL WORK LAW

Meena Patel

Southall Black Sisters was set up in 1979 and it was set up by a group of Asian/Afro Caribbean women in the heart of an anti racist movement. And at that time everyone defined themselves as being black and hence why the name Southall Black Sisters. The “black” is a political terminology that is being used and so lots of groups emerged around the same time calling themselves Camden Black Sisters, Birmingham Black Sisters and so forth. Over the time, a lot of these groups have closed but we still remain and we still like to keep our name because it has a history to where we are. So we felt it was important to set up a service for black and ethnic minority women specifically. And to ensure that they were getting the same advice and support and safety when they were being subjected to violence and abuse. And it came about because 2 women - one woman committed suicide after years of abuse and another woman was killed by her husband because she didn't give her husband a son - she had 4 daughters - he burnt them in their home and they died as a result. And the community kept very quiet about this. So we felt there was a gap here and we need to address these issues and ensure that they got the same help as everyone else in the country.

We have a national reach and the bulk of our work is assisting BME women and children to assert their fundamental rights and freedom in the face of gender-based violence and marginalisation and inequality. We have nearly 39 years of experience in providing front line service consisting of advice, advocacy, counselling, support service, as well as undertaking policy, strategic litigation, training, community development work, campaigning on issues highlighted by our core front line advice and advocacy work and we also have a helpline that has a national reach. Some of our work now has extended to international work that we do for some women that are abandoned abroad in their countries by their violent partners and can't get back. So we've been working at changing aspects of the law and over the years we've changed quite a bit around immigration law, forced marriage, around some aspects of legal aid and family law and also contributed to the government's domestic violence bill recently and things about looking and primarily now looking at how immigration law has an impact on women who've been subjected to violence and abuse.

Jeanette Copperman

Could you say just a little bit more about the specific changes or one specific change that you've helped to bring about in the law?

Meena Patel

One of the specific changes we've brought about in the law is around the spousal visas. So, for many years we've worked around...with women who've been subjected to violence and abuse, where they were...husbands went across to their country, married them, then

brought them back and they were subjected to the “no recourse to public funds” rule. So actually, they had a very stark choice in terms of remaining in the situation or facing deportation, there’s no other options for them - they cannot access refuges, they could not get benefits. So over the years we’ve campaigned and changed and in 1992 when we gave evidence to Home Affairs Select Committee around violence against women and Asian women, we highlighted the issues around spousal visas and Mike O’Brien, the then minister called us back, said he was quite moved by our evidence and he wanted to do something for this category of women and so we got into discussions and negotiations. I mean ideally we would have liked the “no recourse to public funds” to be abolished completely but he didn’t do that, but what he wanted to do was - if those women could prove domestic violence then they could apply for Indefinite Leave to Remain. But that, in itself, was problematic because the kind of evidence he was asking was too high and unless you could get ‘place of safety’ you wouldn’t be able to get the evidence that he wanted. So we monitored it for 2 years and then we went back to him and said “it’s not working” because whilst you’re getting injunctions or reporting it to the police a woman’s got to be safe, she can’t do it whilst she’s living with the perpetrator. So over the years, what we’ve managed to do is to get that all overturned, so those women now, on spousal visas, subjected to violence and abuse, can change that visa for a 3 month limited one, and within that they can claim benefits and housing, and so they’re able to go into safe accommodation and then apply for Indefinite Leave To Remain on the basis that they’re subjected to violence and abuse, as long as they have the evidence to show they are victims of domestic violence. So, for us that was a massive victory, because it’s very hard to change immigration law.

Jeanette Copperman

Could you say a little bit about working with statutory services and with social workers in particular?

Meena Patel

Erm, I think one of the problems that we see with statutory services and it’s not just about Social Services, I’m talking about the Police and that - in the way in which they dealt with minority women. And often it was about ‘go back to your community, go back to religious leaders and community leaders and resolve your problems’. So over the years we managed to change that. And particularly when we won the Kiranjit Ahluwalia case - a woman who killed her violent husband - in 1992 we managed to get her out of prison because she was convicted for murder and basically we managed to release her from that because one of the things that the courts didn’t look at is, as an Asian woman, in the courts they didn’t address domestic violence and minority issues and the interlink between culture, honour, shame and all of that. I feel sometimes there are good responses from Social Services and the Police - some officers do brilliant work - but then there’s also very bad responses. And still it’s a very judgmental kind of service which often deals with women when they arrive in a judgmental way - that they’re only looking for housing or they’re trying to stay in the country - rather than saying ‘ok, we believe you and we’re going to see what’s happening to you. Let’s see how we can best help you.’ And I can understand with the cuts and the austerity measures and therefore that they don’t have this never ending pot of money to help women, but there are ways in which you can work to improve somebody’s life.

Jeanette Copperman

Why was it important to set up an organisation specifically for women?

Meena Patel

It was important for us to set up a women only centre, and we're a secular centre, and it was to do with the fact that when we look at, in a wider context, more women are subjected to violence and abuse than men are. We believe you've got to work in a holistic model, and the other aspects of our work is that we provide counselling to women and we have support groups with other activities for women and children throughout the year as well. In the group it's a mixture of women who have the right to remain and the women who don't have the right to remain....and it's interesting how all women support each other. We have average of 15 women in the support group and our support groups aren't run in a specific way like confidence building only or self-esteem six weeks, it's open ended. So a woman can come to the centre and access the support group, even if we've finished with her advice and advocacy work, she can continue to access the support group as long as she needs it. And it's through that mechanism that they make friendship, they make the alternative community that they have a sense of belonging to. And it's amazing because the women always look forward to coming because they say that this is their family. Nobody judges them, nobody questions them and it's part of our family and we can live here how we want to live here. Which is amazing to see that transformation from, when we see them really upset and distressed, fearful of every aspect of their case, the law, statutory services, and yet when they get into the support group, within weeks - completely transform. And it's nice to see how a lot of the women will share clothing or food with those women who have an immigration issue, who are completely destitute as well.

Jeanette Copperman

So can you tell us a little bit about what kinds of asylum and immigration cases you work with?

Meena Patel

We deal with all, so it's not one specific, we deal with most of it. However, I must say that because we became the expert on the spousal visas, a lot of agencies as well as individuals come to us because we have that full understanding of how spousal visas work, what you've got to do, how you apply for that so we get a lot of women's organisations also come to us for advice around how to help their client. We also run this pilot project which is funded to us through the tampon tax, to look at women with other categories who have no access to refuges or benefits. And so they want to work with us to see how we could possibly help those women. So we're using that as a tool to further campaign and make further reforms for other categories of women to get the same rights as those with spousal visas. So at the moment we get a lot of women - it's a London and outside of London fund - for agencies to access our fund to help their clients. And it's through that process as well that we're advising as well how, other ways you can help your client if she's got no access to benefits or anything, how do you then assist her further. So, we are seeing more and more of those women who are on dependent visas, student dependent visas, undocumented migrants, refugees, Article 8 applications where you're making an application under the Human Rights Act because you've been here very long or the children 7 |Year Rule - so your child has been born and brought up here for 7 years or more and your application still hasn't been considered, you can switch to the 7 Year Rule - so there's lots of kind of categories to immigration law and we deal with a whole spectrum and advise. I'm also an OIC - Office of Immigration Service Commissioner - Level 2 immigration adviser, so that allows me to give advice as well as do some representational work for women - it's really important that agencies are accredited to that at Level 1 in order to do some immigration work.

Jeanette Copperman

Meena you mentioned various different parts of the law that you're working with, could you perhaps give us an example of a case or just an example of how you work with those bits of the law?

Meena Patel

I suppose there's several aspects of the law that we use and primarily we use the Children's Act Section 17 for women with children, ensuring that Social Services fulfil their duty to assist women with children. And that's problematic all the time anyway and I've seen that across the country where lots of women are being told that if you approach them they will remove the children but not help the mother; or they try and find family members who will take the children in and that can be as far as going back to their country and seeing if family members in their country where they've come from will take those children in. We also know that Social Services are now beginning to place the children with perpetrators so that endangers children's life even further, knowing that they've been subjected to or witnessed violence or abuse. So that's a worrying trend at the moment and that's because they don't want to fulfil their duty because they constantly talk about restriction in money. And so those are kind of the trends that are going on within the Children's Act that we see.

So then the other ones are that we have to use all the time, is around the Local Government Act, the Mental Health Act - for single women, and the Human Rights Act. Now those all talk about if there's a mental health issue that's so severe or the local government saying that they're so destitute that they're vulnerable - then within those Acts, they have to support. But it's really hard to prove for women. And in the Human Rights Act we're talking about inhumane, degrading treatment of people. So within that we talk about that they have the right to access that act and apply that, but it's very very difficult to get local authority to enact on those and I don't think that we've won on any one of those for a single woman, it's very difficult. Even with the vulnerable adults the threshold is very high, so even those without an immigration issue those people are unable to access 'Vulnerable Adults' and get the support they require, so we have the same problem where somebody doesn't have the right to remain or it's still being decided. At the moment, the way in which it works, that every person arriving at Social Services are seen as asylum seekers and then they're put down the wrong route. So it's really important that Social Services give out no advice on immigration because you've got to remember that the advice that you give has to be accurate - you can send a woman down the wrong route of immigration advice which then has consequence later on if that application is refused. And going down the asylum route is not always the answer. And there are places that they can approach, like organisations like ours, who could give them immigration advice, Law Centres who would give independent immigration advice. And one's got to be very careful because lately what's been going on is, from my understanding, is that the Home Office are beginning to sit in Social Services department to provide that advice and my worry has been now that those women will never approach statutory services and therefore either remain in that violent and abusive relationship or end up being exploited by other people who befriend them, take them in so they're sexually exploited or economically exploited. And we see that exploitation a lot with Theresa May's new immigration law and how we've all become Big Brothers and how we've all become informers as a society and I worry about that as well because now landlords are not able to take people in without getting the clearance from the Home Office to rent out a room, so they have to get clearance from the Home Office to do that and that's a back door to the Home Office to raid and deport, because they've got to meet their stats. And we saw that with the Windrush. And then the banks - they can't open up accounts now because the banks have

to ring the Home Office and get clearance there as well. So I think this is a back door of tracking down undocumented migrants, those who don't have the right here and then to raid and deport and I think they're using these mechanisms to do that. They're also beginning to incorporate religious institutions like the church, like the gurdwaras, like the temples and under the guise of providing immigration advice, but actually what they're doing is they're identifying who isn't allowed to remain in the country and then using that information to raid again and deport. So I have to worry about the way in which the Home Office are using public, religious institutions and so forth to pick up and detain and deport vulnerable people in our society. And so I worry about women now no longer being able to approach statutory bodies when they're at risk of harm because of their role now in informing the Home Office. So that deters a huge group of women in accessing a service and I think that's eroding rights for women to live here safely and what are they doing with the Domestic Violence Bill then if you're not incorporating those women within that?

Jeanette Copperman

What would good social work look like and how would you like to see social workers working with organisations like yours?

Meena Patel

I would say a good social worker is non-judgemental - that's first and foremost. And allowing the woman to speak - and I'm talking about this in the context of domestic violence - and not to be judged, not to make those threats of removal of children, to ensure that there's a level of trust between them and their client, to listen to them and then to work out a plan of action to help somebody rather than turn them away and say "well you've got no right in this country so we don't help you". Rather than do that, I think a good social worker is picking up the phone asking for advice around how they can best help someone and to then work very jointly with organisations like ours to give a holistic support to those women so that, not only are they getting some needs met through Social Services like, for example, housing and subsistence, but also the other support like counselling maybe, or like the support groups they can access and build their lives. So for us, working jointly like that and where there's an immigration issue, then working jointly with us to ensure that she gets the right advice and she's making the right applications rather than seeing her a burden on the state. And I think that that's a good social worker... understanding women's vulnerability, understanding the community they're coming from, the language barriers they might have - because many of minority women have a language barrier - to ensure there's interpreters (good interpreters at that, because sometimes within communities you get very bad interpreters who are also telling women to return back to their perpetrators because it's not part of our culture to leave our husbands or his family) - so ensuring that right interpreters are being used at all times and in an organisation like ours, with South Asian languages, we have that! So they could utilise that for us to then work together very well with a client and rebuild her life, and her children's life and get out of that cycle of abuse and I think that's really, really important. And that's a good social worker, working jointly with us in improving lives.

Jeanette Copperman

Could you give us an example of when you've worked with social workers?

Meena Patel

We work quite closely with social workers at the MARAC which is a multi agency forum dealing with high risk cases. So there are agencies, IDVAs like ours there, and also Social Services, the Health, Mental Health, all the agencies come together to discuss high risk

cases and that's where I think we work very well jointly. But what we've got to remember is that risks change all the time and we've got to look at and ensuring that those with low risk to medium risk are not ignored because they're at that risk. Because risks change all the time and actually the most vulnerable ones are those ones at low risk and so we've got to be able to protect everyone and ensure that our risk assessments are done in a way that we are ensuring that they're safe, whatever decisions those women make. But it's been quite good in the way that we work locally with MARAC, it's a joint thing, and they do call on us with our expertise, particularly around minority women, around honour based violence, forced marriage and so forth, so I contribute a lot at that to the table.

Also, one of the other things, and I don't want us to ignore it, is with, in light of Brexit, and in the way that we've become a hostile communities, that we're also seeing Eastern European or European women who are entrapped as well in violent and abusive relationships who then cannot get assistance through the state because they're not entitled to benefits or housing as well. So, at the moment, in the same way as those others with other categories of immigration issues, they're also not being supported or helped. And in the way that we all now are beginning to face racism - racism isn't just white on black - you've got to remember racism is also internal within communities so although we've got a very established Asian community in the country but they're also being quite racist towards Eastern Europeans coming into the country and the same arguments that were used when we first arrived: that they're taking our houses, they're taking our education, our jobs, all of that - those communities are arguing the same thing that these people from the outside are taking our jobs, our homes...but they forget where their roots come from. And so we've got to remember that racism isn't just white on black.