

LISTEN TO US!

COMMUNICATION BARRIERS:
HOW STATUTORY BODIES ARE
FAILING BLACK, MINORITISED,
MIGRANT, DEAF AND DISABLED
WOMEN AND GIRLS
VICTIMS/SURVIVORS OF VAWG.



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The evidence provided in this report would not have been possible without the organisations which responded to the call and the victims-victims/survivors whom they support. It is their experiences of communication barriers which inform the evidence.

This report is the work of the Communication Barriers Working Group, which is part of the Violence Against Women and Girls Sector Call.

INTRODUCTION

“Communication means sharing meaning. With no sharing, there is no communication. To communicate successfully in a team or with others, at work or in the community, we have to understand the communication environment and the barriers which prevent messages being sent and received successfully.

“A communication barrier is anything that prevents us from receiving and understanding the messages others use to convey their information, ideas and thoughts. They can interfere with or block the message you are trying to send.”

Dr K Usha Rani

The following findings are about Black, Minoritised, Migrant, Deaf and Disabled women victims/survivors who already are facing communication barriers in the broader society. These barriers are exacerbated by the lack of public bodies' response which perpetrators exploit to keep victims and victims/survivors in fear and isolation. This creates additional obstacles to accessing help and support from the police and specialist services.

These barriers reveal a general lack of accessibility and awareness of communication needs and conditions and a recurrent lack of willingness to assist, even when made aware of such needs. Victims and survivors from marginalised communities face many barriers to accessing support, safety and justice. This often results in victims/survivors not being able to access redress as they are pushed to withdraw from the process entirely through a lack of trust and confidence in statutory services or the police dismissing cases by taking no further action (NFA), sometimes citing communication or cultural barriers, most often without explanation.

Subsequently, these systemic failures negatively impact the specialist 'by and for' services (1), which have to compensate, often without adequate resources, for the failures of statutory services to comply with their Public Sector Equality Duty.

COMMUNICATION BARRIERS

Within the violence against women and girls (VAWG) sector, we know that women and girls who are Black, Minoritised, Migrant, Deaf, Disabled, Refugee and Asylum-Seeking face complex barriers in accessing services to which they are entitled. We know women do not live fragmented lives, and an intersectional lens shows barriers on multiple intersecting fronts for many of them. These barriers are directly linked to structural inequalities and discriminatory dominant ideologies and practices. Whilst there are multiple barriers to women and girls seeking support and safety from violence and abuse - our focus here is communication.

This means both access to adequate information and equal access to support services needed.

Communication barriers include those faced by women who have/ are:

- Blind / visually impaired
- Speakers of languages other than English
- Deaf and hard of hearing
- Communication impairments
- Learning difficulties
- Basic or no access to literacy

It is essential to note that women can encounter multiple intersecting communication barriers, creating unique communication needs, e.g. a Migrant woman who might also be Disabled/Deaf and/or Black/Minoritised.



COMMUNICATION: A HUMAN RIGHT

This right is embedded in Article 19 of the International Covenant on Civil and Political Rights (2), and in Article 2 of the UN Convention for the Rights of Disabled Persons (3). In addition to the international conventions, which the UK has both signed and ratified, is the Equality Act 2010 (4). The Act makes it unlawful to discriminate against people with 'protected characteristics', including Deaf, Disabled and Black and Minoritised people. In the Act, 'race' can mean your skin colour, nationality (including your citizenship) and ethnic or national origins, which may not be the same as your current nationality (5).

The Equality Act lays out the Public Sector Equality Duty for public bodies to implement the legislation (6), requiring them to: remove or minimise disadvantages faced by people due to their protected characteristics; take steps to meet the needs of people from protected groups where these are different from the needs of other people, and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low (7). To comply with the Public Equality Duty, public bodies need to be proactive by anticipating the needs of those groups and making reasonable adjustments to ensure their access to support and justice.

Article 4 of the Istanbul Convention, to which the UK is a signatory, states the obligation to safeguard 'Fundamental rights, equality and non-discrimination' (8) which specifically refers to migrant (9) and disabled (10) women among others.

THE CALL FOR EVIDENCE

Women's Aid Federation of England (WAFE), the End Violence Against Women Coalition (EVAW), Imkaan, the Latin American Women's Rights Service (LAWRS) and Rape Crisis England & Wales (RCEW) have coordinated this call for evidence on behalf of the Communication Barriers Working Group, a joint VAWG sector group focused on communication barriers when working with the police and other institutions and services.

Membership of this working group includes - Deaf Ethnic Women's Association, Domestic Abuse Commissioners Office, EVAW, Imkaan, IRISi, Karma Nirvana, LAWRS, RCEW, Sign Health, Stay Safe East, Solace Women's Aid, The Traveller Movement and Women's Aid.

This evidence was collected to build a national picture and evidence base to support our campaigning and policy work with national and local decision-makers. This work aims to recognise the harmful impacts that communication barriers can have on victims/survivors and the need to improve support for those facing these barriers when seeking help from the police.

A total of 19 organisations working with victims/survivors submitted evidence. Over 40% of the submissions were from 'by and for' Black & Minoritised /Deaf/ Disabled/migrant specialist services, and 50 case studies were collected.

FINDINGS

Evidence shows that victims/victims/survivors from marginalised communities are less likely to approach the police despite experiencing higher rates of gender-based violence (11). For these groups of victims/survivors, some reasons behind not coming forward include the fear of facing discriminatory treatment and a failure to respond to their communication needs.

For many years *'by and for'* organisations have raised concerns about how public bodies, including the police, often fail to comply with their obligations under the Equality Act to eliminate discrimination, harassment, and victimisation when interacting with survivors facing communication barriers. Moreover, how their right *'to be able to understand and to be understood'* under the Victims Code is not upheld.

Resulting of this neglect, victims/survivors are exposed to staying longer with an abusive perpetrator and are at risk of increased harm whilst being denied justice. By failing to address and respond to communication barriers, statutory bodies allow perpetrators to exploit these vulnerabilities to keep controlling victims/survivors while remaining unpunished.

When M initially disclosed the abuse to the police, she did this by attending her local One Stop Shop to speak to the attending officer. M says that her disability was not factored into the support plan that she was offered. The PCSO took a statement from M and wrote down details of how to apply for a non-molestation order. Unfortunately, this information was not written in braille and so M struggled to make the application immediately and had to wait until she was supported to do this by a friend.

M advises that this encounter left her feeling humiliated and embarrassed. She says that she was given many paper resources on domestic abuse that she struggled to read and was also informed that the most effective way to report a crime would be to do so online. M states that she felt embarrassed to tell the officer that this would be challenging for her to do.

Due to this particular experience, M says that it reinforced her inability to be without the perpetrator and consequently went on to live with her abusive partner for a further 4 weeks before eventually approaching her local council with her children and fleeing into emergency accommodation in Kent.

Rising Sun

This call for evidence highlighted a number of harms inflicted on victims/survivors due to the lack of response to their communications needs. Overall, the evidence collected demonstrates systemic failures to ensure communication barriers are addressed to allow victims/survivors to be safeguarded by the police reducing their access to support services.

S said that the police do not really know what to do about communication barriers. They often try to ask family members to interpret for people.

D said that there had been times when women who had been abused were given male interpreters. Deaf women and women who speak community languages should have the option to have a female interpreter.

A was renting a room in a house with strangers. When the police arrived, they didn't have any interpreters with them, and they asked one of her neighbours if they could interpret. A was in shock and couldn't believe she had to disclose the abuse she had endured to a neighbour, a stranger. But she was even more scared that the police wouldn't take her seriously if she didn't, so she accepted it.


LAWRS

One of the key areas highlighted by the evidence assessed is the acute detriment to women's mental health resulting from this form of discrimination. Victims/survivors stated experiencing anxiety (64%) and powerlessness (78%) after the lack of provision to resolve their communication needs negatively impacted their interactions with the police and other statutory services.

X knew that she couldn't press charges against her perpetrator safely. Although she followed the police's instructions to get legal protection, the violence escalated. At the police station, her phone rang, and she put it on loudspeaker so the police could understand the level of danger she was in. The police stared at her while the perpetrator threatened to take her life and said they could not do anything for her. She said she felt they did not understand her or her situation. Without any support, X tried to take her own life to escape the abuse. She survived, but the abuse continued until she fled the country.

Y was experiencing domestic abuse, and her mental health was suffering hugely. The police were unaware that 85% of Gypsies, Roma and Travellers live in bricks and mortar housing and did not identify her ethnicity correctly. The police failed to safeguard and support Y appropriately as a result Y died by suicide a few days later.

Traveller Movement



Data showed that 18% of victims/survivors were afraid or reluctant to contact the police for fear of discrimination or institutional violence. It is essential to consider that nearly half (44%) of the victims/survivors had a prior negative experience of engaging with the police, for example, being subjected to discrimination, racism, ableism and xenophobia. Frontline services are aware that the lack of adequate response from the police, in the first instance, will likely influence any consideration to seek support from them in the future.

Women are prevented from seeking help from the police because of language barriers primarily, they do not speak English, and do not know that they can ask for an interpreter. They also do not know where to go to ask for support or find out about their rights and options. They are fearful of perpetrators becoming more violent if they know they are seeking help or want to leave the relationship. Traditional beliefs and a sense of responsibility to keep the family together at all costs, and also other fears and beliefs, including lack of confidence and myths typical in women in domestic abuse situations.

Additionally, a general unwillingness to contact the police embedded in the community, many people are scared and for some their immigration status is irregular, which adds to the fears.

Lack of understanding of the legal system and fear of institutions like Social Services, fear of having their children taken away. Also fearful that contacting the police might get the perpetrator a criminal record and lose their job.

Opoka

Several procedural barriers were identified. This data is concerning as failures to guarantee equal access to engage with the Criminal Justice System (CJS) prevent these groups of victims/survivors from accessing justice and safety.

Amongst the evidence, over half of the victims/survivors (52%) had experienced a failure of the police to communicate adequately, and 48% were not informed about the process, requirements, or rights. This finding is alarming as many of these victims/survivors would be isolated (48%), told that the police would not support them and routinely misinformed about their entitlements. Perpetrators' threats are confirmed by failing to ensure the provision of accessible information, support and legal justice.

LL was married to a perpetrator who became aggressive and controlling. When he learned she wanted to leave him, the abuse escalated. He threatened to cancel her visa application as an EU spouse and have her deported. She went to the police and tried to report him. Without providing an interpreter, the police officer tried to communicate with her using Google Translate. The victim/survivor could not understand anything and she was unsure whether the officer understood her either.

Disappointed by the lack of support, she decided not to report the abuse and reached out to LAWRS for support. Her advocate helped and supported her to report him to the police. The advocate alerted the police that an interpreter would be needed when contacting and communicating with L. However, the police called her on the phone without an interpreter, this prevented L from continuing with the report. As a result, a home visit was booked. The caseworker reminded the police that an interpreter would be needed, and they asked the caseworker if she could translate and attend a home visit, to which she had to explain to the police that the service does not provide these interventions.

LAWRS

This evidence echoes testimonies provided by *'by and for'* specialist organisations e.g. SignHealth's testimony provided to the Home Affairs Select Committee: Inquiry Into Violence Against Women And Girls, Nov 2021 (12); Stay Safe East response to Ministry of Justice consultation on the Code of Practice for Victims of Crime, May 2020 (13); and Latin American Women's Rights Service submission to the Home Affairs Committee's Call for evidence on Policing priorities (14), among others.

A Deaf person needed the assistance of the police. However, they did not want their family to be involved and she requested to make her disclosure outside the home. The police officer asked if they could go into the car as they were cold. In the car, they proceeded to take a statement from the BSL user with a pen, paper and gestures. The client was left exceptionally vulnerable in this scenario, unable to fluently express herself and exposed to further distress as a consequence of not being able to communicate at an appropriate level.

This is a circumstance that can be avoided by taking small steps. Have the conversation at the station, and book the services of an interpreter. Disclosure can be made articulately, fairly and in a safe environment.

SignHealth

A concerning issue related to the failure to address communications barriers when victims/survivors approach the police is the risk of their cases not being adequately investigated and subsequently closed. This can result in the police having incomplete information and evidence from victims/survivors due to the lack of support to ensure they were understood. This issue was found amongst the evidence showing that at least 12 of the cases collected were designated for NFA, with two-thirds (8 cases) receiving no information regarding why this happened.

I supported a service user as her ISVA joining the case once the investigation was reaching its end. She had both an IDVA and an OIC who she had been working with throughout the process. When she was brought to our service, we identified that English was not her first language and that communication in English was quite difficult for her. We agreed with the service user to use a translator for our initial meeting so we could cover each area of support in detail.

The service user identified that she was finding the process very confusing. She did not always understand what was going on with the police investigation and felt that she was not being listened to. We agreed that we would meet with the police with a translator that we had organised. I spoke with the officer separately and explained what issues had been identified with communication in my meeting with the service user.

The police officer recognised that communication was difficult due to the language barrier and had said that she had hoped that by sending information by text, my service user's teenage daughter could help translate the information – my service user couldn't read or write English well. One of my service user's biggest concerns was that she had shared voice notes and messages with the police in her language and that they were not being looked at.

When I asked the OIC she had said that she would try and get an officer to look at them who spoke the language and see if there was relevance – there was no intent on easing my service user's fears around this. Later on, in support, when delivering an NFA decision the police were reluctant to arrange a translator and felt that my service user's family could help translate. This led to the NFA decision being delivered which distressed my service user and her family as they were not able to fully understand the information. I then organised a separate meeting with a translator to go through the decision and questions.

Rape Crisis

R is a victim/survivor of domestic abuse and sexual violence. Her first language is not English. When R attended a meeting with the police, no support or interpreting service were provided. She was handed a NFA letter that provided no rationale, with no understanding of what the letter meant, and had to struggle to use Google Translate to understand the decision that had been made.

Rape Crisis South London

The existence of communication barriers can play a considerable role in preventing victims/survivors from being safe. Specialist organisations working on the frontline with women from marginalised communities have long called on public bodies to comply with their obligations under the Public Sector Equality Duty and ensure that victims/survivors with communication needs are equally protected. Nevertheless, as our call for evidence analysis highlights, there is a systemic failure to meet victims/survivors' needs to the detriment of their mental health and access to support and justice.

Below, we enlist a set of recommendations to improve the responses to victims/survivors with communication needs, avoid communication barriers, and ensure their access to support and justice.

RECOMMENDATIONS

Responding to victims/survivors' communications needs

- The Victims and Prisoners Bill should include a legal duty to ensure victims' rights to communication support, similar to those accused of a crime.
- Guarantee using interpreters/translators in British Sign Language (BSL) and community languages by police/CJS. They need to have a good understanding of VAWG from an intersectional lens.
- Ensure the use of communication aids i.e. Alternative and Augmentative Communication (AAC) as necessary and required by victims/survivors.

Government, police and statutory agencies

- National strategies for tackling VAWG should make addressing communication barriers a priority.
- Police, criminal justice agencies, and government departments should be transparent about how they embed their learning from engagement with victims/survivors and 'by and for' organisations supporting Black, Minoritised, Migrant, Deaf, Disabled, Refugee and Asylum-Seeking women to avoid the recurring problem of lack of accessibility and awareness which compounds communication barriers and lack of equal access to safety and support.
- The police and other Criminal Justice agencies should ensure all resources are produced in accessible formats and available in other community languages.

- The Government should consider setting out expectations for Police and Crime Commissioners (PCCs) regarding their responsibilities to improving police responses to marginalised and minoritised victims/survivors, with specific reference to addressing communication barriers and barriers to reporting to the police in the first place.
- Chief constables should have their understanding, experience and aptitude for removing communication barriers feature during their recruitment and appointment.

Training

- Frontline police officers and staff should undertake continuous learning and professional development on domestic abuse and the experiences of Black, Minoritised, Migrant, Deaf, Disabled, Refugee and Asylum-Seeking victims/survivors and their experiences in the CJS.
- Police training should include more in-depth equalities work, addressing discrimination, myths and stereotypes about sex, race/ethnicity, social class, disability and other protected characteristics concerning victims/survivors.

All training should be designed and facilitated in collaboration with specialists *'by and for'* organisations as described above.

Funding

- PCCs should proactively engage and work with specialist domestic abuse and sexual violence services and conduct local needs assessments to ensure that specialist *'by and for'* services are appropriately resourced. The commissioning of domestic abuse and sexual violence victim/survivor advocacy/wrap-around provision should be underpinned with a thorough equalities analysis in order not to reproduce *'one size fits all'* generic forms of support but rather recognise the wide-ranging and intersecting needs of different victims/survivors and the importance of community engagement and outreach work. This should draw on existing models of good practice within the *'by and for'* sector.
- The Government should commit to creating a sustainable funding model for the provision of specialist user-led Deaf and disabled organisations and *'by and for'* services which are independent, trauma-informed and offer advocacy and *'wraparound'* support for all victims/survivors of VAWG.
- Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) should consider reviewing how police forces recognise and address communication barriers in place for victims/survivors of VAWG.

Monitoring, Evaluation, Learning and Research

- Measuring victim/survivor satisfaction with specific questions on communication barriers should form part of the performance measurements for police forces.
- The Government should commission research into the impact of the criminal justice system on the mental health of survivors, particularly those who face communication barriers
- Criminal justice leaders need to be committed to investing in workforce development that is embedded as part of a wider system of cultural change within the CJS, and its effectiveness evaluated.
- All VAWG cases which are discontinued, whether at the police or Crown Prosecution Service stage, should be reviewed with responses to communication barriers in mind and results analysed and reviewed annually with disaggregated data.

SUMMARY OF COMMUNICATION BARRIERS AND IMPACT ON VICTIMS/SURVIVORS

- 19 organisations submitted evidence - 8 of which were *by and for* Black & Minoritised /Deaf/ Disabled/Migrant specialist services.
- There were a total of 50 case studies submitted.

Barriers to reporting abuse to the police

- 18% of victims/survivors in the case studies were afraid or reluctant to contact the police for fear of discrimination/violence.
- Nearly half (44%) had prior experience of discrimination/racism/ableism/xenophobia from the police.

Procedural barriers

- 52% of victims/survivors had experienced a failure of the police to communicate at an appropriate level.
- A further 48% were not informed about the process, requirements, or their rights.
- 12 victims/survivors had their case designated NFA and two-thirds of these (8) received no information regarding why this happened.

TOPLINE FINDINGS TABLE

No. of organisations submitting evidence	19	%
'By and for' Black & Minoritised /Deaf/ Disabled/migrant specialist service	8	42

No. of case studies	50	%
Context		
Afraid/reluctant to contact the police for fear of discrimination/violence	9	18
Experience of discrimination/racism/ableism/xenophobia from the police	22	44
Procedural barriers	40	80
Case NFAAd	12	24
Difficulty getting through to OIC, SOIC or anyone involved in case	10	20
Failure to update victim/survivor on case	12	24
Failure to refer to safe accommodation	11	22
Failure to communicate at an appropriate level	26	52
No BSL/Text relay interpreter provided	8	16
No language interpreter provided	12	24

No. of organisations submitting evidence	19	%
'By and for' Black & Minoritised /Deaf/ Disabled/migrant specialist service	8	42

No. of case studies	50	%
Context		
Afraid/reluctant to contact the police for fear of discrimination/violence	9	18
No reasonable adjustments considered	10	20
Not informed about process, requirements, rights	24	48
Not informed why case NFAAd	08	16
Attitudinal barriers	46	92
Dismissive	37	74
Impatient	10	20
Intimidating	13	26
Lack of awareness re disability	13	26
Lack of awareness re deaf/hard of hearing	8	16
Lack of awareness re migrant needs	15	30
Lack of awareness re racism/xenophobia	16	32
Lack of awareness re trauma	24	48

No. of organisations submitting evidence	19	%
'By and for' Black & Minoritised /Deaf/ Disabled/migrant specialist service	8	42

No. of case studies	50	%
Context		
Afraid/reluctant to contact the police for fear of discrimination/violence	9	18
Lack of sympathy / empathy	34	68
Refused / ignored request/need for reasonable adjustments	15	30
Refused / ignored need/request for translation/interpreting	17	34
Impact on victim/survivor		
Delay in accessing justice	31	62
Delay in accessing support	27	54
Had to rely on specialist service to step in	27	54
Humiliation	12	24
Isolation	24	48
No justice accessed	20	40
Powerlessness	39	78

No. of organisations submitting evidence	19	%
'By and for' Black & Minoritised /Deaf/ Disabled/migrant specialist service	8	42

No. of case studies	50	%
Context		
Afraid/reluctant to contact the police for fear of discrimination/violence	9	18
Stress/anxiety	32	64

REFERENCES

1- The term '*by and for*' in the VAWG sector refers to organisations and services developed by and for Black/Minoritised women, Deaf and Disabled women to ensure the provision of support and services is informed and developed by and for their lived experiences.

2- International Covenant on Civil and Political Rights | OHCHR The ICCPR is part of the International Bill of Human Rights, along with the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Universal Declaration of Human Rights (UDHR).

3- Article 2 – Definitions | United Nations Enable

4- Equality Act 2010

5- Race discrimination | Equality and Human Rights Commission

6- Public Sector Equality Duty

7- Public Sector Equality Duty

8- Article 4 - Fundamental rights, equality and non-discrimination (Istanbul convention)

9- 16 Days, 16 Changes: Access for all women

10- Istanbul Convention and Disabled Women - IC Change

11- The Right to be Believed, Step Up Migrant Women

12- (VAW0044) Participants: Frida, Georgina, Jola and Sonia
SignHealth representatives: Marie Vickers (Domestic Abuse Service Manager)

13- [Victim's Code consultation \(28th May 2020\) - Stay Safe East](#)

14- https://lawrs.org.uk/wp-content/uploads/2022/10/HASC_Policing-priorities.docx.pdf



PARTICIPATING ORGANISATIONS

Broxtowe Women's Centre
Deaf Ethnic Women's Association London (DEWA)
IRISi
Kiran Support Services
Latin American Women's Rights Service (LAWRS)
Manchester's Women's Aid
Newcastle Integrated Domestic Abuse Service (NIDAS)
Opoka
Rape Crisis England and Wales (3 separate submissions)
Rape and Sexual Abuse Support Centre
Refuge
Rising Sun Domestic Violence & Abuse Charity
Sign Health
Stay Safe East Advisory Group
Solace
The Traveller Movement
Us Too

GLOSSARY

Initials	What they stand for
AAC	Alternative and Augmentative Communication
ABE	Achieving Best Evidence
ADHD	Attention Deficit Hyperactive Disorder
BSL	British Sign Language
CPS	Crown Prosecution Service
CRS	Calling Routing System
CJS	Criminal Justice System
DDVC	Destitution Domestic Violence Concession
FCI	Family Court IDVA
HMCFRIS	Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services
IDVA	Independent Domestic Abuse Advisor
ISVA	Independent Sexual Violence Advisor
LAWRS	Latin American Women's Rights Service
NFA	No Further Action
NMO	Non-Molestation Order
NRM	National Referral Mechanism
OIC	Officer in charge
OPCC	Office of the Police and Crime Commissioner
PCSO	Police Community Support Officers
PCC	Police and Crime Commissioner
PO	Police Officer
RO	Restraining Order
SOIT Officer	Sexual Offences Investigation Trained Officer
VAWG	Violence Against Women and Girls
VPS	Victim Personal Statement
VRI	Video Recorded Interview
VRR	Victims Right to Review