

Domestic Violence and Black/Minority Women: Enough is Enough!

Hannana Siddiqui,
Coordinator of Southall Black Sisters, describes the barriers to achieving effective public policies to tackle violence against black and minority ethnic women.

In October 2000, in a blaze of publicity, the Metropolitan Police organised their first conference on domestic violence, entitled "Domestic Violence: Enough is Enough!" A distinguished gathering attended, with Paul Boateng MP, Home Office Minister, and the Commissioner of Police, Sir John Stevens, opening the conference. Speakers representing the main women's groups and leading academics from the UK and abroad, including the USA, Africa and India, addressed the conference. Southall Black Sisters, who had been unable to afford the £600 attendance fee, had requested a free place and offered to make a contribution as speakers or workshop facilitators. In response we were asked to speak in a seminar at the conference. Despite its high media profile, we were disappointed with the conference, specifically with the representation of black women. We complained to the organising committee that black women had not been on the main agenda, their 'issues' being tucked away into smaller seminars rather than being addressed to the full conference.

In the last ten years or so, the policing of domestic violence has undergone many changes, from the attitude that 'a domestic' is a private matter requiring no

intervention by the criminal justice system; to a recognition (at least officially), that domestic violence is a serious crime. The police domestic violence units, set up mainly in the 1990s, are now incorporated in community safety units. The Metropolitan Police conference marked another turning point in the policing of domestic violence. Yet, despite some improvements, failures are perhaps most visible when considering black women's experiences. We had a strong feeling that the conference was an attempt by the police 'to look good', having failed to do so in the Stephen Lawrence case. It seems they hoped to build on the silence of feminists and the women's movement, which has become increasingly muted in its criticism of the criminal justice system.

SBS has been very vocal in its criticism of the police and the other criminal justice agencies in relation to black and minority women. This criticism rests on the daily experiences of women who come to our centre, frustrated by the failure of these agencies to protect them from domestic violence. Take for instance the case of Prakash Walia, an Asian woman who was stabbed by her abusive boyfriend in 1996. The police were called and Prakash was taken to hospital. Then she heard nothing. In the meantime, her assailant fled the country. Over a year later, Prakash came to SBS having collected some evidence herself and having made several attempts to persuade the police to pursue the matter. The former boyfriend had now returned to the UK, and with great difficulty, Prakash had managed to have him arrested. We contacted the police and some progress was eventually made with a new investigating officer. It took another year of delays and lack of support from the police for the case to come to court. In 1998, over two years after the offence, the boyfriend was finally convicted of grievous bodily harm with intent.

Evading the issue

Whilst there are many similarities, the experiences of violence against black/minority women differs from that of (white) women in the majority community. Black and minority women confront extra obstacles in escaping abuse. These obstacles exist within and outside

minority communities. For example, social and cultural pressures within the extended family and the community (such as powerful notions of shame and family honour) and fears of social ostracism and harassment prevent many Asian women escaping violence. Problems outside the community include lack of appropriate services (such as adequate interpretation facilities), and racism, including harassment and fears of deportation.

Some notions of 'multi-culturalism' when applied to domestic violence allow communities to police themselves on the assumption that cultural practices have to be respected and that to interfere would be intolerant or racist. There is often a fear of undermining good race or community relations. Yet this sort of self-policing can prevent justice being done. Why did Prakash have to struggle to obtain justice? Her former boyfriend was a Hindu priest with good connections with local Asian politicians and community leaders. His status and connections appeared to protect him from prosecution!

Blanket policies in the name of 'multi-culturalism' either lead to non-intervention or dangerous practice involving mediation, aimed at reconciling women into abusive situations at home. In 1991, Vendana Patel was stabbed to death by her husband in the supposed safety of the domestic violence unit within Stoke Newington Police Station. The police had been the mediators. More recently, the debate about mediation hit the headlines in June this year when Southall Black Sisters resigned from the Home Office Working Group on forced marriage. The Working Group advocated mediation by professional agencies as a means of dealing with forced marriage, a problem largely experienced by Asian and minority communities. Despite its explicit statements that "multi-cultural sensitivity is no excuse for moral blindness", the Working Group endorsed mediation, a process that in our view appeases men and community leaders, sometimes at the expense of women's lives.

Good practice

Good practice is perhaps best illustrated by the case of 'Yasmin',

who was a 23 year old Asian woman imprisoned within the home by her husband and in-laws, and subject to their verbal and physical abuse. One day she managed to throw a note over the garden fence to a neighbour, who went to the police. As it was the weekend, the local police told the neighbour to return on Monday to speak to the domestic violence unit. Unhappy with their response, the neighbour went to SBS on the Monday instead. We contacted the police, who accompanied us to the house to rescue Yasmin. At the police station, Yasmin told us that she had been beaten by her husband and in-laws over the weekend, as they had become suspicious that she had thrown a note to the neighbour. Her husband had also raped and indecently assaulted her. We encouraged Yasmin to pursue charges. The case was heard at the Old Bailey two years later. Yasmin needed considerable counselling, advice, advocacy and support before, during and after the trial in 1998. In this case, the police domestic violence unit had been sympathetic and keen to learn about Asian women and had taken on board the expert information we provided. The Crown Prosecution Service (CPS) had been willing to pursue charges, although initially this was only against the husband. They eventually charged the in-laws a year after Yasmin had reported the offences. The husband and in-laws were convicted of false imprisonment and several counts of actual bodily harm. The husband was also convicted of rape, attempted rape, and two counts of indecent assault. The case set a legal precedent, as it was the first conviction for marital rape within the Asian community. It also exposed the problem of domestic imprisonment and the role of in-laws in perpetrating abuse, a common problem within Asian communities.

Although the police had initially failed to deal with the case, which could have prevented the rape and other abuse, the sympathetic response of the domestic violence unit and the CPS was crucial. Our involvement, which informed these agencies on cultural issues and added pressure on them to respond effectively, was also crucial. We also provided much needed support for Yasmin. The trial judge, however, appeared

highly unsympathetic. He refused to allow an SBS representative to sit in the well of the court to give Yasmin moral support when she was giving her evidence, which lasted five days and involved cross examination by four defence counsels. The defence lawyers had objected to our presence, which they would not have done if Victim Support had been the supporting agency. In addition, the judge's summing up was hostile, casting doubt on the credibility of the victim. The husband was sentenced to only five and half years. The CPS appealed against this lenient sentence. The Appeal Courts agreed the sentence was lenient, but refused to increase it because the case 'only' involved domestic forms of imprisonment. There seemed to be an underlying unwillingness to accept that rape within Asian marriages was a serious criminal offence.

Enough is enough!

The judiciary still has much to learn about domestic violence, despite a rising awareness of these issues in the last ten years. Much of this awareness has been created by the cases of women who have killed violent men, including that of Kiranjit Ahluwalia, who was freed from life imprisonment in 1992 following a campaign led by SBS. The campaign also raised awareness about Asian women's experiences of domestic violence. However, the case of Zoora Shah shows continuing problems. Zoora is a non-literate Asian woman serving life for the murder of a man who subjected her to 12 years of abuse, which included repeated rape. He was a pimp and a convicted drug dealer with connections to both the criminal underworld, and powerful community leaders in Bradford. Zoora finally snapped after the man began to show a sexual interest in her teenage daughters. In 1998 we helped Zoora appeal against her conviction by arguing that she had been clinically depressed. Zoora had previously been too ashamed to admit her history of sexual and economic abuse and exploitation. The Appeal Court refused to acknowledge this abuse, and suggested Zoora was a 'flagrant' woman who had no honour left to salvage! The appeal was dismissed.

The courts, who appear quick

to accept violent men's excuses for killing 'nagging' wives, refused to acknowledge the pressures on a working-class Asian woman subject to abuse within an extremely conservative community. Abusive Asian men can successfully make cultural defences by arguing that they killed a woman in order to preserve their family honour. However, Asian women who kill violent men (particularly when these women do not fit the required stereotypes of the passive and submissive woman), do not have cultural pressures or their experiences of violence, especially sexual abuse, recognised.

SBS has always aimed to tackle the problem of domestic violence within and outside of minority communities, and to highlight the issue in terms of public awareness. The Metropolitan Police responded to our complaint about the recent conference on domestic violence by stating that SBS views would be incorporated in their policies, but how can this be done if we are excluded from their agenda? How will the criminal justice agencies be accountable to black and minority women, and respond to their needs, if they fail to hear what we have to say? The Home Office too has done little to meet these needs, and to use its power and influence to effect reform. The Human Rights Act 1998 aims to enshrine human rights for all, but the state, it seems, still has much to do to ensure that all women are effectively protected from domestic violence. Now, indeed, is the time to say enough is enough!

Southall Black Sisters (SBS) is a black (Asian, African and Caribbean) women's organisation founded in 1979. It runs a resource centre, providing information, advice, advocacy, counselling and support to women and children experiencing domestic violence. It deals with over 2000 enquiries and cases per year and is nationally recognised for its expertise on the needs of South Asian women. Over the years, the group has campaigned and undertaken policy work aimed at addressing the problem of violence against black women. The author Hannana Siddiqui is a Coordinator of SBS and has been in the organisation for 15 years.