

**‘Women under the radar’: The intersection of  
migration and domestic violence explored through  
the framework of ‘(un)deservingness’**

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## Abstract

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Victims of domestic violence may commonly be constructed as ‘deserving’ of state support, however the intersection of migration and domestic violence complicates such matters, often rendering migrant women with an irregular immigration status as ‘undeserving’. This thesis bridges the gap between literatures on migration and domestic violence by using the framework of ‘(un)deservingness’ to explore the lives of women with an irregular immigration status who experience domestic violence. Interviews were conducted with women with an irregular immigration status, primarily focusing on those who overstay their visas, as well as professionals who provide support to women.

Drawing on interview data, the thesis explores the nuanced ways in which the intersection of migration and domestic violence plays out in the lives of women. It considers how abusive partners use the label and political context around having an irregular immigration status in the UK, as a tool to exacerbate the domestic violence. By focusing on lived experiences, the study also draws attention to women’s fears in managing the complexity around holding this immigration status in their daily lives. Moreover, the thesis explores the structural violence and other barriers which this sub-group of migrant women encounter when seeking support, which is often shaped by their social position and the nature of their immigration status, particularly for those who have No Recourse to Public Funds (NRPF). The NRPF label signals that the state construes such women as ‘undeserving’, and this has very real consequences particularly in the context of domestic violence.

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## **Dedication**

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This thesis is dedicated to the women who participated in the research. They shared their brave stories with me, and it has been a privilege to have been given an insight into their experiences. I hope that this thesis goes some way in doing justice to their accounts.

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### Introducing 'women under the radar'

#### Introduction

A simple refresh of my workplace email account five years ago revealed again and again the devastating impact of the No Recourse to Public Funds (herein NRPF) clause on victims of domestic violence. The email was yet another appeal, asking for clothing and donations for women and children who had fled domestic violence, yet have little or no rights to access state support. This led me to question 'why?'. One might assume that all victims of domestic violence would have access to state support. This is however apparently not the case for some groups of migrants, and particularly those who are affected by having NRPF. Are these groups seen as less worthy and deserving of state protection from violence because of their immigration status?

Rattled by the injustice, these questions reverberated in my mind. Furthermore, a search of the existing academic research in this area revealed that the intersection between domestic violence and migration is under-explored. This is what has led me here, to write 'Women under the Radar', in a bid to draw attention to the plight and marginalisation of women who are affected by NRPF, focusing primarily on visa overstayers. A review of the literature that considers this nexus will be given later on in the chapter. However, it is initially important to outline how the UK government defines and recognises victims of domestic violence, and to also introduce the concept of intersectionality, before the literature pertaining to the intersection of domestic violence and migration may be explored. The research questions for this project will be born out of the literature that focuses on this nexus. Finally, this chapter will offer a critique of the limited

existing research in this field, before outlining a new theoretical narrative in which to consider the intersection of domestic violence and migration in the next chapter.

### **Defining domestic violence and abuse**

In March 2013, the UK Government revised their definition of domestic violence and abuse to:

‘Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.

The abuse can encompass but is not limited to the following types of abuse:

- psychological
- physical
- sexual
- financial
- emotional

### **Controlling behaviour**

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

### **Coercive behaviour**

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.’ (Woodhouse and Dempsey 2016:4).

The UK definition of domestic violence and abuse assumes a commonality in the experiences of domestic abuse victims, as it is not gender specific. This helps to acknowledge the experiences of men, as the Office for National Statistics (2016) found that male victims of abuse are less likely to disclose their experiences to others. However, such definitions can make the division of gender disappear, which is problematic when one considers the prevalence of male violence towards women (Logar 2011). Debates have been raised between feminists with regard to whether the terms 'domestic violence' or 'violence against women' should be used. Some opt for using 'violence against women' because it reaffirms how '...not only do women experience more severe and frequent abuse but also this is linked to other systems of inequality based on gender, 'race', and class' (Thiara and Gill 2010:16). Indeed, two women a week die due to domestic violence in the UK, which indicates the alarming severity and prevalence of male violence towards women (Women's Aid 2014). Whilst terms such as 'domestic violence' may be considered as more problematic as they distance themselves from recognising that women are far more likely to experience abuse, they are used widely in UK government policy and rhetoric (Thiara and Gill 2010).

In recognition of the above debates, the term 'domestic violence' will be predominantly used although 'violence against women' will be adopted on occasion when emphasising the gendered nature of abuse. Similarly, Meyersfeld (2012) ponders over the use of the terms 'victim' and 'survivor' when discussing those experiencing domestic violence, arguing that both terms are not ideal. She argues that 'victim' *may* imply weakness and a lack of agency, whereas 'survivor' may be problematic in inferring that those who are unable to flee their abuser are weak (Meyersfeld 2012). Meanwhile Kelly argues that the word 'victim' masks the ways that women '...resist, cope and survive' (1993:163). In light of these debates and recognising the problematic nature of each term, this thesis will use the word 'victim'. However, this is not at all to imply that any of the women who experience domestic violence are in any way weak, but to draw attention to the difficulties that they face in the

context of domestic violence, and the gaps in state protection for such women. The women's narratives are intended to show their strength, courage and the diversity in their experiences, and to highlight how they are not simply passive agents.

The UK's revised definition acknowledges multiple forms of abuse including Stark's (2009) 'coercive control', where physical abuse is often interjected with interlocking forms of control tactics, something that has become a criminal offence in the UK (Home Office 2015a), as well as new trends such as child to parent abuse (Adfam and Against Violence and Abuse 2012). It has been expanded to include 16 and 17 years olds, reflecting the growing body of research that identifies abusive practices in teenage relationships (Barter 2009; Wiklund et al 2010), and how abuse may be perpetrated by a collection of individuals or family members (Thiara 2013). Indeed, it should be noted that the reference to the 'perpetrator' in this thesis refers to an abusive male partner, although it is acknowledged that in other circumstances there may be more than one abusive perpetrator, and this may also involve female perpetrators such as a mother in law (Anitha 2016).

The UK's definition of domestic violence and abuse has been revised and developed to recognise other forms of abuse, as well as other demographics of people that are affected. However, the definition may be problematised as it does not consider intersectionality, and in particular how social divisions such as gender, race, class as well as immigration status combine with experiences of domestic violence in the form of immigration related abuse (Raj and Silverman 2002; Burman and Chantler 2005). This discussion will be expanded later. The working definition of domestic violence and abuse has been outlined, so it is now important to introduce and engage with the concept of intersectionality, before the chapter will go on to consider literature that discusses the intersection of domestic violence and migration.

## **The birth of intersectionality**

Debates raised by first wave feminists in the 1970s and 1980s criticised the absence of gender within sociological scholarly work (Knapp 2005). Consequently, the 1980s saw second wave feminists, such as bell hooks, challenge these early feminist debates for homogenising the experiences of women, igniting debates with regards to what constitutes 'difference' in identity politics (Denis 2008; Knapp 2005). Indeed, bell hooks heavily critiqued the work of first wave feminists for marginalising the voices of Black women and for considering 'gender' as a unifying concept, arguing that 'racism abounds in the writings of white feminists, reinforcing white supremacy and negating the possibility that women will bond politically across ethnic and racial boundaries' (1984:3).

In response to the absence of other intersections such as race and social class within first wave feminist debates, Crenshaw (1989;1991b) coined the term 'intersectionality' to recognise how these oppressions might interlock, and how varying configurations of oppressions may impact on the reproduction of social inequalities (Denis 2008; Bilge 2010). Crenshaw remained critical of the way that '...dominant conceptions of discrimination condition us to think about subordination as disadvantage occurring along a single categorical axis' (1989:57). Thus, it may be considered as inherently reductionist to explore the experiences of women under a single gendered axis of social inequality, as this risks masking women's diverse lived experiences (Crenshaw 1989; Walby 2007). Intersectionality may give space to allow these intersections to be considered in combination with each other, rather than as standalone tools of stratification (Crenshaw 1991a).

The concept of intersectionality is not however without criticism. Yuval-Davis (2006) expresses concerns that it may create fractured identities by focusing on difference and exclusion, which may contribute to further labelling (and demonising) of already vulnerable groups. It has also been critiqued for

focusing on exclusion in micro forms as opposed to considering how these forms interact with overarching structural accounts of inequality (Knapp 2005; Bilge 2010). That said, Bilge (2010) argues that by focusing on micro practices, intersectionality can reveal previously hidden forms of oppression. Moreover, some consider intersectionality to be the most important theoretical contribution made so far by feminists (McCall 2005). Kelly (2013) notes that Crenshaw's work on intersectionality makes a significant contribution to key literature relating to domestic violence, as well as to social justice, which is often overlooked. Thus, whilst acknowledging that the concept is not unproblematic, intersectionality will be useful to engage with when looking at the relationship between domestic violence and migration, and more specifically in relation to women who overstay their visas. The next part of this chapter will apply intersectionality to the context of domestic violence and abuse, before looking further into the intersection of domestic violence and migration.

### **Intersectionality in the context of domestic violence and abuse**

Explanations for violence against women have traditionally been grounded within feminist theory, arguing that the root of abuse towards women stems from patriarchy, and the resulting power and control that men hold over women (Dobash and Dobash 1998; Perilla 1999; Stark 2009). Patriarchy may take many forms within this context, as Abraham (1999) documents that sexual abuse is a pivotal mechanism of social control utilised by men to maintain their power and control and the patriarchal order. These viewpoints have increasingly been criticised for essentialising lived experiences and failing to account for intersectionality, that the abuse of women may be the result of a plethora of interlocking intersections such as race, class and culture, which are not solely accounted for by gender and patriarchy (Crenshaw 1991a; Morash et al 2000).

According to Anitha, it is 'an oft-repeated truism' within early feminist accounts that domestic abuse may happen to any woman regardless of age, sexuality, race, culture, social class and other intersections (2011:260). However, the nature and impact of domestic abuse may be more significant for women who find themselves on the crossroad of a number of intersecting oppressions and social inequalities (Anitha 2011). Mama (1996) is renowned in the field of violence against women for being the first to undertake research on women in the Black community in London. She argues that although research suggests that domestic abuse may happen to any woman, factors such as poverty and racism are likely to exacerbate the relationships between Black people and within Black couples. Although poverty and racism are not necessarily causal factors, Mama (1996) argues that often these conditions combined with others such as a misogynistic attitude result in abusive patterns of behaviour towards Black women.

As a result, many scholars (hooks 1984; Mama 1996; Sokoloff and Dupont 2005; Thiara and Gill 2010) have recognised that women's experiences of oppression are cross cut by a number of intersections. Crenshaw (1991a) argues that failing to recognise the differences between groups can serve to marginalise women whose lived experiences comprise of multi-layered forms of oppression. Others such as Thiara and Gill (2010) have drawn attention to intersectionality within the South Asian community, by arguing that intersections such as race and culture have been neglected. Thus, the absence of feminist literature that recognises difference, '...demonstrates the 'blind spot' in feminist analysis, which leaves violence against women in minority ethnic communities as a largely unexamined problem...' (Thiara and Gill 2010:34).

Indeed, Phillips (1998) acknowledges the social division of culture and the way that this intersects with domestic violence, which may heighten migrant women's vulnerability to abuse. Some cultures do not support a perceived interference in family life, which may lead to a culture of secrecy,

discouraging women from seeking support for abuse outside of the family and heightening their vulnerability (Phillips 2008; Kulwicksi et al 2010). The community can act as a powerful force and embody a form of surveillance to monitor women's behaviour and track down a woman if she leaves an abusive relationship (Burman et al 2004). Additionally, some women are reluctant to report cases of abuse for fear of bringing shame on their community, as well as fears of racism from institutions and support services (Crenshaw 1991a; Burman et al 2004).

The social division of social class is also important in the context of domestic abuse, as Merali's research (2009) found high rates of education and English language proficiency can act as protective factors against the risk of domestic violence for South Asian women who had migrated to Canada. These debates serve to highlight the importance of optimising intersectionality when considering domestic violence debates, as Davis (2008) argues that the open-endedness of intersectionality assists feminist theory, by inviting the opportunity for new intersections to emerge and previously hidden exclusions to be uncovered.

#### *Cultural relativism*

Scholars (Mama 1996; Gillum 2002) have highlighted the importance of intersections such as race and class within understandings of violence against women. However, research (Sokoloff and Dupont 2005; Thiara and Gill 2010; Chantler and Gangoli 2011) has warned of the dangers of cultural relativism that may perpetuate stereotypes, whereby predominant views of certain cultures are essentialised, and that may serve to excuse abusive practices and marginalise women further. Indeed, research by Burman et al argue that violence against women within minority communities is sometimes understood to be a product of the 'culture' by some support agencies, although this may have detrimental consequences and mean that agencies '...collude with the oppression of minoritized women' (2004:346). In addition to these debates, some scholars (Websdale 1999; West 2004) suggest that



Black women do experience higher rates of domestic abuse and homicide. However, others such as Sokoloff and Dupont (2005) disagree, by arguing that these statements ramify negative stereotypes regarding the Black community, and when socio-economic factors are controlled for, the differences between these rates disappear.

Similarly, whilst intersections such as race are considered important, it should not be assumed that White women are free from oppression and violence, as they too experience high levels of abuse and poverty (Sokoloff and Dupont 2005; Mackinnon 2007). However, Donnelly et al (2005) consider that whilst White women may experience abuse and oppression based on their gender, their whiteness gives them a privileged status over other women. For example, domestic abuse support services are sometimes thought to be colour blind and ignore the culturally specific needs of women of colour (Burman et al 2004; Donnelly et al 2005). Thiara and Gill (2010) however argue that intersections of race and culture are important in the context of South Asian women, these explanations should not override the central explanation for violence against women, which is rooted in an analysis of power and control.

Indeed, it is important not to conflate culture and patriarchy as this may serve to further marginalise women by perpetuating stereotypes and excusing their experiences to 'culture' (Sokoloff and Dupont 2005). South Asian women who experience abuse are sometimes thought to be passive and silent (Abraham 1999). Forced marriage is another example of domestic violence that has raised debates around the extent to which it is a product of 'culture'. Forced marriage may be defined as '...a marriage into which people have been coerced against their will and under duress, thus setting it apart from other forms of marriages practices in ethnic minority communities...' (Gill and Mitra-Kahn 2010:130). Thiara and Gill argue that forced marriage should not be theorised solely in relation to culture, and should always be understood in relation to the overarching explanation of power and control and as '...part of

a continuum of VAW [Violence Against Women] (2010:16). Theorising such practices solely in relation to culture would risk 'othering' groups of affected minority women (Thiara and Gill 2010). Similarly, Anitha and Gill (2009) document how women may utilise their agency to resist abuse, particularly in relation to forced marriage.

'Culture' should not be seen as a static entity, but something that can change and be challenged by affected women themselves (Anitha and Gill 2009; Chantler and Gangoli 2011; Thiara et al 2011; Kelly 2013). Indeed, Römkens and Lahlah (2011) and Smee (2013) identify the need for more research to understand the complexity of multiple factors, besides just looking at culture, which contribute to the heightened vulnerability of migrant women. In light of these debates, Thiara and Gill advocate the use of intersectionality, believing that it allows for a consideration of the various nuances relating to culture, whilst also recognising that these nuances need to be understood through '...other structures of dominance...' (2010:48). This section has considered intersectionality in relation to gender, race, class and culture, however immigration status creates an additional complexity to the abuse experienced, as discussed below.

### **Exploring the intersection of domestic violence and migration**

As outlined earlier, typical explanations of domestic violence suggest that it occurs universally, affecting all social groups (Harwin 2006). However, some argue that the severity and the rates of incidents of domestic violence may be higher towards migrant women (Raj and Silverman 2002; Latta and Goodman 2005; Schröttle and Khelaifat 2011), leading to questions as to whether all women are equally likely to be affected by domestic violence and abuse (Richie 2000). However, Schröttle and Khelaifat (2011) warn that the positionality of migrant women should not be homogenised, as some migrant women have high standards of education and socio-economic status, which may act as protective factors against domestic violence and abuse. Others

such as Menjívar and Salcido (2002) argue that the rates of incidence of domestic violence are not higher amongst migrants compared to non-migrants, but that their social position as migrants may exacerbate the conditions of abuse.

Although debates around the rates and prevalence of domestic violence amongst migrant women remain unresolved, there is a distinct lack of scholarly research on the lived experiences of migrant women who experience domestic violence, and specifically those with an irregular immigration status. It should be noted at this stage that there are a number of terms that may be used to refer to those who are in breach of their visa conditions in their host country. Scholars researching in this area have widely discussed the appropriateness and suitability of such terms (Chavez 1998; Bean et al 2001; Institute for Public Policy Research 2006; Bernhard et al 2007; Düvell et al 2010; Platform for International Cooperation on Undocumented Migrants 2012). De Genova (2002) uses the words 'irregular' or 'undocumented' as opposed to other more poisonous terms such as 'illegal.' The term 'illegal' is acknowledged as something that has the potential to stigmatise an already vulnerable group, and also infers criminality (Düvell et al 2010). None of these terms are without their problems, as 'undocumented' migrants may have papers but they may not be deemed as the 'right' ones to allow them to regularise themselves. In acknowledgement of these discussions, this thesis will use the term 'irregular' when referring to those who overstay their visas.

In addition, the word 'migration' will be used where possible, as opposed to 'immigration'. This supports the work of De Genova (2002), who argues that the latter positions the writer from the perspective of the nation receiving country, which may contribute to an exclusionary rhetoric and 'othering' of migrants. De Genova (2002) warns of the dangers of scholars aligning themselves with the position of the nation state, which often problematises irregular migration. Thus, this thesis will only use the word 'immigration'

when referring to specific yet unavoidable state imposed language, such as 'immigration status' and when referring to immigration policy.

After defining key terms, the next part of this chapter will outline the gaps in the literature that addresses the migration and domestic violence nexus. It will then focus further on the intersection of having an irregular immigration status and experiencing domestic violence to establish what is known already in existing research, before identifying the rationale for this research project, its unique empirical contribution to knowledge and the guiding research questions.

Studies that have explored the migration and domestic violence nexus focus on the experiences of particular ethnic groups or nationalities, (e.g. Bui 2003; Salcido and Adelman 2004; Bhuyan et al 2005; Crandall et al 2005; Shiu-Thornton et al 2005; Keller and Brennan 2007; Choi and Byoun 2014). It is notable that many of these studies have been conducted in the USA, with few concentrating on the UK. The experiences of migrant women have seemingly fallen outside of UK government recognition as well as academic discourse, although some scholars are increasingly recognising the plight of such women (e.g. Burman et al 2004; Burman and Chantler 2005; Anitha 2008;2010;2011; McWilliams et al 2015). However, many of these studies focus on particular ethnic groups, such as South Asian women (Anitha 2008;2010;2011;2016).

Furthermore, of the domestic violence literature that considers the intersection of holding an irregular immigration status and domestic violence, many focus on those who hold spouse visas, or discuss overstayers as part of a wider group of migrant women with NRPF who are abused (e.g. Anitha 2008;2010, Amnesty International and Southall Black Sisters 2008). The existing research is vital, and has made extremely worthwhile contributions to shedding light on migrant women who are often overlooked and under researched. However, it is perhaps unsurprising that there is little research on women who overstay their visas and experience domestic violence and abuse,

due to the conditions of complexity around their irregular immigration status (European Parliament 2013). The scarcity of research on such a vulnerable group however may only reaffirm the need to shed light on their experiences, particularly since research by Raj and Silverman describes violence towards minority women in the UK as being at 'epidemic proportions' (Raj and Silverman 2002:367).

The studies cited above have helpfully created the foundations for exploring how migration and domestic violence may intersect through immigration related abusive tactics perpetrated by partners and/or family members. However, the lack of research on those with irregular immigration status, and primarily visa overstayers, means that more information is required to explore how this intersection plays out in the lives of women who experience domestic violence and abuse. This research will provide a unique empirical focus by researching those with an irregular immigration status, primarily focusing on visa overstayers. A visa overstayer is defined by John Vine, the former Independent Chief Inspector of Borders and Immigration as 'a migrant who remains in the UK beyond the expiry date of their leave to enter or remain' (2014:11). Whilst building on the knowledge gained by the existing literature, this research will focus on overstayers as a group in their own right in the UK, and will use these unique narratives to extend the discussion to explore how this status may be linked to domestic violence, and to consider women's lived experience more widely, including their migration journeys to understand more about their movement from regular to irregular immigration status.

Existing research that explores the intersection of domestic violence and irregular migration reveals that it is commonly manifested in the form of immigration related abuse. This is a key form of abuse experienced by migrant women. Raj and Silverman (2002) explain that immigration related abuse is where the perpetrator may exploit the woman's subordinate and irregular immigration status to maintain power and control over her. The

perpetrator may have a higher immigration status than the woman, and use this to abuse her further, forming what Burman and Chantler refer to as, ‘...a powerful weapon to the perpetrator’s arsenal of tactics of abuse’ (2005:65).

The exploitation of a woman’s irregular immigration status may take many forms, including transnational spouse abandonment where an abusive partner or family member exploits the woman’s irregular immigration status, by abandoning her either in the home or host country (Anitha et al 2016). Research that discusses migrant women with irregular immigration status, establishes how in the case of women who overstay their visas, the perpetrator may resort to power and control tactics that include withholding or destroying passports and legal documentation, neglecting to apply for Indefinite Leave to Remain (ILR) or preventing women from renewing their immigration status to ensure that they overstay their visas (Raj and Silverman, 2002; Anita 2008; 2010). There are many routes into irregularity for migrant women, which include ‘...illegal entry; overstaying legal time limits or visas; being trafficked (either through coercion, deception or cooperation); marriage sponsorship breakdown; and through a failed asylum application’ (European Parliament 2013:10).

Patel and Siddiqui argue that ‘...the worst forms of oppression are often experienced at the point of the intersection of a number of factors that make a person vulnerable to abuse or exploitation...’ (2010:111). Indeed, this is particularly pertinent as the lives of women with an irregular immigration status and who experience domestic violence are thought to be cross cut by multiple oppressions based on their social class, race, culture, gender and immigration status that may shape the nature of the abuse they experience, as well as the support that they may draw upon (Abraham 2000; Menjivar and Salcido 2002; Raj and Silverman 2002; Anitha 2008;2010;2011). Indeed, the Platform for International Cooperation on Undocumented Migrants (herein PICUM) (2012) argue that drawing attention to the characteristics of violence

against women is an important step in enabling migrant women and wider society to recognise the discrimination that occurs.

Furthermore, this study will focus on the label of having an irregular immigration status, including a visa overstayer, and how this may impact on women's lives. Existing academic research focuses on the lived experiences of migrants with an irregular immigration status or those who are asylum seekers, (e.g. De Genova 2002; Favell and Hansen 2002; Griffiths 2014; Lewis et al 2015 to name a few), however none of these studies consider the context of domestic violence and abuse and how this may further complicate the lived experiences of women. Indeed, those studies that do consider the immigration status of migrant women point to their heightened sense of vulnerability in the context of domestic violence, particularly if they have an irregular immigration status, due to fears of being discovered by the authorities and subsequently deported (Masson and Roux 2011; Rights of Women 2011). This leads to many migrant women essentially becoming trapped and '...faced with the choice between protection from their batterers and protection against deportation, many immigrant women choose the latter' (Crenshaw 1991a:1247).

This chapter has identified the need for more information relating to the intersection of migration and domestic violence, particularly in regard to women with irregular immigration status, whilst also considering gaps in knowledge in relation to their lived experiences of having this status. There is also a need for more information relating to access to support for women with irregular immigration status, particularly for the domestic violence. Existing scholarly research reveals how language barriers, fear of deportation, reduced geographical mobility, a lack of cultural awareness in the host community, financial dependency on the perpetrator and reduced social networks may form structural barriers that prevent migrant women from reporting abuse and seeking support (Crenshaw 1991a; Abraham 2000; Dutton et al 2000; Johnson and Ferraro 2000; Kulwicki et al 2010; Condon et

al 2011; Masson and Roux 2011). Many migrant women with irregular immigration status are socially isolated and entirely dependent on the perpetrator for information relating to their immigration status (Crenshaw 1991a; Bhandari Preisser 1999; Sokoloff and Dupont 2005; Creazzo et al 2011). These barriers can prove to be insurmountable for some women, as a report found that 40% of women classified as BAMER (Black, Asian, Minority Ethnic and Refugee) were found to have remained in their abusive relationship for more than 5 years, and over 90% experienced abuse on a weekly basis (Wilson and Roy 2011). Since there is limited research that focuses specifically on visa overstayers, there is a clear gap in existing literature that explores whether this group face similar challenges or barriers that may be different, yet important and as yet unidentified. Indeed, those affected are thought to be extremely vulnerable, as a report by PICUM argues that ‘...undocumented women are excluded, disadvantaged, and somewhat unpopular. Their existence in society has been considered illegitimate, so the violence against them has been disregarded and their access to justice denied’ (2012:5).

Immigration status may be pivotal in shaping the access to support for female victims of abuse (European Parliament, 2013). Of the academic research that explores these issues in relation to migrant women’s access to support, I have found no research that specifically looks at the category of being an overstay in independence to the issues that other migrant women face. The absence of literature on this particular group points to the value of the empirical data gathered in this project. Moreover, Crenshaw (1991a) suggests that identity politics may be problematic for its failure to recognise intragroup differences. The experiences of female overstayers who experience domestic abuse are often essentialised and coupled with that of others who also have irregular immigration status. Indeed, although there may be similarities between those who overstay and other immigration status’ of migrant women, there are fundamental differences. For example in terms of



provision, women who overstay on non-spouse visas in the UK are banned from accessing the Domestic Violence rule (herein DV rule).

There is support available for women who hold spouse visas or who overstay on spouse visas, as they may use the DV rule to apply for Indefinite Leave to Remain, independently of their abusive partner. The rule also allows women to utilise the Destitute Domestic Violence Concession, which enables them to access state support whilst making this application (Rights of Women 2013; Home Office 2015b). Thus, the rule enables some women to resolve their immigration issues, and have access to financial support from the state, which both frees them of dependency on their abusive partner's immigration status, and provides them with basic finances, enabling them to flee the relationship. However, the UK has limited support for those who have an irregular immigration status, and this support is particularly limited for those who do not hold spouse visas (PICUM 2012; Kesete 2013). The gaps in provision shall be highlighted further in Chapter Two, however it is important to set out the case for the importance of exploring this group of women's support needs and potential gaps in provision.

Thus, this research will document the experiences of women who overstay their visas and experience domestic violence and abuse. It will seek to bring the voices of the women with an irregular immigration status (primarily focusing on those who overstay) to the fore, as they are often marginalised and remain under the radar within academic research and UK state policy. The following research questions will be addressed:

- 1) How does the intersection of migration and domestic violence play out in the lives of women with an irregular immigration status?
- 2) What is their lived experience of having an irregular immigration status?

- 3) How does immigration status impact on access to domestic abuse support services and other sources of support?

### **Structure of the thesis**

This chapter has introduced the thesis' working definition of domestic violence and abuse, whilst also exploring the concept of intersectionality and applying such terms to the domestic violence field. It has set out the unique empirical contribution to knowledge by reflecting on the current literature that explores the migration and domestic violence nexus, and it has identified the gaps in the literature in relation to those with an irregular immigration status, primarily focusing on visa overstayers. Empirically, the chapter has identified the new knowledge that will be gained by looking at this under-researched group, as well as outlining the research questions to be addressed based on this discussion.

Chapter Two will focus on the theoretical gaps that exist in the literature on the migration and domestic violence nexus, by arguing that the literature fails to embed this nexus into a wider political context. The chapter sets out a new lens by which this intersection may be viewed, through the framework of '(un)deservingness', by considering how the labelling of migrants (and others) as 'deserving' and 'undeserving' have particular consequences, that are often exacerbated in the context of domestic violence. Bridget Anderson's (2015) ideas on the 'Community of Value' will be drawn upon and applied to the intersection of migration and domestic violence, to expand the discussion. The chapter will also offer a critique of citizenship. It will consider how a framework that focuses on human rights may open up other avenues to allow an individual to seek protection, particularly when the state uses their own immigration rules to deny an individual access to their human rights.

Chapter Three will focus on the methods used for data collection. It will discuss the feminist approach that underpins the research, before outlining the methods used. The chapter addresses some of the extra methodological considerations that were needed when researching migrant women with an irregular immigration status, such as using interpreters as well as the use of verbal over written consent for affected women taking part in the research. Given the sensitive nature of the research topic, the chapter engages reflexively by discussing some of the ethical dilemmas involved in the research as well as considering my own emotions when carrying out the research.

Chapters Four, Five and Six will focus on analysis, and each chapter will be dedicated to addressing one of the three research questions identified above. Chapter Four will explore how the intersection of migration and domestic violence plays out in the narratives of the women interviewed, alongside considering supporting information from the interviews with professionals. It will map how women fall into having an irregular immigration status, and its connection to the domestic violence that they experience. The chapter will focus on immigration related abuse, by considering the tools and tactics that perpetrators use to carry out the domestic violence, and how the labels attributed to having an irregular immigration status are often used as further weapons in the context of domestic violence. These forms of abuse often remain 'under the radar' in government recognition, meaning that the experiences of such women are marginalised and ignored.

Chapter Five will build on the knowledge gained from the previous chapter by focusing on the impact for women of holding an irregular immigration status. By drawing attention to the fear and uncertainty that the women experience every day, this chapter will give a unique insight into the lived experience of holding an irregular immigration status, as well as exploring their experience of holding other immigration statuses such as that of being an asylum seeker. Moreover, the chapter will contextualise the migration journey of women by

considering the reasons why women migrated to the UK, as well as the multiple reasons why many women will endure the anguish of having an irregular immigration status because they do not wish (or are not able) to return to their country of origin.

After exploring how the intersection of migration and domestic violence takes place in the women's narratives, and their lived experiences of holding an irregular immigration status, Chapter Six will consider how an irregular immigration status may impact on access to services and support, and elaborate on some of the barriers that women experience when seeking help. The chapter will shed light on the help seeking behaviours of affected women, by drawing attention to the types of support that they will often look to first, and their experiences of approaching some state agencies as well as voluntary support agencies. It will also contextualise how the women's social position and immigration status may often act as a barrier in not only seeking help, but also in their experiences of dealing with some agencies. Finally, Chapter Seven will conclude the thesis by drawing the findings of the three analysis chapters together with the theme of '(un)deservingness' to establish the new knowledge that has been gained as a result of the project, and to make concluding policy recommendations.

### **Setting the scene: Exploring the intersection of migration and domestic violence and abuse through the framework of '(un)deservingness' for 'women under the radar'.**

#### **Introduction**

Chapter One outlined the existing literature that explores the intersection of migration and domestic violence, as well as setting out the thesis' aims and research questions, which were born out of the notable gaps in this literature. This chapter will now go on to problematise these existing studies, and introduce a new lens by which to expand the dialogue between domestic violence and migration research, through the framework of '(un)deservingness'. The framework will be introduced and then broken down further in relation to three key areas, namely the changing notion of citizenship, the denigration of social rights and the labelling of migrants, before critiquing notions of citizenship by also recognising the importance of human rights, and how such frameworks may be used to supersede state immigration rules. This discussion will be used to consider the political context for those who are asylum seekers and also irregular migrants, as these groups are most directly related to the group of women being researched. Once the political context for these groups have been explored more generally, these discussions will be applied within the context of domestic violence to understand and expand on how ideas of '(un)deservingness' may shape the experiences of female migrants who experience domestic violence and abuse.

#### **Bridging a theoretical gap in the literature**

The discussions in Chapter One note that there has been a dearth of academic literature that explores the intersection of migration and domestic violence and abuse. Whilst this literature has made valuable contributions to a little

known about field, it notes that further empirical exploration is needed, in particular in relation to sub categories of women with irregular immigration status, such as visa overstayers. In addition to the empirical gaps in this literature, theoretically, the dialogue between migratory and domestic violence fields of literature remain limited.

Existing research that engages with migratory discourses in the context of domestic violence has done so in a number of ways. Many studies have focused on policy that affects migrants, such as exploring the impact of having NRPF on migrant women, and engaging with migratory literature by focusing on structural immigrant specific factors that may permeate the intersection of class, gender, race and immigration status on experiences of abuse (Menjívar and Salcido 2002; Raj and Silverman 2002; Salcido and Adelman 2004; Burman and Chantler 2005; Latta and Goodman 2005; Erez et al 2009; Anitha 2008;2010;2011; McWilliams et al 2015). Finally, explorations of transnationalism have been theorised in relation to a recently recognised trend of immigration related abuse in the form of transnational spouse abandonment (Anitha 2016).

The discussions outlined above all make extremely worthwhile contributions to understandings around the intersection of migration and domestic violence, and my empirical data will inevitably feed into these important debates. However, it is also notable that whilst existing studies that explore the intersection of domestic violence and migration consider the impact of policy such as the NRPF clause and how migration shapes experiences of abuse in the private sphere, few studies give sufficient attention to embedding the experiences of affected women into the wider political context.

Research by McWilliams et al (2015) is one of the few studies that uses the complex political climate of Northern Ireland to consider how this may have shaped how the nexus of migration and domestic violence plays out in the

lives of migrant women. McWilliams et al (2015) elucidates how the dominance of political troubles between unionists and nationalists in Northern Ireland has meant that less attention has been paid to race relations. They argue that the reluctance to tackle issues of race is more broadly situated in a '...societal level of racism...', which permeates the social security system as well as the voluntary sector (McWilliams et al 2015:1549). This has contributed to institutional racism, which in the context of domestic violence, affects the ability of women to approach agencies for help (McWilliams et al 2015).

Other studies such as Patel and Siddiqui (2010) argue that New Labour's preoccupation with multiculturalism has had some devastating consequences for South Asian victims of abuse in the UK. They argue that whilst multiculturalism promotes 'tolerance' of other cultures, it homogenises cultures, and disregards the imbalances of power based on class, gender, caste and other social divisions (Patel and Siddiqui 2010:103). Moreover, scholars have also made arguments that have linked other aspects of violence against women such as forced marriage to the political context. Existing literature (Balzani 2010; Gill and Mitra-Kahn 2010; Patel and Siddiqui 2010) argue that the earlier New Labour government's occupation with 'tackling' issues of forced marriage and claims of protecting women, were a guise for legitimising more restrictive immigration controls. Thus, Patel and Siddiqui state that this was to control '...the flow of male migration from areas of the world considered 'backward' (2010:112).

As noted, the debates raised above have contributed to bridging the gaps between migratory and domestic violence fields of literature by focusing on the political context in various ways. However, these studies tend to be very specific to place (Northern Ireland) as evidenced in McWilliams et al's (2015) research, or a particular aspect of violence against women such as forced marriage towards South Asian women (Balzani 2010; Gill and Mitra-Kahn 2010; Patel and Siddiqui 2010). There is a need for studies to engage more

fully with literature in the migratory field, by exploring how the labels ascribed to different groups of migrants may contribute to ideas of being considered as ‘deserving’ and ‘undeserving’, and how this plays out in the context of domestic violence. Thus, it is important to take a broader account of the political context in relation to migration, domestic violence and ‘(un)deservingness’.

This chapter has critiqued the existing literature that explores the migration and domestic violence nexus, for failing to sufficiently embed the experiences of migrant women in the wider political context. The next part of this chapter will introduce the framework of ‘(un)deservingness’ as a way of forming a new theoretical lens to expand the dialogue between migration and domestic violence debates.

### **The framework of ‘(un)deservingness’**

Labels of ‘deserving’ and ‘undeserving’ are related to ideas of inclusion and exclusion, which mainly centre around who warrants state recognition, often in the form of citizenship and thus entitlement to state support. This lends itself to discussions around migration, whereby migration literature, particularly that which consider irregular migrants, has been tightly linked to ideas of which migrants should be constructed as ‘deserving’ of citizenship, inclusion and state support, and which groups of migrants are seen as ‘undeserving’. It should be noted at this point that the fieldwork for this project took place prior to the referendum on the British Exit (Brexit) from the European Union (EU). Although references will be made to the decision of the referendum and its impact on ideas of ‘deservingness’, it should be noted that this will not form part of the overarching debates for this chapter and subsequent project, especially since the majority of participants that were interviewed were not eligible for citizenship in countries belonging to the EU.

Chauvin and Garcés- Mascareñas (2014) argue that ideas of civic deservingness extend beyond migrants to all groups in society, however they



tend to weigh heavily on irregular migrants because of the specific vulnerabilities in relation to their immigration status. Indeed, Castles argues that 'the migrant has always been the 'Other' of the nation. National identity is often asserted through a process of exclusion- feelings of belonging depend on being able to say who does not belong' (2000:187). These debates become even more complicated when the nuance of domestic violence is added, as shall be explored later.

Drawing on the work of Bridget Anderson (2015), this discussion will consider the fluidity by which individuals are either included or excluded in the politics of (un)deservingness, and how the deserving/undeserving binary is often subject to turbulent debate. Anderson (2015) points to the importance of labelling, whereby labels dictate who is valued by those in authority, who is seen as having value and crucially who lacks value. Discussions that explore who is labelled as 'deserving' and is valued, included and recognised, and who is labelled as 'undeserving' and thus who lacks value and is excluded from state recognition, support and citizenship, will be expanded upon. The chapter will then move on to consider how different groups of migrants are affected, and then finally apply this context to women with irregular immigration status, such as visa overstayers, who experience domestic violence.

The framework of '(un)deservingness' will be explored in relation to three key areas, namely citizenship, the depletion of social rights and welfare for those who are 'undeserving', and finally the ways that these labels are ascribed. These areas are of course all interlinked. To elaborate, the concept will be considered in relation to the changing notion of citizenship, taking a historical perspective to see how ideas around who deserves and who does not, are strongly linked to whether they are recognised by the state and considered a citizen. It will also consider the consequences of being labelled as 'deserving' or 'undeserving' and how this is linked to the welfare state, before using Anderson's (2015) work to explore how these labels are applied and indeed

how they might change. It is notable that domestic violence debates have not considered the wider political context in relation to migration, therefore the migratory lens of '(un)deservingness' will be used to consider the intersection of domestic violence and migration.

### **The evolving notion of deservingness in relation to citizenship: A historical overview**

This section of the chapter will consider the historical context of how citizenship has been constructed. This will later help to embed the experiences of women with an irregular immigration status who experience domestic violence in a wider political context. Wimmer and Glick Schiller (2002) explain that during the pre-World War era, the world was characterised by intensified globalisation, whereby '...a citizenry, a sovereign and a nation state were created' (2002:312). This saw growing political rights including voting rights for men and a new era of colonialism, where many European countries as well as the United States looked to take control of other parts of the world, such as Africa. Labour migration intensified and resulted in many selling their labour and travelling across the world, with few restrictions (Wimmer and Glick Schiller 2002).

Many countries including the UK used the labour of migrants from around the world to build their industrial economy. However, Wimmer and Glick Schiller argue that it was at this time of increased globalisation and nation state building, that conceptualisations of the nation state appeared with notions of '...the people' that would dramatically affect migration and alter the way in which social scientists thought about migration' (2002:313). This became heavily racialized meaning that members of a nation state were now conceptualised as having a shared ancestry. The existence of those that did not share a common ancestry were perceived as a threat to the sovereignty of the nation state, and were seen to challenge the relationship between

individuals, the nation state and state sovereignty, thus forming barriers of inclusion and exclusion (Wimmer and Glick Schiller 2002).

The period was intensified through the Cold War, where the nation's borders hardened and demarcated who should have access to state privileges based on their citizenship (Wimmer and Glick Schiller 2002). Thus, this period saw the birth of 'deserving' and 'undeserving' narratives attached to evolving conceptualisations of who qualifies for citizenship. Whilst historical, this context provides the foundations for the changes in how migrants have been perceived over the years, and the early formations of nation boundaries, which have since been used to exclude. Ideas of inclusion and exclusion will be explored in relation to asylum seekers and those with an irregular immigration status later, before applying this to women who overstay their visas and experience domestic violence.

It was however during the post-World War 2 era that conceptualisations around citizenry became more concrete. T H Marshall's essay (1992 [1950]) entitled 'Citizenship and Social Class', set out his views on the state's responsibility to grant its citizens civil, political and social rights. Marshall refers to citizenship as 'a status bestowed on those who are full members of a community' who should all be treated equally (1992 [1950]:18). Interestingly, Yuval- Davis (2006) argues that Marshall makes no reference to citizenship being based on membership to a nation state, but rather to that of a 'community' (1992 [1950]:18). Banting (2000) points out that ideas around the formulation of a 'community' are important as those seen as embodying this community set the boundaries as to who is included, and thus those who are excluded. 'The community' is often taken as symbolism for the nation state. Indeed, Wimmer and Glick Schiller point out that social scientists have unquestioningly accepted that the world should be organised and configured in relation to the nation state, referring to this as 'methodological nationalism' (2002:302). Although membership to a nation state is one of many conceptualisations of belonging, it is and continues to be the prevailing

notion, which is used in both political and academic discourse, and has since been reinforced by the recent decision of the UK to leave the European Union (Yuval-Davis 2006). After exploring the framework of '(un)deservingness' in further detail, the latter part of this chapter will explore these ideas further by considering this political context in relation to migrant women who experience domestic violence and abuse.

As the debates above indicate, the nation state appears to have been unquestioningly accepted as the primary foundation for conceptualising belonging. However, regardless of the problems with conceptualising citizenship and belonging in this way, this approach yields much power and contributes heavily to debates around inclusion and exclusion and who deserves to belong (Yuval- Davis 2006). Indeed, Castles (2000) recognises the problematic nature of the term 'nation state' as it assumes an ethnic homogeneity that rarely exists, and so requires a domination of one cultural group over another. Although there has been somewhat of a one dimensional acceptance of the attribution of notions of belonging to the membership of a nation state, debates around who is seen as 'deserving' of belonging to the nation state are more contentious and prone to change depending on the political ideology at the time. This will be explored in more detail in relation to those with irregular immigration status, and refined further to those who overstay their visas and experience domestic violence later on in the chapter, to consider how the framework of '(un)deservingness' may shape their experiences.

Turner (2009) argues that Marshall has made a profound contribution to understandings of citizenship, particularly in understanding the procession of social rights throughout the 20<sup>Th</sup> century. However, Marshall has been critiqued from all angles for failing to recognise gender in this account (Walby 1994; Munday 2009; Pateman 2014), and how suffragettes had to vehemently campaign before any such recognition was achieved in this regard (Sales 2007), as well as for neglecting the role of class (Esping-Anderson 2014) and

also race (Crowley 1999; Turner 2009). Marshall's theory does not consider migration, and how the arrival of newcomers may complicate such processes of citizenry (Halfmann 2000). Indeed, Joppke (1999) argues that migration is the fundamental reason why Marshall's ideas of the universality of citizenship are no longer cogent, as states may use formal citizenship as a way to close their borders. In addition, Marshall's account does not account for the roles and obligations of citizens (Turner 2009), something that is heavily drawn upon in the current political discourse, as well as being evident throughout history, which strongly attached citizenship to the role of duty.

Sainsbury points out that early post war policy did not distinguish between citizens and non- citizens, and migrants arriving from '...the former British Empire were not classified as aliens but as British subjects with citizenship rights', which somewhat echoed Marshall's account of citizenship (Sainsbury 2012:161). The social rights of Commonwealth migrants were also enhanced, and anti-discrimination policy such as the 1965 Race Relation Act was implemented to strengthen the rights of new migrants (Sainsbury 2012). However, Sainsbury (2012) argues that at the same time as promoting the rights of some migrants, the UK government also started to impose controls on migration. During the 1970s, the shape of the political discourse shifted once more to retreating from framing race relations in terms of social rights of migrants, and instead to focus on equal opportunities (Sainsbury 2012).

Sainsbury (2012) points to a retreat from the relatively broad understandings of British citizenship to a retraction of rights for those from colonies, firmly linking citizenship to those residing in the UK only. This culminated in the 1981 British Nationality Act, which specifically defined a British citizen as being someone who was born in the UK (Sainsbury 2012). Sainsbury (2012) points out that the politics of exclusion was now characterised by altering the definition of who is seen as a British citizen, meaning that those arriving in the UK from former British colonies were subjected to the same treatment from immigration authorities as those from other countries. Thus, the definition of

who is seen as eligible for citizenship status started to become far more exclusive and exclusionary, and this will be explored in relation to asylum seekers and those with irregular immigration status later (Joppke 1999; Sainsbury 2012).

Politicians began to strengthen their protestations around who deserved (and did not deserve) to be considered as a UK citizen. Enoch Powell controversially stated that belonging and inclusion in the UK could only come from descent, and he was later removed from the Conservative party for professing that 'rivers of blood' would be created if migrants did not return back to their country of origin (Yuval-Davis 2006). Whilst Powell was banished from the Conservative party, a similar rhetoric was echoed by Thatcher some years later, who promoted a harsher, more unwelcoming, approach to migration 'the British people, Mrs Thatcher famously said before the election, fear 'being swamped' by people with 'alien cultures' (Spencer 2011:28). Thatcher sought to impose further restrictions on migrants' access to citizenry (Spencer 2011). Meanwhile, some years later, Norman Tebbit suggested that migrants should be subjected to a 'cricket test' to test their allegiance to their host country (Yuval-Davis 2006).

At a similar time that the Conservatives promoted this anti-immigrant rhetoric, the UK joined the EU. EU citizens enjoyed greater social rights that were in line with those attributed to British born citizens, whilst the social rights of those from outside of the EU (including Commonwealth countries) were further denigrated by this move (Sainsbury 2012). Thus, the paradigm of who was accepted within the UK nation state changed from including Commonwealth countries in the immediate post-war years, to then excluding them in favour of those from the EU or European Economic Area (EEA).

Although migration is not a new phenomenon and people have migrated for centuries for multiple purposes, its 'political salience has strongly increased' fuelling more debates as to which groups of migrants should be 'deserving' of

such citizenship (Castles et al 2014: 1). However, the current Conservative and previous Conservative/Liberal Democrat coalition government have imposed further sanctions on those who migrate to the UK in order to tighten the remit of those who are 'deserving' of such citizenship or rights to residency. This strongly contributed to the significant and unrelenting debate concerning the UK's membership of the European Union. The incorporation of those from the EU and the level of their entitlement to welfare had contributed to holding an in/out referendum on whether the UK should remain as part of the EU.

The rhetoric identified earlier in relation to migration is not just confined to the Thatcher era, as more recent examples of this emerge. Indeed, David Cameron was criticised for using dehumanising language during his time as Prime Minister, by using the word 'swarm' to describe migrants who were gathered in Calais seeking a life in the UK (BBC 2015a). In relation to the UK referendum on Europe, Nigel Farage, the former leader of the UK Independence Party, was also heavily criticised and accused of encouraging racial hatred, whilst promoting a poster with a picture of migrants and refugees, stating that the country was at 'breaking point' (Stewart and Mason 2016). Thus, despite the research taking place before the UK's referendum on their membership in the EU, it will be interesting to explore the lived experience of having an irregular immigration status for women who experience domestic violence, particularly because of the perpetuation of 'unwelcome' rhetoric espoused by the UK government and others in relation to migrants, and especially those with an irregular immigration status, as later parts of the chapter will discuss. The decision to leave the EU as a result of the referendum is likely to exacerbate these questions around the rights of EU migrants to live and work in the UK.

This part of the chapter has outlined how ideas of inclusion and 'deservedness' have been strongly attached to the evolving ideas of citizenship. Such discussions cannot do justice to the wealth of literature on

this subject, however it has served as a historical overview to document how notions of citizenship have changed over time, expanding and contracting to include and exclude, which is heavily tied to the political context. Such discussions are wholly lacking in domestic violence accounts that discuss the positioning of migrant women, and will be discussed further later on in the chapter. These discussions have been helpful in explaining the wider context in which migrant women with an irregular migration status are understood, including the ways that migrants may fall inside and outside of the idea of 'deservingness'. The next part of this chapter will consider the framework of '(un)deservingness' in relation to its links with the welfare state.

### **The consequences for the undeserving: Depleting social rights**

Accompanying the changes in the conceptualisations of who is seen as 'British', was a substantial retrenchment of the welfare state and a depletion of migrants' social rights. This part of the chapter will examine in more detail the changes in the rights of migrants, to help to place the experiences of migrant women who experience domestic violence in a wider political context.

The post war period led to some universal policies such as the National Health Service Act and the Education Act of 1944, which were adopted to emphasise the social rights of all individuals, making these services accessible to all, so that '...there would be no sense of inferiority, pauperism, shame or stigma' (Titmuss 2014:38). However, a subsequent retreat from the Marshall influenced post war universalism had led to increased restrictions on welfare and a greater emphasis on who 'deserves' welfare and who does not. The Thatcher and later Major Conservative governments sought to tighten access to welfare, particularly for migrants who were increasingly constructed as 'undeserving', by endorsing means-tested benefits over universalism, claiming that they were the most effective way to meet the needs of the most impoverished. Geddes (2000) argues that the changing notion of citizenship,



which was increasingly tied to membership of a nation state, had led to the exclusion of migrants not just in terms of access to citizenship, but also in accessing welfare provision, forming a new weapon of exclusion. Indeed, this shall be discussed in relation to asylum seekers and those with an irregular immigration status, before looking more closely at the depletion of such rights for migrant women who experience domestic violence and abuse.

Previously, many migrants were eligible to access welfare because of their colonial links, or because they were from Ireland. The Conservative government restrictions on who may access welfare affected poor native citizens as well as migrants. Their retreatment from universal benefits to means tested benefits, meant that eligibility tests served to ‘...keep people out; not to let them in’ (Titmuss 2014:43). Indeed, Ong (2005) argues that neoliberalism means that states increasingly relinquish responsibilities for their citizens, and instead rely on individualism, where they are encouraged to be autonomous and take care of themselves. This however disproportionately tends to affect the poorest. The Conservative government during this era promoted the idea of the ‘conditionality of social rights’ whereby rights formed a new binary with responsibilities, where all were expected to contribute (Sainsbury 2012:167). Sainsbury (2012) argues that means testing has actually affected migrants the most as many remain unaware of their eligibility, and as noted earlier these policies are likely to hit the poorest hardest, a category that many new migrants fall into (Sainsbury 2012). Thus, Thatcher served to discourage, discredit and dehumanise migrants by ensuring that many, such as those from the Commonwealth, fall out of their redefined notion of a ‘British citizen’.

After the Labour party were elected in 1997, they implemented a string of measures in their attempt to ‘control’ migration, which were applied to many groups of migrants including EU citizens. Sainsbury (2012) identifies how the Borders, Immigration and Citizenship Act 2009 increased the amount of time that migrants must retain residency in the UK before they can access benefits,

sending a clear message that social rights are available to citizens only, whilst the social rights granted to migrants are conditional. Sainsbury (2012) points out that Labour has on the one hand depleted the social rights of migrants by imposing further sanctions on their ability to access benefits, whilst at the same time expanding the anti-discriminatory policies to ethnic minorities. Thus, the politics of 'deservingness' has been intensified by tightening the link between citizenship and the access to social rights and welfare, creating a wide disparity between the rights of native citizens compared to migrants (Sainsbury 2012). The tightening of state support and social rights will be explored in the context of domestic violence and migrant women, later on in the chapter.

More recently, Sainsbury (2012) argues that the UK has not only depleted access to social rights to many groups, most notably migrants, but it has also increased the amount of responsibilities that migrants must fulfil to be considered eligible and hence 'deserving' of access to these rights. This has been embedded in a 'deserving/undeserving' framework, whereby migrants have been depicted as 'scroungers', contributing to the criminalising of them. Moreover, Sainsbury points out that '...the illegal entry of undocumented immigrants has been marshalled as an argument against granting them residence and social rights. The subtext of all these frames is dishonesty, casting doubt on the trustworthiness of newcomers' (2012:246). Such rhetoric will be discussed in relation to specific groups of migrants such as asylum seekers and irregular migrants later, and finally applied to migrant women who experience domestic violence and understand how the political climate may impact on the migration and domestic violence nexus.

Denigrating rhetoric has become apparent more recently with David Cameron's endeavours during his time as Prime Minister to tighten the restrictions of EU citizens' rights to access benefits in a (failed) bid to keep the UK in the EU, causing great controversy as EU member states regarded this as a breach of the social rights of their citizens. Indeed, Bommes and Geddes

argue that the various categories of migrant are actually a ‘...labelling capacity arising from the political differentiation of migrants’ (2000a:2).

This part of the chapter has built on the discussions around deservingness in relation to citizenship, by considering the interrelationship between citizenship and depleting social rights, which increasingly impacts on the poorest and most notably migrants, who are increasingly likely to be depicted as ‘undeserving.’ The next part of this chapter will consider the framework of ‘deservingness’ in relation to labelling, to explore how this affects many different groups of migrants, as well as others, before directly considering how the framework of ‘(un)deservingness’ has impacted on specific groups of migrants.

### **Labelling: Who deserves and who does not?**

This chapter has so far considered the framework of ‘(un)deservingness’ in relation to a historical perspective that has helped to contextualise the changing notion of who is considered as ‘worthy’ of citizenship, and how this has changed depending on the political context of the time. For example, those from former colonies were accepted as British citizens, and then later stripped of many of their rights, and this can now also be seen with EU citizens as well. The next part of this chapter will consider the final part to the framework of ‘(un)deservingness’, which will focus on labelling. Such discussions are important as they will help to consider the framework of ‘(un)deservingness’ in the context of domestic violence, offering a news lens by which to understand the experiences of migrant women who experience domestic violence. Anderson (2015) outlines the dangerous impact that the labelling of individuals creates in society, particularly in relation to migration, that can further the politics of exclusion and thus ‘(un)deservingness’. She explains the complex relationship between those who are citizens and those who are migrants (and others), and how these boundaries can become complicated and blurred.

Anderson's (2015) work describes a 'Community of Value', predominantly populated by 'Good Citizens' who share similar values and are considered respectable. Good Citizens are those who have a strong moral compass, and are law abiding and respectable, and thus seen as 'deserving' of membership to the 'Community of Value' (2015). The 'Community of Value' is seen as something which should be precisely that, valued, preserved and protected, meaning that it should not be damaged or diluted by those who are seen as not belonging to it (Anderson 2015). The borders of the 'Community of Value' are defined by distinguishing between the Good Citizen, Tolerated Citizen, Failed Citizen and the Non-Citizen. The distinctions between these categories of people serve to create an 'us' and 'them' and continue to exclude, and label as 'undeserving', those who are seen as not belonging to a particular community or nation. Thus, Bosniak argues that citizenship, whilst based on inclusion, '...is usually premised on a conception of a community that is bounded and exclusive' (2008:1). This means that even victims of domestic violence may not necessarily be accepted into such communities if they do not have the 'right' immigration status, as will be explored later on.

The 'Non-Citizen' is described by Anderson (2015) as a foreigner and someone who lacks not only immigration status to become a member of the 'Community of Value', but also the right values to be accepted as 'deserving' and incorporated into this community. In addition to the Good Citizen and Non-Citizen, Anderson (2015) also identifies the 'Failed Citizen'. This label refers to anyone who is depicted as not being able to live up to the ideals of the 'Community of Value', such as those with a criminal conviction, those who claim state benefits and those who are demonised, such as for example single mothers. Sassen (2002) points out that those who do have legal citizenship are not necessarily treated equally, as the lines of gender and race are often ignored. Thus, 'the failed citizen is both a disappointment and a threat to the local community' (Anderson, 2015:4). The boundaries between the Failed Citizen and the Non-Citizen are increasingly blurred as they both remain

excluded from the 'Community of Value'. Moreover, whilst many migrants will find themselves situated outside of the 'Community of Value', many native citizens will also find themselves beyond the borders of exclusion as they are deemed to not possess the respectability and independence to be fully absorbed into this 'deserving' space. Discussions in Chapter Five will explore the lived experiences of women who overstay their visas and experience domestic violence, identifying how some feel in a sense abandoned by the state and disregarded because of their immigration status.

Anderson explains how the different categories of people outlined above are constantly in flux, 'the politics of immigration reveal the volatility of categories that are imagined as stable, including citizenship' (2015:2). Indeed, membership in the 'Community of Value' is often tentative as Anderson (2015) identifies another category, that of the Tolerated Citizen, who is not deemed good enough, or indeed 'deserving' enough to be a Good Citizen. Indeed, Young argues that the 'undeserving' migrant is constructed as the '...incurable, the alien, the threat...' (1997:133). This contrasts to the 'deserving' migrant, who may be seen as someone who '...improves himself or herself materially and in the acquisition of the trappings of citizenship' (Young 1997:133). However, whilst some migrants may be deemed as 'deserving' and thus are able to become Tolerated Citizens, Anderson (2015) explains how despite their hard working and law abiding qualities, they too will always remain on the fringes of the 'Community of Value'. Thus, Tolerated Citizens are often keen to distinguish themselves from Failed Citizens by emphasising their 'deservingness', by distancing themselves from the 'unfavourable' characteristics of non-citizens (Anderson 2015). This will be explored further in relation to the empirical data in Chapter Five, which considers the lived experience of migrant women, and how some were keen to emphasise their 'good' moral character to seemingly offset the often negative perceptions that surrounded their irregular immigration status.

Anderson (2015) points out that the categories of Failed Citizen, Tolerated Citizen and Non- Citizen, and the subsequent exclusions that are associated with these labels, actually originate from the undeserving poor. The undeserving poor referred to the vagrant who was considered work shy and a threat to social order. Those who could not find work were heavily criminalised through the 1834 Poor Law, which distinguished between the 'deserving' and 'undeserving poor' through the principle of less eligibility. As a result of increasing job insecurity, the vagrant might travel around the UK in search of work, but this was regarded with great suspicion. Thus 'in the days before the hardening of the borders of the nation state, when 'foreign' meant outside the parish or town boundary, it was not the Migrant or the Muslim that threatened social cohesion, but the vagabond' (Anderson 2015:26).

It is these contradictions that continue today as the British born poor are often regarded as work shy and reluctant to travel for work, and thus 'undeserving' of any state welfare, whilst the migrant is considered as 'too mobile' and a threat to the rights of others (Anderson 2015:27). This is reinforced by Bommers and Geddes (2000b), who argue that migrants are continually being constructed as the 'undeserving poor' who 'steal' resources from the receiving country. This may create tensions as the Failed Citizen may 'manifest their resentment in racism' because of their own exclusion, by complaining that they are unable to contribute to the labour market because migrants are stealing their opportunities for work (Anderson 2015:7).

Indeed, Wimmer and Glick Schiller (2002) argue that globalisation has meant that whilst there has been increasing movement between nation states, there is a heightened tendency to scapegoat migrants for problems that occur, such as global recessions. The impact of race may be far reaching as even when migrants acquire formal citizenship, they remain 'othered' by continually being regarded as migrants rather than citizens, who are '...only contingently accepted into the community of value' (Anderson 2015:7). Thus, Favell and Geddes (1999) argue that even when ethnic minorities become recognised as

full members of a society, many still undergo far reaching barriers that impede their own feelings of belonging. Indeed, Sales (2007) argues that notions of British people serves to not only exclude migrants, both regular and irregular, but also those of ethnic minority who may have been settled in the UK for many years. Sales (2005) warns of the dangers of these labels, by arguing that they may promote xenophobia by picking apart those that are not seen as belonging, and encouraging the suspicion and questioning of their right to be in the UK. Indeed, incidents of racial abuse have increased following the UK's decision to leave the EU (Independent 2016). Considering the origins and the progression of terms such as 'undeserving' throughout history is important, as it helps to contextualise this theme. In relation to women who overstay their visas and experience domestic violence and abuse, it will be interesting to explore in further detail how the label of a visa overstayer is constructed and depicted, and what affect this has on women's lived experiences. Moreover, these ideas of labelling through the framework of '(un) deservingness' will be applied to asylum seekers and those with an irregular immigration status, before considering the context of migrant women experiencing domestic violence in more detail.

The racialised dimension here is further exacerbated as the 'Community of Value' remains threatened by those inside of its parameters and those outside of them, Anderson argues that this is not to do with the colour of one's skin, but it is about '...an uncivilised foreignness that leaves the Good Citizen beleaguered and excluded from 'his' country' (2015:47). For example, the predominantly white skin of those from Eastern Europe is still problematised within the 'Community of Value' as their country of origin is regarded as foreign and occupying different values to those within the UK nation state. Sales (2007) argues that although the government claimed that Britishness has never been characterised by being part of a particular ethnic group, and people are not excluded on this basis, she argues that in fact exclusion based on ethnicity and religion has been at the pinnacle of British national identity formulations. Indeed, the 'Community of Value' has its

foundations engrained in the ideas of a shared identity, but also its *shared values* (2015). These values mean that many are excluded and labelled as 'undeserving' of membership into this community, even if they have citizenship because they do not have the 'right' values, such as the Failed Citizen (Anderson 2015).

This is echoed by Crowley, who argues that the rules and restrictions placed on migrants have served to emphasise how some categories of migrants do not belong '...and to justify...the desirability in principle of selective repatriation' (1999:18). Thus, as Anderson points out that government regulations can police the migrant to demonstrate '...what kinds of family relations, what kinds of work, and what kinds of politics are valued and deemed desirable, and what not' (2015:49). The tightening of the UK immigration rules may be problematic for those already situated in the 'Community of Value', as even they are not unaffected. They may be particularly affected if they marry someone from outside of the EU. In addition, some of those who may traditionally be seen as being incorporated into the 'Community of Value', for example the white middle class academic migrating from a high country with a high GDP such as the USA, may also find themselves as an 'inadvertent' victim of the immigration rules, intended to keep 'the Other' out (Anderson 2015). The context of domestic violence may also exacerbate these conditions for migrant women, and particularly those with an irregular immigration status, which will be considered further below.

Anderson (2015) has identified how the policing of the nation state is not just carried out by state officials, but is also now considered as a duty by the Good Citizen. Indeed, Crowley argues that 'the 'dirty work' of boundary maintenance is necessarily performed *on* the boundary, and therefore usually in practice by those living on or near it..., for whom the risk of ending up on the wrong side is agonisingly tangible...' (1999:30). Furthermore, Anderson (2015) points out that those who might be imagined as illegal, because of their country of origin and race for example, will be regarded with more



suspicion, and are more likely to be liable to immigration checks. These checks draw attention to the impermanence and uncertainty around those with an irregular immigration status. The Immigration Act 2014 has not only stepped up its draconian measures towards migrants, but also now expects 'native' citizens to become part of this collusion by helping to police those around them, and are increasingly obliged to report anyone who is 'illegally' residing in the UK without permission (Anderson 2015). This law now requires landlords and health care professionals amongst others to carry out immigration checks and report those who do not have authorised leave to remain in the UK. These laws may also heighten the vulnerability faced by migrant women who experience domestic violence and abuse, as will be explored further in Chapter Six.

Anderson (2015) has identified the powerful ways that labelling may create and maintain divisions between different groups within society. The labelling of groups, particularly migrant groups, can change over time, with some being welcome but many being excluded and considered as 'undeserving' of membership to the 'Community of Value'. It is also important to acknowledge that the groups created by the government are not distinct categories, as they often insinuate, but are constantly in a state of flux as people can move in and out of them (Kofman and Raghuram 2015). Having considered the framework of '(un)deservingness' in relation to citizenship, the consequences of being labelled as 'undeserving' as well as Anderson's framework (2015) in terms of how these labels are ascribed, the chapter will now consider how this framework plays out in the context of different groups of migrants.

### **Critiquing citizenship**

It is important to consider the framework of '(un)deservingness' in relation to citizenship as the earlier parts of this chapter have discussed. It is also necessary to be critical of such stances. Indeed, citizenship is not the only

means by which individuals may gain rights and recognition. Nash points out that globalisation has brought about the evolution of human rights, and these rights have become more than ‘...moral or political aspirations’ and are now embedded in legally binding international agreements (2009:1070). The UK is signatory to the Universal Declaration of Human Rights, and this laid the foundations to the European Convention on Human Rights, which are protected under UK law in the Human Rights Act 1998 (Liberty 2017). These international agreements state not only the human rights that every individual has, but also the state’s responsibility to uphold these rights (Nash 2009:1071). Importantly, these international agreements are not dependent on a person’s citizenship status (Nash 2009:1071). Thus, a human rights approach may also be a useful avenue to pursue when state implemented avenues to citizenship deny an individual access to their basic human rights.

Benhabib argues that we are seeing cosmopolitan norms, including human rights, which ‘...establish new thresholds of public justification for humanity that is increasingly united and interdependent’ (2007:33). New modalities of citizenship have emerged as a result of this increasing interconnectedness. Thus, Benhabib (2004) argues that political membership, referring to the way that migrants and others have been incorporated into the existing community, have displaced traditional conceptualisation of national citizenship. Instead, she identifies a ‘citizenship of residency’, where individuals’ sense of membership may transcend the nation state (Benhabib 2007:30).

Benhabib (2007) argues that the growth of cosmopolitan norms, the expanding modalities of citizenship and the subsequent displacement of national citizenship, must be accompanied by the global growth and protection of human rights. Cosmopolitan norms signal the importance of this through the enshrining of international laws, which may supersede state laws and policies. Indeed, Benhabib argues that policies regarding citizenship should not be considered as purely within the boundaries of the nation state,

but where decisions on such matters have ‘...multilateral consequences that influence other entities in the world community’ in light of this interconnectedness (2004:20-21). Moreover, the existence of human rights frameworks mean that states can be held to account for violating such norms (Benhabib 2007), although later discussions will identify its problems.

Benhabib (2004) recognises the existence of ‘popular sovereignty’ whereby those who are members of the *demos* may make decisions on the laws that govern themselves. Visa overstayers, amongst others, will not necessarily be incorporated into the *demos* but will remain affected by some of their decisions, however Benhabib argues that the ‘democratic iteration’ of the people may help to critically evaluate who is excluded (2004:21). She argues that this process can relax the distinctions between citizens and non-citizens, and this will in turn allow for a move towards a ‘...postnational conception of cosmopolitan solidarity which increasingly brings all human beings, by virtue of their humanity alone, under the net of universal rights, while chipping away at the exclusionary privilege of membership’ (Benhabib 2004:21). Thus, universalistic morality is inherently important in justifying the granting of human rights to those who are classified as ‘non citizens’. A rights based approach may help to widen the lens by which citizenship may be considered, particularly for those who are subjected to domestic violence.

However, Benhabib (2007) also recognises that whilst international human rights agreements mean that the civil and social rights of migrants and others are increasingly protected, the political rights of such groups has not been so extensive. Moreover, not every group has benefited equally from the growth of cosmopolitan norms (Benhabib 2007:19). Benhabib (2007) points to the increasing criminalising of migrants, as explored earlier, as well as the exclusion of asylum seekers and refugees (discussed further below). She argues for the recognition of the:

‘...moral claims of refugees and asylees for *first admittance*; a regime of *porous* borders for immigrants; an injunction against denationalization and the loss of citizenship rights; and the vindication of the rights of every human being “to have rights,” that is to be a *legal* person, entitled to certain inalienable rights, regardless of the status of their political membership. The status of alienable ought not to denude one of fundamental rights’ (Benhabib 2004:3).

However, challenges may emerge between international human rights laws and cosmopolitan norms and the ‘...the principle of democratic self-determination that governs existing understandings of citizenship’ (Nash 2009:1068). Indeed, Morris (2003) recognises how two perspectives on cross national migration have emerged, one that emphasises the continuing power and sovereignty of the nation state through national citizenship. The second perspective emphasises the ways that migrants may draw upon transnational rights that extend beyond the nation state, and that consequently may deem national citizenship to be irrelevant (Morris 2003). According to Benhabib (2004), cosmopolitanism means that rights are extended to non-citizens. However, it should be noted that some of these rights are not always applicable, as Morris (2003) notes that those who are ‘non-citizens’ such as visa overstayers may have limited rights to a family life, especially if a right to a family life could be pursued elsewhere. However, the state is bound to the agreements to which it is a signatory, and as such the courts may be used to uphold these rights.

Whilst access to human rights through international conventions are available, it is also important to recognise the problematic nature of such measures. Nash (2009) is critical of Benhabib, arguing that Benhabib offers an optimistic view of cosmopolitan laws. Nash (2009) argues that whilst cosmopolitan law is aimed at dissolving the distinctions between citizens and non-citizens, the reality is that they create deep and complex inequalities that

may exacerbate the differences between citizens and non-citizens. In some cases, Nash (2009) argues that those that have secured rights under human rights law may even be subjected to further human rights abuses. Moreover, Nash (2009) argues that in fact cosmopolitan law, rather than eradicating the difference between citizens and others, such laws have actually led to the creation of several different groups, namely super citizens, marginal citizens, quasi citizens, sub-citizens and un-citizens.

Super citizens refer to those with 'full citizenship', whose wealth and skills often leads them to capitalise on such statuses, by having the ability to be mobile across borders and therefore not tied to a particular state (Nash 2009). Marginal citizens refer to those who have full citizenship, but they do not have the same level of wealth to enjoy the advantages that it brings to those who are super citizens. Thus, they may be excluded by their lower social class or racism (Nash 2009). Marginal citizens may have marginal interest in human rights. Cosmopolitan law has not addressed the economic and social deprivation of marginal citizens, and as such human rights are often deemed to be irrelevant to those belonging to this group (Nash 2009).

Quasi citizens are a diverse group, commonly referring to those long term residents of a state as well as refugees that have been granted asylum on the basis of their state's signatory to international human rights laws. According to Nash (2009), this group have successfully campaigned for recognition to rights to access various state welfare including education, health and housing, however they often lack political rights. Whilst significant advances in terms of human rights have been made by this group, Nash (2009) points out that their human rights are not always protected, and in some cases they may even be threatened by the states that are meant to protect them. Nash (2009) gives the example of how the UK amongst others such as the USA may violate human rights protection in the name of national security. For example, Nash (2009) cites the example of political refugees in the UK who were arrested and detained, despite no charges being brought against them,

yet the highest court of appeal rendered their imprisonment unlawful, and this ruling was based on the European Convention on Human Rights.

Sub citizens refer to those who do not have paid employment, nor do they have any entitlement to recourse to public funds. This may include asylum seekers as well as those whose immigration status is dependent on their spouse. Nash argues that such statuses are ‘...literally *created* by international human rights law as it is administered through state-specific policies’ (2009:1078). Sub citizens are in an extremely vulnerable position as they may be subjected to violence and abuse within the home, yet have ‘...virtually no legal status in international law’ (Nash 2009:1078). Finally, un-citizens refer to undocumented migrants who are not recognised at all in their host countries. They may not be permitted to apply for asylum and may be subject to immediate deportation (Nash 2009).

Many of the women interviewed, as subsequent chapters will explore, fall in to the latter two groups of sub citizens and un-citizens. These groups serve to illustrate how human rights laws are unevenly distributed and in fact lead to the ‘...proliferation of statuses regarding citizenship and human rights rather than an equalisation of treatment for citizens and non-citizens’ (Nash 2009:1079). Whilst processes of globalisation may be seen to undermine state sovereignty, Meyer et al (1997) argue that the nation state remains responsible for managing the problems that emerge in their own societies. Thus, the human rights framework still reaffirms the right of the state to ‘...govern the entry and stay of aliens’, meaning that there is much disparity in the ways that countries recognise and enforce the human rights of individuals (Morris 2003:77). For example, the European Convention on Human rights asserts the universal right to have a family life, however despite this being a universal right, it is still subject to much qualification and interpretation by states, whereby different rules exist for different groups of migrants (Morris 2003).

Consequently, Benhabib points to a contradiction between universal human rights and state sovereignty, as the Universal Declaration for Human Rights continues to uphold state sovereignty by failing to outline states' '*obligations*' to allow migrants entry to the country, or their obligation to uphold the right of asylum or grant citizenship to migrants (2004:11). She points out that the apparent conflict between state sovereignty and universal human rights are ingrained into the 'most comprehensive international law document in our world' (Benhabib 2004:11). Moreover, although we have seen the spread of cosmopolitan norms, particularly through human rights, the state still maintains its power in privileging national citizenship (Benhabib 2007). States may also resist such measures by 'strengthening' their sense of sovereignty by increasing militarisation as well as hostility towards migrants and nearby countries, and ignoring human rights (Benhabib 2007). Additionally, campaigns to secure the human rights of non-citizens are often deeply unpopular, and with states and the media pitching human rights against arguments concerning national security, the political environment means that there are great disparities and inequalities between different groups of citizens and non-citizens.

Nevertheless, the existence of cosmopolitan law and the human rights framework means that the boundaries between citizens and non-citizens are broken down. Indeed, Freeman (1995) recognises how liberal democratic states' politics on immigration tend to differ according to their varying immigration histories. Whilst recognising the conflicts that states' often encounter in their stances on immigration, particularly towards asylum seekers, Freeman nevertheless maintains that state policies towards immigration are 'largely expansionist and inclusive' (2005:882). He argues that the institutionalising of states in for example the European Union, provides the basis for which issues around immigration are handled (Freeman 2005).

Meyer et al (1997) point out that although there may be an ever expanding list of challenges that the world faces, acts such as political torture, which were often previously overlooked, are now viewed as of ‘...world-societal significance’ (1997:175). However, Nash (2009) remains critical of such approaches by arguing that in fact human rights frameworks may lend themselves to new forms of inequalities and in fact enable states to abuse their powers towards these individuals, which in turn invalidates and compromises the purpose of human rights law in the first place. Such discussions have widened the lens by which citizenship may be viewed, to recognise the existence and importance of human rights frameworks that may be used and enabled by individuals to recognise their human rights, particularly when state immigration policies have failed to do so. However, as the above discussion have recognised, these arguments are by no means straightforward and in some cases human rights laws may cause further divisions and inequalities.

The next part of this chapter will consider how ‘(un)deservingness’ plays out in the context of those who seek asylum. Although asylum seekers are using international human rights law as an avenue for citizenship, the state’s treatment of such groups show that they are not treated equally to those of ‘citizens’, and such measures may be used as a deterrent to others from using these international laws. Indeed, Morris (2003) points out that an emphasis on rights may also lead to the exercise of surveillance and control of groups of non-citizens, as is apparent in the case of asylum seekers, whereby the UK’s treatment of such groups is inherently linked to their deterrence and control, as the discussion below will outline.

#### *The ‘undeserving’ asylum seeker*

The framework of ‘(un)deservingness’ has been explored in relation to citizenship, social rights and the labels attributed to migrants as well as others. It has also considered the limitations to looking at citizenship, by



discussing how this may be used as an exclusionary mechanism to deny women and others access to their fundamental human rights. Thus, a human rights framework may also offer opportunities for some to supersede the state, when state immigration rules deny them from accessing their human rights. However, as the above discussion explored, this is also very complicated as human rights may exacerbate the differences between citizens and non-citizens (Nash 2009). In light of these ideas, it is now important to consider the different groups of migrants to see how this framework of 'deservingness' plays out. Whilst it is important to acknowledge that many different groups of migrants such as economic migrants, student migrants and those who migrate for purposes of family reunification may be affected by changing notions of 'deservingness', this chapter will predominantly focus on asylum seekers and irregular migrants, as the position and context of these groups are most directly related to visa overstayers, which is the group being explored in this thesis.

The hostile, vilifying and undeserving rhetoric used by the UK government along with the restrictions placed on migrants was initially targeted at specific migrant groups. Asylum seekers were first on the list. Sales (2002) argues that the separation between the 'deserving' refugee and the 'undeserving' asylum seeker has been a widely promoted rhetoric in the UK to discredit some and favour others. Thus, Spencer (2011) argues that political parties play a big part in the way that debates around migration play out. This is notable in relation to the current political situation in Syria, meaning that many are forced to flee for safety in Europe. Syrian asylum seekers have sometimes been regarded as more 'legitimate' than others, however this may be subject to turbulent change. Anderson (2015) points out that people may move in and out of these groups relatively easily. Germany welcomed significant numbers of Syrian refugees, however the recent sexual assaults of women in Cologne (allegedly perpetrated by asylum seeking men thought to be from the Middle East or Africa) has somewhat tempered this hospitality, meaning that the depiction of the 'deserving' Syrian asylum seeker is tested

by such actions (BBC 2016a). This is part of a recurring pattern, as Sales (2002) identifies how Kosovan refugees were seen as 'deserving' in the 1990s by the UK government, which sharply contrasted with the way that refugees from other countries were viewed. Gender is also important here, as Griffiths argues that the '...highly moralized image of the "real" refugee' who is often construed as vulnerable and passive is problematic for men seeking asylum, due to the gendered ideas of masculinity which prevail (2015:472).

The discrediting of asylum seekers formed part of a wider pattern that happened across Europe and not just in the UK (Bhabha 1998). Anderson (2015) notes that those seeking asylum were initially treated with sympathy in the 1970s, however as the numbers increased, attitudes became more unsympathetic, and many were considered to be 'bogus'. The term 'bogus' was originally coined by the Thatcher government (Spencer 2011). The label promoted a discrediting rhetoric in relation to asylum seekers, casting doubt as to whether they should be considered 'deserving', and whether they were in fact not fleeing conflict but were actually economic migrants, looking to exploit an avenue to enter into the UK (Geddes 2000). The uses of such labelling by the state draws attention to the enduring state power in terms of how they implement international human rights agreements. It gives weight to Nash's (2009) argument that, at least currently, human rights frameworks may create further divisions by exacerbating the divisions between citizens and others. This label makes clear that asylum seekers are 'undeserving' of being incorporated into the 'Community of Value', and such discrediting rhetoric suggests that they will fall into the category of 'Non-Citizen', with only the 'deserving' refugee being accepted as a Tolerated citizen (Anderson 2015). The 'bogus' label used towards many asylum seekers has meant that asylum seekers who were traditionally depicted as Tolerated Citizens into the 'Community of Value' by the Good Citizens with a humane moral compass, are now regarding them as a threat to their cohesion and values (Anderson 2015). Thus, asylum seekers are depicted as a threat to the 'Community of

Value', and '...the community of value is confirmed by their rejection rather than by their inclusion' (Anderson 2015:56).

The UK Conservative government under Thatcher and then Major served to discredit asylum seekers as 'undeserving' not just by using discrediting labels, but also by depleting their social rights by making their living conditions in the UK increasingly difficult, and reducing their access to welfare (Sales 2002; Spencer 2011). Geddes argues that 'the utilisation of the welfare state as a device to deter asylum seekers added a new weapon to the armoury of post-war immigration controls and redefined the relationship between migrants and the welfare state' (2000:142). The changes in policy served to make visible the 'illegitimate welfare receivers' and to diminish any hope of being able to participate in the 'legitimate' community (Geddes 2000:143). Thus, these changes perpetuated the 'undeserving' framework used in relation to the asylum seeker, as this very label has an impact on how they are positioned as well as how they may perceive themselves (Yuval- Davis et al 2005).

The Conservatives introduced a number of policies such as the Social Security Act 1995 and the Asylum and Immigration Act 1996 to track asylum seekers using their finger prints, therefore reaffirming their belief that asylum seekers are to be mistrusted, and to withdraw their eligibility for welfare, increasing pressures on the local authority (Geddes 2000). It is perhaps unsurprising that Sainsbury (2012) concludes that those seeking asylum have received the worst denigration of their rights. Thus, whilst international human rights law was set up to ensure that states ensure the human rights of all individuals, regardless of their citizenship status (Nash 2009), the punitive methods of surveillance that the UK increasingly pushes on migrants suggests a contradiction in these terms. The subsequent election of the 1997 New Labour Government gave mixed signals with regard to their treatment of migrants. For example, their subscription to the Human Rights Act was met with the approval from those championing the rights of migrants (Sainsbury

2012). This has not been without controversy, as Human Rights law is often seen as contesting the sovereignty of the nation state by reinforcing the rights of newcomers (Halfmann 2000; Sales 2007).

Intensifying debates over migration meant that New Labour adopted a number of measures in their treatment of asylum seekers, which reaffirmed their '(un)deservingness'. For example, an entirely different welfare system was created for asylum seekers that changed the format of subsistence from cash payments to a demeaning voucher system, and reducing the level of subsistence to 70% of the standard rate of native citizens (Sainsbury 2012). They also abandoned the right for asylum seekers to be able to work in the UK after six months (Spencer 2011). The new system was arguably more demeaning and cut rates of provision for asylum seekers to below the poverty line (Sainsbury and Morissens 2012). This hostility continued as the Nationality, Immigration and Asylum Act (2002) proposed removing asylum seeker's children from mainstream schools, with David Blunkett claiming that they risk 'swamping local schools' (Sales 2007: 149). Moreover, subsequent policies such as the Immigration and Asylum Act (1999) have introduced further measures, such as the compulsory dispersal of asylum seekers across the country, where any asylum seeker who refuses such measures risks losing any entitlement to public funds or housing, which further contributes to the 'undeserving' rhetoric and practice (Schuster 2005; Kofman 2002). Often, dispersal areas are deprived, which creates competition for limited resources, and can result in racism and conflict between migrant and non-migrant (Geddes 2000; Schuster 2005). This supports ideas raised by Anderson (2015) earlier, which highlighted how the exclusion of Failed citizens, who are often heavily dependent on state welfare, can cause conflict between this group and others such as the Non-Citizen asylum seekers who are also reliant on these limited resources. Alongside these measures, Andersson argues that those in the immigration system face a misappropriation of their time as they wait for lengthy periods of time for decisions to be reached, further affirming their '(un)deservingness' by '...generating unequal gains and distressing

human consequences at the rich world's borders' (2014:5). Indeed, Schuster argues that migrants are increasingly subjected to dispersal, detention and deportation, which render '...certain categories of children, women and men as less deserving of dignity and as less entitled to respect of their human rights' (2005:617). This indicates the disparity between states in the way that those applying under human rights laws are treated, and that the state has much power in how human rights law is implemented (Meyer et al 1997; Morris 2003). Thus, Benhabib (2004;2007) argues that cosmopolitan norms and human rights allow for an ever closer union of states and an opportunity to look beyond traditional notions of national citizenship. The discussion above in regards to asylum seekers though suggests that the state continues to hold much power in how human rights laws are administered, creating a hostile environment for many.

The situation for asylum seekers has been analysed in relation to the framework of '(un)deservingness' discussed earlier, by drawing attention to the ways that those seeking asylum have been situated outside common notions of British citizenship, as well as stripping them of their rights, demonising them further in controversial political rhetoric that labels them as 'undeserving'. This has helped to provide a political overview of the situation that many women with irregular immigration status who experience domestic violence and abuse may also face, as some of those interviewed went on to make applications for asylum. Although earlier discussions have drawn attention to the inequalities that those seeking asylum face in the UK, it should be noted that human rights laws do allow some the opportunity to appeal to international frameworks for protection of their human rights. This may be essential, when UK state decisions have denied victims of domestic violence access to this fundamental protection. Later parts of this chapter will discuss the context of domestic violence for migrant women, however this chapter will now consider the context for those with an irregular immigration status more generally, as this will be helpful to contextualise the

position of women who overstay their visas and experience domestic violence afterwards.

### *Irregular migrants*

Irregular migrants are made up of those who entered the country without permission, those who overstay their visas, those who enter the country and remain legally but breach the conditions of their status, and finally a child born in the UK to parents who do not have permission to reside in the UK (Spencer 2011). The most common form of irregular migrant is thought to be an overstayer. (Spencer 2011). An overstayer is '...a migrant who remains in the UK beyond the expiry date of their leave to enter or remain' and includes not just those whose visa has expired or has been shortened, but also those who have applied for further leave but this has not been granted, but they have continued to remain in the country (Vine 2014:11). Spencer (2011) recognises the binary that irregular migrants are normally constructed under, for example they are often either criminalised for breaking the rules and constructed as 'undeserving' or seen as victims and vulnerable. However, even if they are depicted as 'victims', they are still unlikely to be accepted into Anderson's (2015) 'Community of Value'.

In fact, Spencer (2011) argues that the situation is far more complex and involves considering the context in terms of why people decide to migrate in the first place, whereby resorting to an irregular route of entry may be their only option, and secondly the conditions to become regularised may be simply unobtainable. An additional intersection of domestic violence, as explored further below, may also complicate such debates particularly if an abusive partner is controlling the immigration status. Furthermore, debates over who is legal or illegal in a country are often fluid, and migrants may move between the boundaries, for example those who overstay their visas originally arrived into a country 'legally' with permission, but subsequently move into the parameters of illegality by overstaying their visas (Anderson 2015). As a result, public opinion cascades between those concerned for the

human rights and protection of human beings, believing that state measures to control such individuals through deportation and removal are inhumane and unjust. Others deem the borders of the UK to be insecure and open to exploitation by migrants who illegitimately claim benefits and work without permission (Anderson 2015). The framing of those with irregular immigration status may impact on the label ascribed to them, and whether they are depicted as 'deserving' or 'undeserving'. However, even victims of abuse who may traditionally be considered as 'deserving' may not be supported by the state because of their immigration status, thus reinforcing their '(un)deservingness' (see section below on 'State violence: Policy implications in the context of state violence' for further information). . Furthermore, Nash (2009) is critical of the growth of cosmopolitan laws, as they stand at the moment, for creating further divisions and inequalities between different groups, as in the case of the visa overstayer who fits into the 'un citizen' category outlined earlier.

Sciortino (2004) points out that prior to the early 1970s, irregular migration did not equate to illegality, since a newcomer could switch their status relatively easily by acquiring employment. Thus, 'irregularity was then considered a transitional, limited, phase in the path of the migrant' (Sciortino 2004:27). However, the 1970s brought about major changes to the way that irregular migrants were controlled. Since this time, there has been increasing emphasis on 'clamping down' on 'undeserving' 'illegal migrants'. Spencer (2011) argues that a legal framework from more than 40 years ago, which considers all those who breach the immigration rules as committing a criminal offence and are subsequently subject to removal is outdated and fails to take into account the many, and often minor ways that those who are irregular may breach their requirements. This has restricted the opportunities for policy development that extends beyond border enforcement through detention and removal (Spencer 2011).

The Immigration Act 2014, as identified earlier, has introduced a number of measures to restrict the space by which those with irregular immigration status may live, which included engaging the 'Good Citizen' into policing those around them, and reporting anyone in breach of the immigration rules. Thus, the borders '...effectively follows them inside' (Bosniak 2008:4). Indeed, De Genova (2002) argues that a similar situation has occurred in the United States, whereby the surveillance of the undocumented has been extended beyond immigration departments and the police, to others such as private citizens, for example college administrators and employers. The surveillance for domestic violence victims however may extend far beyond the state and into the private sphere of the home by abusive perpetrators. Walter's concept of domopolitics is relevant here. This refers to '...the government of the state...as a *home*' and '...implies a reconfiguring of the relations between citizenship, state, and territory' (Walters 2010:241). Walters argues that domopolitics has changed the way that populations are governed, which even extends into the home where '...borders begin to spread...' and '...disperse into networks of information and surveillance' (2010:251). This surveillance through domopolitics may be utilised by perpetrators as a way of emphasising the woman's vulnerability to deportation, and the impact of the Immigration Act 2014 is also likely to increase the surveillance, as identified earlier. Thus, this reinforces the power that the state has, despite Benhabib's (2004;2007) arguments regarding the growth of cosmopolitan laws.

Many scholars have argued that irregular migrants make a considerable contribution to their communities, despite being excluded from formal citizenship. Chauvin and Garcés- Mascareñas argue that those who have an irregular immigration status integrate into society '...through informal support networks, the underground economy, and political activities', meaning that they are not absolutely excluded from society, but instead are subordinately included (2014:422). Thus, they adopt the term 'camouflage' to refer to irregular migrants who are both visible and invisible, and to show how irregular migrants typically aim to become 'less illegal' by becoming 'less



detectable or less deportable’ (Chauvin and Garcés- Mascareñas 2014:428). Sassen similarly point out that many irregular migrants engage in similar practices to those with formal status, forging ‘...an informal social contract between these undocumented immigrants and the community (2002:6). As a result, Chauvin and Garcés- Mascareñas argue that this creates a tension for ‘restriction governments’ as their ‘constructions of “good citizenship” threaten to extend to “deserving” undocumented migrants’ (2014:422). Indeed, Chauvin and Garcés- Mascareñas identify how the ‘...politics of legalization bring the question of deservingness to the foreground...’ (2014:428). If such frameworks are engaged with, Chauvin and Garcés- Mascareñas argue that ultimately this will limit ‘...irregular migrants’ opportunities to deserve, effectively making deservingness both a civic obligation and a civic privilege (2014:422). They argue that ‘deservingness’ in the context of migratory studies is heavily linked to legal status, whereby ‘...access to legal status depends on the successful performance of deservingness’ (Chauvin and Garcés- Mascareñas 2014:422). They argue ‘that “illegality” does not function as an absolute marker of illegitimacy, but rather as a handicap within a continuum of probationary citizenship’ (Chauvin and Garcés- Mascareñas 2012:241).

Indeed, Redclift similarly argues that the legal/illegal binary is in fact not so clear cut as these are slippery terms, as for example irregular migrants may find alternative ways to negotiate the ‘space of citizenship’ (2013:317). An ‘emerging moral economy of deservingness’ means that irregular migrants are finding ways to prove their deservingness through ‘good citizenship, however this is juxtaposed with increasing immigration controls (Chauvin and Garcés- Mascareñas 2012:243). Hasselberg’s research (2016) with those subject to deportation and who have been convicted of a criminal offence, found that they too framed their narratives in relation to the ‘good citizen’ who led successful and legitimate lives prior to being convicted, or post release. Chauvin and Garcés- Mascareñas acknowledge that this sense of civic deservingness is exacerbated by restrictive immigration policy that has

closed many opportunities for irregular migrants to become legalised, which ‘...intensifies the hierarchy between the “very deserving” and the undeserving’ (2014:428). This is further exacerbated in the context of domestic violence, particularly when there have been increasing restrictions on access to Legal Aid, which creates further difficulties for migrant women who are trying to regularise themselves. However, it should be noted that whilst the UK government continually restricts access to Legal Aid services, asylum may be a route that some may be able to use to access their fundamental human rights, and accompanying Legal Aid may be available for some of these applications. Ultimately, Bosniak argues that immigration control is ‘the policy expression of bounded citizenship in its purest form’ meaning that it is used to excluding those who are not seen to belong (2008:33). Sassen makes a similar argument, citing USA immigration rules, whereby irregular migrants who have resided for a substantial amount of time may claim citizenship if they are able to demonstrate a ‘good’ character, ‘...strong community ties and participation in civic activities’ (2002:12). Yoo (2008) points out that it is all too easy to depict the migrant as ‘undeserving’, due to being ‘othered’.

The debates raised above highlight the exceptional difficulties that irregular migrants experience in relation to how they are perceived, and whether they are considered to be ‘deserving’. It is also important to recognise the lived experiences of this group, as Sciortino points out that they are ‘...residing on the territory of a state that defines them as unwanted’ (2004:38). These labels of ‘illegality’ have far reaching consequences as De Genova (2002) and Hasselberg (2016) recognise that those who are undocumented must live with the ever-present worry of being detained and deported. Lewis et al use the term ‘hyper precarity’ to refer to the catalogue of insecurities that irregular migrants face in both the immigration system and the labour market (2015:593). They argue that the construction of the ‘bad’ and therefore ‘undeserving’ irregular migrant, may find that they are pushed into working informally as a result of their exclusion from the welfare state, only to then

face further exploitation in the labour market (Lewis et al 2015). Thus, the lived experiences of those who have an irregular immigration status are important to shed light on, especially by considering how this label plays out in their everyday lives.

Irregular migrants may however be treated differently, according to an underlying racialised hierarchy (Anderson 2015). For example, visa overstayers from countries that have a high gross domestic product, such as Australia, are often not considered as a concern for the UK government because it is assumed that they will eventually return. In contrast, those from poorer countries are landed with accusations that they will make false applications to remain in the country, and are regarded as a target for removal (Anderson 2015). Thus, Macklin (2007) outlines how there is a hierarchy of nationalities, which favour the wealthy. This is supported by Yuval-Davis, who argues that 'a man or a woman, black or white, working class or middle class, a member of a European or an African nation: these are not just different categories of social location, but categories that also have a certain positionality along an axis of power, higher or lower than other such categories' (2006:199).

In addition to considering the social division of race, it is also important to consider gender in discussions around migration and those with irregular immigration status. Gender has traditionally been neglected in mainstream migratory literature and theory (Kofman et al 2000). Kofman and Raghuram point out that 'men have dominated migration theories and agendas through their role in productive labour' (2015:6). Castles et al (2014) argue that scholarly research that emphasises the feminisation of migrant labour has started to counteract this.

In relation to irregular migrants, Griffiths points out that male failed asylum seekers, some of whom were irregular migrants or appealing decision made by the Home Office, are commonly thought of as '...deceptive, opportunistic,

or even criminal' (2015:468). Thus, whilst these perceptions around men with an irregular immigration status may dominate, it is notable that few studies focus on female irregular migrants. Indeed, Andrijasevic (2003) argues that men dominate in visual portrayals of border crossing, whilst female migrants are largely invisible and are often construed as lacking agency. Griffiths points out that political conceptualisations and NGOs tend to emphasise the 'victimhood' of migrant women, where placing '...emphasis on traumatized victims invokes images of women and children to the exclusion of adult men...' (2015:483). This research is unique in focusing on female irregular migrants, and whilst their experiences are set in the context of domestic violence, the emphasis is not placed on situating women primarily as 'victims', but on considering the broader connection between migration and domestic violence. This includes considering how women live with an irregular immigration status in their daily lives, their agency and the constraints and barriers to accessing support.

The '(un)deservingness' of irregular migrants has been explored in relation to how they are regarded in terms of citizenship, and the labels attributed to them, however it is also important to recognise their depleting social rights. Irregular migrants are subject to the NRPF rule, which excludes them from many aspects of the welfare state. This was first introduced in the 1971 Immigration Act (Sainsbury 2012). Initially, visitors entering the UK had to prove that they could independently support themselves, without any recourse to public funds from the state, however this eventually '...became a major vehicle for restricting immigrants' access to social benefits' (Sainsbury 2012: 43). The Thatcher era sought to increase the number of benefits that may be categorised as 'public funds' so as to limit the social rights of those excluded from them (Sainsbury 2012). These restrictions have continued, and more recently the Immigration Act 2014 has placed further limits on access to the National Health Service, which has traditionally been a service that was free at the point of use. The heavy restrictions placed on those with an

irregular immigration status are further exacerbated in the context of domestic violence as will be explored below.

**Applying the framework of '(un)deservingness' to women with an irregular migration status who experience domestic violence and abuse**

This chapter has so far introduced a new lens by which the intersection of migration and domestic violence may be viewed. This lens forms a fuller dialogue with migratory literature, and considers the wider political context in which irregular migrants are situated. The framework of '(un)deservingness' was discussed in relation to citizenship, depleting social rights and labelling, and explored in relation to asylum seekers and irregular migrants, to understand how this is part of a wider denigrating rhetoric, which serves to exclude the 'other'. The next part of this chapter will return now to the subject of domestic violence in relation to migrant women, and primarily those with an irregular immigration status, to apply this framework of '(un)deservingness' to such debates. Indeed, Anderson (2015) argues that these debates around inclusion and exclusion extend beyond formal notions of citizenship and legal status, and are in fact couched in debates about human value and worthiness.

John Vine, the former Independent Chief Inspector of Borders and Immigration, released a report on the handling of overstayers' cases, arguing that a deliberately 'hostile' environment had been fostered by the government to not only restrict the space by which irregular migrants may live, but also to create disincentives to stay and encourage migrants to return to their country of origin of their own accord (2014:69). However, this 'undeserving' rhetoric disregards the context of domestic violence and abuse, where migrant women may suffer from immigration related abuse, which may prevent them from renewing or regulating their visa (Raj and Silverman 2002; Menjivar and Salcido 2005; McWilliams et al 2015).

Earlier discussions of irregular migrants have drawn attention to heightened vulnerabilities faced in relation to the precarity of their immigration status, despite the contributions that they make to the community. However, this literature does not engage with domestic violence literature, and misses crucial nuances that particularly affect migrant women, such as domestic violence. Menjivar (2010) points to the importance of migratory literature adopting an inter-disciplinary focus by forging links with other areas, and it is notable that migratory research needs to extend these links to literature discussing violence against women. For example, migratory research such as Chauvin and Garcés- Mascareñas (2014) argue that irregular migrants make many contributions to the community and cite their political activity as evidence of this. However, this disregards how many irregular migrants experiencing domestic violence may not always be able to emphasise their 'good' contributions to the community or society, because of the nature and severity of the abuse that they experience. Additionally, Chauvin and Garcés- Mascareñas's (2014) notion of 'camouflage' may be given further depth by considering the context of domestic violence, as women's 'camouflage' is often controlled by abusive partners.

In addition to the limited recognition given to further nuances of domestic violence within migratory literature on domestic violence, there is also little state recognition of migrant women who experience domestic violence. The UK definition of domestic violence given in Chapter One does not show any recognition of the particular forms of abuse, such as immigration related abuse, which migrant women especially those who have an irregular immigration status face. Perhaps the UK government's lack of recognition of this form of abuse suggests that this group of women do not fit into the 'deserving' depiction of a victim of abuse, despite frequent government rhetoric stating that '...no woman should live in fear of violence' (Home Office 2016a). Vine's report (2014) encourages an 'undeserving' and hostile response to visa overstayers, therefore is the intersection of the 'deserving' victim of domestic violence and 'undeserving' visa overstayer incompatible?

To bring in Anderson's framework (2015), this group can, at best, only be considered as 'Tolerated Citizens' as their experiences of domestic violence may appeal to the moral compassing of those in the 'Community of Value', however their 'foreignness' will always exclude them from the 'Community of Value'.

Visa overstayers may be conceptualised as migrants who lack value and are 'undeserving' by the UK government; as they have sought to apply stringent and punitive immigration controls to those who overstay, whilst excluding them from the welfare state (Sainsbury 2012). Women who overstay their visas and experience domestic violence may be considered as 'undeserving' because their immigration status can take precedence over their experiences of abuse. The lack of government recognition of the experiences of this group of women is also exacerbated by their depleting social rights and lack of access to welfare support, which may in turn exacerbate the dangerous domestic violence that they experience. Thus, many migrant women often face a stark choice between continued domestic violence and abuse, and destitution (McWilliams et al 2015). The NRPF clause exempts many migrant victims from accessing refuge, and refuge providers are under enormous financial pressures that restrict their ability to accept those with NRPF (Amnesty International and Southall Black Sisters 2008; Izzidien 2008; McWilliams and Yarnell 2013; Rights of Women 2013).

The absence of provision, which is somewhat endorsed by the NRPF clause, has been critiqued by the Convention for the Elimination of all forms of Discrimination Against Women (CEDAW), who have encouraged the UK government to step up their measures to assist migrant victims of abuse (McWilliams and Yarnell 2013:10). Existing general academic literature has explored the impact of having NRPF on domestic abuse victims (Crenshaw 1991a; Menjivar and Salcido 2002; Raj and Silverman 2002). This has drawn attention to their lack of rights to benefits and accommodation. However, there is no known literature that explores the impact of having NRPF on

women who overstay their visas and experience domestic abuse independently from other migrant women. The next part of this chapter will consider the implications of the NRPF clause in the context of domestic violence, and how this may act as a form of structural violence by the state.

### **State violence: Policy implications in the context of domestic violence**

Galtung (1975) distinguishes between direct violence, which is ‘...sudden, deliberate direct violence engaged in by actors’, and structural violence, referring to violence that is ‘...built into the basic social structure itself’, but is not tied to a particular institution (Galtung 1975:24). He describes structural violence as ‘silent’ and something that is perceived as being ‘...as natural as the air around us’ (Galtung 1975:117). In addition, Galtung (1996) identifies other forms of violence such as cultural violence, which refers to where certain parts of culture may serve to legitimise both direct and structural violence. Galtung (1975) recognises that there are indeed other forms of violence besides those set out above, however for peace to occur, both direct and structural violence need to be eliminated.

Galtung (1975) uses an example of contracting tuberculosis, as a way of helping to recognise whether violence is deemed to have occurred in the first place. Galtung (1975) uses the example of tuberculosis, where if a person died of such a disease in the 18<sup>th</sup> century, then this would not be conceived a violence and would be considered unavoidable. However, if someone was to contract tuberculosis today, this would be seen as violence due to the amount of medical resources in the world to prevent and treat this disease. Thus, violence may be deemed to have occurred when it is ‘...by definition avoidable and when it is avoidable, then violence is present’ (Galtung 1975:111). In the case of migrant women who experience domestic violence, it may be argued that sufficient resources exist in the UK to support victims (although research by Women’s Aid (2015) amongst many others concedes that this funding is still lacking), yet the NRPF clause often denies this support



to such groups of migrant women, therefore under Galtung's (1975) logic, state violence is deemed to have occurred.

Furthermore, within the context of domestic violence, Galtung argues that patriarchy '...combined direct, structural, and cultural violence in a vicious triangle' (1996:40). He argues that direct violence 'represses', whilst structural violence 'institutionalizes' and cultural violence '...internalises that relation', which all serve to sustain patriarchy (Galtung 1996:40). This part of the chapter will explore what is already known about structural violence in relation to women who are affected by NRPF and who experience domestic violence and abuse. It will start by recognising some steps that have been taken by the UK government to support some of the affected women, before going on to highlight those who continue to face both direct and structural violence, and who continue to be excluded from state support. Chapters Four, Five and Six will use the unique empirical data from the research to discuss the impact of both direct violence and state violence experienced by women in more detail.

The NRPF clause may be perceived as structural violence perpetrated by the state. This label excludes many women from state financial support to help them to escape domestic violence, thus their immigration status implicitly labels these domestic violence victims as 'undeserving'. Galtung's (1975) analysis of structural violence being 'silent' is evident here as many women who are affected by this label are marginalised and often forced to suffer in silence in the private sphere of the home, because their immigration status prevents them from accessing state financial support. However, the former Labour government did introduce measures to help some who are affected by NRPF. The DV Rule was initially introduced in 2002, in recognition that some migrant women may become victims of domestic violence during the probationary period (extended from two to five years), therefore it offered some the opportunity to apply for Indefinite Leave to Remain (ILR) independently of their abusive partner (Rights of Women 2013; Anitha et al

2016). This is remarkable in itself as it has taken over twenty years of campaigning work carried out by pioneering organisations such as Southall Black Sisters and others, for the UK Government to recognise the plight of migrant women experiencing domestic abuse (Siddiqui 2013a).

It is notable that whilst many scholars have reported the effects of the NRPF policy, no studies exist that focus specifically on those who overstay their visas and how this group may be affected by not only this policy, but also wider issues around potential barriers to seeking support. Moreover, studies have extrapolated the inequalities drawn from such government policies, but this framework of '(un)deservingness' will create a new lens by which to emphasise the disparity in terms of financial support for victims of abuse depending on their immigration status.

After further campaigning by such groups, the Conservative government introduced the Destitute Domestic Violence Concession (herein DDVC) in 2010, allowing those applying under the DV rule access to benefits whilst making the application for ILR (Anitha et al 2016). The rule allowed migrant women who came to the UK to '...join a husband/ durable partner who is a UK national or is 'settled', could apply for leave to remain...' as well as those who overstay on spouse visas the opportunity to apply for ILR independently from their abusive partners, if the domestic violence could be proved (McWilliams et al 2015:1544). The application fees are expensive, currently set at £1875 and a further £1875 for each dependent, unless they are waived (Home Office 2016b). Furthermore, women who entered as a spouse or partner after July 2012 and who apply for ILR under the DV rule must also meet a suitability criteria to be eligible, which includes not having more than one criminal convictions or owing more than £1000 to the National Health Service, otherwise they may be considered to be of 'bad character' (Rights of Women 2013:10). This forges links with Anderson's (2015) notion of the 'Community of Value', which seeks to exclude anyone who does not have the 'right' characteristics to be included.

Those who are eligible to apply under the DV rule for ILR and subsequently apply for funding through the DDVC face having to meet strict evidential requirements, for example, those overstayers who are eligible to apply, must be able to prove why they overstayed, especially if they have overstayed for a number of years (Kesete 2013; Rights of Women 2013). Evidential requirements may be difficult to gather, particularly if women have been so heavily controlled and isolated that they have not had the opportunity to contact agencies. These hurdles all feed into the rhetoric of '(un)deservingness', that women must be able to prove sufficiently that they are victims of abuse, before they are recognised and given any kind of state support.

Although policy avenues have opened up to support some migrant victims of abuse, the framework of '(un)deservingness' continues to reveal state violence here as many vulnerable women remain excluded (McWilliams et al 2015). Thus, 'in responding to domestic violence, policy makers must be aware of what goes on behind closed doors is also framed by the structures they impose' (McWilliams et al 2015:1551). Partners of temporary workers and students, as well as asylum seekers and many irregular migrants remain exempt from the rule (McWilliams et al 2015:1544). Those who overstay on spouse visas are eligible to access the rule, however any other forms of overstay are excluded. Indeed, monitoring information carried out by Southall Black Sisters revealed that between 1<sup>st</sup> November 2012 to 31<sup>st</sup> January 2013, (out of a sample of 242 women with 176 children), 64% were either not eligible or did not receive help under the DDVC. These women were left destitute or dependent on very limited funding from elsewhere (Southall Black Sisters 2013). Thus, a hierarchy of 'deservingness' has been created amongst victims of domestic violence whereby access to the DV rule has meant '...favouring some vulnerable women over others', indicating that some groups of migrant women are seen as having more worth than others, despite *all* being victims of domestic violence. (McWilliams et al 2015:1547).

This disparity in the support and provision offered by the state signifies a violation of the human rights of many victims of abuse, as the state has refused to offer sufficient avenues to protect them.

If women have children, agencies may be able to access financial assistance for her children from Social Care under the 1989 Children Act (Izzidien 2008). This stipulates the government's obligation to protect all children from domestic abuse, regardless of immigration status. However, this provision is for the children alone and not necessarily for their mother (Amnesty International 2008). Thus, it is only the existence of children that allows the state to consider the family, or at least the children, as 'deserving' of support. This support is also only available to women who overstay and who have children, those without children may only apply for assistance under section 21 of the National Assistance Act 1948 (this legislation has since been replaced with the Care Act 2014), if failing to do this would breach a woman's human rights (Rights of Women 2013; Doughty Street Chambers 2014), however many are left entirely destitute. Such women are exposed to much vulnerability, both through the direct violence from their abusive perpetrators, as well as from the state. As mentioned earlier, Galtung defines structural violence as 'silent' and something that is accepted as 'natural' (1975:117). By highlighting the experiences of affected women, one of the purposes of this research is to challenge the structural violence that restricts and sometimes completely denies those with an irregular immigration status from having access to any means of state support to help to protect them from domestic violence and abuse. This structural violence, as notified earlier, has been strongly challenged by organisations such as Southall Black Sisters amongst many others, however there is an urgent need to continually draw attention to those who fall outside of state support, to ensure that the violence against these affected groups is not silently condoned and passively accepted.

## Conclusion

Domestic violence literature that explores the intersection of migration and violence against women has drawn attention to many vulnerabilities in relation to immigration status, which are exacerbated in the context of domestic violence. However, this research does not form a strong dialogue with migration literature, meaning that discussions that explore this intersectionality have missed a vital theoretical link.

Using the framework of '(un)deservingness', this chapter has embedded the vulnerabilities that migrant women often face in a wider political context that deems many migrants, and others, as 'undeserving'. This has led to further vulnerabilities including exclusion, exploitation and racism towards those who are considered to fall outside of Anderson's (2015) 'Community of Value'. However, by applying this framework to the intersection of domestic violence and migration, it is notable that the vulnerabilities, exclusion and exploitation that groups such as asylum seekers and irregular migrants face, are often perpetuated in the context of domestic violence. The refusal of state support to affected women signifies a violation of their fundamental human rights. An exploration of the Galtung's (1975;1996) different forms of violence suggests that structural violence is ever present in the framework of '(un)deservingness' as women who overstay their visas are frequently tossed aside by the state, which fails to offer resources to protect those who are victims of abuse or recognise their experiences.

### Researching 'women under the radar'

#### Introduction

Chapters One and Two have outlined the rationale for the research project as well as the gaps in existing literature and the theoretical framework for the research topic. This chapter will consider the methods used to undertake the research with women who hold an irregular immigration status and experience domestic violence. It will also explore my own feminist approach to the research, and the additional steps that needed to be taken in order to facilitate the research, given the sensitive nature of this area of sociological inquiry. The chapter will elaborate on some of the challenges that arose from undertaking the fieldwork, as well as detailing the later processes of data analysis.

#### Methods

Feminist research is defined by Kelly et al as being concerned with understanding women's oppression, where the researcher is '...part of the process of discovery and understanding and also responsible for attempting to create change' (1994:28). This resonates with my own intentions. Chapter One outlined the inspiration for the research, which was drawn from previous work experience where I became aware of women whose immigration status often left them without state support in the context of domestic violence. Thus, my intention is to shed light on the women's experiences that are often marginalised, and to circulate them in a way that helps their voices and experiences to be heard. However, there are acknowledged difficulties with such approaches, particularly in relation to power dynamics and my own identity as a white British woman, which will be explored later in the chapter. That said, Kelly et al argue that it is important for feminists not to simply rely

on a shared gender as a form of commonality with women, but on '...an anti-oppressive feminist praxis which aims to ...take account of, the complex interplay of multiple sources of oppression (and areas of privilege) in women's lives' (1994:28). This chapter will engage with these dilemmas throughout, in acknowledgement that my intention to shed light on the experiences of migrant women experiencing domestic violence is not unproblematic.

Early second wave feminists traditionally viewed qualitative research methods to be conducive to a 'feminist' approach, believing that at its core, '...was the tenet that feminist research must begin with an open-ended exploration of women's experiences, since only from that vantage point is it possible to see how their world is organized and the extent to which it differs from men' (Maynard 1994:12). These ideas have since been critiqued for failing to recognise the importance of quantitative methods, which may also advance understandings of women's lives, for example through statistics that highlight the prevalence of violence against women (Maynard 1994). Thus, research that pertains to be 'feminist' should not be synonymised with the use of qualitative research methods, and indeed these methods may be used across the social sciences (Maynard 1994).

Whilst acknowledging these debates, this research used qualitative research methods, as they allowed the women time and space to tell their stories (Campbell et al 2009; 2010). Such methods are extremely useful as they provide a view of the social world '...that privilege subjective and multiple understandings' (Hesse-Biber 2017:4). In the case of this research, it means that using qualitative research methods is advantageous as it allows the views and experiences of women and professionals to come to the fore. This is important given that little research exists that considers such subject areas. Qualitative research methods also enable researchers to stay close to their data paying careful attention to providing description and in depth data (Sandelowski 2000). This was particularly important given that so little is

known about women with an irregular immigration status who experience domestic violence. An interview schedule was prepared with broad questions that were intended to encourage women to be able to tell me about their lived experiences. The questions helped to provide some structure to the interview. This proved to be extremely useful, especially when interpreters were being used, as a completely open ended interview would have been difficult to navigate between three people. Semi structured interviews also allowed for a degree of flexibility where participants had the freedom to steer the conversation onto the topics and experiences that they felt were most important to them (Hesse-Biber and Leavy 2011). This was important as I was interested in learning more about participants' lived experiences, so it was essential that they were able to have the freedom to express themselves (see further below on *The Research Process* for more information).

In addition to undertaking interviews with affected women, interviews were also conducted with professionals (see below for information on the professionals interviewed). These interviews helped to identify the wider social and political context around the needs of this group of women, and to discuss the challenges that they may face when providing support. Semi structured interviews also aided the interview process with professionals, as they were able to give much information in relation to the questions I broadly posed through the interview schedule, as well as providing further insight into the topic of study. They were also able to provide information concerning the women who did not feel able to participate in the study, but yet are affected by these circumstances.

### **Access**

This chapter has outlined the feminist approach to the research, and it has given key details with regards to the research method. It will now discuss how access was facilitated to participants. Many challenges were anticipated with regards to accessing affected women. These challenges largely centred



around their irregular immigration status, as women may have fears and concerns around their status, which may hinder their willingness to participate. They may also be discouraged because relaying information related to the domestic violence may cause trauma and pain.

Given these anticipated challenges, I decided to approach agencies in the hope that the agency worker/s may be willing to become 'gatekeepers' to accessing affected women. A significant amount of time was spent in year one networking and attending relevant events, which provided an avenue into recruiting potential gatekeepers to the project. There were many incidents of 'false hope' whereby contacts were met and engaged with but subsequent emails were left unanswered. The approach was also hampered by the current stage of study, as I did not, at that point, have clearance to carry out any fieldwork. This meant that potential gatekeepers may have been able to facilitate access to participants at the time but the nature of the work meant that the women may have long since disappeared once I had acquired this clearance. Moreover, the difficult economic and political climate hampered possible support for the research, as many organisations had been threatened with closure and reduced funding, where simply existing in their current form was challenging. Some organisations may have been willing to support the research, but did not have the time and resources to help. Other organisations declined to participate because they were not in contact with clients long enough to establish whether they met the research criteria, and a few deemed the research 'too risky' for them to be involved in.

Nevertheless, as a result of networking, seven women who were affected by having an irregular immigration status and experiences of domestic violence and abuse were recruited to the project, with the help of agency workers. These agencies were either organisations that specialised in providing domestic violence support, or organisations that supported migrants with a wide variety of issues including domestic violence. The workers acted as gatekeepers, and circulated information regarding the project and recruiting

potential participants. The gatekeepers played a very important role, as their commitment was pivotal to facilitating the research and my sincerest thanks have been given to them for their assistance (Bergen 1993). In theory, issues could have arisen from using gatekeepers, as they can have a powerful influence on potential participants, who may feel either pressured to participate or coerced into telling their story in a particular way (Miller 1998). However, no problems arose from using gatekeepers to recruit participants, as their closeness to the women interviewed aided the research process, and appeared to help women to feel reassured about my identity as a researcher (Chatzifotiou 2000). I noticed that in all of the interviews, the women appeared to have enormous amounts of trust for the agency workers, and I felt that this aided the research process and their recruitment to participate in the research. The use of gatekeepers may also be problematic, as there is a possibility that they may try to select participants to recruit to the research, believing that these particular participants will provide the information that the researcher would like to hear (Bilger and van Liemp 2003). Although I was mindful of this, the gatekeepers were aware of my intention to gauge the experiences of affected women more generally, and in any case multiple gatekeepers were used, which helped to ensure that I accessed a diverse group of women.

Approaching potential gatekeepers was challenging in itself, as I initially felt very nervous about contacting them, and I was anxious to secure the agency workers' trust (Johnson and Clarke 2003). I understood that the work carried out by the agency workers was not only highly valuable but also very sensitive and challenging, and for them to introduce me to the people that they support, they would need to be reassured that I was a person that could be trusted. Indeed, one gatekeeper informed me over a telephone conversation that some researchers in the past had come to the organisation, carried out the research and had not kept in touch, leaving the women feeling used and exploited. This is not uncommon as Logan et al (2008) and Bergen (1993) both document similar experiences where potential gatekeepers were

discouraged in supporting research by past negative experiences. I was very concerned by what the gatekeeper had said to me, as I certainly did not want the women to feel used and exploited. When I made a visit to the agency in person, I made sure that I brought this up with the gatekeeper, and I asked her how we could work together to ensure that this did not happen within my research project. After meeting me, the gatekeeper explained that she was referring to bigger research projects where there had been a team of researchers, rather than a lone PhD researcher. In any case, I have made sure that I provide updates on the research to the gatekeepers to keep them informed about the progress of the research. The gatekeepers are able to relay this information to some participants, however some participants are no longer requiring the support of the agencies. This presents further dilemmas with regards to ensuring that they have access to the completed project, however all key information relating to the project had been either given to women directly or left with the gatekeepers, giving them the opportunity to get in contact if they wish to do so.

Whilst I managed to recruit gatekeepers to support the research, there were exceptional difficulties in accessing the research group. One agency worker who had agreed to circulate information relating to the research project had approached many women on my behalf, but they did not wish to take part citing their fears of being identified. Women were particularly afraid of the Home Office, especially if they were still awaiting a decision on their application. This did however demonstrate the agency of women by showing that they were willing to refuse to participate, and that they would not be coerced into participating (Downes et al 2014). However, not participating may also suggest a constrained agency where fear and suspicion act as barriers to participating.

Other gatekeepers told me that whilst they had circulated the project information, there had been no take up, as many women did not feel ready to tell their stories. In addition, I also had to ensure that potential participants

knew that I had a moral obligation to report any concerns around the safety and wellbeing of children, had they not already been dealt with. Fontes argues that these debates may 'loom large' in domestic violence research and the researcher may be faced with continual ethical dilemmas regarding the safety of the women and children involved (Fontes 2004:155). Other scholars have recognised these dilemmas in their research (Langford 2000; Ellsberg and Heise 2002; Becker-Blease and Freyd 2006). Indeed, one gatekeeper informed me that many women in their community feared social services and associated them with having children taken away. This may have inhibited some women from participating.

Seven women who had an irregular immigration status and who had experienced domestic violence and abuse were interviewed, and a further eleven interviews were conducted with professionals as part of the research. This sample size is reasonable given the extremely sensitive nature of the research, not just because of the context of domestic violence, which is often difficult to talk about in itself, but also because of the precarious immigration status of the women. Indeed, Cornelius (1982) argues that when studying clandestine populations, the number of participants will be significantly smaller than that of other populations, however micro studies are essential for filling the gaps between theory and empirical data. The interviews conducted allowed me to gain a privileged access to the lives of women, and the data collected was extremely fruitful.

My original intention was to interview women who had overstayed their visa and experienced domestic violence, in order to explore the intersection of migration and domestic violence and how this played out in the context of women's lives. Visa overstayers were the primary group that were being studied, as Chapter One identified that this form of irregularity is rarely, if at all, explored as a category on its own. However, it quickly became apparent during the research process that the women's immigration statuses were far more complex. Some women had regularised their status and were able to

talk to me about their previous experiences of being a visa overstayer in the context of the domestic violence, whereas others had experienced forms of immigration related abuse in relation to their immigration status but were not, strictly speaking, overstaying a visa. This proved to be a significant advantage to the research, as although the data digressed slightly from the original focus of the research, it meant that the information gathered was extremely rich and diverse. Moreover, this diversity meant that the women were all at varying stages in relation to whether their immigration status had been regularised, meaning that I was able to capture their diverse experiences and emotions. It should be noted that all participants were either regularised and were able to talk about their experiences of overstaying retrospectively, or they already had applications lodged with the Home Office, and were subsequently awaiting a decision on their immigration application. I was not able to interview any women who were currently overstaying a visa and who had not already sought legal advice or contact with any support services. Such women would be almost impossible to access, and this would raise many more ethical issues. Anitha (2008) however argues that the experiences of those who participated in the research may shed light on those who are unable to take part. The data gathered from both affected women and professionals will however shed light on many women who are still trapped with the perpetrator and are not in touch with any support.

Eleven interviews with professionals were also conducted. They were largely accessed and engaged with through attending and networking at events that were broadly or specifically related to the research topic, as well as through existing contacts. The majority of the professionals interviewed were conducted with support workers who provided key information concerning the needs of women with an irregular immigration status. They also gave valuable insights into both the barriers that women often experience when contacting organisations that provide support in the context of domestic violence, but also the challenges that the professionals faced in directly

providing support, and locating other forms of support on behalf of the women. An interview was also carried out with a legal professional, which provided a much needed context around the legal issues affecting women with an irregular immigration status. In addition, a professional working within policy was able to participate in the research by providing written responses to questions posed via email. This helped to shed light on the policy advances made in regard to women's rights to support migrant women experiencing domestic violence in recent years. I am deeply grateful to all the professionals, for their engagement in the research, particularly because, as identified earlier, they were often under enormous time pressures.

### **The interview process**

Further details have been given in relation to those who were interviewed and the wider challenges in access and recruitment. The next part of this chapter will discuss the interview process with affected women. When I conducted interviews with women, some participants talked for lengthy periods of time, and told their stories with minimal use of the interview schedule. I felt that given the lack of information regarding women in these circumstances, it would be far more useful to hear their own perspectives, largely without my influence (Corbin and Morse 2003). This is recommended by Ellsberg and Heise's, who suggest that researchers should always 'encourage the woman to tell her story in her own way...' (2005:164). In the most part, the questions that I had were answered by the participants through their own narratives, but in any case this research is interested in the lived experiences of the women and indeed the participants are the experts in this research topic (Ellsberg and Heise 2005). It was also important to remember that the research was asking women to talk about something that is likely to be the worst time of their lives, so it was essential to give them time and space to talk (Ellsberg and Heise 2005; Campbell et al 2009).

### *Using interpreters*

Some women were unable to speak English, however one of the gatekeepers very kindly acted as an interpreter. I had never worked with an interpreter face to face before, so I was initially anxious about how this process would work. Prior to the interviews taking place, I was concerned about whether having another person in the room would interrupt the 'flow' of the interview. As it happened, using the gatekeeper as an interpreter was greatly advantageous to the research process as she had already established an easy rapport with participants. Women spoke freely and comfortably in the interpreter's presence and I felt reassured that they were comfortable to share their information, and many expressed their greatest thanks to the gatekeeper for her support. I also sensed that the women felt more relaxed, as they had someone that they knew and trusted in the room. Without the use of an interpreter, it would not have been possible to have conducted these interviews, and the interpreters was greatly useful in enabling me to access '...the thoughts, feelings and experiences of non- English speaking populations...' (Murray and Wynne 2001).

In theory, problems may arise when using interpreters as some may become too involved in the interview process and start to influence the participant's responses (Murray and Wynne 2001). If the interpreter and participant have a shared culture, other problems may arise if the interpreter does not wish to recount participant experiences in a way that may cast criticism on the community being researched (Murray and Wynne 2001). These problems did not however arise with the use of this interpreter, as she was very much in support of the ethos of the research project, which was to encourage the women to share their experiences as freely as they felt able to. Moreover, since the interpreter was also involved in providing direct support to the women, she was already very aware of the difficulties in the women's lives. If anything, she believed that their experiences should be written about (with the women's consent of course), to make others aware of the difficulties that many women with an irregular immigration status who experience domestic violence face.

The gatekeeper's role as an interpreter also assisted the research process in other ways, as this role also helped to protect participants' confidentiality. Esposito (2001) warns that care needs to be taken when choosing an interpreter, and consideration should be given to their qualifications and integrity. Since the interpreter was also the gatekeeper/agency worker, she was already extremely familiar with their stories meaning that the risk of information being disclosed outside of the interview was limited (Murray and Wynne 2001). In any case, the conditions of the Research Ethics Committee (REC) stipulated that all interpreters must be briefed on confidentiality to ensure that they fully abide by the University of Nottingham's code of conduct.

In another instance, a gatekeeper had arranged for a woman's teenage child to act as an interpreter due to the woman's limited proficiency in English. There was some confusion here, and I apologised and explained that I could not use the child as an interpreter as it would not be fair given the sensitive nature of the research, and in any case university ethics would not allow this. Their travel was refunded, and they were also given a gift voucher to thank them for attending (see section on 'Compensating participants' time'). The woman agreed to be interviewed using another interpreter. A return visit was made to the organisation and I was able to bring a female contact who spoke the same language as the woman. At this point, the gatekeeper was reluctant for a professional interpreter to be employed as she felt that confidentiality might be breached given that it would be likely that they would come from the same community and geographical location. My contact was briefed on confidentiality, but was not from the local area, as agreed with the woman and the gatekeeper. Although the contact was not a formal interpreter, she did speak the woman's native language and was able to communicate the conversation effectively. It was also important that the interpreter was female, as this was seen as more appropriate given that women may have felt



uncomfortable revealing intimate details about the abuse they had experienced to a man, given that their abusive partner was male.

There are many benefits to using interpreters, not least because I am monolingual. However, some difficulties must also be acknowledged, particularly around the translation and interpretation of the language, which is something that is often overlooked (Edwards 1998; Temple and Young 2004). There is much debate around interpretation as inevitably interpreters will have their own identities, views, feelings and opinions that may influence their interpretation and verbal transmission of participants' accounts (Temple 2002; Temple and Young 2004; Edwards 1998). This is perhaps an inevitable limitation, however the interpreters used were extremely committed to helping with the research and effectively communicating the women's stories. In the cases where the gatekeeper acted as an interpreter, they had a much deeper insight and knowledge of the women's stories and feelings, so although their identity and values may have influenced their interpreting of the conversation, the possibility of misinterpretation may be limited because they had insight into women's lives and experiences.

Simultaneous interpreting, whereby the interpreter translated sentences within a few seconds of the participant speaking, was sometimes used. However, consecutive interpreting was used much more frequently. This refers to when the interpreter allows the participant to say a section of information before translating it back (Gyulai et al 2015). This was encountered during two of the interviews when women spoke for lengthy periods of time and the interpreters had to keep reminding women to stop so that they could interpret what was being said. This presented a number of difficulties as I felt uncomfortable with interrupting the flow of the interview by having to ask the woman to stop speaking, however this had to be counterbalanced by my need to actually understand what was being said. In these particular interviews, it took some time to harmonise the conversation between myself, the woman and to also factor in the interpreter as well. I

sensed that these particular women really welcomed the time to express their story, and as a result of this they seemed to almost forget that the interpreter needed to translate their account before they could continue. The women, like myself, may not have been used to using an interpreter, which could have also impacted on needing to allow some time to work out how the interview should work. As a result of this, there may also be inaccuracies in transcription as it was not always possible for interpreters to 'catch up' with what the women were saying. However every effort was made to ensure that translation was accurate, and I met one of the interpreters once the interview was transcribed to make further checks for accuracy. It is also important to acknowledge that alongside the issues around interpreter positionality mentioned above, there are also difficulties with vocabulary as some words do not exist in the speaker's language (Gyulai et al 2015). For example, the word 'overstayer' does not always translate effectively into other languages so one of the interpreters had to explain it differently, without losing its meaning.

Another dimension to using an interpreter is that I felt that this, at times, affected the dynamics between myself and participants. As I was reliant on the interpreter to disclose what was being said, I encountered short delays in hearing the often distressing information being relayed to me, meaning that I was not able to react to what was being said straight away. Establishing a rapport with participants is often key to an effective interview (Hlavka et al 2007), however using an interpreter may sometimes create a divide between the researcher and participant. This section has discussed the interview process and the wider issues encountered when using interpreters, the next part of this chapter will explore the nature of informed consent, something that is vital within the research process.

### *Informed consent*

Informed consent is defined by the Economic and Social Research Council Framework for Research Ethics (2012) as providing detailed information

regarding the research so that participants may make an informed choice as to whether or not to participate, free from coercion. Informed consent is vital to ensure ethical research, and it involves ensuring that participants comprehend the risks and benefits to participation effectively and that the researcher is honest about research procedures (Newman et al 1999).

There are however further debates with regards to whether those experiencing domestic violence and abuse necessarily have the capacity to give informed consent to participate in the research, and whether their judgement to consent may be impaired by the abuse experienced (Fontes 2004). My own stance on the issue is that women are able to consent, providing that they have all the information about the project, are not coerced into participating, and that they are aware that they may withdraw from the research at any point, without having to give a reason. This is in line with the views of Fontes (2004), who argues that the majority of women are able to give this consent, but there should be clear points in the meeting whereby women may make decisions on participation and withdraw where necessary. The gatekeepers' interaction with participants meant that they had sufficient understanding of the women (both in terms of their personal circumstances and their emotional wellbeing/resilience) to know if they would be suitable to participate in the research. All gatekeepers were available after the interview in case the participants needed to talk or required further immediate support.

One participant expressed concerns regarding being identified in the research. I did not doubt her capacity to consent to participate, but on several occasions I reiterated that participation was voluntary and that she may withdraw at any point without affecting her relationship with the organisation. It is seemingly not unusual for a researcher to feel that those who hold an irregular immigration status may be suspicious of them (Miller 2004; Bloch 2007; Mackenzie et al 2007; Madziva 2013). The woman chose to continue with the interview, however Fontes points out that 'researchers'

authority can make it difficult or impossible for potential participants to refuse consent' (2004:147). I acknowledge that my position as a researcher inevitably meant that I did hold power within the interview, however I took exceptional care to go through the relevant information and offered further explanation to ensure that participants were fully informed. Aside from the more formal aspects of the informed consent process in terms of participant information forms and consent forms, it was also important to me that I reiterate the voluntary nature of the research, as this in some ways may be seen as more important (Fontes 2004). I made sure that the participant knew that it was entirely her choice as to whether she should participate in the research, and it would not affect her relationship with the support agency (Fontes 2004). Moreover, the fact that the participant was so willing to challenge me with regards to the security of her information and the purpose of the project demonstrated her agency and reduced the possibility of coercion (Downes et al 2014). Duncombe and Jessop (2012) point out that some have advocated research consent as being a continual process throughout the interview, but argue that this may in some instances be more obstructive as it can interrupt the flow of data collection. In many respects, this particular interview adopted process consent as the participant's concerns meant that I had to keep checking that she consented to participate.

Four of the interviews were conducted with the help of interpreters, so it was critical that information relating to the study was communicated effectively and that participants understood the research project including how to withdraw. The interpreters read the participant information sheet, and when each statement on the consent form was read out, the participant replied 'yes' in her own language to show her agreement and each box of the consent form was ticked. Fontes (2004) argues that particular care should be taken when materials related to the study are translated as errors may occur and concepts may also be difficult to translate into another language, reducing participants' understanding of such forms. Although I was mindful of these dilemmas, I was confident that participants were fully informed about the

research process, and participants were given time to ask any questions that they had. Participant information sheets were offered to participants directly so that they could make contact with myself at any point. However, in some cases this information was left with the gatekeeper and participants were assured that they could contact the gatekeeper for further information, as it is not always safe for women to take the information away with them (Parker and Ulrich 1990).

English speaking participants were asked if they would like the participant information sheet read to them, or if they preferred to read it themselves, as I was unsure of their level of literacy (Fontes 1998). Although it transpired that these participants were literate, they chose to have me read the forms to them. Reading the information to participants allowed me to expand, clarify and offer further explanation of each statement on the forms. It may be considered as insufficient to simply read the forms (Logan et al 2008), and this process made me feel more secure and comfortable that participants knew exactly what the research was about, and what participating involved.

Verbal consent was decided upon over written consent due to the vulnerable population being researched. Migrant women who experience domestic violence may be reluctant to provide written consent for participation in research due to their irregular immigration status, and further concerns around their safety (Fontes 2004; Downes et al 2014). Indeed, it was anticipated that given the participants' precarious immigration status and their potential fears of being identified within the research meant that it was necessary to take extra measures to protect them. Fontes (1998; 2004) points out the importance of ensuring that participants are not identifiable, and advises that one of the mechanisms that may help to protect participants is verbal consent.

The REC was cautious regarding the proposal to acquire verbal consent, believing that the failure to acquire written consent may leave the researcher

and institution unprotected. However, there are difficulties in operating a 'blanket' approach to social research (Wiles et al 2005). Whilst there are some benefits to using written consent, such as formalising participants' understanding of research participation and protecting the researcher, it may not always be appropriate (Wiles et al 2005). For example, acquiring informed consent is inappropriate when dealing with certain groups (such as criminal groups) as they potentially lay them open to criminal proceedings (Coomber 2002). In fact, Coomber (2002) argues that when written consent is required, consent forms are rarely signed with the participant's real name, rendering the whole process futile. Furthermore, acquiring written consent may violate British Sociological Principles Association (BSA) because researchers have a responsibility to ensure the wellbeing and rights of participants, and that they are not adversely affected by participating in the research (Coomber 2002).

Moreover, the American Anthropological Association (2012) argue that informed consent should not always be synonymous with written consent, as it is the quality of the consent that is important. Thus, informed consent may take many forms and should be considered a reflexive process that is adapted to fit the demands of the particular research project. The safety and wellbeing of participants is paramount, and written consent would violate BSA principles and put participants at greater risk (Düvell et al 2010). This was exemplified in the situation described earlier where one participant expressed concerns in relation to her anonymity. Given her existing concerns around the research process and ensuring her anonymity, I cannot imagine that she would have consented to participate, had she been required to sign a consent form. It was most important to me that she was able to consent verbally to me, and that I was able to ensure that she was in agreement to participate through process consent.

## **Confidentiality and anonymity**

There are considerable dangers to poorly designed research that may have the potential to infringe the rights of participants by failing to protect their confidentiality (Ellsberg and Heise 2002; Sullivan and Cain 2004). Although this may occur in many research areas, this is of particular importance in domestic violence research. Indeed, ‘...there are aspects of gender violence research that transcend those in other areas because of the potentially threatening and traumatic nature of the subject matter’ (Ellsberg and Heise 2002: 1599). Failing to ensure confidentiality may put the lives of participants and even the researcher at risk (Langford 2000; Ellsberg and Heise 2002; Sullivan and Cain 2004). This is something that remained a primary concern in the write up of the research.

Due to the nature of the topic, I cannot fully remove the risks of participating. However, Ellsberg and Heise (2002) argue that researchers have an obligation to carefully consider the research and do everything in their power to protect their participants, honouring the risks of participating by doing justice to the data and ensuring that it contributes towards social justice. Thus, verbal consent was acquired to protect participants’ anonymity. This took a considerable amount of time to pass through the REC as there may sometimes be conflict between REC requirements designed to protect the institution and the researcher’s own pursuit of social justice (Downes et al 2014). Delays to receiving ethical approval may also cause difficulties with research timelines, however sufficient forethought was given to submit the fieldwork proposal earlier so that further discussions would not cause any significant delays to fieldwork (Downes et al 2014).

The majority of interviews were recorded using audio-tape and transcribed, after which the recording was deleted in accordance with World Health

Organization (2001) ethical and safety recommendations for researching violence against women. One participant did not consent to the interview being recorded, as she expressed concerns in relation to ensuring her anonymity, and throughout the interviews I was asked to re-confirm that I would change any identifiable characteristics disclosed (for further information, see section on 'Identity, power and dealing with suspicion').

Cornelius (1982) argues that concerns around anonymity are common amongst undocumented populations due to their fears of the authorities. In this instance, I reassured the participant that I would not record the interview and detailed notes were taken instead. Note taking proved more complicated as I struggled to write down everything that was being said, and I had to rely on a combination of my hastily written notes and my own memory to reconstruct the conversation. The omission of the electronic digital recorder meant that the notes taken from the interview may not be as accurate (Bott 2010), however every attempt was made under the circumstances to produce an accurate record of the conversation. The participant initially told me some basic information about herself, but then appeared to have second thoughts about having disclosed this information. I explained that the information would not go in the transcript or be used in the research project. After having informed the participant that I would take out or change the information she had requested, I was concerned that such conversations might interrupt the flow of the interview, so I suggested that we could talk about the intricacies of what information should be changed at the end of the interview. The participant brought the conversation back on a few occasions to the security of her information, and on reflection after the interview, I realised that this was something that was exceptionally important to her, and I should not have postponed having this conversation until the end of the interview.

As a new researcher, I was unprepared for the participant being guarded about her information. The women that I had interviewed up until that point had all spoken, seemingly without hesitation, about their experiences. I have



learnt that the women's experiences are not homogenous and as such participants will react in different ways towards myself as the researcher, and have different opinions about the research project as a whole. The women's reactions and opinions may also be dependent on their immigration status, as this particular participant was concerned because she was awaiting a Home Office decision on her immigration application. Reflexivity has helped me to learn that I should always be attentive to the concerns of participants, and deal with them as they arise. As reassurance to the participant, I discussed with her at the end of the interview what information should be omitted or changed, and I made sure that she received a copy of her transcript to give her the peace of mind that her information had been changed. The participant also had the opportunity to let me know if she wanted any further changes made to her transcript, and I was able to check with the gatekeeper that she was in agreement with the accuracy of her transcript.

There were many facets to ensuring anonymity to participants and organisations within the research. Due to the sensitive nature of the research group, some of the women's accounts have been altered slightly to preserve their anonymity, without detracting from the nature of their account. Parr (1998) acknowledges that the researcher has the power of selecting which aspects of the participant's account to use within the research. This is perhaps an inevitable part of the research process, however I have endeavoured to give as accurate presentation of the women's lives as possible, although as noted, aspects of their accounts have been removed or edited for purposes of securing anonymity. This was deemed to be a necessary step as what might seem like minor descriptions of participants or their circumstances should be carefully thought about, particularly if there is a small sample size, as this may give clues to participants' identity (Fontes 2004). Dilemmas arose as I tried to work out which data should be excluded on the basis that it might be too identifiable, as I wanted to remain as true to the accounts of the women as possible. I agonised over many of these decisions, and consulted my supervisors about certain parts of the women's

stories to seek advice on whether some aspects of the women's narratives should be included.

When quoting from participants, for clarity, some extracts from the transcripts have been reordered from the original order that the information was relayed during the interview (without changing the content other than for reasons of anonymity discussed above). Ellipses and breaks between the text have helped to identify non-continuous text. The conversational style of many of the interviews meant that some participants told their stories in a non-linear (and sometimes chaotic) fashion, in relation to the way that the abuse unfolded and their help seeking journeys. I was keen to adopt a personal approach by presenting the women's stories as holistic narratives so that the reader might be better able to feel a connection to the woman's story overall, as well as to gain an insight into her thoughts and feelings at the time. For this reason, it was sometimes necessary to reorder the data to present their stories, as well as to highlight particular themes that emerged, as clearly as possible.

Pseudonyms have been used throughout the thesis to protect the identity of the women being researched. The pseudonyms used are very broadly related to the region of the world that the women are from, but they are not identifiable to the specific country. I felt that it would be too anglo-centric to give the women distinctly English pseudonyms, but I was also mindful that their pseudonym should not give too much information away about their specific nationality.

Indeed, one significant dilemma encountered was whether or not the nationality of the women should be identified within the research. In some respects, mentioning the nationality may help to shed light on the particular experiences of women from these countries. Indeed, one of the gatekeepers identified how some women are left 'invisible' or are too often homogenised within a single continent. However it may also be in danger of marginalising

women further by identifying them as an 'illegal' group that overstay their visas, despite my best efforts to show the detrimental and life threatening abuse that they face. I was mindful of Downes et al's argument that some research findings, however well-meaning and intended, '...have the potential to further stigmatise an already 'vulnerable' group' (2014:5). Thus, whilst recognising these debates and with careful consideration, it was decided that the nationality of the women would not be identified because of concerns around further marginalisation and protecting the women's anonymity. However, broadly speaking, the women came from countries in Latin America, Africa and a non EU country. Despite the difference in country of origin between some of the women, there is still commonality between their experiences, as Chapters Four, Five and Six will discuss.

Moreover, it was also decided that the names and organisations of professionals would not be identified because of the sensitive nature of their work. Each participant that was interviewed in their professional capacity will be referred to under their broad job role, and a very broad description of the type of organisation that they work for. I consulted the professionals regarding these descriptions, and sought their confirmation regarding how they should be referred to in the thesis. They will also predominantly be referred to collectively as 'professionals', although sometimes the word 'practitioner' will be used.

### **Emotions and identity**

A more detailed overview of the research process and relevant discussions around informed consent and confidentiality and anonymity has been given. Given the sensitive nature of the research topic, the next part of this chapter will focus on emotions. There is much debate within qualitative research methods about the extent to which emotions should be considered and written about within the context of fieldwork, with emotions either being considered as essential to forming a rapport with participants, or being

relegated as unimportant and obstructive to the research process (Kleinman and Copp 1993). I believe that it is incredibly important to recognise the importance of emotions (both researcher emotions and participant emotions) within the research process, and such approaches assist in helping to interpret the data more effectively (Kleinman and Copp 1993). Hubbard et al argue that emotions have epistemological significance as they are '...a way of knowing about, and acting in, the social world and is just as significant for how we make sense of our respondents' experiences' (2001:135). Indeed, I felt that being sensitive to the emotions of my participants helped me to build a rapport with them, and aided the process of interviewing.

### *Emotional harm*

It remained essential to ensure that participants were not emotionally harmed during the research process, as interviewing women on sensitive subjects may cause post interview distress such as flashbacks and loss of sleep (Bergen 1993). Furthermore, Edwards argues that in extreme cases, a participant '...may be left with her emotional life in pieces and no one to help put them back together' (1993:192). This was a primary concern for me, that participants were not left emotionally torn apart by the research, and this can indeed cause guilt and distress to the researcher (Sampson et al 2008).

One participant cried frequently during her interview. I was very aware of her emotional distress, and I was concerned about the emotional harm that the interview might have caused to her. I repeatedly asked the participant if she wanted to stop the interview or take a break. The woman told me that she wished to continue. This example is illustrative of how emotions may be a necessary, and perhaps inevitable, part of the research process, and that they do not always signify that participants do not wish to partake in the research, providing that they have been given the opportunity to stop (Ellsberg and Heise 2002). Clark and Walker argue that avoiding researching groups for fear of causing harm to them '...deprives women of the opportunity to articulate

their experiences in ways that help reduce violence...' (2011:1490). Whilst I was aware of the possibility of causing emotional harm to the participant, I was also conscious that I did not wish to take away the woman's agency by stopping the interview, as I felt that I should allow her to make the choice as to whether or not to proceed. Although many women became upset when disclosing their experiences, this does not mean that they did not wish to continue as one woman explained to me; *'it's good to talk. It's a relief'*. Indeed, many women find it helpful to tell their story, as long as the researcher goes about this with sensitivity and is non-judgemental (Ellsberg and Heise 2002; Newman and Kaloupek 2004).

During the interview, I sensed that whilst the woman's experiences were incredibly difficult to talk about, the interview process in itself had been cathartic in giving this participant, and also others that were interviewed, the space to express themselves. Newman et al (1999) investigated whether the ethical costs of participating in 'trauma focused' research may outweigh the potential costs in terms of trauma and emotional distress. Their results found that the majority expressed positivity with regards to participation, and for the minority that did experience heightened emotional distress, their levels were reportedly in a tolerable range. However, Johnson and Clarke (2003) warn of the dangers of assuming that participation is necessarily beneficial as the real impact of talking about sensitive issues may never really be known.

Researchers may have differing views as to what sort of harm participants may experience depending on whether they depict participants as resilient, and therefore able to withstand intimate questions regarding the abuse, or whether they are constructed as vulnerable (Fontes 2004). Clark and Walker (2011) argue that the lens needs to be widened with regards to who should be considered as vulnerable, and this should include victims of abuse, stating that if ethical issues are not deeply thought about within research then this could lead to the serious harm of participants. My own view on the debate is that the researcher should be attentive to the needs and emotions of

participants at all times during the research process, particularly given the sensitive subject area, however women who experience domestic violence do have agency to decide whether or not to participate in the research and this should be respected. Indeed, constructing victims of abuse as vulnerable may lead to a 'slippery slope', and questioning their capacity to provide informed consent is deeply flawed and potentially infantilising to those affected (Mulla and Hlavka 2011; O'Connell Davidson 2008).

Moreover, situating all victims of abuse into the category of vulnerable will inevitably place undue restrictions in terms of research, which may be detrimental for finding effective ways to support them (Cromer and Newman 2011). In any case, Clark and Walker (2011) fail to differentiate between those who have experienced abuse in the past, and those who are currently experiencing abuse. Given that at least one in four women experience domestic violence and abuse in a lifetime, this would deem a considerable amount of the population 'vulnerable' (Downes et al 2014).

Whilst acknowledging the agency of the women who participated in the research, I was also aware that I should always bear in mind the torture that they have been through and ask questions carefully and sensitively. As noted, many participants became visibly emotional during interviews. The information disclosed was often extremely heart wrenching describing difficult and traumatic abusive experiences from their abusers. I remained attuned to the emotional wellbeing of participants, by being attentive to their body language, and encouraging them through giving non-verbal cues, as recommended in a report by Ellsberg and Heise (2005). Where possible the interview schedule was shown to and approved by gatekeepers to check that the questions were sensitive and appropriate. When signs of emotional distress or discomfort were shown, I immediately offered support, and checked that participants still wished to continue their participation. All of the women interviewed had complex and sometimes chaotic lives meaning

that I had to make quick decisions to alter the level of questioning depending on their circumstances.

At times, the interview schedule was consulted but many parts of it had to be largely abandoned because some women did not wish to discuss details of the abuse and for one in particular, relaying the details caused obvious emotional pain. Edwards (1993) points out that interviews are an interactive process and the data gathered is undoubtedly influenced by the researcher's interventions as well as the participants' perceptions of the researcher. Thus, in many instances, I was largely led by the participant's willingness to discuss particular topics. I tended to ask very broad questions in relation to the domestic violence, to allow the participants to control what they wished to disclose.

In addition, Campbell et al (2010) argue that interviews on sensitive topics should allow the researcher to engage with the emotions of participants, offering support, tissues and touch, where appropriate. I was mindful of physical contact with the women as I was aware that they might not wish to be physically comforted by someone who was a relative stranger to them despite the intimate details being discussed, however tissues and verbal comfort were offered. In all interviews, I was careful to speak calmly and gently, and this was particularly necessary in interviews where women became visibly upset.

### **Researcher emotions**

Considering the emotions of participants is understandably imperative to ensuring that the research is carried out ethically. However, the emotional impact on the researcher is also something that many researchers themselves fail to consider, and existing literature has started to identify this as something that has been overlooked as a discussion point in much academic literature (e.g. Chatzifotiou 2000; Hubbard et al 2001; Johnson and Clarke 2003; Dickson-Swift et al 2006;2007; Sampson et al 2008; Bloor et al 2010;

Bahn and Weatherill 2013). Prior to fieldwork, researchers may feel detached and naively confident that they will be able to handle the information disclosed (Hubbard et al 2001).

In terms of my own emotions, as a researcher, carrying out the fieldwork has been far more emotionally challenging than I initially anticipated. I found it particularly difficult when many of the women showed visible signs of emotion and revealed very distressing information. Of course, the nature of the research topic meant that this was to be expected, however the reality of sitting face to face with women, and hearing their heart-breaking ordeals was challenging. Ellsberg and Heise point out that the emotional costs to researchers creates a '...emotional toll of listening to repeated stories of women's despair, physical pain, and degradation' that should not be underestimated (2002:1601). I was affected by this not only during the interviews, but also when rereading transcripts and reflecting on the interviews. Indeed, emotional harm may be exacerbated in feminist research, as 'the particular concern of feminist researchers with reflexivity, with research relationships and with the interests of research participants may make them especially vulnerable to emotional harm' (Sampson et al 2008:919).

The women's stories played on my mind for a considerable time, and I constantly contemplated if I could have done more to help them. Similarly, Ellsberg et al (2001) found that many of the interviewers involved in the study felt frustrated that they could not do more for the women, and disturbing data often left them distracted for hours and days afterwards. The women's accounts were, at times, very harrowing. Regular supervision under the careful guidance and advice of my supervisors, and also by developing my own personal strategies helped me to process the information relayed (other scholars such as Fontes 1998; Johnson and Clarke 2003; Becker-Blease and Freyd 2006; Dickson-Swift et al 2007; Bahn and Weatherill 2013 have also made similar recommendations).



Furthermore, the World Health Organization's ethical and safety recommendations for researching violence against women (2001) explain that fieldworkers, whilst ensuring that participants have support, should not take on a 'personal burden' of trying to 'save' a woman. However, the researcher should offer interventions where necessary, which may include signposting information to agencies and helplines (Parker and Ulrich 1990). Care should be taken around giving written materials relating to the study or to support services for women who still live with the perpetrator as this may put women at further risk if the information was discovered by the perpetrator (Langford 2000). All of the women interviewed were already in receipt of support from the agencies, and I was able to follow up any concerns that I had in relation to the information disclosed with the relevant organisation.

I also encountered other dilemmas. Johnson and Clarke argue that researchers may experience considerable anxiety in facing the "unchartered territory" within interviews (2003:425). This is something that I too faced as with each interview, (aside from the gatekeeper confirming that participants met the research criteria), I remained anxious at what might be revealed in each interview and how I might respond to it appropriately. Moreover, I struggled with what to say at the end of each interview to bring it to a close. Of course, thanks were given to the women for participating in the research, but I felt that given how much extremely personal information was disclosed, I felt that I should say something more meaningful. I decided to use my own instincts with what felt right with each particular participant, but I normally said something that referred to their strength and courage, and these words were sincerely meant (Parker and Ulrich 1990; Ellsberg and Heise 2002). This is important in the context of domestic violence and abuse as the participant may feel particularly vulnerable after such disclosures (Ellsberg and Heise 2002).

Additionally, due to the challenges that occurred with regards to accessing participants and the financial constraints incurred travelling to various

locations to conduct the fieldwork, multiple interviews back to back sometimes had to be carried out. This was not only emotionally draining, but also challenging as sometimes the details or experiences of one participant merged into my memory of another. Indeed, it is not uncommon for researchers to feel drained by conducting sensitive interviews (Ellsberg and Heise 2005; Dickson-Swift et al 2007). Parker and Ulrich (1990) recommend doing no more than three interviews in a day so as to protect the wellbeing of researchers. Although this is of course ideal, the challenges in accessing participants meant that these recommendations sometimes were overridden.

Some participants showed emotional distress not just in relation to the domestic violence and abuse experienced, but also in relation to their immigration statuses. One participant told me of her desperate poverty and financial hardship. Hearing the sheer anguish and suffering that this mother felt every day was extremely difficult. She described her exploitation by others, her poverty and her desperation at not being able to provide for her children in a way that she felt was adequate. Anyone would have been moved by her situation. Both during and after the interviews, I often felt helpless and overwhelmed by the magnitude of the problems that some of the women faced every day.

Fontes argues that researchers have the advantage and power of being able to leave the research setting ‘...and know that they have a life and identity other than the one they are wearing (like a coat) for the duration of the study’ (1998:54). Whilst this is of course true, the memories of some participants and the data collected is likely to stay with me for a long time. I felt guilty that whilst I may walk away from this data (at least physically), some women do not have a choice and their hardship may not always be easily overcome. I wanted to say more, to give more words of comfort but I felt temporarily lost by not knowing what words could possibly be adequate, given the woman’s anguish. I found myself saying to her after the interview that regardless of what she could or could not provide for her children, it was obvious that they

were very loved. Words that were probably of little comfort for someone who was struggling to meet the day to day material needs of her children, and was faced with the palpable fear of the Home Office rejecting her immigration application. At one point, the difference between myself and the woman was emphasised by her:

*If we go back, the education system is not good for them [the woman's children]. Still I want my children to be a doctor or a lawyer. Not a driver. You are doing your PhD. I want my children to go and do a PhD. Who will I get the money from?*

The woman went on to ask me if I would be doing a PhD if it was not for my 'educational background', to which I could only reply 'no'. At this point, my awareness of my privileged educational position was heightened as I was conscious that, at any point, the woman may be deported along with her children. Kleinman and Copp identify how sometimes 'we also feel guilty about our comparative riches', and this was something that I very much felt (1993:29). The education of her children was clearly paramount to the participant and my educational background only served to reify the distance between us. Thus, a shared gender does not mean that participants will feel that they can identify with researchers (Cotterill 1992).

### **Identity, power and dealing with suspicion**

Edwards (1993) describes how feminist research often assumes that female researchers share a non-hierarchical link with their female participants due to a shared gender. Indeed, Oakley (1984) is a strong advocate for feminist researchers forming non-hierarchical relationships with participants, and being willing to share information about themselves. Feminists have continually argued that differences in power between the researcher and participant may be overcome by the researcher forming a genuine and non-exploitative relationship (Maynard 1994). Whilst every intention was made to

make participants feel comfortable, it is perhaps inevitable that power dynamics are present in the research setting, as a shared gender alone is not sufficient to create a rapport, as identified at the start of this chapter (Cotterill 1992; Phoenix 1994). Cotterill (1992) is strongly critical of Oakley's assumptions (1984) regarding rapport building, arguing that this overlooks structural barriers such as race and class and it is simplistic to think that rapport may be built through a perceived sense of 'sisterhood'. Patai (1991) labels researcher claims of 'sisterhood' as fraudulent and disingenuous. In the instance described above, I certainly felt that the woman's comment served as a stark reminder of our difference.

As identified earlier, one participant expressed concerns around being identified in the research. Although I was anxious to be as open and honest about the data collection process as possible and I went through (in detail) all the necessary written forms, I felt that this still had not curtailed the participant's uneasiness. Establishing a rapport within the interview setting is likely to directly impact on how forthcoming participants feel in revealing information about themselves (Phoenix 1994). I felt that I had not established an easy rapport with this particular participant and as a result she was reluctant to share information with me. On many occasions, the participant asked if the research '*would go public*', and what I hoped it would do. I explained that there was very little research on women in her circumstances, and that I hoped to raise awareness of her experiences, and hopefully this will help other women in similar situations in the future, and after checking again that the participant wished to be interviewed, she told me that she wanted to proceed.

Whilst this particular participant needed further discussions before she appeared to feel comfortable to proceed with the interview, other participants identified appeared very willing to participate:

*So that's why I said it's okay, I will talk to you because there are so many people going through the same thing I've been through, maybe worse but because somebody didn't stand up to say it, nobody can hear, they always think [name of country] is safe [...]*

I was careful not to over-state the benefits of participation in directly helping to improve the lives of participants. I was honest and explained that I could not make any promises that the research would directly affect the participant. Furthermore, Mulla and Hlavka argue that it is impossible to anticipate the impact of the research, however 'we are accountable for making full disclosures of these uncertainties so that research participants are empowered to make informed decisions to opt into or out of research' (2011:1513).

Given the sensitive and difficult information relayed, it was important to me that the women could see my 'visible humanness', whereby I was able to show that I was moved by their experiences and showed genuine concern and care through both my verbal and non-verbal responses (Campbell et al 2010:76). However, such approaches are not unproblematic, as Duncombe and Jessop (2012) argue that researchers are often skilled in establishing a rapport whilst extracting data from participants, forming somewhat of a dubious relationship. Thus, Cotterill argues 'for one thing, close friends do not usually arrive with a tape-recorder, listen carefully....and then disappear' (1992:599). This has led others such as Patai to question whether it is a 'fair exchange' for researchers to give participants the opportunity to pour out their stories whilst using this data to further their own careers (1991:142). She argues that it is too often claimed that if interviews are conducted by feminists then it is empowering '...in that it "gives a voice" to those who might otherwise remain silent, one may ask: is it empowerment or is it appropriation?' (Patai 1991:147).

Researchers must be aware of the dangers of making claims to be feminist and empower women, whilst at the same time failing to acknowledge the power dynamics between the researcher and the researched (Kelly et al 1994). I reject such claims as whilst the interaction with participants may be short lived, the empathy and compassion shown has by no means been faked as a process by which to extract data. That said, I too am faced with the quandary that Patai (1991) raises. Whilst every intention of the research is to share the women's experiences, it does raise wider debates about whether it is my right to do this, and whether it is exploitative despite my best intentions. I do not however use feminism as a smoke screen as a means to disengage with these debates, which is something that Patai (1991) suggests that some feminists do.

Alongside the debates around having a shared gender, there are other debates in relation to other intersections and structural hierarchies such as race and class that may differentiate the researcher from their participants, which should not be overlooked (Edwards 1993). It must be acknowledged that the researcher holds a lot of power within the research process (Fontes 1998). In terms of the set- up of the interview location, I ensured that I was sitting facing the participant. At one agency, of the two chairs available, I made sure that the participant sat on the one that was positioned higher than the other chair so that I did not appear imposing in any way. Although a minor consideration, I wanted to ensure that the physical environment was set up so the participant did not feel disempowered.

I was also conscious of my ethnicity, and that I may be perceived as a white British woman who was privileged with my citizenship and educational background. A shared common identity, even if this is just having a shared ethnicity, can help to illicit trust and rapport (Fontes 1998). For example, Ritchie (1995 cited in Fontes 1998) explains that her African American heritage that was shared with her participants meant that she was easily trusted in a way that a white researcher would not have been. It must not be

assumed that the researcher having the same ethnicity as their participants will automatically assist with rapport building. Such assumptions disregard how a shared identity may cause concerns amongst participants that their information will be shared with their community, and it also neglects wider considerations of other intersections such as social class and age (Bilger and van Liempt 2009; Ryan et al 2011). Moreover, I found that my identity as someone who was situated outside of 'the community' was in some ways advantageous to the research process, as the affected women who were interviewed did not assume that I had any prior knowledge of their community or culture, and were therefore more likely to explain their experiences in depth (Ryan et al 2011). For example, one participant explained not only how she had been subjected to a forced marriage, but she also explained the context leading up to this event, including how this involved a dowry.

At times, I was also aware of my relatively young age. One participant remarked that she thought that I was 18 years old, (taking eight years off my age at the time). The World Health Organization (2001) point out that as most domestic violence is perpetrated by men, victims often feel more comfortable speaking to women, however in some circumstances difficulties may arise when a young or unmarried interviewer is used. Although I had not had these problems directly, the earlier remark around my perceived age made me question how openly the woman might discuss sensitive issues and if this might affect potential disclosures. As it happened, the woman spoke very freely and openly about her experiences. Indeed, Skeggs (1994) found similar remarks were made about her youthful appearance in her research with young women in further education, however this benefited the research by allowing her to be comfortable in conducting fieldwork.

Moreover, Maynard (1994) argues that focusing on difference alone may be dangerous for the production of knowledge as social structures 'structure *all* our lives, no matter how invisible they might be in experiential terms, and we

are not excused from confronting them because we are not members of a particular oppressed group' (Maynard 1994:24). I agree with Maynard (1994), as whilst I cannot claim to experience the degree of marginalisation that many of my participants face, this does not mean that I am absolved from my responsibility to confront this. Indeed, feminists may challenge hierarchies of power by using their own power to draw attention to these inequalities (Gillies and Alldred 2012). This approach supports the work of Kelly, who argues that feminist researchers must be committed to understanding '...women's oppression in order to change it' (1993:4). Furthermore, some argue that it is sometimes better to research a less familiar group as those whose identity is positioned closer to the research group may 'miss' aspects of data by being too familiar with it (Kleinman and Copp 1993).

Power may be evident in other aspects of the research process, as the researcher has power in the way that the research is constructed, facilitated and written up (Mauthner and Doucet 1998; Standing 1998). O'Connell Davidson argues that regardless of how much attention is paid to producing ethically sound data, it is inevitable that the research transforms '...research subjects into objects, to fix them in texts that will be exposed to the gaze of, and consumed, by other people' (2008:58). I am also aware that part of the research involves conforming to writing the findings in a mainstream 'academic' way in the form of this PhD thesis, which may ultimately limit its accessibility to some of the women researched (Birch and Miller 2012). This is a common dilemma for feminist researchers as they negotiate the extent that their theoretical framework is grounded in experience (Holland and Ramazanoglu 1994).

Some go further and argue that in fact academic language marginalises participants, and researchers must do more to challenge these hierarchies by making their academic work accessible to others who are not positioned in the academic world (Standing 1998). My intention is to circulate the research findings across many forums, those designed for academic audiences



and non- academics so that it may be accessible to many. The voices of participants are paramount and I will try to stay as close to their narratives as possible. I feel immensely privileged to have heard the deeply personal narratives of participants, and I recognise that I have a real responsibility to ensure that these stories are written up and circulated appropriately (Corbin and Morse 2003; Dickson-Swift et al 2007).

Researchers not only hold power in the ways that the research is disseminated but also in the language used to describe those being researched. Standing (1998) acknowledges that her use of the term 'lone mother' is an academic construct, which may contribute to an exclusionary rhetoric and instead used the word 'single parent' in her research. Standing (1998) identifies this as a key challenge for feminists who proclaim to be carrying out research with marginalised groups. I have encountered similar difficulties with language choices, as earlier chapters revealed the deep considerations that I have given to using words such as 'victim' and 'irregular migrant'. There were times when participants, both women and professionals, used the word 'illegal' during interviews. As Chapter One identified, this was a term that I deliberately moved away from using because of the value laden connotations around such words. However, for the sake of consistency this term was used where appropriate and to avoid confusion, especially since many interviews with women were conducted through interpreters. Therefore, proceeding chapters will only use such words when referring to the participants' own dialogue.

### **Compensating participants' time**

Participants were given a gift voucher after their interview, as a thank you gesture for their participation, however it is important to recognise that there is much debate as to whether compensating participants for their time is coercive (Fontes 2004). Given the low socio-economic status of many of the

women, I did not advertise that a gift voucher would be given as I wanted to ensure that women were voluntarily participating in the research.

The gatekeepers were consulted with regard to what type of gift voucher would be most appropriate. Sullivan and Cain (2004) identify how women should ideally be compensated in cash, however if affiliating institutions do not allow this then vouchers may be sufficient. Gift vouchers enable participants to feel respected and limit any feelings of being marginalised (Sullivan and Cain 2004). Although the voucher was a token of thanks to participants, it often did not seem sufficient particularly in cases where the women's destitution was well documented in the interview. This was a dilemma that I faced as on reflection I wished that I had given the participants a gift voucher of a higher value, however I was also conscious that the voucher should not only be a way of a token of thanks and appreciation, but it would take substantially more money than this to lift some of the women out of their financial hardship, which no gift voucher would be able to do.

Previous parts of this chapter have defined the feminist approach to the research, the methods used to carry out the research and the challenges encountered when carrying out the fieldwork. The next part of this chapter will now consider the later stages of the research process, to discuss how the data was analysed.

### **Data analysis**

This research used an inductive approach to analyse the data. An inductive approach is largely 'data-driven' and refers to when the researcher analyses the data '*...without trying to fit it into a pre-existing coding framework, or the researcher's analytic preconceptions*' (Braun and Clarke 2006:83). This approach was favoured over using a 'theoretical thematic analysis', which is largely led by the researcher's own theoretical interests (Braun and Clarke 2006:83). An inductive approach was used because it was important that the

method of analysis was driven by the rich data that emerged (rather than my own theoretical interests), in order to shed light on the experiences of this under-researched group.

I began by rereading the transcripts several times to immerse myself into the data. Although I had a clear memory of each participant and their story, the transcript enabled me to cast myself back to each individual interview, carefully re-reading through the accounts to familiarise myself with the data, and what was being expressed by the participants. By transcribing the interviews myself, this helped to start the early stages of analysis by helping me to familiarise myself with the data generated (Braun and Clarke 2006).

The process of data analysis involved initially going through each transcript and making a note in each transcript's margin of any emerging themes. Although the process of noting themes was carried out more formally at this stage, during the interviews with participants, I had already started to notice and make mental notes of themes that had recurred during interviews. This was particularly apparent when professionals spoke of the barriers that they faced in sourcing support for women. Additionally, when conducting interviews with affected women, I started to notice some recurring themes around their own barriers to seeking support, and many also expressed similar feelings of disposability.

Thematic analysis, which is a type of content analysis was used to code the data and is '...where the coding scheme is based on categories designed to capture the dominant themes present in the text' (Franzosi 2004:550). A theme refers to '...something important about the data in relation to the research question, and represents some level of *patterned* response or meaning within the data set' (Braun and Clarke 2006:82). Braun and Clarke (2006) point out that there is much debate regarding how researchers identify their themes, how much data is required to determine whether something should be identified as a theme and how much significance a theme should be

given. However, they argue that there are no firm rules regarding this, and researchers should use their own judgement, where appropriate, to identify themes and the importance of an identified theme, in relation to the research question/s (Braun and Clarke 2006). Thus, I largely drew on my own judgement, having conducted and transcribed the interviews myself, to identify relevant themes.

Recurring themes were noted and then grouped together. These themes were then mapped onto large poster paper to enable me to start to build up a picture of the data as a whole, and to consider how some themes may connect. This was not however a linear process as Braun and Clarke (2006) recognise, as it involves a lot of movement between transcripts and accounts to see how themes may connect and fit together. Once this had taken place, I was able to group the themes into three main categories that coordinated with the research questions. The categories largely centred around the women's direct experiences of domestic violence and its connection to their immigration status, the women's lived experiences of having an irregular immigration status, and finally their help seeking journey. As earlier parts of this chapter revealed, gaining the narratives of the women and professionals was extremely important, therefore I made great use of this posters when writing each analysis chapter, to ensure that I had incorporated as much of the data and themes as possible.

Of course, I must recognise that the choices that I made with regards to my approach to data analysis as well as my own interpretation of the transcripts will have had an impact on the conclusions drawn (Mauthner and Doucet 1998). Indeed, Maynard (2004) points to the dilemmas that feminist researchers often face in attempting to eliminate issues of power from their data analysis. Many difficulties may arise with regards to how the data is interpreted, and whether participants will necessarily agree with the interpretations of the researcher. There are many practical difficulties of being able to relay any preliminary findings back to participants given the

complexity of their lives, that they may not necessarily be willing to engage in such processes and that some women were no longer in touch with their support agency. However, aside from these concerns, by remaining close to the data and incorporating as much of the data as possible into each analysis chapter, my intention is to try to let the narratives emerge, although I do acknowledge the problems with this approach as the data has been subject to my own coding, interpretation and analysis (Mauthner and Doucet 1998). Indeed, Braun and Clarke are critical of claims that themes 'emerge' from the data, arguing that in fact the researcher plays an active role in eliciting the accounts, and their own positionality may influence not only the way that the data is gathered, but also the way that the data is analysed (2006:80). Thus, whilst I stand by my claims to be led by the data as much as possible, I must also recognise my positionality and how this influences not only the gathering of the data, but also its analysis.

## **Conclusion**

This chapter has discussed and provided justifications for the key approaches and subsequent methods that have been used to undertake the research. The highly sensitive nature of the research topic and the vulnerable group of women being researched has meant that significant dilemmas and challenges have arisen. This chapter has engaged with my own reflexive practice as a researcher to explore some of the challenges encountered. Most notably, the chapter argues that such research projects need to be carefully thought out and considered, particularly in relation to ethics, whilst also accepting that unexpected dilemmas and difficulties are to an extent part of the process of researching sensitive topics.

### Exploring the intersection of migration and domestic violence

#### Introduction

Chapters One and Two have discussed the gaps in knowledge relating to migrant women who experience domestic violence and abuse. This chapter will look closely at how the intersection of domestic violence and migration plays out in the women's accounts to shed light on a sub-group of migrant women who remain under researched and under the radar. Thus, this chapter will be guided by the following research question:

1. How does the intersection of migration and domestic violence play out in the lives of women with an irregular immigration status?

Although the primary aim of the research is to focus on a particular form of irregularity in the form of visa overstayers, it is important to note that the women interviewed held varying immigration statuses, owing to the fact that as earlier chapters revealed, women may move between different immigration statuses as well as different forms of irregularity (Anderson 2015). Some women had not specifically overstayed a visa but were in varying complex situations with regards to their immigration status, as the narratives below will illustrate. Indeed, a report by the European Parliament argues that 'the limited number of primary studies specifically on 'undocumented' women provided very few details of the routes into undocumented status...' (2013:33). Thus, this chapter will use the unique empirical data to capture some of the ways that women move between different immigration statuses and forms of irregularity. Moreover, all of the women interviewed had regularised their status, or they had immigration applications lodged with the Home Office and were awaiting a decision,

therefore experiences of overstaying a visa were discussed in retrospect. This chapter will use extracts from the narratives of the women to shed light on their lived experiences of the intersection of migration and domestic violence and abuse. The women's narratives have largely been placed under subheadings to highlight some of the forms and types of domestic violence that were central to their accounts.

### **Sabotaging**

The chapter will start by exploring how migration and domestic violence may intersect through the narrative of Sara<sup>1</sup>, identifying how her partner tried to sabotage any opportunity that she had to regularise her immigration status. Sara's partner took their two sons out of the country of residence under the guise of it being for a short break, but failed to return. Passages from her story are highlighted below:

*<sup>2</sup>After some days, he phoned me saying that he's not going to return. If I want to see our sons, I will have to come to the UK. And I came, desperately but I came. My intention was to get our sons and return to [name of country]. But that's not what has happened. We spoke, we had a conversation, and in principle everything will be alright [...] when I got here, it was very difficult. I just realised that I was in England and that I could not speak in English when I was in the airport. He went there to collect me from the airport, we didn't have house, we didn't have money, we didn't have anything [...]*

*[...] When I arrived in here, I arrived here not as the same person as I used to be. Yes, because he was a person that I lived with and because of what he's done, I felt betrayed by him [...] when we went to live in the bedroom that we rent, he told me not to go out,*

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<sup>1</sup> Pseudonyms have been used throughout the thesis.

<sup>2</sup> Please note that some extracts from interviews have been reordered for clarity.

*not to talk to anyone, [...] you know, I did not know anything, I didn't know how the law worked in here, I did not know that I had only six months to stay here. It was very, very stressful. I could not go out, I was locked in, in the bedroom. He didn't have a job [...] we were running out [...] of money [...] he took my phone, my mobile phone. I did not have access to internet [...] I had no internet, I had no mobile phone so I was totally, totally isolated [...] then he rented a flat for us, and that's when the abuse started, that's when I started suffering [...]*

*[...] He was forcing me to have sex with him while I didn't want to. That I should pay [money] in order to stay in the flat, because I was the only person that the benefits didn't cover for, and then I went to work, [...] when I went out to work, he used to say that, accuse me that I was going out to prostitute myself, that the money that I was making wasn't blessed money, but although he accepted it, my money, he was controlling everything, my emails, my phone, everything [...] always when I came got back from work, he was furious. When I realised that, you know, I had a big chance of going mad [...], I started going to church. He used to say that I was going to church to be with the church leader. When I arrived at home and I was going to have a shower, he used to smell my knickers just to find out if I had stayed with other men. That was a very complicated time [...]*

*He used to, he used me whenever you know, he wanted. He used to force anal, anal sex with me, and he used to argue that he didn't want me to pass any, transmit any sexual disease to him, he did not use protection. It's too much, too much things. Verbally, it was all the time. He did not see me as a woman, he saw me as a prostitute [...]*



*[...] And then I found out I was pregnant. He said that he did not want to have another child, and that I should have an abortion. That probably the child wasn't his [...]*

**[Sara was asked how she had found out that she was overstaying her visa]**

*Yes, because people start to tell me, to let me know. I went to the [country] consulate in order to ask for [country] citizen, but because I did not have the money to apply for it, I could not apply. I was totally dependent on him [...] then I was aware of the situation so I started putting money aside, hiding money around, but then he was finding it and spending it. Twice I managed to save a little bit of money, but then he found it and spent it [...] everything. He never was in favour for me to legalise myself. He was aware of what he was doing, but he argued with me, you know, he tried to convince me that he was a good person, you know, that what he was doing was for the best you know for the family [...]*

*Because he thought that legalising me, I will take the children away, that I'll be able to apply for benefits, that I will have rights, and I will have a splendid life here.*

The extract details just some of the harrowing abuse that Sara experienced. Her story is one of desperation, pain, endurance and strength. Sara did not wish to come to the UK. Her account reveals that her arrival in the country was actually a rather constrained 'choice' because her partner had taken their sons out of their country of residence indefinitely, without her consent. Discussions in Chapter Two have already identified how UK government rhetoric, supported by many right wing media reports, have projected the UK as a country that is saturated with migrants, particularly those seeking

asylum, who are unwilling to leave (Sainsbury 2012; Stewart and Mason 2016).

As a result, more stringent instruments to facilitate immigration control such as deportation centres, have been introduced (Schuster 2005). Contrary to this assumption, Sara's story reveals the nuanced way that the intersection of migration and domestic violence played out in her life, as her only motivation for coming to the UK was her desperation not to be separated from her children, describing them as her '*life*'. Chapter Five will explore how women who come to overstay their visas may enter the country for a number of different reasons, and some of these reasons may be related to experiences of domestic violence and abuse. In Sara's case, although rather interestingly she does not identify the abuse starting until some time after arriving in the UK '*then he rented a flat for us, and that's when the abuse started*', it is evident that her abusive partner was already exercising power and control in the relationship by using deception to take their children out of the country. The next part of this chapter will use Sara's narrative to explore further how her partner controlled the relationship.

Chapter One identified how the UK government's definition of domestic violence and abuse fails to explicitly recognise immigration related abuse. Existing research such as Raj and Silverman (2002) outline a common way that the intersection of migration and domestic violence may be manifested, through immigration related abuse. They define immigration related abuse as where '*...batterers may employ immigrant women's culture, social context and immigrant status to abuse their partners*' (Raj and Silverman 2002:376). To identify the various nuances in the accounts of Sara's and others, Raj and Silverman's (2002) definition of immigration related abuse will be used to look at how the intersection of migration and domestic violence plays out, as well as learning more about such abuse.

Sara's partner had a higher and more secure immigration status, which is a common feature in many abusive relationships involving migrant women (Raj and Silverman 2002; Menjívar and Salcido 2002; Anitha 2008;2009;2011). The fact that Sara's partner's immigration status was more secure exacerbated the inequality within her abusive relationship. Sara's narrative reveals that her partner furthered his perpetration of immigration related abuse by actively preventing and sabotaging any attempts that she made to regularise her status. A report by the European Parliament found that many women become irregular when their abusive partner's sponsorship of their visa expires, and they often sabotage or refuse to support renewal applications (2013:33). Indeed, a method of control and sabotage in relation to women's immigration status was identified repeatedly by many professionals, where they revealed how the perpetrator often had physical control and possession of the woman's passport or legal documentation:

*So the women that I've worked with on a spouse visa, often, I would say as high as 99% of the women, passports are removed. They don't always know the name of the visa, when they arrived in the country, how long the visa's for. (Gender Violence Trainer and Manager, Charity)*

Thus, many women are deprived of the essential paperwork that they need to establish their visa type and how long they have been granted to stay in the UK. Although Sara's immigration status was not dependent on her partners in this way as she did not hold a spouse visa, it is clear that he resorted to a plethora of tactics to sabotage her attempts to resolve her immigration issues.

Sara's partner tried to keep her indefinitely as an irregular migrant, by using emotional abuse to sabotage her ability to regularise her immigration status. Sara's account details how her perpetrator tried to make her believe that she was disrupting the harmony of the family unit by trying to regularise her

status. This had a devastating impact, and highlights the powerfulness of emotional abuse (Crandall et al 2005). Sara described how her abusive partner made her feel worthless and used his own apparent twisted logic to try to convince her that his refusal to help her to regularise her immigration status was for the good of the family. The lived experience of feeling dehumanised by the domestic violence was revealed in Sara's account, and this had become extremely severe and had affected her so significantly, that she felt that she was losing all sense of herself *'I had a big chance of going mad'*.

In addition, Sara's partner attempted to sabotage her immigration status by spending any hidden money to prevent her from being able to make any kind of legal application, indicating that this might threaten to undermine his power within the relationship. Crucially, she believed that this was a deliberate move to sabotage her ability to regularise her immigration status because *'he never was in favour for me to legalise myself.'* Many practitioners also highlighted similar practices of immigration related abuse, where the context of domestic violence complicates women's ability to resolve their immigration issues, particularly when the abusive partner controls the finances or her immigration documents:

*[...] and I come across lots of very complicated situations actually where people have missed out on opportunities to sort out their status, so they may never really have status or they may have lost it quite a long time ago, but they repeatedly miss out on the opportunities to sort things out because they're in violent relationships, and so they're not allowed the funds to do it, or they're not allowed the perpetrator's documents to try and sort their own status out. (Legal Officer, Women's Rights Organisation)*

Furthermore, Sara's story indicates other ways that her abusive partner controlled her immigration status. The controlling nature of domestic

violence often means that many women are simply unaware of procedures relating to regulating their immigration status, and this is something that perpetrator's may deliberately exploit to further the abuse (Merali 2009; European Parliament 2013). Sara's account supports Raj and Silverman's (2002) earlier definition of such types of domestic violence, as her ex-partner exploited the social context and her position as a newly arrived migrant to carry out the immigration related abuse. Taking into account the desperate conditions upon which she entered the UK, the fact that her priority was retrieving her children, and the turmoil that she faced when entering the country knowing no English, Sara was not aware of the limitations and conditions of her immigration status. Indeed, a professional who provided support explained:

*I would say in most cases they don't know anything about it, they don't know about the immigration options because they have been prevented from approaching any form of legal advice or seeking any form of legal advice by the perpetrator making them feel that you know there's no way that they can regularise their status without me so the answer is no, in most cases they don't know anything about their immigration status so it's about getting them independent advice on their own circumstances and see whether they can apply for leave in their own rights. (Senior Advice Worker, Local Charity)*

Perpetrator control may be exercised throughout an abusive relationship, including immigration, as the senior advice worker above revealed that many women are entirely dependent on the perpetrator to sort out their immigration status. This is problematic, as the professional revealed that many abusive perpetrators do not resolve the women's immigration issues, and in fact use this as a weapon to perpetrate further fear, abuse and control. As already noted, although Sara's immigration status was not dependent on that of her partner, the enforced dependence and isolation on her partner

due to the control and fear exerted in the relationship, meant that she was not aware of the circumstances around her immigration status. Her painful account of the frequent assaults, and her continued isolation, made any kind of attempt to learn more about her immigration status impossible, particularly as she was locked in her home and banned from using a mobile phone or the internet.

The political context is important to consider here. Sara's narrative suggests that the reasons why her abusive partner did not allow her to regularise her immigration status, was because he was fully aware that maintaining her in the position of a visa overstayer would continue to label her as 'illegal' and thus 'undeserving', serving as an extra weapon to further the abuse, control and deprivation of her rights. Sara's narrative serves as an example of the complex intersection of domestic violence and migration. Literature that discusses visa overstayers and others who hold irregular immigration statuses indicates that those who overstay may do so for a number of reasons, including that it may be '...an inevitable consequence of other factors' (Bloch et al 2011:1299). Indeed, Sigona points out that the lives of those who are undocumented are not homogenous, and their experiences are shaped by '...various social cleavages' (2012:51). Thus, when the context of domestic violence and abuse is added, Sara's narrative exemplifies how an abusive partner may exert power and control over a woman's immigration status, making overstaying a visa almost inevitable.

Sara's story documents her severe isolation, and how what little freedom and independence that she had was sabotaged by her abusive partner accusing her of having affairs with other men. Indeed, Abraham argues that an '*invisible wall of isolation*' occurs in the abusive relationships of migrant women, where factors such as financial dependency, lack of host language proficiency and limited social networks in the host country, may perpetuate the abuse experienced (2000:222). Sara's account reveals the overwhelming isolation and tools of control that her abusive partner exerted over her.

In addition to Sara's partner's accusations of her having affairs and his allegations that the baby that Sara was expecting was not his, he also subjected her to many forms of sexual abuse, including rape. Sexual abuse towards women is prevalent and may take many different forms (Kelly 1993). Kelly (1993) argues that sexual abuse takes place on a continuum whereby women may experience varying types of sexual abuse, and the impact that this has on women is not necessarily correlated with the type of sexual violence experienced. Sara's heart wrenching account clearly indicated the distressing impact that these experiences had, as she explained that her partner *'did not see me as a woman, he saw me as a prostitute'*. Her distinction between being a woman and a prostitute suggests that Sara's perpetrator stripped her of any other identity or role that she played such as being a woman, a partner and a mother, viewing her only as someone who was there to provide sex, and this was non-consensual. The severe nature of the abuse that Sara experienced at the hands of her partner points to the complexity of affected women's lives. Moreover, Sara's account reveals that the intersection of migration and domestic violence created a toxic environment, whereby the context and severity of the domestic violence experienced prevented her from being able to regularise her immigration status.

### **Abandoning**

This chapter has so far considered the narrative of Sara to shed light on some of the ways that migration and domestic violence may intersect. Sara's story highlighted the tactics used by her abusive partner to sabotage any attempts to regularise her immigration status and further the abuse towards her. The next part of this chapter will now turn to Nadia, to explore how the intersection of migration and domestic violence featured in her lived experience, primarily through spousal abandonment. Nadia met her British husband online and they quickly fell in love, believing that *'[...] there was no*

*one better than him'*. Whilst Nadia met her husband on the internet, she was not a 'mail order bride', although some parallels may be drawn between Nadia's account and wider literature on this industry, as it appears to rely on the economic disparity between the country of origin of the male and the country of origin of the female (Chun 1996; Lloyd 2000; Vartti 2003).

Once married, Nadia applied for her spouse visa to come to the UK to join her husband. Nadia was also accompanied by her son from a previous relationship, and some of her account is below:

*[...] I only cried, I couldn't understand why he was becoming so rude and abrasive. Why from pretty much the first day he started complaining about how expensive everything was and how he doesn't like paying for everything. He banned us from talking in [name of language] and told us that we could only speak in English [...]*

The situation for Nadia deteriorated as she explained '*[...] I was trying to be nice to him, because every time I raised my voice a little he just started shouting. I was really afraid of him at that moment [...]*

*[...] If I wanted to go somewhere I had to ask for his permission even if I wanted to go for a walk for an hour.'* It was at this point that Nadia's husband told her that he no longer wished to be in a relationship with her, and after approaching organisations to find out her rights, '*[...] we told him that we went to that organisation and they told us that we didn't have any rights with our passports and then he looked quite happy and satisfied, and he said straight away "yeah I'm paying for you and I can do anything I want with you, I can kick you out" [...]*



*I think he was looking for a wife from an unfortunate country like mine and I think that he picked me for a reason. Because he knew that I would have no rights in the UK, he knew that it would be difficult for me to get a visa, that it would be easy to send me back, and he knew that I had no money so he knew that I would be dependent on him.*

Nadia was determined to fight for her rights to stay in the UK as she explained to her partner ‘[...] we won’t leave, and we don’t want to leave, and that we love this country and the situation in our country was unstable [...]’. It was clear that the conditions for Nadia and her child to live with her husband were becoming unbearable as he sought to expel them from the house. ‘[...] In the morning [...] my son went to take a shower and I heard him asking my husband why the water was cold. And he said “I disconnected hot water”. And then when I went to the kitchen, opened all the cupboards, all the food was hidden away, there was nothing, I couldn’t even make myself a coffee. When he cooked food for himself, he locked the kitchen door. We felt like we were about to give up and we didn’t have anywhere to go [...]’

Having left for a new life in the UK, following a seemingly happy and loving marriage ceremony, Nadia’s husband’s behaviour appeared to change and he decided that he did not wish to be in a relationship with her anymore, subsequently driving Nadia out of the house and abandoning her. Nadia and her child could not have predicted that her new husband’s behaviour would change. Her sense of disappointment, confusion and loss was evident throughout the interview.

Spousal abandonment has only recently started to be recognised as a form of immigration related abuse. Anitha et al’s recent report (2016) is one of the first to specifically focus on this particular form of abuse, although others

such as Siddiqui and Patel (2010) have recognised spousal abandonment in collaboration with other wider findings in relation to domestic violence and mental health among Black and minority Ethnic women.

Anitha et al's (2016) report draws attention to the experiences of women who were abandoned in India or by Indian men, although it acknowledges that abandonment may take place in other countries as well. Anitha et al (2016) argue that abandonment may take three main forms. Firstly, it may refer to when a woman migrates after marriage to a new host country, is abused and then is forced to flee or is banished from the marital home. Secondly, it may refer to when a woman, after migrating post marriage to a new country, is deceived into returning to her country of origin only to be abandoned there and unable to return to the host country because the spouse has revoked her visa. Thirdly, spouse abandonment may also take place when the woman marries in her country of origin with the promise that the spouse will sponsor her visa to migrate with him to his new country of residence, only for him to abandon her to live with her in-laws and be subsequently abused by them, again forcing her to flee or being expelled from the home by them (Anitha et al 2016). In the case of Nadia, she appeared to have suffered from the first type of spousal abandonment identified by Anitha et al (2016), although the abuse took place in the UK by a British national. Nadia's account reveals how the intersection of her immigration status combined with her experiences of domestic violence resulted in her effectively becoming a 'stranded spouse', as her abusive partner married her, subjected her to emotional, financial and immigration related abuse, before shortly abandoning her, leaving her stranded with little support. The next part of this chapter will explore this in more detail.

Nadia's account reveals the power that immigration status may hold within abusive relationships. A prevalent form of immigration related abuse includes where perpetrators bring their partners over to the host country on a spouse visa, which is attached to their own visa (Raj and Silverman 2002). As noted in

earlier discussions, the fact that the spouse's immigration status is dependent on her abusive partner's creates further exploitation and inequality. This was evident in Nadia's story as she was also subjected to abuse, which appeared to be exacerbated by the disparity in power afforded by the fact that her immigration status was dependent on her husband's. However, Nadia's narrative illustrates not only these differences in power, but how the intersection of migration and domestic violence may take many forms, and in this particular case it resulted in spousal abandonment.

In similar ways to Sara's account, Nadia's experience of domestic violence and abuse also appeared to be exacerbated not only by her immigration status, but by being positioned on the crux of a number of different intersections. For example, Nadia was a migrant woman from a relatively poor country of origin, had a low socio-economic status with limited access to recourse at the time of interview.

Nadia's abusive partner exerted a lot of control within the relationship, evidenced when he restricted her movements outside of the household. Research by Stark indicates the power of 'coercive control', whereby perpetrators may exert many forms of power and control within a relationship, including the '...microregulation of everyday behaviors...', which may take place regardless of immigration status (2009:5). However, Nadia's partner also banned her from speaking in her native language to her child. Given that Nadia could speak little English, this also served as an isolating tactic where her perpetrator attempted to assert his authority and power within the relationship. This finding supports the work of many scholars (e.g. Abraham 2000; Menjivar and Salcido 2002; Raj and Silverman 2002; Salcido and Adelman 2004; Crandall et al 2005; Anitha 2011) who point to the significance of isolation in relation to migrant women as a form of abuse. This is also a form of abusive behaviour that is specific to the conditions around being a migrant woman who may not be able to speak English fluently. For those such as Sara and Nadia, who were unable to speak the host country's

language, they may face far more difficulties in even becoming aware that there are agencies that may be able to support them (See Chapter Six for further information on help seeking).

Nadia's story reveals other nuances to the intersection of migration and domestic violence, as she conveyed how her abusive husband used his immigration status as a British citizen to give himself more power within the relationship. Indeed, Raj and Silverman point out that '...if a batterer desires to end a relationship with an immigrant woman, it is often considerably easier for him to accomplish this task' (2002:380). This was clearly something that Nadia's abusive partner relished, as her account details his ease at informing her that his status as a British citizen meant that he had the power to 'kick' her out of the country.

Nadia's narrative reveals her belief that her abusive partner callously chose her precisely because of her country of origin and immigration status, which would mean that she would have few rights in the UK. This highlights her sense of '(un)deservingness' in terms of her immigration status limiting her opportunities to seek protection (explored further in Chapter Six). It also suggests that abusive partners take advantage of the ways that the inferior immigration status of their partners is constructed, perceived and labelled in the UK to use as a weapon to perpetrate further abuse. Anderson's (2015) discussion on labelling is useful here, as it is evident that whilst Nadia's partner's abusive practices may not have qualified him with the 'moral compass' needed to be accepted into the 'Community of Value', he was able to use his status as a British citizen to draw his own boundaries to exclude Nadia, which were in a sense legitimised by the state as Nadia had limited options available to her to regularise her status (although the DV rule does exist to help those who hold spouse visas, Chapter Six will explore some of the complexity in accessing this rule).

Moreover, Nadia appeared to be aware of the conditions of her 'inferior' immigration status and the resulting boundaries of exclusion. Nadia's account suggests that her commitment to her new husband through marriage and her migration to the UK, and her accompanying fears of being deported<sup>3</sup> if the relationship ended meant that she tried to alter her behaviour, apologising for things even though she '[...] *didn't know what we were apologising for*'. Thus, the emotional abuse is exacerbated by an irregular immigration status, as women such as Nadia appear to feel almost under duress to keep their partners happy, and the repercussions of not meeting their demands may be exacerbated by fears of potential deportation. This highlights the complexity of the intersection of migration and domestic violence. Such threats also support Walters' (2010) concept of domopolitics, as threats of immigration checks, and surveillance are ever changing, and a perpetrator's awareness of such measures may exacerbate the domestic violence exerted towards female migrants.

Professional interviews revealed that threats of deportation are not only prevalent, but also very powerful. These threats can leave many women more susceptible to abuse as perpetrators are all too aware of how women may be left entirely destitute, and at risk of being deported back to their country of origin if they leave the relationship:

*[...] These women, the husband holds the passport, you know that's where the visa is, that's where everything is, so without your passport you're not very much powerful because you cannot go and look for a job so women will now be told that you know "once you misbehave in this society, I will deport you". The man now tells the woman that "I will deport you" without the immigration deporting you, you will*

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<sup>3</sup> For a detailed description on terminology in relation to the word 'deportation', please see Chapter Five.

*tell the woman that “I will deport you” so women are living in fear in their own set up [...] (Director, Migrant Group)*

Thus, the professional above highlights the multifaceted layers of fear that women may experience around their immigration status. If women have overstayed their visa, they may fear not only being found and deported by the state, but also fear being ‘turned in’ to the authorities by their abusive partners because of their irregular immigration status (a theme that will be explored later in the chapter as well as in Chapter Five). Professionals described women continually living with the threat of being deported as the co-ordinator of a women’s group outlined *‘you stay there not because you love him so much, he knows you inside out, if you go, he will tell you every day, if you go he will tell the police.’* The exploitative immigration related tactics employed by perpetrators and used against women, accompanying threats of deportation and the lack of rights and opportunities for women to resolve their immigration difficulties, create a particular and specific type of abuse towards migrant women. Indeed, immigration status may act as a significant barrier to help seeking as migrant women are often unaware of their rights, and fear deportation (Dutton et al 2000). This often means that the abuse that women experience remains under the radar for fear of repercussions of having an irregular immigration status.

The power that Nadia’s partner exercised within the relationship, and his knowledge of the ways that his status as a British citizen gave him more rights and ability to assert his power and control in the relationship, had a considerable effect on the lives of Nadia and her son. The effects of being abandoned are described by Nadia below:

*[...] From this situation, what upsets me more is that we are like unwanted. You know like when someone buys a puppy, and then it grows up, you have to buy more food, you have to vaccinate it, “oh no I will give it back”. We are like unwanted things, we are*

*like unwanted dogs. "I don't want to pay for you anymore, that's it, get out!". But how can it be? I'm a wife so if I have a [name of country] passport then what I'm not a wife?*

The pain and feelings of being disposable and 'unwanted' expressed by Nadia in her interview reinforced notions of 'undeservingness'. Nadia's account reveals a strong sense of being made to feel disregarded because the label attached to her immigration status meant that her perpetrator was able to take advantage of this to perpetuate the abuse towards her. This is also reinforced by the structural violence exercised by the state, which often threatens to deport such women, despite their heart wrenching experiences of domestic violence (please see Chapter Six for further discussion). Nadia's narrative has helped to shed light on a less well known aspect of immigration related abuse in the form of spousal abandonment. It has also offered a unique insight into her experiences and feelings as Nadia's abusive partner sought to disempower her in a number of ways.

### **Trapping**

Unfortunately Sara and Nadia are not alone in experiencing such abuse. This part of the chapter will introduce the narrative of Maria, and will later explore how she felt trapped into staying with her abusive partner because of her immigration status. Maria's partner also had a more secure immigration status. As noted earlier, it is often the case that the perpetrator has a higher and more secure immigration status in the UK, through being British or having Indefinite Leave to Remain (Raj and Silverman 2002; Anitha 2008;2010;2011;2016).

Maria explained during her interview that her partner had become more abusive after arriving in the UK *'it wasn't as aggressive or violent as it was here. I think because, in here I didn't have family to help me out.'* Maria infers that the sense of isolation from being physically separated from her family and

support network, acted as an impetus for her partner to increase and intensify the level of abuse towards her, as women often do not have the family nearby as a form of emotional support to draw upon (Abraham 2000). Maria's story highlights how the specific factors around being a migrant woman, who is often away from her wider networks of friendship and support, may exacerbate the context of migration and domestic violence and abuse. However, it is important to point out that whilst these abusive practices do not set apart migrant women's experiences from those of other women, they do however serve to reinforce how patriarchal behaviours may manifest themselves in particular ways in relation to migrant women with an irregular immigration status (Menjívar and Salcido 2002).

Indeed, the concept of patriarchy is controversial (Kelly 1993). As discussed in Chapter One, many feminists have criticised such terms for failing to recognise that women's oppression may not be simply reduced to gender inequality, but must also consider intersections such as race and class alongside many others. Kelly recommends that 'rather than abandon the concept which names the systematic oppression of women by men, feminist theorists should build on previous insights in order to develop more complex accounts of patriarchy' (1993:21). An intersectional perspective may further this discussion as gender inequality is not the only factor in abusive relationships (Sokoloff and Dupont 2005).

Whilst this research acknowledges the complexity of such terms, the narratives and accompanying discussion and analysis provided recognises the existence of patriarchy used by the abusive men to dominate women such as Sara, Nadia and Maria. It examines how this is accompanied and perpetuated by other forms of abusive practices such as immigration related abuse, which may intensify the domestic violence. This research adopts the stance of Erez et al, who argue that immigration status should not be seen as a '...category within race...' but as being a category in its own right that is a '...part of the interactive dynamic processes that, along with race, gender, sexual



orientation, and class, inform women's experiences of and responses to domestic violence' (2009:33). The impact of these intersections may vary, but are thought to impact heavily on migrant women with an irregular immigration status, who are likely to be from a low socio-economic group. Indeed, Maria's complex social position as a newly migrated woman exacerbated the conditions of domestic violence and abuse, as she described below:

*Because he made me totally dependent on him, because I couldn't do much so, he was so jealous that he did not allow us to live in a [nationality] household, we just could live with Chinese families because then I could not communicate with the people.*

Maria's social networks were limited since she was not able to speak English. Forcing Maria to live with Chinese families, who were only able to communicate in their native language, furthered Maria's isolation and ensured that she was not able to seek support from those around her. Maria's story helps to draw attention to some of the tactics that abusive partners use to exploit the factors associated with women's social position, which may create vulnerability. It appears that language is a powerful tool as this was something that featured in both Nadia and Maria's accounts. The theme of isolation and the specific issues that migrant women who are in abusive relationships face, was also identified repeatedly by professionals:

*[...] If you're not from this country, and you have insecure immigration, it's a minefield. Especially if you don't speak the English language as well [...]*

*[...] They [perpetrators] hold a lot of dominance and control, and often, you know, will stop them from going out to meet people, speak to people. It could be their own family, it could be friends, or get to know what services are available, or get to know how the*

*country works. So they are not able to access services, information or advice. It could be, it could be the worst case scenario where they are locked in a property all the time, they don't have keys and they never go out without the perpetrator. Or it could be that they are out and about, but there are limitations as to where they can go, who they can see, and how long they are away [...]. (Gender Violence Trainer and Manager, Charity).*

This manager highlights the many facets of immigration related abuse, and in particular how isolation may play out in the lives of migrant women. Abusive partners exercise a lot of control, and this may act as a barrier for women to leave their abusive relationships (discussed further in Chapter Six). The tools of control identified by the professional above provides further information in understanding the multiple ways that perpetrators may control their victims, and in particular how the conditions and circumstances around being a migrant woman may exacerbate this. Thus, many women with irregular immigration status remain hidden, and 'under the radar' in terms of knowledge regarding their experiences, and acknowledgement by the state as Chapter Six will explore in more detail.

The controlling behaviour of Maria's partner worsened and culminated in a physical assault. Maria explained that her partner found a purely platonic message on her mobile from a male acquaintance:

*[...] And he was jealous of that message, he thought that it was a lover or something like you know, and he got the plant pot and beat me up [...] I fainted, [...] my cousin called the police and the ambulance, I stayed in hospital [...], he left as soon as he did it, as soon as he did it he left, and the police found him [...]*

The above account highlights the power that Maria's abusive partner exerted within the relationship, using a simple text message from a friend as an

excuse for serious physical violence where she was hospitalised. As a result of the physical assault and wider emotional abuse, Maria left the house with their children and did not return. The incident reveals her partner's jealousy and control, which intoxicated the relationship. Sexual jealousy based on unfounded allegations from the perpetrator of women having affairs, may be used as a tactic to further their abuse and control (Morash et al 2000). The combination of physical and emotional abuse unsurprisingly proved unbearable for Maria and she moved areas completely in an attempt to escape him.

Maria overstayed her visa for almost a year, before her spouse visa was approved, and during this time she became a visa overstayer. Maria explained during her interview, that she was aware that the label of being an overstayer would mean that she would have few rights and access to protection. Her abusive partner continually reminded her of this *'I felt I was no one, like you know, he used to tell me "you are no one". I couldn't even register in a GP.'* This appears to be a recurring theme in the exploration of the intersection of migration and domestic violence. For example, Nadia's sense of disposability was evident when she described herself and her child as *'unwanted dogs'*, whilst Sara's revealed how when her partner had achieved his new life in the UK, she was surplus to requirements explaining that *'he already got what he wants, so now I was, you know, a stone in his way.'* The words used by affected women to describe themselves such as *'dogs'* and *'stones'* being *'no one'* may be symbolic of how their abusive partners made them feel worthless, unwanted and without value. The vulnerability of being *'unwanted'* and the physical position of being a stone, something commonly found on the ground and disregarded and trodden on, reassert the women's feelings of subordination, isolation and abandonment. Furthermore, whilst power and control are often ingrained in all abusive relationships, which are likely to result in the perpetrator taking away the self-esteem and independence of their partners (Stark 2009), this may be exacerbated when

there is a disparity in the immigration status held by the perpetrator and woman.

It may also indicate politically how immigration status impacts on the women's perceptions of themselves as former irregular migrants. Chapter Two has served to highlight the framework of '(un)deservingness' where irregular migrants face diminishing social rights and derogatory labels because of the insecurity associated with their immigration status. The words above suggest that, despite being victims of domestic violence, women were made to feel 'undeserving' both by the perpetrator but also in some of their interactions with some agencies. Chapter Two has served to highlight the framework of '(un)deservingness' where irregular migrants face denigrating social rights and derogatory labels because of the insecurity associated with their immigration status. The words above suggest that, despite being victims of domestic violence, women were made to feel 'undeserving' both by the perpetrator but also in some of their interactions with state agencies.

Whilst overstaying her visa, Maria remained in her abusive relationship until her partner supported her in making the application for a spouse visa *'until you know he accepted that he help me with the application [for a spouse visa]. I stayed, and once it went through that's when I knew that I could [leave], you know?'* Maria appeared trapped in the relationship, and only felt able to leave after receiving her spouse visa, as she was very aware that without it her options would be further limited.

Those who overstay their visas and subsequently become irregular migrants in the UK have little access to both legal and state protection, as Chapters One and Two outlined. Indeed, it is a similar situation for those in the USA as Raj and Silverman point out that migrant women who enter the USA on spouse visas had far *'...greater legal protection than do undocumented immigrant women, but they too are vulnerable due to the structure of immigration law'* (2002:375). It is concerning that some migrant women

experiencing abuse, essentially remain trapped in abusive relationships because of their irregular immigration status. On a deeper level, Maria's endurance of the abuse until she had a more secure immigration status indicates a level of structural violence, as she was aware of how her status as a visa overstayer would be construed by the state, and would limit her opportunities to regularise herself, as well as limiting any kind of state support for the domestic violence and abuse. Women who overstay on spouse visas are, at least often eligible, for some support through the DDVC, although fulfilling the evidential requirements and finding a lawyer to take on the case may still be problematic (see Chapter Six for further information).

In Maria's case, her abusive partner exploited her immigration status, but he did later help her to get a spouse visa. This is not always the case. Interviews with professionals identified other nuances to the intersection of migration and domestic violence, for example where many women's partners refuse to regularise them and as a result they remain irregular, essentially 'hanging on' in abusive relationships, hoping that one day the perpetrator will regularise them:

*[...] when there are false promises of an application being submitted if a woman behaves and is nice and obedient and complying and you know "if you're nice to me, if you don't say anything then I'll help you get your immigration status" [...] obviously those are empty promises that never really get fulfilled so they will just stay in the abusive relationship thinking that one day he will actually make the move and do the right thing to regularise her status, that is also a very common thing. (Senior Advice Worker, Local Charity).*

The unequal power relations in the abusive relationship, which are often exacerbated by immigration status help to fuel these, often empty, promises. Although this particular form of immigration abuse was not evident in Nadia

and Maria's accounts, professional interviews revealed that many women remain in abusive relationships for several years. Moreover, interviews with professionals who provide support to migrant women shed light on other immigration related tactics that perpetrators often employ to coerce women into staying in abusive relationships, and prevent them from leaving. A co-ordinator explained how perpetrators would often make demands that women have a defined number of children before they will regulate the woman's immigration status:

*[...] and that's why they keep on, they kept on, they keep on having children, "no I want six children before I give you my papers". What will you do? You don't have the confidence because after three you say no, that's the end of it, forget about having papers [...]* (Co-ordinator, Women's Group)

Perpetrator tactics in relation to immigration related abuse may be multifaceted and carefully thought out to ensure that they remain in control, and may involve control over women's reproductive rights (Choi and Byoun 2014). The coercion identified by the professional above is just one of a catalogue of strategies that perpetrators use in relation to immigration related abuse.

Aside from the issues around the visa status of affected women, another weapon of coercion and control in the intersection of migration and domestic violence utilised by Maria's abusive partner, was through her children. After separating, Maria's perpetrator tried to control her by demanding to have more rights to see their children, and this resulted in her having to fight this in court. As a result of Maria's partner constantly following and threatening her, she had to resort to completely moving areas to get away from him, *'[...] he used to go there, he wants me back, and so he was really bothering me there.'* Maria had wished to go back to their country of origin, however her partner was able to prevent this from happening by not giving his permission for their children to be taken out of the country, *'but he did not allow for me to go [...]*

This highlights the way that children can be used as pawns in abusive relationships (see section further below on 'Migration and children' for more information). This is evident in perpetrators preventing women from being able to fully get away from the abusive relationship, through returning to their country of origin. A legal officer specialising in domestic violence and abuse explained the difficulties in relation to this:

*And if they've got children, it's not just a matter of picking yourself up, if you take your children away from a country where they're habitually resident you're at risk of child abduction, of being accused of child abduction. (Legal Officer, Women's Rights Organisation)*

This is known as the Hague Convention, which is of course intended to protect and safeguard children, and in many cases it does. However, there are ways that these laws may be used to further abuse, as Maria's narrative revealed. This was also reiterated by a director of a small NGO who explained that many perpetrators are using International laws, such as the above, as a weapon to express revenge and control over women:

*And another weapon as well is the children, in order for the, even when the mothers want to go back with the children to [name of country], they need the father's authorisation in order to do, you know, the [name of country] documentation, and they don't have right to Legal Aid and representation, so you know, laws that are there to be enforced to protect the children are going against the women now. (Director, NGO)*

Maria's story reveals the complexity around the intersection of migration and domestic violence. Indeed, the narratives describes so far indicate that women with an irregular immigration status are not a homogenous group, and that the intersection of migration and domestic violence is nuanced.

Yuval- Davis (2006) warns of the dangers of homogenising all those who belong to a certain social category, as their experiences will not be the same. Thus, whilst Nadia and Maria had both held spousal visas, their stories are very different, in terms of their immigration trajectories and the nature of the abuse experienced, although there are underlying similarities.

Some common themes did emerge. The narratives of Sara, Nadia and Maria reveal that the overarching theme of '(un)deservingness' permeated their lives during the course of the abuse. The women's partners used their immigration status and the other factors relating to their status as migrant women, such as their lack of English proficiency and geographical separation from their families, to marginalise, demean and exacerbate the abuse. The intersectional position of the women, taking into account their race, gender, lower socio-economic group and their immigration status combined with the experiences of domestic violence created a specific and harmful concoction of oppression and marginalisation.

### **Taunting**

The chapter will turn now to Grace's narrative, to illustrate the diversity in the ways that migration and domestic violence may intersect. Grace's narrative will discuss her partner's taunting of her as a pattern of abuse, however it is firstly important to introduce Grace's story. Grace arrived in the UK, but subsequently overstayed the time that she was given to remain in the country. She had since fallen in and out of having a regularised immigration status as she made various applications to stay in the country, until she was eventually granted asylum. During this time of movement between several immigration statuses, Grace met her partner who had a more secure immigration status and she started a new life with him, however he started to abuse her:

*[...] He's the one who's buying the groceries, everything just him,*



*it's just him. All the food, whatever was being eaten, it's him buying so I couldn't say anything, it's just him. If I want anything, I say can you bring this, can you bring bread, can you bring milk [...]*

*[...] He would say things like "oh, some of us are British". "We can do anything" and that used to really make me feel hurt.*

*You can't do anything if you're not British. You don't belong. It makes you feel like you're nothing.*

The intersection of Grace's position as a female migrant with an irregular immigration status, combined with her experiences of domestic violence formed a particular combination of oppression and abuse. Two vital themes emerge from Grace's narrative in relation to perpetrator taunts and financial control. Grace's abusive partner used his more secure immigration status as a weapon to exert power in cruelly taunting her, by emphasising the disparity between their immigration statuses, and exerting financial control. He appeared to be fully aware that his citizenship gave him far more rights, privileges and access to state support in comparison to Grace. Anderson's (2015) ideas on labelling are important here as Grace's abusive partner used his citizenship to exert power in the relationship. It appears that her partner positioned himself in a 'Community of Value' as he flaunted how his immigration status was situated differently to Grace's 'inferior' status, and used this inferior label to cruelly perpetrate the domestic violence and abuse towards her. The taunting in relation to immigration status had a real impact on Grace's feelings, as she was made to feel worthless, explaining that *'it makes you feel like you're nothing'*.

Furthermore, Grace's narrative described how her partner financially controlled her. As noted earlier, the control of finances may be a prevalent form of abuse, particularly in abusive relationships towards migrant women, as 'by controlling the finances, men ensure that immigrant women remain

isolated and abused...' (Abraham 2000:231). Indeed, the higher immigration status that perpetrators often hold is likely to be accompanied with a social position that offers them more security and rights, for example the right to legally work, compared to their partner who holds an irregular immigration status that restricts their right to undertake paid employment (Raj and Silverman 2002). This was something that was noted earlier and featured in the narrative of Nadia.

Existing academic research such as McWilliams et al (2015), argue that social security systems are institutionally patriarchal and as such often assume that men are head of the household, even after women have fled the abusive relationship. However, it is not just patriarchy but immigration status and the fact that Grace's husband had a more secure immigration status that determined that he had access to state support. This form of exploitation is another example of the complex way that migration and domestic violence may intersect. Grace's account indicates that her social position as a migrant woman, and her volatile immigration status served to increase her vulnerability, as her previous irregular immigration status meant that she was not eligible for any financial support from the government. Thus, the denial of access to financial support for Grace highlights how the state constructed Grace as 'undeserving', which sharply contrasted with the more secure immigration status of her partner.

### **Isolating**

This chapter has so far considered the narratives of Sara, Nadia, Maria and Grace, to shed light on the plethora of ways that their abusive partners were able to use their irregular immigration status, and the wider social and political context around being a migrant woman to perpetuate the domestic violence towards them. Victoria's story also indicates the nuanced complexity of the intersection of migration and domestic violence. Victoria's narrative will draw heavily on the theme of isolation, which is something that, as

already noted, has arisen in many of the women's narratives. Victoria's story differs from those of Sara, Nadia, Maria and Grace as she, her partner and their sons entered the country on tourist visas, therefore her partner was not able to exploit her immigration status in the same way. Victoria's social position as a new migrant (and later irregular migrant) in the UK combined with suffering serious abuse exacerbated her experiences.

Victoria and her family came to the UK with the intention of gaining EU citizenship and starting a new life. As the immigration application was expensive and they had already spent a lot of money travelling to the UK, Victoria explained that they were going to save to make the remaining money needed to make their legal application. This plan did not however come to fruition so easily *'as soon as we arrived in here, we start having arguments. I believe that he took advantage that I wasn't around my family and he started to abuse me [...]*' Victoria attributed the beginning of the domestic violence and abuse to her geographical separation and isolation from her family and friends, something that was also noted in Maria's earlier account. Thus, Victoria's social position as a migrant woman who was apart from her closest networks in her country of origin may have been used as a weapon by her perpetrator to intensify the abuse. The geographical separation may not only increase the perpetrator's control in the context of domestic violence, but also decrease his culpability (Abraham 2000), as Victoria did not have her family nearby to hold him to account.

Victoria's story revealed how her partner used the fact that she was isolated from her family to further abuse her, knowing that she had limited options to seek support. However, it should be recognised that women may still be isolated even when living in close geographical proximity to their family and social connections, as their family may not necessarily approve or support any disclosures of abuse (Menjívar and Salcido 2002). In Victoria's case, she was aware that their relationship was worsening and attempted to improve the relationship by cooking a special meal for her partner:

*[...] In order to try to revive the relationship, you know, I cooked a nice lunch for him and waited for him, and when he arrived you know he said that I was staying with the other men of the house, and he tried to strangle me. This physical abuse continued as she explained ‘[...] he was trying to force himself to have sex with me. I said that “if you force me to have sex with you, I’m going to scream and I’m going to call the police”. And he tried to. And then he punched my face and he cut [...] my lips, my mouth, and I had marks on my neck and on my eyes, I had a scar that he had kicked me on my foot from previous weeks [...]’*

False accusations of women having affairs with other men were part of Victoria, Sara and Maria’s narratives, and their accounts highlight how these allegations were often used as reasons for perpetrators to carry out physical or sexual assaults, as in the case above. Victoria’s story of violence and abuse continues:

*And everything was escalating [...] Every time it was getting worse and worse. Things really started to escalate, and he used to scream at me arriving from work and the landlord actually called him saying that he’d got complaints that he was shouting at me all the time, I could not talk to anyone at the flat, he did not allow it. He wasn’t doing anything with me and the boys, and you know, we could not go out because we didn’t have the money and we didn’t know many people, but my intention always was to make the [citizenship application].*

Victoria never intended to overstay her visa, as her intention was to save the money needed to make her application for their citizenship. However, the context of domestic violence and the severe nature of the abuse described above complicated matters, and consequently took precedence over

everything else. Victoria's use of the word '*escalating*' to describe the level and extent of the violence experienced reinforced how the intensity of the domestic violence was dominating any chance of trying to regularise her status. This was a common theme that was also identified by professionals. A gender violence trainer and manager, interviewed as part of the research, pointed out her experiences with working with visa overstayers, and she found that many women overstayed for often long periods of time due to the conditions of the domestic violence and abuse itself whereby '*... the violence and abuse dictates and controls everything*'.

Victoria's narrative also revealed her isolation as she was not able to speak English and had all avenues of contact with others either controlled, sabotaged or withheld, which created much isolation in her life, as in the lives of the other women discussed earlier. Other professionals echoed such sentiments whereby moving to another country essentially is a very isolating process, however combining this with an abusive relationship and having limited knowledge of the culture and language may heighten the isolation experienced:

*[...] I find it very hard for them because, you know, once they are here they lose all the family, you know, connections, and you know, the community connections, and it's another language, it's another system that they don't understand. And the abusive, you know, controlling partner, ex-partner takes advantage of that and they feel very lonely [...].* (Director, NGO)

Victoria was eventually able to leave her abusive relationship, and found the money to regularise her immigration status. Whilst Victoria had status, her abusive partner tried to use this and the more secure immigration status of their sons as an avenue to obtain status for himself in the UK '*... because he's illegal now. Now he wants to get our sons [...]*'. Victoria's story serves to highlight how the intersection of domestic violence and migration are

complex and multifaceted. Although it is common for the perpetrator to have a higher and more secure immigration status, this is not necessarily the case. Victoria overstayed her visa for several years, because the severity and intensity of the domestic violence experienced meant that she could not save the money to make her legal application. Victoria's socio-economic group meant that she did not have the capital to afford to resolve her legal issues in relation to her immigration status immediately, and this factor combined with her race, gender and irregular immigration status all created conditions that appeared to perpetuate the domestic violence. Thus, her story reinforces the nuanced way that the intersection of migration and domestic violence may feature in the lives of migrant women.

### **Using children**

In Victoria's case, it is apparent that her perpetrator was attempting to use their children's immigration status as an avenue for citizenship for himself. The existence of children may add many complexities to the exploration of the intersection of migration and domestic violence. For example, earlier parts of the chapter detailed Sara's story, where her partner had taken their children to another country, which was the instrumental factor in her arriving in the UK. Maria divulged how she wished to return to her country of origin with her children, but was prevented in doing so by her abusive partner and the courts. Abusive partners may utilise children as a form of abuse in many different ways, including forcing women to return to the relationship by abducting children, as well as using the family courts and child contact to abuse and manipulate women further (Burman and Chantler 2005).

In other cases, professionals revealed how they had come across cases where the perpetrator had taken the relevant immigration documents and passports of both their female partner and their children in efforts to retain control and fear over the family, and prevent them from leaving the abusive relationship. The professionals interviewed were also able to contribute to identifying

other themes around how children come into play in relation to the intersection of migration and domestic violence. Interviews with those providing support, identified how perpetrators are entirely aware of how important the children are to women, as the director of an NGO pointed out, *'because you know their weak point is as they see it, of course it's not the weak point, but that's where you know, the women will do anything, you know, it's towards the children [...]'*

The women's love for their children dominated all accounts, for example Victoria expressed *'most of the time, all the time, I just think what's best for them, I want to give the best for them'*, whilst Nadia explained *'[...] I really love my son and I can't imagine my life without him'*. Perpetrators often exploit the love that women have for their children by using the children as a weapon to intensify the immigration related abuse. It has already been identified that it is a common scenario for the perpetrator to have a higher and more secure immigration status (or be British himself), and their children are often British born or have a regulated immigration status. This in many cases forms a huge deterrent for leaving abusive relationships or seeking help, for women fear that they may be deported away from their children (Dutton et al 2000). This was emphasised by a legal officer who explained that the perpetrator's threats of deporting their female partner away from their children was particularly prevalent, *'[...] and it is in the vast majority of cases I've dealt with this notion of "I can have you removed, you will go back home and your children will stay here, you've got nowhere to turn" is a feature in most of the cases I've dealt with.'* Similarly, another practitioner also indicated this prevalence:

*Epecially if the women don't have, you know, the visa here, their status to be here, and if the men are European and they have to, the children automatically will have the right to be Europeans if they have it or not, but they have the rights too. So they threaten the woman that, you know, if she doesn't submit to him, and if she*

*doesn't stay you know in the relationship, he will deport her. And she will lose the children because the children are Europeans, you know, and she's never going to see the children again. You know, that's very common, very, very common [...].* (Director, NGO)

Children may be used as a weapon in all parts of the migratory process. In addition to the tactics that perpetrators use in relation to children identified earlier, perpetrators may also prevent women from having children as a form of abuse. A senior advice worker for a local charity revealed how they had seen cases where perpetrators had controlled contraception to prevent women from having children, or forced them to have repeated abortions. There are many reasons why abusive partners may not wish to have a child, or seek to control contraception. However, in terms of migration, a child may have the potential to allow a migrant woman to strengthen an immigration application or be seen as more 'deserving' of citizenship, which may in turn undermine the perpetrator's power and control by giving her more opportunities and options to end the relationship.

### **Forcing**

The narratives of the women discussed so far have shed light on the complex and nuanced ways that migration and domestic violence may intersect. Serena's story is another example of these nuances. The abuse within Serena's relationship started quickly and she remained in the marriage for over ten years before it became simply unbearable and she was forced to leave. Serena later seized an opportunity to come to the UK to escape her abusive husband, and had since inadvertently overstayed her visa because of a problem with her papers at the Home Office. Subsequently, Serena made an application for asylum that was initially refused, and at the time of interview Serena was in the process of appealing this decision. Serena's story indicates the complexity of the intersection of domestic violence and migration, as she had fled domestic violence in her country of origin, and had



unintentionally overstayed her visa, but feared returning to her abusive partner.

During the interview, Serena spoke of her experiences of domestic violence and abuse in her country of origin. She explained that her uncle was the 'head of the family', and as such she 'belongs' to him. It was her uncle that forced Serena into marriage without her parents' knowledge. She explains what happened below:

*[...] So as [...] what made me come here [...] I was in a marriage which I didn't even give consent, it was like, I was forced to go into that marriage by my uncle so I was in that marriage since I was 16 [...]*

*[...] And there was this other time I went to see my grandmother a when we, when I was there my uncle came and he said "oh if you're going back home, okay, I will come with you" and he took me from my grandmother and since that day I never went back to my parents, because that was then that he took me and he delivered me to this family so they had the arranged marriage happened and at first we stayed alright but then after some time he started abusing me, even when I say "I don't want sex", he would even rape me, he won't even accept that he'd sometimes just come and hit me for nothing so I've been going through all that and like this other time he pushed me and I banged on the coffee table [...] and I had to go to the hospital.*

Serena's narrative initially defines the marriage to her husband as being an 'arranged marriage', however she later explained that she was 'forced' to marry and that she did not give her consent. Forced marriage is defined by Siddiqui as a form of honour based violence (HBV) and is '...a marriage

without free and valid consent of one or both parties, involving duress' (2013b:171). However, HBV is not an unproblematic term, as Siddiqui recognises that 'honour' may sometimes be used to excuse such crimes or collude with the perpetrator by positioning these acts as '...defined through the perspective of the perpetrator/s' (Siddiqui 2013b:170).

Furthermore, the distinctions between a forced marriage and an arranged marriage may form part of a continuum, as opposed to a binary (Anitha and Gill 2009). Anitha and Gill (2009) problematise how the distinctions that are made between such marriages in the UK are very simplistic and revolve around notions of consent, recognising that consent does not nullify the possibility that a marriage was forced. Indeed, Serena's narrative explains that she not only did not give consent to the marriage, but the power held by her uncle within the family also suggests that she would not have had an opportunity to resist his instruction to go through with the marriage. This highlights the importance of considering not just notions of consent but other factors, such as coercion, that may have a bearing on a marriage taking place.

Indeed, Siddiqui argues that any acts of HBV are '...aimed at controlling female sexuality and autonomy in male dominated communities where the reputation of the family is believed to rest on women conforming to traditional femininity as good, dutiful and obedient wives, sisters, sister-in-laws, mothers, daughters and daughter-in-laws' (2013b:170-71). Gender inequality in the form of patriarchy may manifest itself differently in various cultures (Sokoloff and Dupont 2005). Thus, it is evident from Serena's account that her uncle expected her to recognise and respect his position of power as '*head of the family*', and conform to his demands for her to go through with the marriage, fulfilling her 'duty' of being an obedient niece.

Serena's story shows another nuance to the intersection of migration and domestic violence, as the forced marriage, which is another example of domestic violence, compounded with the abuse experienced within the

marriage meant that she fled for the UK to escape such violence. However, it should also be noted that all too often women who are subjected to violence through forced marriage are perceived as passive (Thiara and Gill 2010). Many women have in fact engaged in strategies that helped them to resist the violence, contradicting dominant ideas around the passivity of 'victimhood' (Mehrotra 1999). In fact, Serena fled her forced marriage, despite the power, control and dominance exerted throughout her marriage by her abusive husband. Serena's strategy to resist the power exerted by her husband was to seek familial support and advice, before using her family to facilitate her escape to the UK.

The intersection of migration and domestic violence may be further complicated by the existence of dowry. Dowry commonly refers to payments (which may take many different forms) that are usually made at the time of marriage, '...from the family of the bride to that of the groom' (Anderson 2007:152). Although Serena uses the term 'dowry', the payment was passed from her husband to her uncle. The transfer of money, materials or wealth from the groom to the family of the bride is commonly referred to as 'bride-price' or 'bridewealth' (Evans-Pritchard 1931; Kaye et al 2005). 'Dowry' will be used to describe the money transferred between Serena's husband and uncle, as this is the term that she uses to describe such processes. However, it should be noted that 'bride-price' or 'bride wealth' will be used when discussing relevant literature in relation to this process, due to the absence of academic literature that defines this particular process as 'dowry.'

As noted, Serena's uncle received a dowry for arranging her marriage. Her use of words such as '*belong*' and '*delivered*' appear to objectify her as a possession, and this reinforced how she appeared to perceive herself, as someone that belonged to her uncle. Kaye et al's (2005) research on the relationship between bride-price and domestic violence in Uganda, found that the women involved in the study believed that the practice of bride-price denied them rights and made them feel like objects, which were equivocal to

money or material goods. This finding appears to support how Serena also viewed the process, and how the practice exacerbated the inequalities in the power relations in her relationship.

It is however important not to homogenise all practices. Some are highly critical of the term 'bride price'. Evans-Pritchard argues that it projects the idea that such practices are only concerned with the subject of wealth, and reduces the practice to that of a transaction whereby people believe that '...wives are bought and sold in Africa in much the same manner as commodities are bought and sold in European markets...' (Evans-Pritchard 1931:36). Instead, Evans-Pritchard (1931) advocates the term 'bride wealth' as a way of emphasising that there are various functions served through the transfer of wealth between families, rather than simply focusing on one aspect of it. However, Gray (1960) argues in response to Evans-Pritchard, that the framework of questioning around such practices should not be around whether African women are bought in a way that is comparable to European markets, but rather whether there is any similarity to transactions made in the same society. Gray argues that whilst 'bride-price' does have non-economic purposes, for some African communities, wives are 'purchased' in much the same way as other commodities are purchased, and this must not be ignored as '...a valuable aid in understanding marriage customs is rejected (1960:54). Regardless of the language used to describe such processes and whilst taking account of Evans-Pritchard's (1931) points that the transfer of materials or cash between households serves many purposes, Serena's narrative suggests that she felt that the dowry acted as a form of transaction between the households for her marriage.

Indeed, the dowry used for Serena's wedding proved to be harmful to her in a number of ways. As explored, not only did the dowry appear to objectify Serena, but it also appeared to have immense power in her being unable to leave the relationship, or annul the marriage. Whilst Serena's parents remained supportive of her and tried to pay the dowry back to her husband

to allow her to escape the marriage, her husband would not accept it, as he believed that *'[...] once they've paid the money you cannot reverse the situation, I belong to him and all that.'* Thus, it is common on receipt of the 'bride-price', for the family of the bride, and in particular the bride's father, to have little or no control over what happens to her afterwards, including her ability to divorce (Gray 1989; Kaye et al 2005). Serena's husband's resistance to the dissolving of the marriage may reinforce the ways that gendered cultural norms may complicate experiences of abuse.

In addition, Serena's uncle as *'head of the family'* was reluctant to intervene in the abusive marriage despite receiving the dowry. Indeed, traditional patrilineal notions of male family members taking 'ownership' of female members may dominate in some communities, for example in the Arab immigrant community (Kulwicki et al 2010). This may have some benefits as in instances of domestic violence, male family members on the woman's side may intervene (Kulwicki et al 2010). However Serena's uncle prioritised her husband's interests above that of his niece, despite her immediate family's protestations. Interviews with some professionals also reinforced the importance of the dowry in understanding the nuanced intersection of migration and domestic violence:

*[...] You have to cling to the man who married you because most of the man who are from the African continent, they paid dowry so that keeps the woman clinging because you cannot justify why you are running away from the man, and whom do we tell?*

*The dowry means that you know it's the money, in the form of money, it might be in the form of cattle, it might be in the form of any form of resources that the parents might claim from the man so that keep you to cling to the man in case you know the family of the husband you are married to, if you don't behave very well in the marriage set up, they might claim back again the money so it's*

*an embarrassing situation whereby your parents have to be asked to return the resources to the man, so you tend to make sure that you know you carry the banner of your family, make your father and mother happy by clinging to this abusive man.* (Director, Migrant Group).

Thus, the dowry may have unprecedented importance within a family unit and may act as another form of gendered oppression, if the male partner uses it as a way of taking ownership of his wife. The professional's use of the word '*clinging*' implies the importance for many women of remaining with their partner, no matter how abusive, due to the way that marriage and dowry are upheld in the community, and for fear of the consequences of breaking the dowry. Serena's story highlights that whilst she had in effect broken her dowry by fleeing her abusive marriage, her husband and uncle were unwilling to accept the breakdown of the marriage, and so she remained bound by this process.

Serena's story reiterates the complexity around migration and domestic violence featured in the lives of women, as some women may overstay because they fear returning to their country of origin. It is clear that the dowry holds a significant amount of power, which in Serena's case seemed irreversible, despite her parents best efforts to relinquish her from it. Such dowries continue to trap some women in abusive relationships and endanger their lives.

Research by Balzani (2010), Gill and Mitra-Kahn (2010) and Patel and Siddiqui (2010), cited in Chapter One, pointed to the ways that the UK government have used forced marriage to legitimise tighter and more stringent immigration controls, in the name of 'protecting women'. It is interesting to note that this agenda does not appear to stretch to women such as Serena. The protection offered by the state in relation to forced marriage appears to exist on a hierarchy, whereby those who were subjected to a forced marriage

abroad and who flee to the UK are constructed as largely 'undeserving', as evidenced in the case of Serena , who was fighting to remain in the country.

## **Conclusion**

This chapter has explored the intersection of migration and domestic violence. By drawing attention to the narratives of affected women, it has concluded that such intersections are nuanced. Although similarities may be drawn from the experiences of the women interviewed, there are also many differences, alluding to the heterogeneity in women's experiences of domestic violence. The complexity around the women's immigration statuses and their movements in and out of irregularity, combined with their experiences of violence within the home often created specific patterns of domestic violence in the form of immigration related abuse. This form of abuse is often under the radar of recognition, as Chapter One pointed out that such experiences are not adequately defined in the UK government's definition of domestic violence and abuse. The abuse is also often hidden because it takes place in the private sphere of the home (Burman and Chantler 2005), and as the chapter identified, the multifaceted nature of the isolation that migrant women face may mean that they are not always able to come forward to seek support, or even know that support exists (barriers to help seeking will be explored further in Chapter Six.)

Additionally, the abuse may remain under the radar because of the fact that women hold an irregular immigration status, which is something that will be explored further in Chapter Five. The nuanced intersection of migration and domestic violence took account of these various nuances by considering how women may escape domestic violence in their country of origin, and overstay their visa in the UK because they do not feel safe to return to their country of origin. Other narratives pointed to spousal abandonment, as well as physical assaults, isolation and financial control.

Furthermore, the findings discussed in this chapter has helped to fill an empirical gap in the literature, by outlining some of the characteristics of immigration related abuse in relation to women with an irregular immigration status, primarily focusing on those who overstay their visas. The narratives have drawn attention to the power of immigration status, and in particular how the wider political context that these immigration statuses are embedded in, along with the labels attached to them, may be used as weapons by abusive perpetrators to perpetrate domestic violence. The women offered a meaningful insight into not only their experiences of domestic violence, but also their inner feelings and how the abuse affected them on a deeply personal level, leaving many feeling inferior, disposable and 'undeserving'.



### **Fearing the radar: Exploring the lived experiences of women who overstay their visas and experience domestic violence.**

#### **Introduction**

Chapter Four has discussed the ways that perpetrators often utilise and exploit the subordinate immigration status of women to exacerbate the abuse. This chapter will focus on the lived experience of having an irregular immigration status, by primarily focusing on women who overstay their visas. It will explore how the label of an irregular immigration status may shape (and often constrain) the ways that women are able to live their everyday lives, forcing many to greatly fear the authorities because of the implications of having an irregular immigration status. Chapter Two discussed the political context within the UK, identifying how the labels attached to different immigration statuses, such as visa overstayer, are ingrained in a very hostile rhetoric as governments seek to denigrate their rights, demonise their existence and label them as 'undeserving'. This theme of '(un)deservingness' may play out in many ways in relation to the lived experience of having an irregular immigration status, which will be explored in this chapter. Thus, the following research question will be addressed:

2. What is the lived experience of having an irregular immigration status?

The lives of the women interviewed were very complex not only because of the intersection of domestic violence and abuse, but also because many had changed their immigration status, sometimes moving in and out of irregularity. As Chapter Four highlighted, the lives of the women interviewed were heterogeneous, where all women were in different positions regarding their immigration status, therefore the narratives drawn upon in this chapter also reflect this diversity. For example, some women reflected on their

previous experiences of being a visa overstayer, whereas others have since moved on to talk about difficulties in relation to their new immigration status, such as being an asylum seeker.

The primary themes that emerged from the research in terms of the lived experience of having an irregular immigration status were those of fear, uncertainty and exploitation. The first part of this chapter will consider the various manifestations of these themes in relation to the women's daily lives, exploring the impact of the label of their immigration status on them. The next part of this chapter will consider the reasons why women do not wish to return to their country of origin, as well as some of their motivations for coming to the UK. One of the participants, Grace<sup>4</sup>, had regularised her immigration status but was able to talk about her previous experiences of overstaying her visa. The first part of this chapter will begin by drawing upon some of Grace's lived experiences, before considering the narratives of some of the other women interviewed.

### **Lived experiences of fear and uncertainty**

Chapter Two discussed the political context that influenced the way that many visa overstayers live their lives in the UK, where government rhetoric and policies such as the Immigration Act 2014 seek to create a hostile and unwelcome environment, in efforts to force the 'undeserving' visa overstayer out of the country. This has been reinforced by initiatives including the 'Go Home or Face Arrest' campaign. The campaign, which took place in 2013, used billboards questioning 'In the UK illegally? Go home or face arrest', which were driven around several neighbourhoods in London. A report by the University of Warwick (2015) exploring attitudes towards, and the impact of the campaign found that the majority of those interviewed regarded the campaign as a political stunt as opposed to an effective strategy on immigration, regardless of their political persuasion. In fact, those

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<sup>4</sup> Please note that pseudonyms have been used throughout this thesis.

interviewed who were not previously aware of the campaign expressed incredulity that the billboards were part of a Government campaign, with many believing that they were part of campaigns held by the English Defence League or the UK Independence Party (University of Warwick 2015). Therefore, it is perhaps unsurprising that women such as Grace, who had previously overstayed her visa, likened her experiences of overstaying to *'[...] sitting on a time bomb [...]'* and being *'terrified'* of being discovered. Grace's narrative reveals her lived experience and the emotions involved in living with an irregular immigration status, which frequently labels such women as *'undeserving'* of *'legal'* residence in the UK. Thus, many are forced to find ways to avoid being detected by the authorities. Grace's words reveal a deep sense of fear and uncertainty, in never knowing when she may be discovered for having an irregular immigration status.

A fuller picture of Grace's lived experience will be returned to later on. However it was apparent during the research that these fears and uncertainties in relation to having an irregular immigration status were also described by others, such as Maria, as a fearful time, as she explained that *'I was scared of going to the authorities. Not even, you know, to be deported, but I was afraid that they were going to lock me up here.'* Maria's comments signify threefold fears around her immigration status. Firstly, like Grace, Maria raises issues around approaching the authorities, which again provides more evidence supporting the concern that those in abusive relationships do not feel that they qualify as *'deserving'* of state protection because of their immigration status (barriers to help seeking will be explored further in Chapter Six). Secondly, it points to a deeper notion of women feeling that they are sub-human, that their experiences no matter how horrific and life threatening, are outside the boundaries of human protection in the UK. This reinforces Galtung's (1975) ideas on structural violence, as women not only fear the multiple forms of personal violence inflicted on them from their abusive partner, but also structural violence because of their irregular immigration status. Finally, Maria suggests that she not only fears returning

to her country of origin, but also that she fears incarceration. The fear of being imprisoned, detained and/or deported is cited by Sigona (2012) as a primary concern for those who are undocumented. There appears to be a dyad between women experiencing abuse, which is a crime in itself, but at the same time a fear that their irregular immigration status may have frightening repercussions for them, such as deportation, which may prevent them from coming forward to report abuse (Dutton et al 2000; Bui 2003; Latta and Goodman 2005).

Grace and Maria clearly feared being detected by the authorities, but their narratives also alluded to a sense of fear around the implications of being found to be irregular, which may result in removal. The difference between removal and deportation should be noted here. Anderson points out that 'removal' refers to '...an administrative procedure with no right of appeal and no legal consequences after enforcement...', and is commonly applied to overstayers (2015:116). Deportation on the other hand is strongly linked to criminality and is used to essentially expel those who have served a prison sentence and no longer qualify for residence in the UK (Anderson 2015). Whilst the distinction between the two terms is clear, Anderson (2015) notes that there has been considerable fluidity between the use of them.

In relation to my own empirical research, participants, aside from a legal professional who clearly noted the difference, used and identified with the term 'deportation', as opposed to removal. The overwhelming use of the word 'deportation' by participants perhaps suggests that they felt as if they were being treated as criminals. In light of this, the term 'deportation' will be used throughout this thesis, however with recognition that in legal terms, the word 'removal' is technically the most appropriate. Whilst Chapter Four discussed deportation in terms of the nature and pattern of abuse experienced by affected women, this chapter will explore deportation in relation to the women's emotions and lived experiences of living with the threat of deportation in their daily lives.

Moreover, the theme of fear and uncertainty, particularly around deportation, was also expressed in the narrative of Patience, which will now be used as a lens to view her lived experiences of having an irregular immigration status. Patience previously overstayed her visa but was seeking asylum at the time of interview, and some of her story is outlined below:

*I felt terrified, it wasn't easy, it was a sad thing to go through. I don't believe it's a crime being in the country. There was no one to help me, no accommodation, just depending on friends [...] I went underground.*

*You live a life of fear. You're always panicking. You don't know if you're safe today. When you see police on the street, your heart starts racing, you start shaking. Even when you're eating your food, it's not going down properly. It's not an easy life, you do not feel stable. Then you are not in their hands, you are not in immigration custody but when you're with them you don't know if they will detain you. Even week, you have to sign up and you don't know if you'll be detained. They [children] worry as well. You feel panicked to go to the GP [...]*

*I fear of this immigration. They may lock you up.*

Many themes emerge from Patience's account, however in similarity with the contributions from Grace and Maria above, the most striking one that dominates her narrative is that of fear. The sheer terror that Patience experienced every day, fearing that she may be detained and deported at any moment clearly had a detrimental impact on the way that Patience lived her life. Griffiths (2014) highlights the significant anxieties that those that are 'deportable' face. She points out that seeking asylum is characterised by '...chronic uncertainty and the systematic primacy of waiting' (Griffiths

2014:1991). This was evident in Patience's account, as whilst she was awaiting a decision on her asylum application, she was continually facing the crippling fear that she may be deported at any moment, if her application were to be refused. Her expression of going '*underground*' signifies a life of 'laying low' and not drawing attention to herself. Politically, it also signifies that women such as Patience are treated as 'undeserving' because of the way that the label of her immigration status as an asylum seeker is often vilified and depicted as 'bogus' (Yuval-Davis et al 2005; Anderson 2015; Griffiths 2015).

Patience described how living in fear manifested itself in her body and this fear was expressed through many distressing physical symptoms. Underlying these physical expressions was a real sense of urgency and uncertainty around her immigration status. Patience's desperation in relation to her immigration status, not knowing if she was '*safe*', and the implications of this on her lived experience is evident in the account above. Interestingly, Patience's use of the word '*safe*' appears to have two meanings. Firstly, Patience appears to be referring to the uncertainty around whether her application would be accepted or not by the Home Office, and whether she would be exposed to the 'danger' of immigration officials arriving to detain and deport her. However, '*safe*' may also be considered on a deeper level to refer to a relatively safe yet currently uncertain stay in the UK for Patience and her children. This place of relative safety offered by the UK could be disturbed by immigration officials who might have rejected her application and deported her back to her country of origin, potentially exposing Patience and her children to danger. Thus, this may signify how although Patience's claim for asylum is based on human rights law, her feelings of inferiority and 'difference' to that of those with citizenship (or a more secure immigration status) affirm Nash's (2009) argument that human rights frameworks may also create further inequalities by exacerbating the differences between such groups.

It is also significant that Patience used the words, 'safe *today*,' which indicates that she was constantly living with the fear of being detained and deported. There is a sense of immediacy, as Patience's fate in relation to her immigration status was unknown. Patience expressed how she did not know when she would receive a decision on her asylum application and if her application would be accepted. This created an intolerable situation for Patience as she not only had to cope with the uncertainty of her situation, but also that she was not in control of her circumstances because the state was in control of her destiny. De Genova refers to this as the 'deportability in everyday life', whereby migrants feel constantly uncertain and fearful of being deported (2002:419). Furthermore, this sense of uncertainty is similar to that of Grace's comparison to her living with a '*time bomb*', where she never quite knew when or if the immigration officials might show up. Griffiths' research with detained migrants revealed similar themes, that the high levels of uncertainty harboured by those who are detained reinforced their feelings of being '...considered transitory, undeserving and expendable in a way that is less true of British citizens' (2013:278). Andersson reinforced this point by arguing that temporality has even become a 'weapon' '...in the 'fight against illegal migration' (2014:2). This 'weapon' clearly has a deep rooted foundation in the lived experiences of Grace, Maria and Patience, as their lives appeared to be dominated by fear and uncertainty. The narratives of women such as Patience is an example of the consequences of living with an immigration status, which meant that she was frequently frightened that she would be deported.

Although Patience was not overstaying her visa at the time of interview, she was still facing the reality that she could be deported back to her country of origin at any moment. Indeed, a co-ordinator of a women's group described the impact that the threat of deportation can have on all migrant women with an irregular immigration status, not just those who overstay their visas, stating that '*even for those who don't overstay their visas, deportation is a big deal.*' Research by Bloch et al (2011) and Sigona (2012) identifies similar

themes, that deportation is a fear that is ingrained in the everyday lives of those with an irregular immigration status. Patience's account revealed not only her own feelings of instability and uncertainty around her immigration status, and the impact that this had on her physical and emotional health, but also how her fears around removal were shared by her children. Indeed, children of parents who have irregular status may be very much affected by this immigration status, and this may also have a huge impact on their own opportunities (Bloch et al 2011). These sentiments were echoed by the director of a small NGO, who highlighted the fear that many women and children face:

*Well, there is this you know black cloud over them all the time, you know if they take a tube, if they take a bus, if they go from A to B, you know, at any time, you know they can be caught. You know, so this insecurity of being caught, not being a criminal but being in a you know illegal situation and I think that effect, especially with the children as well, if the children are you know in an illegal status, you know, it's very scary. (Director, NGO)*

This is a pressure that many women have to suffer whilst also experiencing domestic violence and abuse, which can create additional levels of fear. Again, these fears can easily be transmitted to children, whose lived experiences are also complicated by the immigration status of their care-givers.

The chapter has explored the sense of fear and uncertainty experienced by women with irregular immigration statuses. This fear around being detained and deported however can quickly become a reality. Griffiths' refers to the concept of 'frenzied time', experienced by those in the immigration system whereby '...developments can happen suddenly and without warning' (2014:1999). This may take a form of a sudden immigration raid, and the subsequent need for the person subjected to this, to find an immigration



solicitor. This was the case for Sara. The threat of deportation had been realised only a short time prior to her interview, as the Home Office Immigration department had turned up on her doorstep:

*The last time was recently, three weeks ago, immigration went to my house, I wasn't at home [...]. They didn't look for me [...] but I was away from my house for about 2 weeks.*

At the time of interview, Sara had sought legal advice and had made a subsequent application to remain in the UK. This notion of 'frenzied time' identified by Griffiths (2014) is very much evident, as the threat of Home Office interaction and deportation was very close to Sara's mind as she explained, '*I'm carrying everything because I don't know what's going to happen if I'm stopped by immigration*'. Sara's uncertainty around her rights to stay in the UK and the fact that the Home Office had already turned up to deport her created significant fear. For Sara, permanently carrying her legal documents acted as a small form of protection for her against any threat or possibility of removal by the state. This also reiterates the sense that Sara needed to prove that she was a 'deserving' migrant, who was making applications to stay in the UK.

Whilst Sara narrowly missed a Home Office visit, Victoria and her perpetrator experienced a raid by the Home Office. She described her experiences of immigration officials '*[...] breaking all the doors, and they make a lot of mess, you know, they go through everything*'. Victoria's account of a Home Office raid is testimony to the aggressiveness with which immigration officials carry out their work. Her reference to the dramatic way that the Home Office raid was conducted, and their thoroughness in '*going through everything*' may induce much fear. Griffiths (2014) found that her participants, who had an irregular immigration status, faced a deep sense of uncertainty and anxiety around possible immigration raids, detention and deportation. The unexpectedness of the Home Office's appearance at Victoria's place of

residence reinforces concerns by those who have an irregular immigration status, that they are '*sitting on a time bomb*', and they may never know when their time in the UK is going to be curtailed.

Indeed, deportation is incredibly powerful as it may act as the primary reason why women do not report domestic violence to the police (Roy 1995). This is very concerning as it suggests that there is a contradiction by the state, who have a heavy stance on protecting women from dangerous domestic violence situations, whilst at the same time criminalising women who are or become irregular migrants. This leaves women who overstay and experience domestic violence and abuse in very thorny territory, and they are often frightened of structural violence through immigration control as a result of their immigration status.

Indeed, traditionally a victim of domestic violence is constructed as someone who is 'deserving' and in need of protection. The violence towards them is condemned and justice is often demanded. This is echoed in government strategies to protect women and girls from violence (Home Office 2016a). However, when the social division of immigration status is added, and specifically an irregular immigration status, these thoughts of 'deservingness' are shamefully transformed into 'undeserving', which are evidenced in the state's refusal to grant some affected women with recourse to public funds (although of course the DDVC under the DV rule exists to protect some of those who are affected). Indeed, Bosniak argues that '...it is not enough to add alienage to "the list," as if it were simply one more category of social exclusion. Instead, it is important to understand how, precisely, disadvantage based on alienage is both like and unlike other forms of disadvantage...' (2008:11). Thus, this thesis focuses on the powerfulness of immigration status in shaping women's lives, particularly in the context of domestic violence and abuse and when other intersections are taken into account. The outcome of this is evidenced in the narratives of the women above, who are victims of

abuse and in need of protection, but are frightened to come forward because of their immigration status.

### **Counteracting the labels associated with an irregular immigration status**

This chapter has explored how fear and uncertainty around having an irregular immigration status may perpetuate the anxieties that affected women already face in relation to the domestic violence experienced. The next part of this chapter will explore the ways that women may counteract the 'undeserving' label associated with their immigration status.

Grace's fears around the '*time bomb*' of living with an irregular immigration status were discussed earlier. However, as well as Grace expressing her palpable anxiety around being discovered as a visa overstayer, she also described herself as '*honest*' and '*trustworthy*' during her interview, evoking ideas that she endeavoured to live a 'good' life. Using Anderson's (2015) ideas around the 'Community of Value', during the time when she had overstayed her visa, Grace may have been classified as a 'non-citizen'. Anderson (2015) argues that many 'non-citizens' try to distance themselves from 'failed citizens', by appealing to the morals that those in the 'Community of Value' supposedly hold. Thus, Grace's emphasis on 'valuable' moral qualities appear to harmonise her, to some extent, with the 'Community of Value', although this contrasts somewhat with the label of her immigration status that forced her to stay '*laying low*' whilst overstaying her visa. '*Laying low*' helped Grace to remain hidden from immigration officials, as many of those who have an irregular immigration status do not wish to make themselves known to immigration officials, for fear that they will be deported (Bloch et al 2011). Grace's narrative helps to shed light on her lived experience, suggesting that she was previously living in a paradox between drawing on 'good' moral traits, whilst also living with an immigration status that, as Chapter Two explored, labelled her as 'undeserving' and 'illegal.'

The implications of having an irregular immigration status often weigh heavily on the minds of those affected, as they may remain concerned that they will have to lie about their immigration status to others, and this may stigmatise them or impact on the trust built within the relationships formed (Sigona 2012). This leads Sigona to conclude that issues related to fears around deportation and ideas around trust ‘...are specific to the condition of undocumentedness’, which can impact differently on those who are irregular (2012:62). Grace’s narrative suggests that a way of coping with this lived reality of fear and impending sense of being ‘found out’ was to try to carry on with her life as best as she could, and ‘*forget*’ about it. Although it is evident that Grace certainly tried to do this, it is also unclear around the extent to which this was successful as this somewhat contrasts to her expression of ‘*sitting on a time bomb*’, indicating that this fear was always somewhat close to the forefront of her mind. Furthermore, the idea of ‘*laying low*’ that was conveyed by Grace earlier, also emerged as a theme during interviews with practitioners. Many revealed that women who have an irregular immigration status greatly fear the Home Office ‘radar’ and the possibility of deportation:

*One thing that made me aware is those women, the majority of them have such a quiet life, they don’t socialise, they don’t go out with people, they avoid crowds [...] avoid where there’s potential risk of meeting immigration people.* (Co-ordinator, Women’s Group)

The co-ordinator’s response supports existing research by Sigona (2012), which identifies how migrants with an irregular immigration status are heavily aware of the implications of their immigration status, and as such adapt their behaviours (and places they will visit) to avoid being recognised. Thus, ‘...urban space is full of no-go and limited access areas, curfews and borders invisible to ‘documented’ people’ (Sigona 2012:56). Those who are irregular,

according to Sigona (2012) soon become accustomed to incorporating this awareness into their everyday lives.

Others however seemed to suggest that they felt unable to counteract the negative labels attached to their immigration status. Patience suggests that the implications of her immigration status as an asylum seeker meant that she felt unable to meet her ideal of a 'good mother':

*They [Government] are helping you in such a way, they give you money, but it's not enough. They don't want to be a liability in the UK. Those that have been in the UK for over ten years should be allowed. Let them go outside and work, and be responsible. I am not blind or disabled, I want to work and be a responsible mother and be there for your kids, and be independent. You can do things on your own. I believe if they give me an opportunity, they should be a good role model. We come to this country not to be a liability on the government. We are here to contribute, to pay tax, to contribute to the economy of the country, why I can't earn money and pay tax?*

Patience clearly set out her ideal that in order for her to be a 'good', 'responsible mother', she must be able to provide materially for her children. Interlinked with this idea of providing for her children is an underlying notion that Patience was not able to access paid employment, because her immigration status prevented her from being able to do so. This echoes Griffith's concept of 'suspended time', whereby many in the immigration system felt that time had stopped for them, and they were powerless to change their circumstances whilst still awaiting a decision from the Home Office (2014:1996). Many, such as Patience, are simply unable to make any sort of future plans, or take up employment whilst waiting for a Home Office decision on their immigration application (Griffiths 2014).

Indeed, Lewis et al found that the right to work has become tiered according to entitlement, whereby asylum seekers have been 'structurally and intentionally excluded from the labour market with no permission to work', whilst those who are refused asylum seekers have no right to work or access to public funds (2015:591). This disadvantage emphasises the 'undeserving' conditions of some of those in the immigration system, as Patience clearly felt excluded from many aspects of society, including the right to work, because of her immigration status. Moreover, this emphasises the paradox in the human rights framework that exists to uphold universal rights, yet at the same time those who are trying to access these rights by way of asylum are segregated as 'sub-citizens' (Nash 2009).

The restrictions placed on certain immigration statuses may also highlight a sense of 'hyper-precarity', where as a result of these restrictions on formally working in the labour market, many are pushed into working informally in order to meet their needs (Lewis et al 2015:593). Those affected may often face further exploitation because of the layers of vulnerability relating to their irregular immigration status, and their informal work in the labour market. (Lewis et al 2015). Indeed, whilst Patience was not working informally, her narrative has pointed towards how her irregular immigration status may lead to a heightened vulnerability to being exploited by others (explored further below). It should also be noted that these conditions exist on a continuum that affects others, reaching beyond those who have an irregular immigration status, as '...with rising conditionality in the welfare state, and the erosion of social citizenship, the position of insecure migrants may simply be a stark exposure of a growing precarity for all' (Lewis et al 2015:595).

Moreover, Patience's use of words such as being '*a good role model*' and '*independent*' describe her ideals of UK citizenship, and these perhaps contrasted with her situation. Her account suggests that she was made to feel dependent and as Patience described a '*liability*' on the state, due to the restrictions placed on her immigration status. Her account expresses a real

sense that she did not wish to be a 'burden' on the state. In doing so, Patience paints a picture of what she believed to be a 'good citizen' to be, as they pay tax, are employed and consequently make a contribution to the British economy. Patience's narrative unearths an internalising of the nasty depictions of asylum seekers, which often presents them as problematic and as a drain on UK resources (Yuval-Davis 2005). Indeed, Anderson remarks that 'terms like 'asylum seeker' are not simply descriptive of legal status...but they are value laden and negative' (2015:4). Those such as Patience who seek asylum in the UK cannot be immune to hearing these vicious attributions, however her narrative challenges this problematic assumption by strongly asserting her willingness to work and escape the material deprivation of being an asylum seeker.

### **Lived experiences of exploitation**

This chapter has so far considered the lived experiences of women who overstay their visas or are seeking asylum, and who are or have experienced domestic violence and abuse. As explored, many women interviewed lived a life 'under the radar' with the palpable fear that they may be discovered by the state and face detention and deportation back to their country of origin. At times, some women were dealing with the fears around their immigration status alongside enduring serious incidents of domestic violence and abuse. It is interesting to note that these lived experiences relating primarily to fear involved not just fear of state detection and removal, but other examples of fear through exploitation by others:

*[...] Life is not stable. You don't feel the same when you cannot provide for your children. You cannot work, whatever your children want, the children feel inferior when they don't have the right things. The children are saying "my friend is going on holiday". They cannot say because they haven't been anywhere [...] If I could work, there wouldn't be any barriers. If I'm able to*

*work, the stability would be there for my children. I cannot afford the internet, they need to do the assignment, they need to go to the library, they are always behind with their assignment. Sometimes they go to the library and the internet is down. I feel bad of course. You know it's a major challenge when you cannot work, and you have a major financial crisis. You want to be a good mum, and they want something and they ask politely for it and even I have to ask for clothes for my children. It isn't the same.*

*The money that we have, are presents from the organisation. The children, no birthday gifts. They [the Government] should put children into consideration. They shouldn't allow children to go through this. They are not meant to suffer. Even the teachers ask "what did mummy give you for your birthday?" They cannot say. They think that they are inferior. They are not happy themselves. They say "why is this happening to me?" They all say "mummy I wish you had papers so you can work". They should consider the children, those who have stayed long, for ten, fifteen years in the country. Why wouldn't they give you something to work? Why are they making life difficult for your children? They [the children] speak like English people, they speak like you. Even shoes [woman points to my boots], they cannot have new shoes. I have to go to the charity shop.*

*People, they say "can you come to my home and clean it?" They will indirectly enslave you. They can treat you anyhow. You will cook for them, they will treat you like rubbish because you're without papers.*

Patience's heart wrenching account reveals her fears of being exploited by others in the community because of her immigration status. Patience was no longer in her abusive relationship, however her status as an asylum seeker



made her vulnerable to other forms of exploitation by others. Patience alludes to a hierarchy and power around immigration status, by describing how those who have an irregular immigration status may be treated badly and forced to become domestic slaves and perform servitude to others with higher and more secure immigration statuses. Her reference to being *'indirectly enslaved'* raises concerns that those who are in particularly vulnerable situations, because of not only their immigration status but also their experiences of domestic violence and abuse may be subjected to other forms of exploitation by others in the community. Indeed, one professional who had extensive legal knowledge identified how many women are exposed to further exploitation and abuse after leaving the perpetrator:

*If they're single, staying with friend, oh gosh, don't, I mean, there's a lot of odd churches and religious organisations that sometimes that's fine, they offer people support and that's really great, and you know it accords with their religious values, but sometimes I think it's deeply dubious and people end up in really strange situations where they're in people's houses doing domestic work, rather than necessarily getting the support they need, and I wouldn't want to tar every religious organisation with that, because I really don't think it is every religious organisation, but I've certainly come across a couple of women who have actually ended up being trafficked through staying in churches, or approaching people in churches to stay with. (Legal Officer, Women's Rights Organisation).*

The above account points to an underground world of exploitation where those who have an irregular immigration status or who have fled domestic violence and abuse may be vulnerable to entering. It should be noted however that the majority of support agencies are legitimate and often go far beyond their remit to support migrants, however the professional identifies a limited few that may abuse their powers. For Patience, her immigration

status meant that she received limited state support but she was evidently still at risk of being exploited by others in her community.

Intertwined with the sense of exploitation conveyed by Patience were also her implied feelings of inferiority and disposability. The account conveys how Patience's immigration status as an asylum seeker is considered as unimportant, despite the fact that the very nature of seeking asylum assumes the applicant is fleeing something that is particularly frightening and serious in their country of origin. Patience's narrative suggests a duality of oppressions. Firstly, the fact that the state could reject Patience's asylum application and she could be turned out of the country at any point once this decision was made, reinforces this sense of disposability. Secondly, these feelings are also indicated by Patience in her reference to how the community can treat those who have an irregular immigration status by forcing them into domestic servitude or treating them as if they are inferior because of their immigration status. The way that this sense of disposability has been echoed here in regard to state violence (through deportation) and the community suggests that affected women are exposed to a multitude of fears, uncertainties and dangers; many of which centre around their immigration status, which exacerbates their vulnerability. Burman and Chantler (2005) identify how threats of deportation make help seeking very difficult as women risk substituting perpetrator violence for the state violence of deportation. It also signifies a complexity around their lived experience.

Indeed, Patience's account suggests not only fears in relation to the way that some members of the community may treat her, but also fears around the instability of her life and the fact that she felt unable to provide the material standard of living for her children that she wished. This may again reinforce feelings of inferiority, which is evidenced in Patience's children who did not feel equal to their classmates because of their lack of material wealth. Patience revealed her painful sense of inadequacy in wanting to be a '*good mum*,' but the inequalities and material deprivation created by her

immigration status as an asylum seeker prevented her from living up to *her impression* of what a 'good' mum was. She believed that their material deprivation reified her distance from others in the community.

Anderson's (2015) ideas on the 'Community of Value' are important here, as Patience's immigration status appeared to continue to exclude her from this community, and the material deprivation that she and her children suffered was evidence of this exclusion. Moreover, the instability of having no financial security clearly frightened Patience and fed into this conveyed sense of inferiority. It also points to the powerfulness of immigration status, which can impact on people's everyday experiences of identity and sense of worth. When I interviewed Patience, she made reference to her children being able to speak '*like English people*' reaffirming her sense that they should be allowed to stay in the UK, and the fact that they were integrated and had adopted the norms and behaviours of others, meant that they were established here and should not have to return to their country of origin. Anderson (2015) argues that the borders of the 'Community of Value' serve to include and exclude, meaning that for those such as Patience and her children, who might possess the 'right' work ethic, values and personal qualities, their immigration status will always keep them outside of such communities.

### **Contextualising the migration journey**

Despite the significant challenges that the narratives of the women divulged, they all wished to remain in the UK. This part of the chapter will contextualise their migration journeys, by exploring the reasons why they feared deportation to their country of origin, and the interlinking factors that encouraged (or forced) their arrival into the UK. Indeed, Bloch et al (2011) and Castles et al (2014) identify how there may be multiple and intersecting reasons why people choose to migrate. Chapter Four has already explored how many women fear returning to their country of origin as this may involve

separation from British born children. However, there are more factors relating to why many women wish to remain in the UK. Indeed, further extracts from Patience's story are given below, which highlight the importance of remaining in the UK for both Patience and her children:

*The children are established here. Where will I start from if I have to go back? I don't even know what the law says. My children don't even know anyone there. It could ruin their life completely. My children knows the importance of education, even if they go to the toilet, they take their book. That's the impact that education has on them. If we go back, the education system is not good for them. Still I want my children to be a doctor or a lawyer. Not a driver. You are doing your PhD. I want my children to go and do a PhD. Who will I get the money from? There are only private schools in my country. We want to stay here and for them to get their education, and stay here and be worthy and contribute to the economy. I believe education is very, very important which I would love to give my children.*

*[...] That is my life. I don't want money, I don't want flashy cars. I want the best for my children, I want them to be useful to society, helpful to people. That's my hope, my dream. I don't want anyone to kill my dream.*

Despite the material deprivation that Patience and her family were experiencing, she placed a huge emphasis on the importance and 'dream' of education for her children, as this was not something that was available in her country of origin. There was a real sense from Patience that she would like her children to make something of themselves by pursuing their education and making a 'contribution'. Patience's earlier account revealed her sense of inferiority at not being able to take paid employment, the above suggests that contributing to society was clearly important to her. These feelings perhaps

serve to challenge the negative depictions of those ascribed with the label of being an asylum seeker, by setting out her aspirations for her children to make a contribution to British society. Using Anderson (2015), it may be argued that Patience was appealing to the values associated with those who are situated in the 'Community of Value', as people who are employed.

The notion of disposability also recurs by Patience making reference to another fear '*I don't want anyone to kill my dream*'. There was a sense that perhaps the state could snatch Patience's dream from her by deporting her along with her children to their country of origin. Therefore Patience's dream may be endangered by structural violence through immigration control. It brings a recurring theme that this could happen imminently and heightened Patience's uncertainty as state violence would not only return her to her country of origin, but deprive her children of the education that she had dreamed of for them.

Education for children was cited in several cases as being an important factor in women not wishing to return to their country of origin. Many women had fled poor countries where the infrastructure was not as developed as in the UK. This may also influence the reasons why women migrate to the UK. This was evident in the case of Victoria:

*[...] It was my dream of coming here in order to, you know, give my sons a better education [...]*

*[...] I don't know if you're aware but for us to come from [country of origin] to here is very expensive, I have to work a lot in [country of origin] in order to save money to return here and I did not want to go back because I am already here. And the education in [name of country] is quite bad at the moment unfortunately, and I feel that you know, the education for my sons is excellent here [...]*

Patience and Victoria's accounts are dominated by considering what was best for their children's futures, as the notion of a British education being a '*dream*' for children to receive reoccurs in the narrative of Victoria. Furthermore, interviews with professionals presented the importance of education for children as a recurring theme, with a legal officer explaining that many women will continue to endure domestic violence so that '[...] *their children are not deprived of an education in the UK.*' Thus, many women endure domestic violence, and are in effect sacrificing themselves for the future educational attainment of their children.

Others who were interviewed in their professional capacity pointed to a multitude of factors that would influence a woman's decision to stay in the UK, as the director of an NGO explained that '[...] *they have nothing, you know, and nowhere to live, no you know, family that are going to support them [...]*'. The plethora of reasons why women do not wish to be deported including the lack of financial security, fears of destitution in their country of origin and lack of educational opportunities for children, indicate that women will go to great lengths to 'lay low', because they essentially 'fear the radar' of being identified by the Home Office.

In addition to the educational opportunities offered by the UK and the higher standard of living, there are other motivations for not wishing to return. Some women had fled politically unstable and dangerous countries, where despite the abuse they were experiencing in the UK, the thought of returning appeared far worse. Indeed, Bloch et al argue that 'the principle migration drivers, in relation to country of origin, are closely linked to the prevalent political and/or economic situation' (2011:1290). Grace fled a politically unstable country and feared returning, '*I didn't want to go back home because I was scared, and that's why I just stayed put here and started my life here [...]* As much as I could have loved to go back [...]. When I asked what Grace was scared of, she explained that that '*I was scared because some people were being killed [...]*'. Grace's fears related not only to initial fears

around detection and deportation by immigration authorities, as identified earlier, but also wider fears around return. When Grace fled, she was forced to leave her two daughters in her country of origin. She intended to bring them to the UK once refuge and safety had been sought in the UK. Leaving her children was described by Grace as the 'hardest'. Indeed, the political instability of many countries around the world was cited as a major factor regarding why women who overstay are simply unable to return to their country of origin by practitioners:

*[...] if you're from a war torn country that there might be issues around that country being very unstable. It's not a safe country to return to, so although your immediate family or circle isn't going to present a danger to you, but the country itself could be dangerous, which is why women don't want to return. (Gender Violence Trainer and Manager, Charity)*

Nadia also left a politically unstable country to come to the UK, and describes her experiences below:

*Because I was telling my family how happy we were in the UK, that the level of life was quite high and that just the conditions that people live in, in the UK are much better than in [name of country] [...]*

*Because of the war [...] there is shooting going on every day, it's very serious, that there is shooting every day [...] I don't believe that there will be peace [...] It's not that I'm complaining about how bad it is in [name of country], but before I came to the UK, I didn't even know people could live like this, like people do in the UK [...]*

*[...] I don't know what will happen when we go back to this situation in [name of country], my son will have no future and there is a war going on [...]*

The standard of living in Nadia's country of origin, ever worsening because of the impact of the war, made the conditions of her possible return unsafe. Nadia's story is an example of the constraints that many migrant women face. Although Nadia was no longer in her abusive relationship, her narrative suggests that the political context around women's country of origin means that remaining in their abusive relationship may sometimes be considered as a 'safer' option, than returning to the political instability of war.

As well as citing the dangerous political context in not wishing to return to her country of origin, Nadia had sampled a higher standard of living in the UK, which she believed offered a better future for her son. This narrative reinforces the previous finding that women's motivations for remaining in the UK were often largely centred around making a 'better' future for their children (Erel 2011). The higher standards of living offered in the UK was also interlinked with the economic instability in Nadia's country of origin, which served to reinforce her desperation in not wishing to return there. Indeed, economic factors are important in helping to understand the motivations for people to migrate, or their wish not to return to their country of origin (Bloch et al 2011).

In addition to the political and economic instability in Nadia's country of origin, as well as her perception that the UK also offered a more prosperous future for her son, Nadia was able to outline other factors that influenced her desire to come to the UK:

*[...] I'm a single mum and my son was born when I was 38, and my son has never seen his biological father and he doesn't want to know us. I was brought up in [name of country], raised in family*



*values, marriage. I've always felt like an odd one out. I've always felt like I gave birth just for myself but all other women want different things [...] It was a shame to be a single mother but I don't regret because I was 38 and it was my only child and I really love my son and I can't imagine my life without him.*

*But I've always wanted to have a family. I've always believed that I would have a husband, always. I've tried building relationships with our [name of country] men, but our men and your men are completely different. At my age it's, for my age it's men looking for a woman to look after them, to support them or those that are unfortunate people like for example those that drink a lot, or have wives and just are looking for a woman on the side. But I wanted a husband, I wanted my son to have a dad so after hearing a lot from other people about them marrying foreign men. They all had very successful marriages, not all of them were serious but most of them. But most of them knew that they wanted a family, they wanted to support their family and they had a more serious attitude to having a family. For me the most important thing was for that man, my man, to love me and my son [...]*

Nadia demarcates the understandings of 'family' as understood by those in her country of origin. Her narrative indicates that whilst she did not at all regret having a child outside of wedlock, Nadia believed that she had violated the established cultural norms in her country of origin. She appeared keen to point out these circumstances during her interview. Nadia's quick justification of these circumstances suggested that others in the community had questioned her decision. Feeling like '*the odd one out*', it is apparent that Nadia's marriage to a foreign man encouraged a sense of pride, self-worth and helped to counteract this sense that she had contravened the traditional notion of marriage and children asserted in her country of origin. Nadia presents a very romanticized view of men, that '*foreign men*' are good, and

men in her country of origin are bad and would not be able to offer her and her son any kind of security. This idealised view of Western men making better husbands is often prevalent amongst women from less developed countries (Chun 1996; Vartti 2003).

During Nadia's interview, there was a real sense of pride that, although she had a child outside of wedlock, her later marriage meant that she had conformed to the traditional norms and values held in her country of origin. This pride was also exemplified by the fact that Nadia had married a foreign man, who she believed was 'better' than those men in her country of origin. This sense of pride can act as a barrier for women to leave abusive relationships and return to their country of origin, particularly when they have invested everything in their new marriage. This can make returning very difficult as it may involve shattering a 'happy ideal', which is often reinforced by the initial wedding ceremony. Nadia explained her sense of embarrassment below:

*[...] But apart from that we were trying not to tell my father anything [about the domestic abuse] because he is quite old [...] so we didn't want to make him upset. But I hid it because I was ashamed, I was ashamed and embarrassed because I was so happy when I told all my friends and relatives that I was getting married. I was really happy and I was really embarrassed and ashamed to admit that we were treated like that [...]*

Nadia's interview closely detailed her experiences of emotional, financial and immigration related abuse, and how she wished she had been able to identify the abuse sooner and seek support earlier, however at one point she explained 'and now if I had the chance, I would try to prove to him that you could live in a different way, in a different way.' Despite the abusive situation, there is still a simmering feeling from Nadia's account that whilst she did not necessarily truly wish to resume the relationship, there are aspects of it that

she missed. During her interview, Nadia explained that she had tried to contact her ex-partner, '[...] *apologising for I don't know what. I told him that I didn't want his money, I just wanted to be together, to have a family*'. It is common for women to still love their partner despite their abusive characteristics and behaviours, as Lempert (1997) acknowledges the paradox of domestic violence where women often still love their partners despite the abuse. Lempert's research (1997) with women experiencing domestic violence found that they interpreted the violence that they experienced as something that was their fault. Nadia's apologies and inferred acceptance of blame might support Lempert's research (1997), however it may also contradict it. Nadia recognised that she had been a victim of domestic abuse, but she may have apologised not because she believed that she was to blame for the abuse, but actually because she felt that she had no other choice at the time due to fears around her immigration status and deportation.

Nadia alluded to this sense of missing being '*a family*'. The '*family*' that she appeared to be referring to is the more traditional notion of the nuclear family, which her new husband was a part of. Indeed other research, such as Crandall et al (2005), has identified how some women continue to endure abuse because they hold traditional notions of the family, that uphold the importance of keeping the family together. Whilst Nadia did not express a sense of wishing to endure the abuse experienced, her above narrative suggests the importance of remaining together as a family. These factors were also identified by a manager who was working in the voluntary sector, as reasons why women do not wish to return:

*[...] the quality of life they have here is much better than where they have come from, so if they have a choice, and they feel that they are entitled to a choice, then they want to stay here and going back to their country of origin would be more troublesome than actually improving their life circumstances. Some women just feel very embarrassed and ashamed because (a) they've come*

*to a Westernised country to better themselves and often people think if you've gone to the UK, clearly you're going to have a better life, and they might have lots of dreams and aspirations. So therefore there's a lot of focus on people gaining and achieving when they come to the UK, so going back it just feels quite embarrassing for some groups of women. They feel that they're a failure, and as a result of that, you know, it could feed into their own confidence and self-worth. (Gender Violence Trainer and Manager, Charity)*

So far, this chapter has considered how there are often multiple factors that determine why women do not wish to return to their country of origin, including the educational opportunities offered by the UK, and fears around returning to a poorer standard of living, political instability or ruining the sense of pride established through migration. This part of the chapter will explore other barriers that influence a reluctance to return to a country of origin, through the narrative of Serena. Serena fled her country of origin because of the domestic violence and abuse that she experienced at the hands of her abusive partner. Serena's fear of return centred around her abusive husband who resided in her country of origin:

*[...] there [in Serena's country of origin] I was fearing for my life because the next thing he will definitely do something which will end my life because I will not go back to his house [...]*

Serena, not only believed that her abusive partner would take her life if she returned to her country of origin, but she also believed that the cultural norms that are embedded there would fail to protect her from the domestic violence and abuse. Indeed, the lack of understanding around domestic violence in Serena's country of origin acted as a motivating factor for taking part in the research:

*Because with loads of women in [country of origin] who've suffered domestic violence, but there hasn't been anybody who's stood up and said. So it's like even when you say something, people just say "oh it's normal" or you are just saying things which are not happening or things that are false, so if it helps I'm willing to [participate].*

Serena recalled her experiences with the police in her country of origin as an example of how domestic violence is normalised:

*[...] Yeah and the other time I even went to the police and they just said "no, that's not violence" it's, when they asked him [Serena's abusive partner], he just said "oh no it's by accident" and all that so it was difficult for a woman to go and report because they don't believe, they never believed you, it was like you're airing your dirty laundry in public, so you are rude, you're a spoilt child and all that, so it went on and it went on, I was suffering but I stayed because then there was no way I could run away [...]*

Several themes emerge from Serena's narrative, which indicate why she did not wish to return to her country of origin. Serena's story points out how gender plays a part in the ways that the reporting of abuse is perceived. Thus, when women report abuse to the authorities, they are not believed and their accounts are considered as inferior and subordinate to that of the male perpetrator's word. Serena's comparison to that of a '*spoilt child*' suggests that women's accusations of abuse are belittled, patronised and not taken seriously in her country of origin. There is a sense that Serena felt very trapped by having to endure the domestic violence for a long time with little alternative due to the gendered structures in her country of origin, which appear to privilege male accounts whilst silencing and stigmatising female accounts of domestic violence. Indeed, other research (e.g. Sullivan et al 2005; Crandall et al 2005) has pointed to the normalising of domestic violence

within certain communities, where the community often side with the male perpetrator over the female victim. In fact, one of Crandall et al's participants used the same phrase as Serena, that reporting domestic violence is considered to be like 'airing "dirty laundry" and something that women are expected to endure (2005:945).

These discussions indicate the importance of taking into account the political context of migrant victims of abuse's country of origin. Serena's case indicates that she greatly feared the escalation of domestic violence in her country of origin, and this was unlikely to be challenged there because of the ingrained cultural understandings that privilege male power. Indeed, a report by Imkaan found that the Home Office may make deportation decisions on the basis that certain countries are safe and have sufficient support in place for women to return to, without fully considering that these decisions may have 'perilous consequences' by exposing women to further danger (2008:12).

For those women who flee to the UK following abuse in their country of origin, the fact that the abuse is stigmatised and disregarded in their country of origin means that it is often dangerous for them to return. The following extract from an interview with a co-ordinator who worked with asylum seekers and refugees identified the complexity of the situation for Malawian or Pakistani women who fear deportation back to their country of origin, after having fled abusive relationships:

*Because in some of them people will say "oh why don't you go back?" Let's use Malawi or Pakistan, they're big places but often what they don't realise is how corrupt the police are, and the police do nothing and it's a male dominated country [...] so if the culture is very much see women as secondary then the police will also be men and they will see the women as secondary so you*

*won't really stand much of a chance [...] (Co-ordinator, Asylum and Refugee Project).*

The co-ordinator points to patriarchy and the privileging of gender, which may be of detriment to women trying to report domestic violence in their country of origin (Barnett 2000). Their account suggests that gender may dominate perceptions, understandings and disclosures of domestic violence and abuse. This reaffirms the narrative of Serena, which indicated that she was disbelieved by the police when disclosing domestic violence and abuse, and this was also stigmatised by the community. Interviews with practitioners also highlighted other complex reasons why women may not wish to return to their country of origin:

*So say, for example, you come on a spouse visa as a married woman and your marriage breaks down. You might be deemed as a woman that has caused that marriage to break down, that you're to blame. You're ostracised from your community, or you're disowned completely, so when you are returning back to your country of origin, you don't have a family anymore to return to because they've disowned you, but wider society doesn't also accept you to be a divorcee or a woman that has separated from her husband. So that in itself can make women be forced into prostitution, or sexual exploitation, or into the underworld, and that can be very dangerous, more dangerous than that in the UK.*  
(Gender Violence Trainer and Manager, Charity)

Depending on the woman's country of origin, the manager interviewed above highlights other factors that may be stigmatising for women, and that may bring great shame for them upon returning to their country of origin. It shows how gendered cultural norms in many countries blame women for any break down in a relationship. The implications of this are extremely dangerous as the above identifies how this can cause women to go

underground and be further exploited. In Serena's case, she feared for her life in her country of origin. Indeed, contrary to the belief that returning to a country of origin might help to evade and escape the domestic violence experienced in the UK, the nature of the domestic violence may be transnational as the following professional identified:

*[...] they are usually fearing returning and being persecuted in one way or another. You know, death threats, being killed, it could be that the perpetrator that they're fleeing from here in the UK are easily able to travel overseas, and commit further crimes against them.*

*International networks as well. And you know, often when we're talking about developing countries around the world, threats will be made to their family members as well so it's not just that one person, you know, who might be returning back, it might be a wider family circle. (Gender Violence Trainer and Manager, Charity)*

Domestic violence may be perpetrated by several individuals, and may also be carried out by family members, friends and connections of the perpetrator. The risk to a woman's life must not be underestimated. A senior advice worker for a local charity also identified how women especially fear having their children taken away from them by the family of the perpetrator if deported back to their country of origin, which is '*[...] very common, especially if there are male children.*' Thus, this indicates a privileging of gender, that a male child especially is highly valued in some circumstances.

Other professionals identified a number of other reasons why women may not wish to return to their country of origin, for having effectively broken cultural norms, for example having had a child out of wedlock or even having had a sexual relationship, as well as having a mixed race child. A perceived



violation of such norms can cause significant problems for women if they are forced to return to their country of origin. Thus, for women having established a life in the UK and potentially adapted to the norms and values of life in the UK, returning can be a source of tension, conflict and danger. This is particularly the case if their lives no longer 'fit' into the values held by the country of origin, especially if the women are from poorer villages in less economically developed countries; where values are more traditional and possibly less influenced by potential cultural shifts adopted by neighbouring more developed parts of the country.

## **Conclusion**

This chapter has considered the lived experiences of women, focusing primarily on those with an irregular immigration status, as well as those who had previously overstayed but who were in the process of seeking asylum. The chapter revealed how this may create significant fear and uncertainty, both of state violence through deportation, but also other fears in terms of exploitation by others in the community, poverty largely perpetuated by the circumstances around the immigration status, and underlying fears around the ways that asylum seekers are depicted. After establishing how women cope with the day to day limitations of their immigration status, this chapter has considered why women do not wish to return to their country of origin. The reasons revealed by women and professionals suggested that poorer standards of living, political instability and a fear of the perpetuation of the domestic violence as a result of being stigmatised by the community in the country of origin may all contribute to a fear of return. Moreover, the final part of the chapter linked this to the wider political context by considering how the policy changes made by the UK government are likely to exacerbate the women's lived experiences further.

### Barriers to seeking support for ‘women under the radar’

#### Introduction

This chapter will focus on help seeking. Chapters Four and Five have built up a picture of how women’s irregular immigration status and experiences of abuse may intersect, and how women live their daily lives with an irregular immigration status, including the fears that they face particularly in relation to their immigration status. Indeed, the chapters had already discovered how factors such as threats and fears of deportation may act as significant barriers to help-seeking. Building on the work of earlier chapters, this chapter will consider other ways that an irregular immigration status may act as a barrier to seeking help for domestic violence and abuse, and how the ‘(un)deserving’ framework may also shape patterns of help seeking.

Furthermore, these chapters have discovered the varying ways that enforced isolation, threats and fears of deportation as well as other factors may act as significant barriers to help-seeking. As noted in Chapters One and Two, this unique empirical data on a sub group of migrant women, who often remain under the radar, will provide vital information, helping to build up a picture of what point in time women tend to look for support, what sources of support they turn to and what methods they used to locate this support. Thus, the chapter will be guided by the following research question:

3. How does immigration status impact on access to domestic abuse support services and other sources of support?

Contributions primarily from the stories of Sara<sup>5</sup>, Victoria and Nadia, will be used to map their help seeking journeys and the barriers that they experienced along the way in locating support. These narratives will be interlaced with contributions from professionals and from other women such as Maria, Grace and Patience, to add further weight to the findings and discussion.

### **Seeking support: Sara's story**

The first part of this chapter will begin with Sara, to explore her help seeking pathway. Sara suffered serious domestic violence and abuse from her partner. Having overstayed her visa and being repeatedly assaulted by her partner, Sara knew that she needed to access support:

*The critical period when I really left the house, that's when [name of organisation] got involved with me [...]*

*It was out of desperation, I went to the [country of origin's] consulate website, and the page was right there.*

Sara's narrative highlights the point at which she decided to seek help as being 'out of desperation', suggesting that the despair and diminishing hope that she was experiencing pushed her to look for help as a last resort. Migrant women may also seek help for domestic violence when the abuse simply becomes unbearable (Chatzifotiou and Dobash 2001; Bui 2003). Sara describes seeking help at the 'critical period' when she left her abusive partner, suggesting that the abuse had built up to a point where it was so intolerable that she fled. Indeed, Enander and Holmberg (2008) identify particular factors that are likely to act as a catalyst for women in leaving an abusive relationship, regardless of their immigration status. One of the categories that they identify is that women are generally likely to leave when

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<sup>5</sup> Please note that pseudonyms have been used throughout the thesis.

their life is endangered by their abuser and ‘...it seems to be a matter of life or death’ (Enander and Holmberg 2008:212). They argue that this can be a literal feeling of being at risk of death, or also when they feel that they are ‘...on the verge of dying mentally’ (Enander and Holmberg 2008: 212). Enander and Holmberg’s research (2008) does not consider the experiences of migrant women specifically, and it is not clear if the social division of having an irregular immigration status may cause women to remain longer in abusive relationships for fear of deportation and lack of other viable alternatives. However, Sara’s wider account infers serious levels of physical and emotional abuse, which may reinforce Enander and Holmberg’s (2008) notion that some women leave their abuser when they feel that they are at serious risk, regardless of immigration status.

Interestingly, Sara was able to use the internet to source support from a domestic violence agency. Others however are unable to use the internet (see ‘Victoria’s story’ for further empirical information) due to the perpetrator controlling their victim’s access to the internet and mobile phones, or due to financial poverty preventing such access; indicating that those who overstay and experience domestic violence and abuse are a diverse group and a number of methods are required by agencies to reach out to them. Thus, it is evident that many factors may impact on a woman’s ability to seek support, including the nature of the abuse itself.

Those practitioners who worked for domestic violence and other support agencies believed that most women found the support of agencies through word-of-mouth in the community. This supports the discussions in Chapter Five, which found that some women who overstay are effectively living underground, and often go to great lengths to stay away from agencies, because they may fear the ‘undeserving’ label of their immigration status and its wider repercussions such as possible deportation. Thus, many women will often only look for support, like Sara did, at the point of ‘*desperation*’, but crucially once this point is reached, interviews with practitioners revealed that

many will seek advice about which agency to approach using the recommendations from others in the community. This is dependent of course on women being able to reach out to others in the community.

Indeed, community contact is not always possible due to the multiple methods of control and isolation that migrant women in abusive relationships are often subjected to, as outlined in Chapter Four. Also, members of the community may not always approve of speaking out (see section further below on 'Other barriers' for more information). Dutton et al's study (2000) on Latino migrant women in the USA found that although greater attention had been paid to raising awareness of domestic violence, migrant women may essentially fall through the gaps of the increasing protection and provision available, due to the unique and complex layers of their positionality in these social structures. Indeed, Chapter Five discussed how various axes of oppression can severely impose disadvantage on the lives of women who overstay, meaning that their options to help seek are often limited, and they often remain under the radar. Thus, whilst word of mouth is important, the benefits and importance of outreach work with marginalised groups should be recognised, and such work may require diverse methods to help to reach out to those affected (Crandall et al 2005; PICUM 2012; Salcido and Adelman 2004).

Alongside the importance of the internet, word of mouth and outreach services in reaching out to women who overstay and experience abuse, some practitioners such as a legal officer offering legal advice to this marginalised group of women, also pointed out that women may well be referred to support services from other agencies such as the police, social services and health visitors. The legal officer identified how those with an irregular immigration status are likely to turn to organisations such as the Citizens Advice Bureau (CAB) for initial support before being referred on for legal advice. However, interestingly, Burman and Chantler (2005) identify how many migrant women were discouraged from approaching agencies, such as

the CAB, because they did not feel that they qualified for help, because their immigration status might impede them from meeting the requirements of being a 'citizen'. Nevertheless, it is clear that the CAB and other agencies play a pivotal role in helping women access support and legal advice.

The chapter has, so far, explored the points at which women seek help for domestic violence, and also how and what methods are used to seek help, drawing on both the narrative of Sara, existing scholarly work in the field and contributions from professionals who provided support to women. The next part of this chapter will follow Sara's help seeking journey in more detail, by exploring her experience of some of the agencies that were involved with her.

Sara explained *'even the police told me that I had rights, but I needed a lawyer in order to, you know, to activate it.'* Her reference to *'even the police'* suggests some level of surprise that the police actually informed her of her rights. Indeed, Sara explains her experience of one police incident below:

*[...] The first flat we had, the first police, you know, contact. He assaulted me and I fell, and when I took my sons' documents and said I was leaving, and then he called the police and put me out of the flat [...]*

Sara's account reveals how her partner expelled her from the flat, and later called the police, despite having just assaulted her. Sara's partner used her irregular immigration status against her, by using this to justify forcing her out of the flat and calling the authorities; *'because he said that I was illegal here [...]*' Taking into account the political context, Sara's abusive partner seemingly used her inferior immigration status to legitimise his abuse towards her. Sara's account reveals that she may also be a victim of structural violence. Her immigration status meant that the police were able to remove her from the property, despite being a victim of abuse. As Chapter Two explored, Galtung's ideas on structural violence are important, as he suggests

that the existence of both personal violence and structural violence means that ‘...violence becomes two-sided...’ (1975:130). Thus, Sara’s narrative depicts both personal violence from her abusive partner, but also structural violence as the police seemingly failed to protect her, as a victim of domestic violence.

Interviews with practitioners working in this area revealed that this was not an uncommon practice. A legal officer explained that it is common for police officers to focus on immigration status and the right to remain in properties over other issues relating to the call out, for example an assault:

*More and more I find that where a woman who has reported, and quite often it’s not her it might be a neighbour or somebody else, what happens is the police attend and then they tell her she’s got no right to be in the property because it’s owned by or rented by him, in his name, and so the police actually worsen the situation by removing somebody, or by suggesting to her that she has in some way got less rights to be in the property. (Legal Officer, Women’s Rights Organisation).*

Such findings are also reiterated by PICUM, who argue that women with an irregular immigration status who experience domestic violence frequently face barriers when contacting the police as ‘...their irregular status supersedes their right to justice and protection...’ (2012:101). This is concerning, given that these services may prove to be vital and indeed life-saving in the case of a violent assault from a perpetrator. Thus, it is perhaps unsurprising that Sara’s expression of ‘*even the police [...]*’ suggests that she may have had poor past experiences with the police, thus this may reinforce the ‘(un)deserving’ rhetoric reflected upon earlier whereby an irregular immigration status may supersede any allegations of domestic violence. It is concerning that Sara’s account is an example of a woman who had experienced domestic violence

and abuse, but appears to express an underlying sense of surprise that the authorities might support her in even the smallest way, for example by telling her that she had rights. Further experiences with the police will be discussed later on in the chapter, particularly in relation to Victoria's story.

### *Legal help*

Alongside her experiences with the police, Sara's narrative also conveys the serious challenges in sourcing and receiving effective legal advice, which is something that should be regarded as crucial for any migrant with an irregular immigration status to receive, and particularly for migrant women experiencing domestic violence (PICUM 2012; Sigona 2012):

*[...] I had a lawyer trying to sort my situation, but then he [Sara's abusive partner] started having contact with the lawyer, with my solicitor, and I did not know what he told him, the solicitor, but the solicitor did not do anything toward my case at all.*

*[...] Actually my immigration status at that time was quite easy to be solved but [...] he [the solicitor] wasn't very good with me.*

Although many migrant women with an irregular immigration status are aware that they need legal advice, accessing this support and receiving the correct information are often problematic. Whilst legal advice should play a pivotal role in the lives of abused migrant women, according to Salcido and Adelman the absence of legal advice remain '...critical missing elements in undocumented battered women's pursuit of resistance' (2004:170). In addition to the difficulties in accessing legal advice, problems may also arise with the advice given by solicitors, as Sara hints at her solicitor missing an opportunity to regularise her immigration status early on. Bloch et al's research (2011) on young people with an irregular immigration status found that their young age often meant that they did not have prior knowledge of



how the immigration system works, nor did they present very positive experiences of legal advisors. Thus, just as Bloch et al (2011) point to a young age being a disadvantage in migrants' attempting to regularise themselves, this research identifies how domestic violence is not only a constraining factor in seeking legal advice, but also that the isolation that women such as Sara face further compound their help seeking abilities.

Indeed, the quality of legal advice and the effectiveness of the work carried out by law firms was discussed at length in interviews with practitioners who provided direct support to women. Some had key legal advisors to whom they referred their clients and who proved invaluable to helping resolve their immigration cases, as a co-ordinator of an asylum and refugee project pointed out, *'there's some solicitors that we do use quite a lot. They're very good solicitors [...]'*. Indeed, whilst it is important to point out that the vast majority of lawyers will carry out their work with the utmost professionalism, many of the practitioners revealed that they believed that several of their clients had been exploited when seeking legal advice. To some extent, it appears that a 'legal lottery' exists in relation to sourcing and receiving appropriate legal advice.

As part of the research, a legal officer was interviewed who worked for a women's rights organisation and was extremely experienced in providing advice to this vulnerable group of women. She explained that many of the women to whom she had given advice had previously been given entirely inappropriate legal advice where they were *'[...] half way through a completely pointless appeal or process [...]'*. In addition to the barrier of sourcing legal advice and receiving appropriate information, interviews with practitioners repeatedly cited examples of where legal advisors had not behaved ethically by demanding hundreds of pounds to work on women's legal applications, which would frequently fail to make any progress at all in resolving their immigration issues. Taylor's research (2009), exploring destitute asylum seekers in the UK, found that 21% had been exploited by

lawyers who demanded large amounts of money and did not do any work on their client's case. These fees create significant barriers to women being able to seek adequate legal advice that enables them to leave their abusive relationship (Kulwicki et al 2010). Once women have managed to acquire the capital to pay legal fees, it is concerning that some are being further exploited in the process. This leads one to question if the '(un)deserving' positionality of many irregular migrants who may not have the background knowledge in relation to seeking legal advice, combined with the vulnerable position often associated with the visa overstayer label, may leave them susceptible to further exploitation, perhaps even by some professionals.

Amongst the practitioners who expressed their disappointment around the legal support offered to women, a gender and violence trainer and manager working for a relatively small domestic violence charity, explained how this irremediable process can be extremely damaging not only to women's finances but also to their self-esteem, whereby '*... many years have passed, they've lost a lot of money, they've also lost a lot of hope as well.*' Chapter Five highlighted the fears of deportation for women having overstayed their visa. It is concerning that those who make the brave step to try to regularise themselves face further exploitation by those who are in a position of trust to the disclosures of this vulnerable group. The loss of hope is alarming since women may be forced to return to their abusive relationship due to the lack of alternatives, and particularly if they feel that their immigration issues may never be resolved. Moreover, this raises concerns about women's safety whilst they wait for lawyers to work on their case. Sara's narrative suggests that she is one of a significant minority who have been let down by the legal advice given. Such narratives reinforce the theme of '(un)deservingness' as it may be argued that the label of being a visa overstayer may 'legitimise' poor legal advice. Moreover, it is notable that women from certain countries may be eligible to make other applications, such as that of asylum, which may provide other avenues to being able to stay in the UK, without having to use specific domestic violence pathways. Thus, this signifies the primacy of

human rights and the importance of such frameworks in helping to protect women from violence. It is concerning that the data revealed utmost confusion amongst many women regarding their eligibility to make various legal applications, including asylum.

#### *Life saving support*

Although Sara appears let down by her experiences of the police and her lawyer, the domestic violence agency that she accessed proved to be transformational for her:

*[...] I have a lot of faith in God, and I believe it was God who put, you know, me in contact [...] [Name of agency worker] was, you know, the best contact in my life. God has, you know, made it very special. It was her that gave me strength with her smile, with her words, with the strength that she has, and I trusted her with all my heart. I knew that I was in good hands, and that she [agency worker] would do whatever she can in order to support me. It was very important for me.*

Sara's expressions of warmth, gratitude and appreciation for her support worker are evident from her account. Her words also demonstrates the vital work that domestic violence organisations carry out, particularly in supporting women who so often remain under the radar for multiple reasons relating to their immigration status and the abuse experienced. Her attributions to God making their relationship '*special*' indicates the level of importance and value that Sara attributes to the help that she received from her support worker, and that she considers their relationship to be unique and special.

Sara's expression highlighting the importance of her religion, and her assertion that God is looking after her, suggests that this also acts as another

form of comfort, indicating to Sara that God is acting as her protector. Sara's support worker's response to Sara's sincere gratitude for the support she received was also heavily reciprocated:

*'[...] and it's the same that, she gave me the strength as well, you know, just in my case, and what a wonderful person, you know, after all the injustice, and all the abuse she's suffered, she's still the sweet, kind person that gave me the strength to carry on.'*

Sara's support worker's testimony to her good character, and internal strength for having endured such hardship yet still continued her fight, reinforced my own feelings of being inspired by not only the women's strength but also all of the workers' dedication to helping women such as Sara. Throughout the interviews with women, I was humbled and inspired by the strength of the women in their strive to build better lives for themselves, despite the often harrowing abuse experienced at the hands of their abusive partners.

Sara is not alone in her gratitude towards her support worker as Maria declared during her interview *'If I hadn't met [name of agency worker], I'd be dead.'* The level of appreciation that Sara and Maria had for their support worker not only reaffirms the quality and effectiveness of the support received, but also points to a deeper notion that they were trying to escape desperate circumstances involving severe and sometimes life threatening domestic violence and abuse. For example, Maria pointed to her strength during this time, *'It was a battle to be where I am now, it was a battle!'* Victoria's story in relation to help seeking will be featured shortly below. During Victoria's interview, she expressed her belief that *'[...] it doesn't matter who you are, you must fight for your life [...]'* For Victoria, this belief to always *'fight for your life'* is even more powerful since her life was in danger from her abusive partner, and she was forced to defend her life. In similarity to Sara's strength, Maria's *'battle'* and Victoria's *'fight'* point to the danger

that women in abusive relationships experience every day, but also their determination to resist the powerful abusive weapons used by their perpetrators to succeed in securing improved futures for themselves and their children.

### **Seeking support: Victoria's story**

Sara's narrative has revealed the point at which she sought help, and her experiences of help seeking in relation to the police, her lawyer and her support worker. Next, this chapter will turn to Victoria. Victoria's help-seeking story was very complex. Her children's school were alerted to the domestic violence and abuse. Some of what happened next is detailed below:

*[...] so he [worker at the school] started asking me "why you not phoning the police? Why you submitting yourself?" I said that first of all, I don't speak English, I could not ask for help, that he [Victoria's perpetrator] was threatening to, and I said that my children used to go to school thinking that you know "I'm in school, if my father kills you, what's going to happen to us?" And I was very scared of him, because every time he was more and more aggressive and really hurting me, but I did not know where to look for help, I did not know any agency that I could go to, so I opened up, I told them everything that was happening to me [...] So she [Social Worker] told me that I could not go back home [to the perpetrator], I said I don't have money, I don't have job, I don't have nowhere to go to, and even if I go back to [country of origin] I have nothing there, I have no, you know, they told me if you want to go back home [to perpetrator], you can, but the children are not going back. I said "no I'm going to stay with my children", so we went in a car with the Social Worker [...] they left me in a hotel [...] So I stayed [...] in a hotel, they [social services] tried to find out, you know, how they could help me.*

*[...] Every single day I had to repeat my story, you know, again and again and again. They [social services] said that they could not help me with anything, because of my passport, because of my situation, the only thing that they could do is give me the ticket back to [country of origin] [...]*

*I said “no, my children are already in [...] here at school, that I was going to try”, so I went to a friend’s house [...]*

Victoria’s story reveals the detrimental impact that domestic violence can have on children, and the fear induced. Indeed, a report by PICUM (2015) found that children are at a greater threat of experiencing or witnessing domestic violence when their parent has an irregular immigration status, as women are often deterred from contacting authorities for multiple complex reasons, including a fear of deportation. Victoria also experienced practical barriers in being able to call the police regarding the domestic violence because her abusive partner would often break her phone ‘[...] *I lost a lot of mobiles that way*’, therefore the freedom to be able to even call the police may not be possible for women who experience domestic violence.

*Why doesn’t she leave?*

Victoria’s initial conversation with her children’s school conveys a sense that she felt that she was being blamed for the domestic violence. The school’s questioning detracted from the actions of Victoria’s perpetrator, by focusing on why Victoria was remaining in the abusive relationship, as opposed to understanding why she felt unable to leave, which is unfortunately something that is not uncommon amongst reports from domestic violence survivors (Barnett 2000; Thapar-Björkert and Morgan 2010). Victim blaming may be linked to wider issues around patriarchy, as Lempert (1997) argues that the blaming of women for the abuse, as opposed to looking at the actions of the

perpetrator, reaffirms wider patriarchal structures that privilege men and reflect the unequal distributions of power. Victoria's narrative reveals that these discourses may hold powerfully across all populations, and serve to cause further damage to victims of abuse who already have to cope with difficult circumstances.

Moreover, scholars such as Burman and Chantler (2005) argue that questions around 'why doesn't she leave?' are unhelpful as they often imply individualist explanations for the abuse such as 'learned helplessness'. This attributes psychological explanations to the reasons why women do not leave and '...risks positioning women as having the freedom to move out of violent relationships, with an implicit assumption that if a woman stays then she is somehow tolerating or even contributing to the violence' (Burman and Chantler 2005:62). Crucially, Burman and Chantler (2005) recognise that favouring this rhetoric fails to adequately consider the multiple barriers to leaving an abusive relationship, as it has already been noted that Victoria often did not even have access to a mobile phone to seek help (other barriers will be explored further below). Women may consider a number of factors when deciding whether to leave their perpetrator, including measuring up the risks posed to them as women are often at greater risk of domestic violence and even homicide after separating from an abusive partner (Burman and Chantler 2005). They may also take into account their financial position post-leaving, the welfare and wellbeing of children, whether they will have support from their community and the risk posed to them from their abuser after leaving, amongst many factors (Dutton et al 2000).

A primary barrier, identified by Victoria, to her being able to leave her abusive relationship was because of being unable to speak English and her subsequent isolation, which meant that she was unaware of the agency support available. This indicates that the factors relating to being a migrant woman with an irregular immigration status may exacerbate their

vulnerability in the context of domestic violence, by restricting their ability to access the information needed to seek support.

Existing literature on irregular migrants identifies the importance of language skills, and how this may act as a barrier to their integration, advancing social networks and their employment prospects (Sigona 2012). Indeed, language is a powerful factor that can deter women from being able to seek support (Roy 1995; Abraham 2000; Dutton et al 2000; Raj and Silverman 2002; Bui 2003; Keller and Brennan 2007; Merali 2009). Host language fluency may be vital in providing leverage to reduce the perpetrator's control (Menjívar and Salcido 2002). Research by McWilliams et al (2015) identifies how abused migrant women may face increased isolation in contrast to their perpetrators, who are likely to be in paid employment and thus will benefit from more developed language skills. The earlier part of this chapter identified how many women source support through word of mouth, however this can be more complicated for women who are unable to speak English, and are isolated in their communities.

Indeed, a gender violence trainer and manager who was working for a charity identified the '*minefield*' for women who are unable to speak English, as they also have to trust that they have received the correct information. This is particularly significant given the earlier discussion regarding legal advice, as women are having to trust that they have been advised correctly, despite many practitioner interviews questioning whether women always receive appropriate advice. Additionally, the practitioner outlined the way that abusers can tear away at the self-esteem and confidence of women, meaning that they face additional barriers in finding the courage and energy in the first place to try and find appropriate support. In Victoria's case, she explains that she was '*very scared*' of her perpetrator as the abuse worsened. This fear may have discouraged her from sourcing support, but also the continued domestic violence is likely to have impacted on her self-esteem and ability to try to source support (McWilliams et al 2015).



Merali's research (2009) on South Asian brides entering Canada found that those who were educated and English proficient had more opportunities to become aware of their rights and seek help, indicating the importance of class and education levels on help seeking behaviours. Indeed, a lack of education may increase the likelihood of financial dependence on a male partner, meaning that this may '...increase women's vulnerability to abuse by keeping them isolated, subservient to male partners...' (Raj and Silverman 2002:370). Thus, although language may be a pivotal factor that influences help seeking behaviours, there are other factors that are related to having limited language skills such as social class. These factors may also have an influence on help seeking, such as not being able or allowed by the perpetrator to undertake paid work, and being financially dependent on an abusive partner (Menjívar and Salcido 2002; Bui 2003; Sullivan et al 2005; Merali 2009).

Victoria's desperate account highlights the precariousness of her situation as she suddenly had to flee with her children with no belongings. After a brief stay in temporary accommodation that social services had arranged, they were not able to offer any further support. This indicates the detrimental ways that immigration status may impact on access to support. It also indicates that those who overstay their visas are often labelled as 'undeserving' and fall outside of state protection, regardless of the dangerous domestic violence and abuse situation. The only other support that social services appeared to offer Victoria was to pay for a plane ticket back to her country of origin, which disregarded the fact that she had established a life in the UK. Victoria's immigration status as an overstayer shaped and limited the support offered to her by social services, suggesting that the local authority see some as more 'deserving' than others to receive such support (see section on 'Experiences of social services' for further discussion).

Those who have access to public funds, or who have other financial means, are eligible for refuge, enabling them to flee their abusive partner. However,

as Chapter Two explored, for those who have NRPF, there is a significant gap in resources available for women to enter refuge. Interviews with professionals reinforced Victoria's experiences in relation to the insufficient provision for women with NRPF. The lack of funding from the state to support *all* victims of abuse, regardless of immigration status, can have detrimental effects. An interview with a director who was working in the voluntary sector revealed how some of the female overstayers that she had provided support for '*often remains with the perpetrator, or with the person who causes the violence, and it's often because they don't see the way out [...]'*. Such views suggest that the government is failing to protect some of the most vulnerable from gender based violence. The framework of '(un)deservingness' is important here, as it suggests a form of structural violence whereby groups of migrant women are not protected from the domestic violence within the home, and furthermore are subjected to state violence that fails to see them as worthy of protection.

Following Victoria's refusal to return to her country of origin with her children, and her account of social services denying any further support (other than offering to pay for her ticket back to her country of origin), Victoria set up home independently '*[...] and then our lives were much better, we not dependent on other people.'* This was however disrupted by Victoria's abusive partner continuing to harass her, something that is identified as being common amongst women post separation from their perpetrator (Walker 1999). For Victoria, she believed that her ex-partner exploited the fact that they were no longer in a relationship to abuse her further, explaining that '*when we separated, then he realised that no one was supporting me, or you know, protecting me, he felt more powerful, you know that he could abuse more [...] and I was on my own and I had to face everything on my own '*

After Victoria separated from her partner, his controlling tactics continued as he infiltrated her social networks, including the networks that she had managed to build at her church. He started telling those who attended her

church that the breakdown of the relationship was down to her being jealous, which resulted in *'[...] the church people start believing in him, and they start advising me to go back to him [...]*' Victoria had certainly not abandoned her religion *'I'm very grateful to God every day'*, but was no longer able to attend church, something that could have offered her the opportunity to build other social networks, because her abusive partner sabotaged this opportunity (a further discussion around the theme of religion is given further below).

Although Victoria's life remained chaotic post separation because of her abusive ex partner's behaviour, the previous interventions from other agencies indicated a turning point in the way that she was able to help seek. Victoria was previously unable to access help because she was both unaware that there was support available, and her partner's abuse inhibited her from being able to seek help. However, after Victoria disclosed her situation, she appeared more empowered *'in the beginning I was really scared, you know, I was afraid of contacting, but then I understood it'* by no longer being afraid to approach services for support. Her account also suggests that she now knew how to link herself up to agency support as she told her ex-partner *"if I have a problem with you, I will call the police"*. This highlights the importance for women of not only be able to seek help, but also to have the confidence to be able to do so (Bui 2003).

Sara's earlier account revealed that the police failed to prioritise her allegations of domestic violence perpetrated by her partner. Victoria's narrative points to other ways that an irregular immigration status may impact on experiences with the police. She expressed how the most significant fear for her in approaching services was that she was afraid of having to return to her country of origin *'I was afraid, in order, because I thought that I would be deported'*, suggesting that some migrant women remain trapped in dangerous domestic violence situations, deterred from approaching agencies due to fears around the exposure of their irregular immigration status. It is highly concerning that women with an irregular immigration status can be deterred

from help seeking due to their fears of deportation, despite the sometimes life threatening abusive situations that they endure.

Interviews with other women supported this theme. Grace revealed that that whilst overstaying her visa, she always made sure to *'[...] just try and stay away from the police, no matter what happens to you, just be clean. Stay away [...]'* Women often fear calling the authorities to report abuse as this may jeopardise their own future to reside in the UK if the police arrest, detain and deport them for overstaying their visas (Salcido and Adelman 2004). Thus, women's irregular immigration status, and the political context and '(un)deserving' labelling that often surrounds such statuses, places women in greater danger in the context of domestic violence, as it may prevent them from accessing life-saving services, confining them to being under the radar.

Victoria's narrative revealed not only her awareness of the impact that her immigration status had on her ability to seek help, but she felt that her immigration status affected some of her experiences with agencies *'I understood that if I had, if I was legal here, I would have better protection'*. It is saddening that those who overstay their visas and experience domestic violence and abuse believe that they fall outside of the parameters of protection against domestic violence because of their immigration status.

Even after overcoming her fears of contacting the police, Victoria explained her experiences of reporting the crimes *'[...] but the police did not want to do anything about it.'* She believed that her immigration status impacted on the police's response, as she later explained to me *'while I was illegal, I didn't have support'*, and as a result of this Victoria explained that her abusive partner simply *'carried on'*. Victoria was clearly very frightened of her abusive partner, and as identified from her previous accounts, it took her a long time to gain the courage to approach agencies, only for her faith in the police to be tested by their apparent lack of interest in her case. Research suggests that women will be assaulted 35 times on average before calling the authorities

(European Parliament 2013). It is likely that women with an irregular immigration status will be further deterred from contacting the police not only because they may not necessarily know how to (or women may not be allowed access to a phone, as identified earlier), but also that their immigration status may significantly discourage them from approaching due to fears of deportation.

The police may play an influential role in handling domestic violence cases, as if they are handled well, they can greatly assist victims of domestic violence. However, a seemingly inappropriate response by the police can deter women from leaving abusive relationships (Barnett 2000). A report by Her Majesty's Inspectorate of Constabulary, (HMIC 2014) found significant failings with police forces across England and Wales who failed to take reports of domestic violence seriously. A subsequent follow up report by HMIC (2015) found improvements had been made, but greater developments were still required to ensure that victims are protected and justice is served on the perpetrators. Victoria's narrative alongside the findings from these reports (HMIC 2014; 2015), point to a complex and sometimes difficult relationship between domestic violence victims and the police. In addition, it is notable that domestic violence offences are not counted as official statistics by the police, indicating that they may not be taken as seriously, as other crimes that are recorded (Woodhouse and Dempsey 2016). This leads one to question if the police are investigating domestic violence allegations appropriately, and whether such approaches are exacerbated for migrant women, where the complexity of their irregular immigration status may label them as 'undeserving' of such help. It certainly seemed to be the case that Victoria felt very let down by the police's response to her allegations and pleas for help and protection.

Victoria was eventually given the details of a domestic violence agency from the police, and because her support worker was of the same nationality, Victoria was able to show the evidence of her abuser's harassment through

his text messages. This points to the importance of culturally specific services, and services that are able to provide advice and support in women's native languages, which can subsequently help to reduce isolation (Burman et al 2002; 2004; Crandall et al 2005; Latta and Goodman 2005; Sullivan et al 2005; Gillum 2009). Indeed, both Sara and Victoria found that being supported by those with a shared nationality was incredibly useful in terms of having a shared language and culture with those providing support. There are potential problems with culturally specific services, as victims may have fears around their confidentiality, and that sharing their experiences may bring shame on the community (Burman et al 2004). Additionally, Thiara and Gill (2010) warn of the dangers of essentialising 'culture', which may in turn marginalise women further. However, certainly in Sara and Victoria's cases, their experiences of culturally specific support services were evidently very positive.

Those practitioners who provided support through 'mainstream' services, regardless of country of origin, pointed to the benefits as they believed that women who approached for support may not feel stigmatised as the services are open to everyone. This approach is not however without criticism as Gillum's research accuses mainstream services with being 'color blind' and failing to adequately care for the cultural variations of victims of abuse (2009:57). Although no women were interviewed through a mainstream domestic violence agency, practitioners who worked for such agencies were extremely aware of the diverse cultural needs of their clients. Other professionals pointed to the importance of support at the grass roots level, not only in their availability outside of 'office hours' but also in terms of fostering support by others in the community who may have experienced similar things. Thus, it appears important to have a mixture of agencies available, both in terms of grass root agencies alongside both 'mainstream' and culturally specific services, to encourage migrant women to come forward to seek support.

### *Passport to protection?*

Earlier parts of the chapter have focused on the narratives of Sara and Victoria, by identifying the multiple ways that their irregular immigration status impacted on their ability to help seek. Victoria attributed the police's lack of response to her allegations of abuse to her irregular immigration status. This part of the chapter will follow Victoria's story further to explore whether becoming regularised affected her experiences.

Once Victoria's support worker referred her for legal advice, Victoria was granted a non-molestation order to prevent her abusive partner from contacting her, however she expressed disappointment in the police for failing to enable her to get this earlier. In the extract below, Victoria conveys the words '*a passport*' to refer to being regularised:

*[...] any person legal or illegally any person can have that, and why 3 years ago when I started asking for help, why they didn't give me that? Because 3 years ago, I was illegal although I had a right for an injunction order, but now I have a passport I have access to a lawyer so that's why, they put it in place, that's why I had access to it.*

Victoria not only expressed her disappointment in the police for not offering her protection sooner, but she also believed that the police used her nationality as a way of excusing themselves from investigating her claims '*the police didn't want to see it, and they didn't want to translate into my mother language*'. At the time of interview, Victoria's support worker was helping her to challenge the police's response to her allegations, as she explained that '*even when I had a passport, they refused to help me.*' This finding was strengthened by a director of a small NGO that supports victims of abuse, who explained that not only is it difficult to prove domestic violence to the police '*[...] some police station they don't even want to listen to the woman*

*[...]’, and they often have to challenge police responses ‘[...] we really have to go and fight, you know, for them to be heard. You know and it’s their right to do so [...]’.*

The feelings of poor treatment from the police, expressed by some women and professionals, suggests that many migrant women, and particularly those with an irregular immigration status, are constructed and labelled as ‘undeserving’ by some state agencies, which are relied on to protect all, without discrimination.

However, even when Victoria had become regularised, she remained disappointed by the police’s response to her allegations. Victoria’s account infers that her experiences were also affected by her position as a migrant woman who cannot speak English, and her nationality. Thus, this leads one to question if ‘a passport’ (being regularised) really does lead to state protection, or whether this protection is dependent on the type of passport and the woman’s country of origin. Although Victoria clearly believed that her nationality played a part in her perception of the police’s (lack of) response to her allegations, she did however believe that some advances were made on the basis of becoming regularised:

*I feel that now I have more opportunities, and now I have more protection as well, because I have a passport, and with a passport a lot of doors can open up for me. So I went to the Job Centre, I want to improve my English, they [the Job Centre] said that I can have a little help. And because I was illegal, the only thing that I could work was as a cleaner. We had no opportunities here.*

Victoria clearly attributes the difference in the protection offered, and the increase in her opportunities, to the regularisation in her immigration status. In Victoria’s case, the factors surrounding her status as a new migrant such as her lack of host language skills combined with not knowing that agency



support was available, acted as significant barriers to seeking help. This supports the findings of Thiara (2013), who also found that severe isolation and a lack of language skills amongst minority women often compounded their abilities to seek help.

#### *Experiences of social services*

In addition to Victoria's disappointment with the police, she also expressed disappointment in social services. Whilst Victoria no longer appeared to be afraid to speak out and contact agencies for support, explaining that she now '*knew how to*' speak to a social worker, she also expressed her disappointment that social services did not offer her enough support, '*they cannot protect, you know, mother and children but they can take the children away*'. The next part of this chapter will consider this theme in relation to social services further, as well as expanding the discussion with regards to potential barriers and difficulties that some migrant women with irregular immigration status who have children face in seeking support.

Chapter Two outlined the local authority's duty to children with NRPF under Section 17 of the 1989 Children Act, however this funding is only available for the children of families with NRPF. In Victoria's case, the only options that social services offered to her was to take her children into care, or pay for Victoria and her children to return to their country of origin. This strongly supports other findings that the local authority's '*...first response is usually to suggest taking a child into care or provide mother and child with a ticket home, thus discharging their obligation to the child and avoiding any possible provision to the mother*' (Amnesty International and Southall Black Sisters 2008:12).

Victoria indicates that she felt criminalised by social services for seeking help from them. Victoria suggests that the lack of financial support offered to help her to remain with her children away from her abusive partner, and the

limited options offered, appeared to act as a form of punishment for the abuse experienced and for having NRPF. Indeed, an interview with a director of an NGO providing support for domestic violence mirrored the experiences of Victoria. The director explained how many of the victims of abuse that she supported felt criminalised and blamed for the abuse by social services ‘so often the women uses the same phrases, you know “I am the victim, and they treat me like I’m a criminal [...]”

Although legally, a child may not be separated from their parent unless it is proved in court that a child is either suffering or at great risk of suffering significant harm (Price and Spencer 2015), many of the professionals interviewed suggested that the option of taking a child into care was often used to deter women from approaching social services. The limited options presented to Victoria certainly suggest that this was meant to deter her from seeking help from social services. This finding supports research by Imkaan (2008), which found that local authorities were aware that ‘offers’ to fulfil financial duties under Section 17 by taking children into care are often perceived as ‘threats’ by women. These ‘offers’ are not only used as a way of ‘...evading responsibility...’ but also ‘...as a mechanism for instilling fear into women thus ensuring that they do not return to social services...’ (Imkaan 2008:19). Indeed, the fear of having children removed is deep-rooted, as a co-ordinator of a women’s group explained how social services is often seen by migrant women as ‘[...] a synonym for children being taken away’. Given these fears, migrant women may be entirely deterred from contacting social services, leaving women and children at risk.

Anderson’s ideas on the ‘Community of Value’ are important here, as she argues that ‘...immigration and citizenship are not simply about legal status, but fundamentally about status in the sense of worth and honour...’ (2015:4). The finding suggests that women with an irregular immigration status are not valued and seen as ‘deserving’ of state financial support, as the only ‘solution’ offered to them is for them to have their children taken into care, which is

undoubtedly something that the majority of women would resist. Furthermore, the little provision that is available is only for the children and not for the family as a whole, which again reiterates this idea that only the children are seen as 'deserving'.

Nevertheless, a director of an NGO explained that their organisation frequently challenged social service's decisions by threatening them with legal action when such cases arise, because *'[...] you know the mother's not abusing, the mother's not neglecting, it's a child in need, and it's a mother in need. I know you don't have financial responsibilities but it's not the best interests of the child.'* Unfortunately, this does not appear to be an uncommon experience, as a report by Amnesty International and Southall Black Sisters uncovered 'disturbing accounts' from women and support agencies that social services were threatening to remove children and return them to abusive partners or place them in the care system, yet their report found that these often remain as threats with '...strong representation, social services soon retract or deny having made such a statement' (2008:25). Thus, this highlights the importance of the work of support agencies in advocating on behalf of women who are affected by NRPF, as the professional above clearly outlines.

Many professionals did however outline the difficulties that they had when interacting with some social service departments, meaning that their support work is often complicated by such processes. A director of a local charity explained that their *'push'* for social services to support their clients is often interpreted by social services as *'aggressive'*, despite the fact that the support requested is something that is supported by legislation and protocol. However, it is concerning that Price and Spencer (2015) found that there are no particular guidelines in relation to social services assessment of NRPF families (such as how to assess destitution), and the scarcity of resources designated to meet their needs raises significant questions about the consistency of decisions made by those working for the local authority.

Indeed, interviews with practitioners revealed that some questioned the gatekeeping used by the local authority in relation to Section 17 support. A senior advice worker for a local charity referred to this gatekeeping as where the *'[...] presumption is that they're not genuine'* and that they are trying to *'[...] take advantage of the system.'* These expressions echo back to the distinction made during the Poor Law that distinguished between the 'deserving' and 'undeserving' poor. Thus, Tunstill (1997) argues that the replacement of the Poor Law with the 1948 Children Act simply installed another means by which to pass judgement on children and their families. Although these beliefs and values may not be incorporated into any form of legal framework for assessment by social services, they may however play a part in the approaches used by individual employees (Price and Spencer 2015).

Some also identified further problems when it came to the courts, as a senior advice worker for a local charity outlined how *'[...] the courts used to be quite sympathetic to No Recourse issues but now we've got recent cases that are just not good at all [...]'* They raised further concerns in relation to budget restrictions on social services, which may be having a detrimental effect on those seeking support through the local authority. The senior advice worker expressed their feelings of discomfort that those who are assessed by social services and given financial support are moved outside of London. They expressed how they felt *'uncomfortable'* that London is beginning to be perceived to be becoming exclusively for those who are employed and with status, whereby *'[...] if you don't have status even though you know you have faced obviously violence and other serious issues [...], you can't live in London if you...don't have status or Recourse to Public Funds so it's kind of racist concerns.'* Moreover, this appears to be a trend that is apparent in not just migrant communities but more generally the working class, who appear to be increasingly forced out of the capital (Taylor 2015).

These concerns appear not just to be held by those working in support agencies, such as the senior advice worker. Price and Spencer also found that a local authority employee who worked with families in dispersed areas expressed concerns that families were essentially being ‘dumped’ without sufficient resources to meet their needs, and without reviewing their case to ensure that their needs were being met (2015:43). Local authorities justified their dispersal of families outside of London by citing the savings made and the better quality of housing available (Price and Spencer 2015). Furthermore, Price and Spencer found that many families did not wish to go outside of London, and this was something that local authority employees saw as a ‘...successful means of discouraging claimants from taking up the support offered to them’ (Price and Spencer 2015:43). This harks back to the discussion earlier, where professionals believed that perceived ‘threats’ to take children into care may be constructed as a deterrent to being approached for support by families affected by NRPF. It also points to reaffirming this idea of ‘(un)deservingness’, that those with irregular status are presented as not deserving space within the capital city, and should be in places where they may remain under the radar in terms of the levels of support that are available to them.

As well as identifying the importance of immigration status and the impact of NRPF affecting all groups of migrants, and determining levels of support, other practitioners pointed to a racialised dimension to social services:

*There’s been barriers around women trying to access money from social services. If I compare that to my experiences of South Asian women, I was able to get a lot of money from social services or departments for women from South Asia, but for women from the Caribbean, it was extremely difficult, and if they did get money it tends to be short amounts of money for shorter periods of time.*  
(Gender Violence Trainer and Manager, Charity)

Thus, some practitioners alleged that the disparity in ‘deservingness’ was attributed to race. Race may play a part in determining whether or not migrants from certain countries are included or excluded in the UK. As discussed in Chapter Two, there appears to be a racialised dimension to the way that different groups of migrants are perceived, both historically in terms of whether or not they are ‘welcomed’, valued and included into the UK and how this has changed over time (particularly for those from the commonwealth but now seemingly to those from the EU), but also in terms of how they are depicted and labelled. For example, Anderson points out that the UK Border Agency (now the Home Office) gave ‘...greater scrutiny and priority to particular nationalities when it came to entry and enforcement’ (2015:43).

Thus, it is arguable that a migrant’s country of origin and their associated ‘worth’ based on their origins may also become internalised into the values of other state organisations, as the professional above appears to suggest. Others also expressed difficulties with social services making stereotypes. One professional believed that when trying to source financial support from social services for Brazilian women, certain stereotypes were being made about them *‘[...] they have that image of [...] Brazilian women being easy at sex, or you, know, you know too over sexually, too exotic or quite a lot of them are escorts or you know work in the [...] sex industry [...]’* Migrant women may be wary of approaching support services for fear of racism and cultural stereotypes being made about them (Burman and Chantler 2005; Kulwicki et al 2010).

Victoria’s story has served to reveal the challenges she faced not only in accessing services in the first place, but also in receiving appropriate advice, which she strongly attributed to her irregular immigration status. The above section in relation to social services has embedded Victoria’s narrative in wider discussions in relation to NRPF and constructions of

‘(un)deservingness’. The chapter will now turn to Nadia, to understand her experiences of help seeking.

### **Help seeking: Nadia’s story**

Following the breakdown of Nadia’s relationship, she endeavoured to source support and to find out the options available to her in relation to her immigration status:

*[...] One of the women said to us that with our [nationality] passports, we couldn’t do anything, we had no rights. As your husband pays for everything, he can do everything he wants with you. We can’t help you. You are not from European Union, you are from [name of country] so your visa doesn’t mean anything.*

Nadia’s story emphasises how she was made to feel worthless because of her irregular immigration status. Nadia’s accounts of agencies telling her that her abusive partner ‘*can do everything he wants with you*’ served to dehumanise her, condone immigration related abuse, and reaffirmed Nadia’s precarious and highly vulnerable situation in the UK. Nadia’s account also relays a real sense of exclusion by those she approached for support, as they emphasised how her country of origin fell outside of any form of protection, because essentially her ‘*visa doesn’t mean anything*’. Nadia’s account implicitly conveys a sense that she was made to feel devalued, ‘undeserving’ and as if she did not ‘*mean anything*’ since the professionals only seemed to look at Nadia as an embodiment of her visa, rather than a human being who was effectively homeless and had been in an abusive relationship. This was also echoed in a report by Imkaan who found that women waiting for local authority decisions relating to funding found that the waiting process ‘...can be long, arduous, frightening and very painful for women especially when the eventual outcome is often: *no we cannot help you*’ (2008:15).

Nadia's wider narrative reveals that the practitioners advising Nadia appeared to be only concerned with whether she had experienced physical abuse. This is concerning as domestic violence and abuse can incorporate a number of different types of abuse besides physical violence, and Nadia's account conveys a sense that her experiences were not taken seriously by these practitioners, because of the absence of physical violence. Nadia's search for an agency to help both her and her child find accommodation and receive legal advice to help them stay in the country was complicated and difficult. She also points to the financial barriers that women face when trying to source appropriate support as she had no money to call support agencies herself, relying on them returning her call. Even when presenting at the Home Office, Nadia had no money to even travel to the appointment, and had to resort to selling some of her possessions to finance the trip. Nadia's story tells us that women who have an irregular immigration status and experience domestic violence and abuse may face exceptional barriers in both sourcing and accessing support, as this often involves having the basic financial subsistence to make a phone call, which women such as Nadia often do not have.

Nadia's language barrier meant that she, like Sara and Victoria, was reliant on the advice of practitioners in relation to her case, *'[...] I trusted them. And I took their advice.'* It later became apparent that Nadia had been advised incorrectly with regards to the legal pathway that she should have initially followed, and as earlier discussions identified, it is often problematic for migrant women who cannot speak English to verify the advice given. Nadia initially made an asylum application but she appeared not to have been given adequate information regarding the legal process:

*[...] I started crying because I was shocked, I didn't know I had lost my visa. No one told me about this. In the Home Office I wasn't explained anything. I asked her why no one told us in [name of place] but [name of solicitor] and interpreter had already gone*



*because the time was up, and they said we'll see you after the big interview. When I started crying, she started shaking me, saying 'you have to be a strong woman, stop crying or I'll call the police and send you to the mad house!'*

Nadia's story suggests that many women who have an irregular immigration status feel daunted by the legal system and are often not adequately informed about the legal process. Her account reveals her sense of being treated as 'undeserving' and without dignity by those with power, and her vulnerability may be further exacerbated by her dependence on an interpreter to express her story. The solicitor previously handling Nadia's case treated her in a very unprofessional manner. Nadia was moved to another area, where she began accessing another supporting agency, which proved to be a significant turning point in the support received.

Nadia describes the worker at the agency as being *'[...] a gift from God'*. Like Sara's account earlier, Nadia makes a link between her religion and those providing support. This may again reaffirm notions that both God and the worker are helping to protect and look after her, acting as a source of comfort in times of uncertainty. When Nadia was asked what her religion meant to her, she replied *'I believe, I don't know, I've got nothing else to do.'* Nadia's response suggests that she had reached a critical period where she was almost destitute, which may have fuelled her faith that God was watching over her. This is supported by Griffith's research, which found that many of those residing in immigration detention used religion as a form of reassurance that *'...someone was in control and aware of their plight'* (2013:277). Religious organisations may also help to provide a safe space for new friendships and forms of support to form (Sigona 2012). However, religion may sometimes act as a barrier to help seeking for women if they believe in preserving the sanctity of the family unit (Chatzifotiou and Dobash 2001; Latta and Goodman 2005; Shiu-Thornton et al 2005; Keller and Brennan 2007). Whilst it is noted that religion may act as a barrier in some cases to seeking

support, it is evident that it provided a much needed support to many of the women interviewed, including Nadia.

Nadia was subsequently signposted to another solicitor who advised that she should have made an application for Leave Outside The Rules (LOTR) under the DV Rule, *'[...] and he said that this was domestic abuse and he was shocked that no one told us about it [...]'* However, at the time of interview, Nadia's application had been rejected due to insufficient evidence:

*[...] I think it's because we didn't go to the right agencies, so we didn't have enough records, and we didn't have enough support letters [...] so all the agencies that we went to were apparently not the right place to go. And also we didn't have a police report, even though we explained why we didn't go to the police.*

Nadia's account highlights the complexities around applying for leave under the DV Rule, particularly in relation to the evidential requirements. These requirements are highly problematic and act as a further hurdle for women in being able to leave abusive relationships (European Parliament 2013). A report by Eaves and Southall Black Sisters (2013) outlined further problems in evidential requirements, as sometimes General Practitioners (GPs) required a fee to write a letter of support, forming another financial barrier for women's pursuit of safety. Although Nadia's case illustrates the complexity in accessing the DV rule, interviews with practitioners who supported women to access it explained that the process worked very effectively for those who were granted with LOTR's.

Chapter Two established that there are many women who are exempt from applying for the DV rule, for example those who do not hold or have not overstayed on spouse visas. The practitioners supporting affected women who are ineligible for this concession explained that they faced significant barriers in finding alternative legal routes for them:

*For other women who've overstayed, it is quite often that their only immigration claim is going to be based around their family life, and there's just no Legal Aid, and you've got this sort of exceptionality threshold for pro bono organisations to take cases on is getting higher and higher. So it's sort of more and more absurd, you've got to have the most tragic case that makes you weep when you read it before you'll get anyone willing to take it on for free. (Legal Officer, Women's Rights Organisation)*

Women who overstay are often the most marginalised and as a result have little or no access to finances, which makes paying for any sort of legal help virtually impossible. The legal officer above, maps out the increasingly challenging environment for vulnerable women seeking legal support. Pro bono organisations are facing intense pressures, which is also reducing another avenue whereby vulnerable women used to be able to seek legal support. Indeed, a director of a small NGO explained the loss of pro- bono lawyers as having a devastating effect on their work, as they are being increasingly 'overwhelmed' with cases and having to fight without representation on behalf of the women, in the absence of legal support. This raises further concerns about women's safety as some may be forced to go further underground to pay for legal representation as they are simply unable to access it in any other way. For example, one professional explained how one of her clients had entered the sex industry so that she was able to pay her lawyer, indicating the serious levels of danger and exploitation that this group may face.

Although Chapter Two recognises some of the difficulties in making claims using the human rights framework, it is also important to recognise that this may be a potential avenue for some women to pursue. Such claims may be used to uphold women's human rights, particularly when the state has used their own immigration rules to block them from accessing citizenship. The

barriers that migrant women face in being granted citizenship, has dangerous consequences for women in the context of domestic violence, as many may have little alternative but to remain trapped living with an abusive partner.

Whilst it is apparent that there are significant barriers for women in accessing legal support, it is also possible to recognise the benefits that many women experience once legal support is located and received effectively. For example, Grace had been granted asylum and pointed out that this had changed her life in terms of her ability to access services and no longer be *'in hiding'*, and where she is able to *'[...] access a lot of services [...]'* whilst *'not thinking "will I be found out? [...]"* For others however, there are fears that are attached to entering the legal system as Patience pointed out that having status may bring some benefits in terms of being able to access education, however *'[...] when you're overstaying you can't [access education]. It wasn't easy [being an overstayer] but there wasn't any pressure from immigration because they don't know you are there.'* Patience's expressions suggest that although overstaying a visa may leave many women vulnerable, it also can be seen at least partially as a 'safe place'.

### **Other barriers**

Chapters One and Two discovered how isolation, fears of deportation, and also the impact of 'culture' can act as significant barriers to help seeking. This chapter has explored when women decide to look for support, how they seek support and their experiences of the support, including the barriers in relation to this. Sara, Victoria and Nadia's account highlight language barriers, financial barriers and their feelings of disappointment by the support (or lack of it) offered by agencies such as the police and social services, as well as examples of good practice in relation to domestic violence support agencies. Contributions from practitioners working in the field to support these vulnerable women have served to expand the points made. There are other

barriers that women face, in particular for those who have NRPF and do not have children.

A gender violence trainer and manager for a small charity pointed out the exceptional challenges faced in sourcing financial support for women without children, which often means turning away vulnerable women because they are simply unable to source funding for them. A legal officer for a women's rights organisation explains *'I've certainly met one woman who was on night buses all night. Quite a few single women will be sleeping rough.'* These particular women are essentially in legal limbo, often not having any means by which to regularise themselves, having NRPF and potentially being exposed to other dangers aside from the domestic violence by being made homeless (PICUM 2012). Thus, the co-ordinator of a women's group explained that some women remain in abusive relationships, seeing them as a *'hiding place'* and *'safe place'* because if they leave their partners then they will be destitute. It is for these reasons that McWilliams et al argues that migrant women often face *'forced dependency'* by the very structures of the immigration system that often encourages spouse dependency and the NRPF clause, which means that women often have to choose between sustained and prolonged abuse or homelessness (2015:1542). Thus, women are being exposed to structural violence as the state refuses to support them because of their irregular immigration status, despite being victims of domestic violence.

It is interesting that the above co-ordinator believed that some women view remaining in an abusive relationship as *'a safe place'* because it is seen as safer than essentially being homeless and living on the streets. Indeed, Schuler et al identifies the dangers for many migrant women as *'women often put up with men's violence because they see no acceptable alternatives and their lack of alternatives is often part of the larger cultural logic that sanctions the violence'* (1996:1729). Women without children who overstay their visas are potentially at risk of unprecedented dangers due to the severe lack of

alternatives presented by the government. The financial dependency of women on their abusive partners often acts as a major barrier to leaving the relationship (Barnett 2000). Thus, the Government are silently condoning violence against women by barring them from accessing public funds (Amnesty International and Southall Black Sisters 2008). Although the Government does not wish to be seen as 'soft' on immigration and are thus reluctant to grant funding for all those who have an irregular immigration status, a research manager for a women's organisation pointed out:

*It is important to make clear that this is not an issue of immigration. It is an issue of a person's right to live free from violence and the threat of violence. It is an issue of the state's obligation to ensure that those within its jurisdiction (irrespective of her immigration status) have access to safety and justice when fleeing DV [domestic violence]. To that extent therefore a hostile immigration climate ought not to be relevant.*

*However, in reality, of course the issue is perceived as an immigration one so the climate is enormously difficult to campaign in, even when we try to pitch the issue as a human rights issue. It being an election period again the anti-immigration rhetoric hardens. (Research Manager, Women's Organisation).*

It raises huge concerns that the immigration status of women is prioritised over the human rights of women to live a life that is free from violence. There appears to be an inherent contradiction in state and international responses to domestic violence, which continue to emphasise that domestic violence is a crime and women should receive protection, yet at the same time continue to exclude women whose immigration status falls outside of their recognition (PICUM 2012).

In addition to the difficulties that front line practitioners faced in sourcing financial support for visa overstaying women without children who are victims of abuse, they also identified other challenges. The director of a local migrant group explained that some women come from countries where cultural perceptions of domestic violence impact on their ability to disclose domestic violence and abuse. In particular, the director explained that women find it difficult to disclose domestic violence to white lawyers as it is seen as *'[...] embarrassing to us, you know. I must hide it, it's mine, it's my story so I don't know, it's the culture.'* The difficulties for women in disclosing the abuse in the UK may impact on the legal support available. The notion that the abuse should remain 'hidden' indicates how some communities view domestic violence as a private matter that should not be disclosed, for fear of bringing 'shame' on communities (Roy 1995; Menjívar and Salcido 2002; Bui 2003; Burman et al 2004; Bhuyan et al 2005; Erez et al 2009; Kulwicki et al 2010).

In addition, the local migrant group director explained that in some communities, disclosing abuse is seen as *'bad manners'* and the woman is labelled as *'stubborn'*. This links to the discussion in Chapter Five, which found that women are often depicted as a *'spoilt child'* if they disclose the abuse to others. This finding supports Shiu-Thornton et al's research (2005), which found that Vietnamese women's experiences of domestic violence in the USA were characterised by cultural values where any marital conflicts that arise are often constructed as a result of the woman's poor character. Moreover, Sullivan et al's research (2005) argues that patriarchal views of women within the Ethiopian community and subsequent views that sympathise with male perpetrators discourage 'the community' from supporting female victims of abuse. Thus, the impact of 'the community' should not be under-estimated, as this may exercise huge influence in not only the way that domestic violence is understood (and who is seen as responsible for it), but they can also influence and deter disclosure of the

abuse from the victim (Sullivan et al 2005). Furthermore, the barriers to help seeking may make the work of practitioners providing support to affected women vital, as many professionals pointed out the importance of helping women to identify their experiences as abusive, especially if the woman's culture associates speaking out as violating cultural norms.

Whilst being aware of these important debates, it is also important to recognise the dangers of essentialising 'culture', and assuming homogeneity in women's experiences (Thiara and Gill 2010). As Chapter Four noted, the intersection of migration and domestic violence is nuanced, and it is the intersection of social divisions such as culture alongside gender, race and immigration status to name a few, which may form a specific form of oppression in the context of domestic violence. Perpetuating ideas around cultural homogeneity may serve to marginalise women further by allowing 'culture' to be accepted as an excuse of justification for the violence (Thiara and Gill 2010).

### **A hostile political environment: Anticipated impacts of legislation changes**

This chapter has so far considered the many multifaceted barriers that migrant women may encounter when experiencing domestic violence. This part of the chapter will consider other barriers that professionals anticipated, particularly in relation to the political context. Their interviews supported the earlier discussions in Chapter Two, where they cited the difficulties in the shrinking space available for those who overstay their visas to live in the UK. Immigration control appears to be an ever-increasing contentious issue, with arguments for tighter immigration controls getting louder.

Chapter Two identified a political environment that is becoming more hostile towards migrants, and particularly for those who have an irregular immigration status. John Vine, the Independent Chief Inspector of Borders and Immigration, argued that 'any failure to take action against foreign



nationals who overstay their permission to be in the UK has the potential to undermine public confidence in immigration control' (2014:1). His report (Vine 2014) outlined its intentions to nurture a hostile environment for those who have an irregular immigration status to act as an impetus to encourage them to leave the country. Chapter Five has already explored women's lived experiences of their fears around being detected, detained and deported by the Home Office. Vine's report (2014) stated that the Home Office would encourage a hostile environment by not only making those who are irregular aware that the Home Office will enforce removal instructions on them, but also by creating a smaller space where they may live, through the impact of measurements relating to the Immigration Act 2014. The final part of this chapter will explore what impact this policy is envisaged to have on those women who overstay their visas and experience domestic violence and abuse. It should be noted that at the time of interview, the Immigration Act 2014 had not come into fruition.

Professionals were extremely concerned about the proposed changes to healthcare provided by the National Health Service. This is concerning since migrant women who experience domestic violence and abuse may suffer from various health problems, and experience a higher risk of abuse during pregnancy (Parker et al 1994; Plichta and Falik 2001). Moreover, a legal officer believed that the health care reforms would cause '*huge confusion*' for women, because even though the Immigration Act 2014 allows migrants to access a GP, women may be deterred from accessing them over fears around their immigration status.

Some practitioners identified the difficulties that they experienced in supporting those who are overstaying to access health services in the first place. The reforms are likely to endanger the work carried out so far with practitioners in encouraging women to approach health services. Their accounts work directly against the Government's views around 'health tourism', referring to '...individuals who travel to the UK specifically to access

healthcare' (Wind-Cowie and Wood 2014: 9). The research showed the direct opposite of this in many cases as one senior advice worker for a local charity explained *'[...] they're just too scared, they just don't approach you know GP's, they don't register with GP's, they're scared that the Home Office might just know their information.'* Thus, these views indicate that those who overstay, rather than 'exploiting' a health system are instead altogether frightened to approach them in the first place. This is concerning as migrant women are already severely inhibited from accessing healthcare due to language barriers and fears around deportation (Dutton et al 2000). There are likely to be missed opportunities to detect domestic violence given that women may become even more reluctant to approach healthcare providers.

Indeed, in the government's 'Ending Violence against Women and Girls' strategy 2016-2020 (Home Office 2016a), they outline the importance of health care practitioners in detecting victims of abuse in their bid to eliminate violence against women and girls. However, the impact of the government's healthcare reforms is anticipated to be hugely detrimental to women who overstay and experience domestic violence and abuse. This poses huge problems for female overstayers as they may continue to suffer in abusive relationships, with little or no opportunity to disclose the abuse, suggesting that the government's intention to make a smoother process for victims of domestic violence to come forward is actually only aimed at the 'deserving' victim with a regularised immigration status. Thus, those without status are likely to live for longer in poorer health with no opportunity to resolve their legal difficulties as a result of these policy changes. Additionally, PICUM (2012) argue that this is likely to also affect the children of undocumented parents, as whilst healthcare provision remains for all children, undocumented parents may be fearful of approaching healthcare providers for fears of deportation.

In similar ways to the discussions around health care provision for women, professionals also highlighted the future challenges that women will face in

relation to the landlord checks that the government have brought in through the Immigration Act 2014. A senior advice worker for a local charity outlined their concerns around the dangers posed to women who overstay, as they may be forced to rent from unscrupulous landlords and face further danger and exploitation *'[...] you're gonna have more and more unlicensed properties, overcrowding issues, exploitation, sexual exploitation, women who cannot pay their rent, we have got cases of people, women who had to prostitute [...] in exchange for rent'* Thus, this reinforces Walters' (2010) notion of domopolitics, whereby the surveillance and governance by the state are increasingly extending inwards.

The landlord checks pose significant challenges for female overstayers as they may be forced to either remain in the abusive relationship due to a lack of alternatives, or rent from landlords who are willing to charge a premium to those who have an irregular immigration status. A director of a local charity providing support to domestic violence victims, expressed their concerns around the powers that will be given to landlords to carry out immigration checks on their tenants *'[...] and it is a sense of power that people actually have over somebody else [...]'* heightening further concerns that it will make a *'third class citizen'* of migrants who have an irregular immigration status. However, it is arguable that those affected who are already living a *'third class citizens'* life because they are often excluded from government support and funding.

Indeed, the classed nature of support was expressed in a report by Imkaan (2008), which considered the experiences of BAMER women and children who experience domestic violence and who have insecure immigration status. The report (Imkaan 2008) expressed that those with NRPF are being treated as second class citizens by being turned away by local authorities because of their immigration status. Moreover, the director interviewed also alludes to citizens essentially *'turning on each other'* by landlords having to, by law,

report any of those who are undocumented to the state and check the immigration status of those who they rent properties to.

## **Conclusion**

This chapter has sought to outline the various barriers that women with an irregular immigration status who experience domestic violence and abuse face in seeking support. The empirical data has provided in depth information on the help seeking journeys of affected women, shedding light on their lived experiences. The chapter has found that affected women tend to endure the violence for a significant amount of time before they are able to find support. Sourcing the right support often presented many challenges for women as the perpetrator's tactics of isolation often restricted their ability to know where to look for help, and their movements were often subject to such meticulous surveillance that they did not have the opportunity to locate support. The complications around some women not being fluent in English served as additional barriers in locating support, and indeed communicating the problems to support providers. Fears around being deported because of an irregular immigration status, meant that women were often slow to come forward to seek support, with some women feeling safer remaining in their abusive relationship because of the nature of their immigration status. It is disheartening that women are enduring severe levels of violence, and are essentially being further trapped by their immigration status, which effectively labels them as 'undeserving' of state support.

Thus, the label of being an irregular migrant woman appears to reinforce ideas of '(un)deservingness'. This may be seen very clearly in the NRPF clause, which serves to exclude some migrant women from state support. The narratives of some of the women exposed their often poor experiences with the police, social services and some legal advisors, which leads one to question if some of these professionals may internalise the label of 'undeserving' attributed to women through the NRPF clause and other

restrictive measures that are coming into force through the Immigration Act 2014. The lack of response from some of these agencies may serve to legitimise the abusive practices of perpetrators. Responses from some agencies appear to confine affected women to being 'under the radar', by silently legitimising the violence they experience through their failure to provide support.

### **Putting the needs and experiences of affected women on the radar:**

#### **Concluding thoughts and recommendations**

I introduced this thesis by outlining the inspiration for the research topic. The emails that I received at my workplace ignited my interest in the plight of women with an irregular immigration status, by identifying the poverty that the NRPF clause presented in their lives. Undertaking research that primarily focuses on visa overstayers has discovered not only further evidence of the damaging effects of the NRPF clause in the context of domestic violence, but it has also revealed the many difficult facets to the women's experiences of abuse and their lived experiences more broadly. It is disappointing yet somewhat unsurprising that the research has found more women in circumstances where their position as migrants often excludes them from state support. This indicates that the problem is not restricted to one locality or region, but it is an issue that extends nationally. Furthermore, this research argues that the UK government needs to take responsibility for its use of structural violence towards affected women, which perpetuates the violence experienced amongst this group, and to take action to recognise and support them.

Whilst this thesis has outlined the deeply inadequate state response to such cases of abuse amongst visa overstayers and others who hold an irregular immigration status, it is notable that scholarly research has also largely neglected to consider the needs and experiences of this group in its own right. I have not found any scholarly research that focuses specifically on the experiences of visa overstayers, as a sub group of women with an irregular immigration status, in either migratory fields of research or in research that addresses the intersection of migration and domestic violence, despite them making up a significant group. The numbers in the UK are estimated to be

somewhere between 400,000-900,000 (Vine 2014). Given that at least some of this figure will be made up of women, and domestic violence affects one in four women in a lifetime in England and Wales (Refuge 2016), then one may conclude that a sizeable proportion of this figure may be predicted to be suffering from domestic violence at any one time. This signifies the importance of considering the needs of women who overstay their visas and experience domestic violence.

Moreover, earlier chapters revealed that women may move in and out of being classified as a visa overstayer and that they may also hold other forms of immigration status. All were subject to a complex UK immigration system. This enabled the research to not only consider the experiences of visa overstayers, but to also expand this knowledge by considering the needs of others who hold an irregular or insecure immigration status in the context of domestic violence. The experiences of affected women are often unidentified because of their stigmatised immigration status, and because, as Chapter Three outlined, they are a very hard to reach group. Difficulties in access may also contribute to why women with an irregular immigration status who experience domestic violence are little known about and in many ways invisible, in both academic and political discourse. Thus, the intention of this thesis was to place the needs of this group of women firmly on the radar by drawing attention to their experiences. The phrase 'women under the radar' sought to address how those being researched are hidden in multiple ways, relating to the forms of the abuse that they experience, the impact that the abuse has in relation to their immigration status, and how this may hinder any disclosures made.

This thesis has made important empirical contributions by discovering more about the lived experiences, fears and feelings of women who are often marginalised, which will be further explored later in this chapter. Alongside these contributions, the thesis has also offered new theoretical insights. The existing literature that explored the intersection of migration and domestic

violence was critiqued in Chapter Two, for failing to embed the experiences of migrant women in the wider political context in the UK. This thesis has expanded the dialogue between scholarly research on migration and on domestic violence by connecting it to the broader UK socio-political context, and considering how the labelling of different groups determine who is valued, labelled as 'deserving', and thus incorporated into the 'Community of Value' (Anderson 2015). Such frameworks also determine who is seen as lacking value, labelled as 'undeserving' and excluded from this 'valued' community (Anderson 2015). Many groups of migrants, and in particular migrants who hold an irregular immigration status are excluded from the 'Community of Value' (Anderson 2015). The label of being an irregular migrant and the further labelling that is attached to this immigration status, which frequently regards this group as 'undeserving' are in a sense legitimised and perpetuated by the state, through the denigrating rhetoric and draconian immigration controls that are increasingly being imposed on them, as outlined in Chapter Two (Spencer 2011; Anderson 2015). In short, labels have consequences. By considering the macro as well as the micro, this research has explored how on the macro scale, the political context shapes and determines the labels given to migrants, and more specifically how this rhetoric plays out in the micro context, focusing on the narratives of affected women who experience domestic violence.

### **Protecting all victims of abuse: The contradiction**

Holding an irregular immigration status and thus being labelled as 'undeserving' may have particular and pervasive consequences, especially in the context of domestic violence. By applying Anderson's (2015) ideas on the 'Community of Value' to women who hold an irregular immigration status and who experience domestic violence, this study has shown the power that such labels have. The labels in relation to immigration status are highly correlated with victimhood, and who is seen as a 'deserving' victim. Theresa May, Home Secretary at the time, reiterated in the UK government's 'Ending Violence



against Women and Girls' strategy 2016-2020 their 'simple proposition' that '...no woman should live in fear of violence' (Home Office 2016a:4). The UK government's proposition has not always been reflected in practice, as the narratives of the women in this thesis revealed that many of them had been left to live in fear of violence. Their experiences are simply unrecognised and unaccounted for by the state. The UK government's only recognition of such groups has been through a report into how the Home Office manages those who have overstayed their visas (Vine 2014). Such reports reduce those with an irregular immigration status to numbers by only focusing on how to deter them from staying in the UK, as opposed to seeing the value that they might bring to the UK, or contextualising why they may have overstayed their visas in the first place. The UK government's approach appears to reconfirm Wimmer and Glick Schiller's argument (2002) regarding the continued importance of the nation state (and its borders), despite the rise of globalisation. Thus, women who overstay their visas and experience domestic violence simply do not exist to the UK government, because the state's conceptualisations of who matters and ultimately who 'deserves' are those who reside not only within their borders, but they reside with status, in a way that those with irregular immigration status do not.

The state's refusal to recognise the experiences of women with an irregular immigration status in the context of domestic violence is evident in their definition of domestic violence, which as Chapter One identified, does not adequately account for their experiences in the form of immigration related abuse. Building on Raj and Silverman's work (2002) on immigration related abuse, further layers of detail were given to these understandings, as Chapter Four highlighted. By using the narratives of the women interviewed alongside supporting information from the professionals, this research identified the nuanced complexity of the intersection of migration and domestic violence. The variation in the women's individual stories suggested that they are not a homogenous group, yet there was some commonality in their marginalised social position as migrant women holding an irregular or insecure immigration

status. Thus, the research has put the women's narratives forward to highlight the contradiction inherent in the state simultaneously publicising a strategy that proclaims to protect all female victims of abuse, whilst failing to recognise many migrant women's experiences of domestic violence, and its connection to their irregular immigration status.

The UK government all too often speak about those who hold an irregular immigration status by labelling them in a one dimensional way that criminalises them because of their immigration status (Spencer 2011; Vine 2014; Anderson 2015). The existing debates were advanced by using the theoretical framework of '(un)deservingness' to highlight how abusive partners exploit the way that an irregular immigration status is positioned in the UK to further their abuse and control. For example, Nadia's story highlighted how her British partner appeared to situate himself in the 'Community of Value' because of his immigration status, and he used this to emphasise the disparity between their immigration statuses, and to exacerbate the abuse he perpetrated within the relationship.

This thesis sought to provide a deeper and more nuanced understanding of the lives of affected women, by contextualising how women have fallen into being irregular migrants because of the circumstances and complexity of the domestic violence that dominates their relationships, and how they may move between different forms of irregular and insecure immigration status. It is common for scholarly literature in this area to state that abusive partners more often than not hold a higher and more secure immigration status (Burman and Chantler 2005; Anitha 2008; 2016). This research found that although this was evident in many accounts, it teased out further facets to the intersection of migration and domestic violence. Some of the narrative of Victoria, who entered the UK with the same irregular immigration status as her abusive partner, was shared in Chapter Four, and exemplified how women's experiences of abuse may be perpetuated by their social position and the context of having an irregular immigration status, which often makes

them feel isolated in a new country. Moreover, Serena's story highlighted further nuances to the intersection of migration and domestic violence, as she fell into having an irregular immigration status after fearing a return to face domestic violence in her country of origin.

The discussion on labelling was extended to identify the lived experiences of women with an irregular (or insecure) immigration status in Chapter Five. The current political climate of heightened concerns around migration has only perpetuated fears around 'the other' (BBC 2015a). Migration is increasingly being regarded in a detached way that is centred on immigration control (Schuster 2005). It was only after the recent death of a toddler, Alan Kurdi, who was making the perilous journey with his family across the Mediterranean, that the world seemingly paused and reflected on the human faces who are risking death to escape war and conflict (BBC 2015b). One year on from this tragedy, many are still questioning why this pause for reflection has not progressed into something more meaningful for those fleeing conflict, as although some EU countries have adopted more humane policies towards refugees, there is an increasing backlash against such approaches (Kingsley 2016).

Whilst the women interviewed may not have all made dangerous journeys overseas, a rich understanding of women's lived experiences was provided in Chapter Five to explore the intense fear and uncertainty that feature in their lives. These fears and uncertainties are often perpetuated by the political context that labels irregular migrants as 'undeserving' (Anderson 2015). The account of Patience was featured, as she explained her painful wait to find out if her asylum application had been accepted, and how her life and the lives of her children were dominated by the uncertainty of not knowing when this decision would be reached. Contextualising the women's migration journeys helped to identify the multiple reasons why women had left their country of origin. For example, some wished to build a better life for their families, to escape political turmoil or because they had to flee domestic

violence. This contextualisation also helped to consider why many are unable to return to their country of origin, which is often overlooked. Looking beyond the women's immigration status, the nuances to the women's lived experiences were also identified in Chapter Five, which highlighted the strength that the women showed in managing painful experiences of abuse alongside the complex conditions that often surround their immigration status.

The discussion above has outlined how the framework of '(un)deservingness' has been applied to affected women by discussing how the state has failed to recognise the specific forms of abuse that migrant women often face in relation to their immigration status, and the complexity of the intersection of migration and domestic violence. It has also explored how the labels attached to holding an irregular immigration status may foreclose any other understandings and contextualisation of women's lived experiences in the context of domestic violence. The far reaching impact that having an irregular immigration may have on affected women was explored further in Chapter Six, as it may act as a powerful deterrent for women to even look for support. This indicates that there are potentially many women who are trapped, experiencing dangerous and sometimes life threatening domestic violence within the home, but are unable to seek any support. That said, when women do approach some services for support, their experiences are not always positive, a finding that supports existing research (see Anitha 2008;2011; Burman and Chantler 2005; HMIC 2015,2016; Price and Spencer 2015).

Women highlighted their difficulties in dealing with some lawyers, police forces and social services departments. In particular, Sara, Victoria and Nadia's accounts were used to map their help seeking journeys, and highlight the problems that arose when contacting these agencies for support. The data suggested that holding an irregular immigration status often situated the women as 'undeserving', and women were made to feel not only disposable by their abusive partners, but worthless and insignificant by some of the very

agencies that should help to protect them. For example, Nadia's narrative in relation to help seeking was framed around what passport she had, and how support had been declined on the basis of this.

In addition, the interviews revealed that there is a shocking lack of financial support for women with an irregular immigration status who experience domestic violence. It is however important to acknowledge the positive experiences that the women had with their support agencies, and the dedicated work of their support workers. The interviews with professionals also showed their utmost commitment to helping affected women, which is complemented by existing organisations such as Southall Black Sisters, who have campaigned for decades to highlight the plight of such women, and particularly those affected by NRPF (Amnesty International and Southall Black Sisters 2008; Southall Black Sisters 2013). As recognised at the beginning of this chapter as well as in Chapter Six, the NRPF clause continues to allow the state to abandon many migrant victims of abuse, and this often remains an insurmountable barrier for women to leave abusive relationships, at a potential cost to their lives. State policy currently only recognises the 'deserving' victim, however at what cost? Migrant women with an irregular immigration status will not only continue to suffer but are in domestic violence situations that pose grave danger to their lives because the state refuses to recognise them, in favour of their increasingly dangerous plans to exclude many of those deemed to be 'undeserving' through immigration controls.

To return now to the UK government's rhetoric and their 'simple proposition' that no woman should live in fear of violence, it appears that their failure to recognise the experiences of migrant women in the context of domestic violence in many ways legitimises the lack of state provision for this group of women (Home Office 2016a:4). Women who have citizenship, and those who have recourse to public funds who find themselves in abusive relationships are recognised as victims of abuse and have access to provision (although

Chapter Two and Chapter Six recognised that funding is still scarce for provision for any victim of domestic violence, as well as the problematic evidential requirements for those that are eligible for the DV concession under the DV rule). However some, including many of the women who featured in the research, remain ineligible for recourse to public funds, and are not recognised as victims of domestic violence. By failing to recognise affected women as victims, the state is complicit in the abuse that they experience and many women will continue to suffer in silence as a result.

The NRPF clause allows the UK government to silently condone the abuse that women with an irregular immigration status experience. Taking account of Galtung's (1975) work on structural violence, it is clear that the UK government's immigration controls, stigmatising rhetoric and increasing perpetuation of 'undeservingness' in relation to migrants forms an arsenal of weaponry used to inflict state violence on such vulnerable groups. Furthermore, the UK government seemingly cherry pick who they see as a 'victim' and who ultimately is seen as of value and 'deserving' of state recognition and support. The stigmatising rhetoric attributed to those holding an irregular immigration status appear to trump any ideas of who might be considered as a 'victim' of domestic violence. Similar arguments have been made in relation to trafficked women in the European Union, as Goodey argues that women's accounts of victimization are often pitched against and overridden by the '...skewed focus on the criminality of illegal immigration' (2003:422).

It should be noted that the use of the word 'victim' is not unproblematic, as Chapter One discussed. Many feminists have argued that such terms disempower women and fail to recognise their agency (Kelly 1993). This is indeed something that I too have deliberated over, as whilst the women interviewed disclosed their painful experiences of violence within the home, I also sought to highlight the ways that they were able to use their agency, even in very constrained circumstances. For example, the numerous

measures that women adopted in order to seek support, despite the catalogue of barriers that many experienced along the way, were highlighted in Chapter Six. Moreover, women also demonstrated their agency during the research process, as Chapter Three discussed. It is also important to acknowledge that by arguing that the women researched should be recognised as victims of domestic violence, this does not preclude them assuming other identities, such as that of being a survivor. The terms of a being a victim and a survivor do not have to form a binary. In fact, being classified as a 'victim' is not static and women may identify with this label only in the short term.

I engage with the term 'victim' critically. However, being positioned and recognised as a victim by the UK government may also be enabling. Whilst this thesis has sought to show the power and impact of labelling, particularly in relation to immigration status, it appears that whilst constraining in some senses, the label and state acknowledgement of being a 'victim' wields much performative power within public policy. By calling on the UK government to both recognise the women researched as victims of domestic violence and offer them financial support and provision, this can empower women by giving them the alternatives that many so desperately need. I note that this approach is not without criticism. Andrijasevic (2003) is critical of narratives of victimhood in the context of trafficked women, and argues that this may reinforce stereotypical gendered narratives, that detract from how trafficking is grounded in inequalities that are perpetuated by the immigration borders that increasingly demarcate European countries. Indeed, by focusing on how the impact of immigration labels plays out in the lives of affected women, I argue that the denigrating rhetoric and stigmatising draconian UK immigration controls that perpetuate such inequalities must be re-thought to challenge the current immigration system in the UK. Andrijasevic (2003) does concede that despite the problematic nature of the term 'victim', it is needed for women who are trafficked to access legal assistance in Italy. Thus, despite the problematic nature of framing women's experiences around 'victimhood',

such labels are important in order to allow women to be recognised and access vital funding in the context of domestic violence.

After a seemingly gloomy outlook, it may be questioned what can be done to help women with an irregular immigration status who experience domestic violence. The following ten policy recommendations serve to both recognise and propose extra measures of support for affected women. These recommendations became strikingly apparent whilst carrying out the research, as the gaping holes in the provision for affected women were exposed, not only by the women themselves but also by the professionals interviewed as part of the research. The women interviewed were strong and resilient, however they are often ignored and excluded in both scholarly research and policy. This thesis has served to create a fuller engagement with the stories of some affected women in the context of domestic violence. I believe that these recommendations are important in going some way to challenge the current UK stance that perpetuates ideas of 'undeservingness' of affected women, and which prioritises their irregular immigration status over their experiences of domestic violence.

#### *Policy recommendation one*

**The UK Government should recognise and promote a nuanced understanding of domestic violence and abuse, to include a specific acknowledgement of immigration related abuse.**

As discussed, this thesis has sought to draw attention to the intersection of holding an irregular immigration status and experiences of domestic violence and abuse. It has shown how this intersection can play out in particularly dangerous ways, leaving many women trapped in abusive relationships and unaware that there is support available. It has highlighted how the UK definition of domestic violence and abuse is limited. The definition does not



explicitly recognise how the abuse that occurs in the relationships of many migrant women with an irregular immigration status often includes not only coercive control, physical, emotional, sexual and financial abuse, but the abuse is also crucially centred around that of their immigration status. The labels attached to such immigration statuses are hugely denigrating to those affected, and they may serve as further weapons for abusive perpetrators in the context of domestic violence.

It is recommended that the UK government adapt their definition to include specific recognition of immigration related abuse. By not explicitly recognising this form of abuse, it may be argued that the UK government are contributing to an exclusionary rhetoric, which deems the rights of migrant women as lesser than those who are British or those who have status. Those who have an irregular immigration status are outside government recognition, and their experiences in relation to domestic violence are simply not accounted for, suggesting that many migrant women continue to be disregarded, invisible and crucially under the radar. The women will remain marginalised until more is done to recognise and take account of them.

As well as adapting their definition to include a more nuanced understanding of domestic violence, which is more reflective and inclusive of the demographic of migrant women in the UK, it is proposed that the UK government develop their campaigns to tackle domestic violence to include raising awareness of immigration related abuse. It is noted that the UK government have funded 'This is Abuse' and 'Respect Nobody' campaigns, which have been aimed specifically at 11-18 year olds to help them to understand the varying forms of abuse, including emotional abuse and control, and to raise awareness about sexual violence and consent (Home Office 2015c). These messages were delivered through a range of methods, primarily including television and radio adverts and some printed materials. The 'This is Abuse' campaign was deemed successful in helping to prevent teenagers from becoming victims or perpetrators of abuse, by raising their

awareness of the different types of abuse and how to seek support (Home Office 2015c). It is recommended that a similar campaign is adopted to reach out to migrant women, to help them to identify abuse, and to promote the recommended revisions to the UK definition of domestic violence and abuse.

The narratives revealed that some women were so isolated and controlled that they did not have access to a television, with some not being able to speak or understand English. However, it is hoped that such campaigns may enable some women to recognise abuse in their relationship by using clear messages such as 'is someone controlling your passport/immigration status?', and counteracting these messages in adverts that are able to display pictorially the issue of immigration related abuse, which may contribute somewhat to any potential linguistic barriers. These adverts would also be intended to inform perpetrators that their actions are abusive and a crime. Indeed, Damaris Lakin, a lawyer for the Crown Prosecution, pointed to a 'ground-breaking' moment in the Criminal Justice System, which found its first prosecution of a husband who brought his wife to the UK from Pakistan on a spouse visa, but treated her like a slave, subjecting her to severe abuse and forcing her into domestic servitude (The Guardian 2016). Perhaps this story signifies a small step in the government's approach to take the crimes suffered by migrant women more seriously.

Furthermore, it is hoped that the proposed campaign would also raise awareness of immigration related abuse amongst the general population, so others are more able to recognise this type of abuse and know where to direct a victim to seek support. Such campaigns are also likely to reiterate and communicate more specifically how domestic violence and abuse is defined and interpreted by the UK. Chapter Six has already identified how there are many cultural barriers that may impact on the help seeking behaviour of migrant women who experience domestic violence. It is hoped that a campaign targeted at this group will help to break down some of these barriers by helping to reduce the stigma that women often feel in reporting

the abuse, by communicating a clear message from the government that recognises migrant victims of abuse, and helps them to reach out and seek support.

*Policy recommendation two*

**The UK Government should work with both EEA countries and those outside of it to provide information about domestic violence and abuse, including immigration related abuse. This information should clearly set out how the UK defines these terms, and identify relevant support agencies. Information should be located in sending and receiving airports, as well as when applying for and receiving information related to a visa, for those migrants from non EEA countries (and other countries that may be affected by Brexit).**

Defining how the UK understands domestic violence and abuse to migrants is extremely important, as cultural and linguistic variations often mean that women do not know that what they are experiencing is abuse, and that it is considered as a crime in the UK. In particular, immigration related abuse should be included as this is a form of abuse that migrant women are susceptible to, and such information may increase their awareness of these practices regardless of whether they are experiencing it directly themselves.

A heightened awareness of how domestic violence is defined according to the UK, and how this can specifically affect migrant women may help to save lives. The narratives of the women not only identified gaps in terms of some recognising abusive practices, but also many were so completely isolated that they did not know where to turn to for support. By distributing information regarding support agencies, it is hoped that more migrants will recognise abusive behaviour as a crime, and something for which there is support available. It should be made clear that these support agencies can be contacted in confidence, and any Freephone numbers should be highlighted,

in recognition that many experience severe financial hardship, and are often financially controlled meaning that there is sometimes a financial barrier in being able to contact support services. It is recommended that this information is distributed at airports in both sending and receiving countries to heighten awareness of domestic violence and abuse. These may take the form of posters, placed for example in woman only spaces such as female toilets in airports, but will help to raise awareness and help women to learn that there is support available.

In addition to airports, it is recommended that such information is also distributed in the relevant language to those applying for visas to come to the UK. This idea has also been suggested by participants in Sullivan et al's study (2005), which advocated the dispersal of information related to domestic violence support before women enter their host country. Even if the woman is not experiencing the abuse or able to recognise that she may be experiencing the abuse, simply distributing the information may make her more aware and may resonate with her for the future, if any issues were to arise.

#### *Policy recommendation three*

**Domestic violence services carry out vital work to support women experiencing abuse under very challenging circumstances. The UK Government need to ring fence funding to these specialist services to ensure that they may continue to offer this support.**

Professionals continually outlined their frustrations at the turbulent climate for their organisations, as many struggle to continue with limited funding or support from the UK government. The government need to recognise the outstanding contribution that these organisations make to the lives of many women in crisis. This has hit a crisis point for many organisations, as refuges and support agencies are continuing to close because of the lack of

government funding. This had led Women's Aid to launch an 'SOS save refugees, save lives' campaign, in which they highlighted the staggering cuts to domestic violence refuges and specialist support services that help women and children who are victims of domestic violence and abuse (Women's Aid 2014). The report revealed a worrying pattern of tenders for domestic violence service and refuge contracts being given to non- specialist service providers (Women's Aid 2014). Women's Aid (2014) argue that this often puts cost saving measures ahead of the importance of the holistic and specialist services offered by domestic violence organisations. The closure of Eaves, a renowned women's organisation that provided domestic violence support to women and children for decades, is a recent example of this (Bindel 2015). This trend also appears to be part of a wider pattern that disregards the importance of specialist services, for example services that specifically support BME (Black, and Minority Ethnic) communities are under significant threat (Imkaan 2015). A report released by Imkaan, a black feminist organisation that helps to represent specialist front line domestic violence services, found that 67% of its members felt uncertain about the future of their organisation and the services it may offer, because of the ways that tendering is operated and increasingly won by non-specialist providers (Imkaan 2015).

In light of these findings, and existing reports on these issues, funding should be ring fenced in recognition of the vital and life-saving work carried out by such organisations. This research has identified the benefits of BME and other services directed to support the needs of women from particular countries or cultures, as well as those that serve to support all experiencing abuse. This reinforces the work of Burman et al (2004), whose research advocated the need for both culturally specific organisations as well as mainstream ones. In the UK government's 'Ending Violence against Women and Girls' strategy 2016-2020, they committed to dedicating £80 million to '...provide core support for refuges and other accommodation-based services, helping local areas ensure that no woman is turned away from the support

she needs. It will include specific provision for women from BME backgrounds, and innovative services for the most vulnerable with complex needs' (Home Office 2016a:11). It is hoped that the UK government recognise the significant contributions of feminist and BME organisations, and ensure that no more of these specialist services are lost.

In addition, the UK government should recognise the importance of outreach projects, which help to identify innovative ways to reach out to women experiencing domestic violence and abuse. As this project and other research has explored, many migrant women are particularly isolated with their movements strictly monitored by abusive partners, therefore diverse strategies need to be adopted to reach out to women who require support.

*Policy recommendation four*

**In recognition of the isolation that affects many domestic violence victims and particularly those with an irregular immigration status, there is a need to ensure the availability of English language courses, and other groups that support migrant women.**

By outlining the isolation that many women face, and the devastating and often life threatening consequences of this, it is recommended that the UK government continue to fund groups that support migrant women. In addition, many women explained how their lack of proficiency in English was a significant barrier in becoming aware of available support services, contacting such services and communicating their needs to others. It is vital that migrant women have access to language course, although it is important to acknowledge that abusive perpetrators may prevent such access.

David Cameron, during his time as Prime Minister, launched a strategy to test language skills after non EEA migrants have spent two and a half years in the UK (BBC 2016b), however his rhetoric was in danger of marginalising migrant

women by conflating some migrant's lack of fluency with acts of terrorism (Bates 2016). Whilst this has been widely criticised by a number of groups including the Muslim Women's Council alongside other politicians (Bates 2016), as well as migrant women themselves, the government need to address the needs of migrant women with sensitivity, and without marginalising and vilifying them. The governments 'Ending Violence against Women and Girls' strategy 2016-2020 committed £20 million worth of funding to help an estimated 40,000 women to learn English (Home Office 2016a). Whilst this funding is welcomed, it is important to be sensitive to the needs of this group of women.

*Policy recommendation five*

**Migrant women with irregular immigration statuses often remain trapped in abusive relationships because they are not able to access legal advice. It is recommended that Legal Aid is made widely available to migrant victims of abuse to help them resolve their legal issues, as well as increased regulation of the advice given to those seeking legal support.**

Professionals repeatedly stated the desperate needs of migrant women who require access to good quality legal advice, yet often remain in dangerous domestic violence situations because of their low socio-economic position, and lack of access to financial resources which would enable them to resolve their immigration issues. Legal Aid is available for some matters, such as asylum cases and some domestic violence cases (for example for those eligible to apply under the DV rule), and for some specific areas of family law such as non- molestation orders (REDRESS 2014; Rights of Women 2014). However, under the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), there have been significant cuts in the availability of Legal Aid for many (Rights of Women 2014). As a result, many women are forced to endure the domestic violence, or they are increasingly reliant on the financial support from third sector organisations, which often do not have the capacity

to offer this continued support. These agencies are already under immense strain and do not have this capacity. Therefore, it is recommended that the scope of Legal Aid is made more widely available to help all victims of abuse, but particularly those who need to resolve their immigration issues.

A legal professional, interviewed as part of the research, identified how many migrant women who experience domestic violence have limited options to regulate their immigration status. For many, the only application available to them to make to regularise themselves is a human rights application, which centres around their family and private life, for which there is simply no legal aid available (REDRESS 2014). Women must then try to make a case to receive exceptional funding, but the case must be deemed as such (Rights of Women 2014). The Immigration Law Practitioners' Association (2014) found that of the 746 applications made in 2013 for exceptional case funding, just 15 were granted. They argue that 'those lawyers who are prepared to do the "at risk" work involved in applying for exceptional funding are increasingly disheartened by the soul-destroying work of spending many hours putting together a lengthy and detailed exceptional funding application knowing that it has almost no prospects of success' (Immigration Law Practitioners' Association 2014:3). It is also feared that this will put off many from applying in the first place, meaning that these pots of money may simply disappear (Immigration Law Practitioners' Association 2014). Indeed, a report by REDRESS outlined how '...in order to qualify for exceptional case funding, exceptionality means "truly exceptional" (2014:7). The professional outlined that the exceptionality threshold is ever increasing, meaning that victims of abuse are going unnoticed and potentially further underground, due to the lack of available options open to them.

In addition, the research findings identified that both professionals and women were dissatisfied by some of the legal advice given, with some believing it to be incorrect. It is recommended that such services need to be regulated to ensure fair and correct legal advice is given with regard to



immigration cases, as well as a better understanding of the DV Rule, and women who may be eligible for it.

Furthermore, women should be made aware if the human rights framework would allow them to access rights and justice, as this may be an avenue for some women to seek protection on an international level, that supersedes the state.

*Policy recommendation six*

**The UK government's categorisation of migrants with an irregular immigration status, and their subsequent exclusion from the welfare state through the NRPF barrier is creating substantial problems for migrant victims of abuse. The government should abolish this damaging and denigrating clause, or at the very least expand the eligibility criteria for the DV rule and DDVC to include other groups of women (such as visa overstayers that overstay on non-spouse visas) who are affected by NRPF.**

It should be noted that pioneering organisations such as Southall Black Sisters and others as well as many feminists have heavily campaigned for decades to abolish the NRPF clause. As this project has shown, the implications of having an irregular immigration status and no entitlement to public funds leaves victims of abuse between a rock and a hard place. This normally involves living with a dangerous perpetrator, enduring severe abuse, or fleeing and risking destitution and poverty.

The NRPF clause has far reaching implications for victims and conflicts with the state's responsibility to protect those experiencing domestic violence. It is however important to recognise that whilst campaigns and recommendations should continue to highlight the damaging implications of such measures, the reality of having the NRPF ban lifted in the current climate is limited.

Anderson (2015) and Spencer (2011) have recognised that the labelling and restrictions of migrants' rights is pervasive and the UK referendum around whether the UK should stay in the EU, and also the humanitarian crisis in Syria have only intensified such debates. Whilst the currently hostile political climate in relation to migration may mean that the chance of the NRPF clause being lifted is small, this should not undermine the recommendation itself. It has already been noted that organisations such as Southall Black Sisters amongst others have campaigned heavily over a number of years, raising awareness of the detrimental impact of the NRPF clause on migrant women with insecure immigration status, however there has been some movement through the implementation of the DV rule and subsequently the DDVC. Thus, it is important to remain hopeful and resilient in campaigning for the rights of migrant women experiencing domestic violence, particularly in the face of adversity.

In awareness of the limitations of the NRPF clause being lifted in the current political climate, as a shorter term goal, it is recommended that the eligibility criteria for those applying for leave under the DV rule, and who apply to access public funds under the DDVC is expanded. The eligibility criteria should not only include those who hold (or overstay) on spouse visas, but also those who arrive and overstay on other types of visas. The narratives of the women researched have shown how the intersection of having an irregular immigration status and experiences of domestic violence may be extremely complex, and their situations were further complicated by the lack of access to financial and legal assistance because of their immigration status and visa type. At the very least, the concession should include more flexibility in considering on a case by case basis the applications of those on other visas, by taking into account the merits of accepting them under the concession. The government's simplistic notion between those who have status, and those who have an irregular immigration status fails to account for the complexity of factors such as domestic violence, and without proper engagement with

such accounts, many women will continue to experience life threatening abuse.

*Policy recommendation seven*

**Those seeking asylum in the UK should be allowed to undertake paid employment and their applications should be processed quickly.**

The thesis has highlighted the difficult living conditions of those who have overstayed their visa, and have since made asylum applications. Their lives are often complicated by poverty and severe anxiety related to the sense of fear around the potential impermanence of their stay in the UK. Patience's narrative explained that the restrictions on her being allowed to undertake paid employment when seeking asylum was causing her family to live in severe poverty. These restrictions also impacted on Patience's family life and heightened the sense of insecurity experienced by her children. She believed that those seeking asylum should be allowed to work as this would not only enable her to lift herself and her family out of severe financial hardship, but also enable her to feel that she was making a '*contribution*'. Gower (2016) points out that an amendment to the Immigration Bill 2015-16, which proposed an extension of the rights of asylum seekers to work, was voted in favour at Lords Report stage. The current rules stipulate that those seeking asylum may only apply for permission to work if they have been waiting longer than 12 months for a decision to be made, and if this is through no fault of their own. They are also limited on applying for jobs that are deemed to be of a skill shortage in the UK (Gower 2016). It is therefore recommended that the restrictions on working are lifted, or at least reduced from 12 months, to enable those seeking asylum to seek employment.

Chapter Five found that those women who had made asylum applications felt that time had been taken away from them, as they were waiting in a state of

limbo for a decision to be reached on the outcome of their application. Existing research identifies the ways that time is stolen from those who are undocumented, as they wait for lengthy periods for the outcome of their immigration applications, which often have severe implications of such measures on the health and wellbeing of many asylum seekers (Griffiths 2013; Andersson 2014). Thus, it is recommended that the processing of applications is quickened, with more resources being put into not only the speeding up of the processing of applications but also the quality of decision making.

*Policy recommendation eight*

**Statutory agencies such as the police and social services need to be more aware of the rights and constraints of women who have an irregular immigration status and experience domestic violence and abuse.**

Existing narratives of women within the Chapter Six pointed to their feelings of disappointment and feeling let down by the police. Although it is not the role of this research to verify such claims, it is concerning that victims' expressed little faith in the police. It is vital that victims of abuse do not lose their faith in such necessary and often life-saving services.

Similarly, numerous women and professionals also expressed concerns with the way that they are dealt with by social service departments. In particular, when women had NRPF, it was repeated again and again that it was incredibly challenging to access funding under the 1989 Children Act, and many faced a hostile environment when approaching these services. Many professionals reported women being turned away after approaching social services for support. Victoria's narrative highlighted how she was only offered a plane ticket back to their country of origin and no further financial support.

Some professionals also pointed to a concern with regards to how women from different nationalities experience interactions with social service departments. It is recommended that the government support social service departments better so that they can appropriate the right amount of time and resources to support the needs of all those who seek support. It is however a recommendation that social services consider the damage that turning away women with NRPF can do, as women and children suffer the consequences and insecurity of having no financial support, potentially heightening the risk of them returning to abusive partners.

*Policy recommendation nine*

**The UK government should reconsider the implication of the Immigration Act (2014) on the rights and lived experiences of migrants.**

Women and professionals have outlined their fears around recent legal measures that the government are introducing, such as the Immigration Act (2014). The state is again making second class citizens out of some, whilst forcing others further underground. The tightening up on access to health care services, and other measures such as the obligation of landlords to check immigration statuses, are reinforcing the tiers of citizenship, inclusion and exclusion, which the earlier discussion on labelling identified. For example, not only does the labelling of citizens and migrants serve to position them in an inclusionary or exclusionary rhetoric, but it also excludes some further by forcing them out of particular services such as the NHS, at great detriment to their health. Indeed, the UK government's 'Ending Violence against Women and Girls' strategy 2016-2020 (Home Office 2016a) identified the paramount importance of health care workers in detecting victims of domestic violence and abuse, and offering support at an early stage. However, migrant victims of violence are increasingly unlikely to approach health care services as a result of this change in law, and therefore possibilities of early detection and support are severed.

The Immigration Act (2014) also leaves some more vulnerable to exploitation as they may be at the mercy of unscrupulous landlords who are potentially willing to charge large amounts for substandard living accommodation, in exchange for their silence in not reporting any of those who hold an irregular immigration status to the authorities. It is also highly concerning as these measures have started to put the power of policing migrants in the hands of ordinary citizens, such as landlords.

*Policy recommendation ten*

**The UK government should ratify the Convention on preventing and combating violence against women and domestic violence (otherwise known as the Istanbul Convention) to protect all victims of domestic violence.**

The Council of Europe (2011) outlined the purpose of the Istanbul Convention, which is committed to protecting all victims of domestic violence and abuse, and ensuring adequate measures for their protection. It acknowledges the disproportionate impact of domestic violence on women. (Council of Europe 2011). The convention was introduced in 2011 and signed by the UK in June 2012, however it has still not been ratified by the UK government (Woodhouse and Dempsey 2016). The UK government had responded to calls to ratify the Istanbul convention by explaining that whilst they are committed to the convention, they will not commit to ratifying it until they are able to comply with all articles (Woodhouse and Dempsey 2016). It is disappointing that such commitments have not been followed up by the UK government, and this thesis strongly calls on them to affirm their promise to protect victims of abuse by ratifying this convention.

## **Further work**

The above policy recommendations have served to highlight the needs of those affected by holding an irregular immigration status in the context of domestic violence. The women often remain invisible to the state. This thesis has mapped not only some of the women's narratives but also considered what measures should be put in place to provide further support and protection to this group. Whilst this thesis has shed light on this important yet under researched group, it may also be considered what further work could be undertaken in the future to expand the knowledge gained here.

This research was carried out prior to two notable events that have occurred recently, and which have attracted much political and public debate. The 'humanitarian crisis' noted earlier in this chapter in relation to the death of the toddler Alan Kurdi, and the British Exit (Brexit) from the EU have perpetuated and often polarised opinions on migrants. It appears that the discussion on how many migrants and which groups of migrants are 'welcome' and seen as 'deserving' continues, as the UK government must now negotiate how it untangles itself from the EU. It appears that no group of migrants is immune to the 'deserving/undeserving' binary, as the current UK Home Secretary Amber Rudd recently announced her proposal for new requirements for businesses to release information regarding the amount of non- British workers that they employ, suggesting that all migrant groups are now a 'target' for immigration control (BBC 2016c). Whilst this research grounded the experiences of the women in the wider political context, these more recent events have deepened the political debate around '(un)deservingness'. After reflection, I believe that further research should explore whether these political developments have had an impact on how female irregular migrants regard themselves, and on their lived experiences in the context of domestic violence.

## **Final remarks**

It is a privilege to have met such inspirational women during the course of the research, both those who work in advising and supporting affected women, as well as the women who directly experienced domestic violence and abuse, and who so generously shared their experiences with me. The women, having endured such hardship and severe abuse, have continued to fight for their rights in the face of much adversity. The intention of this thesis was to help to contribute to their fight for justice, and to recognise that underneath many of the labels that are ascribed to them, they are ultimately human beings who are in need of state protection and support. By placing the narratives of affected women at the pinnacle of this thesis, I have sought to put the experiences and needs of such women firmly on the radar. They are recognised.



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