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**Family Secrets and Social Silence: women with insecure  
immigration status and domestic abuse policy in Scotland**

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**This thesis is submitted in fulfillment of the requirements for the  
degree of PhD within the University of Glasgow**

**School of Social and Political Sciences**

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## Abstract

In recent decades, domestic abuse has been transformed from a private concern and personal tragedy into a key public issue across the globe. In the UK this has culminated in a contemporary policy focus on violence between intimate partners as one of a multitude of forms of violence against women. Consequently, much research has focused on the abuse of women in intimate relationships in attempts to understand the problem and formulate appropriate state responses to it. Feminist principles have guided much of this work, and both devolved and central UK governments accept the feminist analysis of the problem: domestic abuse is the result of perpetuating gender inequalities in the social, public realm. Public services such as health, education and social work, as well as the criminal justice system, seek to respond to the needs of women fleeing their abusive partners, and public money covers the cost of many Women's Aid refuge places. However, some women's immigration status precludes access to publicly funded services, and subsequently their options for support and ability to exit abusive relationships is constrained. Despite overt policy statements which recognise the universal nature of domestic abuse and the way in which it will affect very high proportions of women irrespective of their race, colour or creed, state support is therefore conditional.

The experiences of women who are prevented from automatically accessing public services because of their immigration status has become of increasing concern in the Scottish context since the dispersal of thousands of asylum seekers during the last decade, as well as the rising number of women entering the country on spousal visas. This study therefore examines experiences of help seeking and escape from abusive relationships from the perspective of this particular group of women. Of central concern is the process of problematisation: the way in which issues are transformed from private matters into public concerns, warranting state intervention and investment, and the way in which this transformative process shapes the policies which proceed from it. Therefore, the study investigates the problematisation of domestic abuse in Scotland; the avenues of support it offers as a result of this process; and how this very problematisation shapes women's personal experiences of help-seeking and escape from abusive partners. First a comparative discourse analysis of documents from Scotland and New Zealand illustrates how different definitions of 'the problem' result in differentiated public responses; then, drawing on data collected during in-depth interviews

with participants at policy level, workers in support services, and individual women themselves, women's journeys through and away from abusive relationships, as well as the social and political contexts which shape them, are discussed. Two key themes emerge from this piece of research: the operation of *silences* within a policy context; and the way in which this is dominated by *hierarchical values, systems and processes*. The thesis concludes that there is scope for a practical application of the findings which could enrich policy understanding and output in Scotland, to the benefit of women who are, at present, one of the most marginalized groups in Scottish society.

## Acknowledgements

This thesis is the culmination of a decade of academic study, a ten-year journey I embarked upon initially as a mature student at night classes, encouraged by a dear friend who thought that it might distract me from the difficulties I was experiencing at the time. Distract me it certainly has. The first thanks must therefore go to Elaine Bell, for being there then, and for being here still. I'm enormously blessed to have so many good friends and supportive colleagues who have helped - and at times dragged - me through, especially Eleanor Bindman and Filippo Trevisan. A very special note of thanks goes to my brother in law Rick Watson, who provided a critical piece of inspiration at exactly the right time. And also to Phil, who cured me.

My three children, Beth, Molly and Sam, have grown into wonderful young adults during these years, and I owe them my unending love and gratitude for tolerating my occasional physical absence, and rather more frequent mental absences from their lives. I could not have done any of this without their patience, support and unflagging belief in their mum, which sustained me through the many bleak moments.

It goes without saying that I'm so very grateful to all the participants who took part in this research, and my deepest thanks go to the women who shared so generously their stories of abuse and survival, which were both painful and triumphant. I am in awe of their fortitude.

Very special thanks to my supervisors, Mhairi Mackenzie (whose name I can finally spell) and Susan Deeley, for their constructive and insightful feedback on my work. And also for occasional hand holding and glasses of wine.

During this ten year journey, I lost both my parents. I continue to miss them every single day. The completion of this thesis used every scrap of my energy at times, every ounce of my tenacity and determination. I have persevered because that is what they taught me to do. I know how very proud of me they would have been.

## **Author's declaration**

I declare that, except where explicit reference is made to the contribution of others, this dissertation is the result of my own work and has not been submitted for any other degree at the University of Glasgow or any other institution.

Signature: .....

Printed name: .....

<b>Contents</b>	<b>Page</b>
Abstract	2
Acknowledgements	4
Author's declaration	5
List of appendices	11
Tables and figures	12
Publications and additional projects	13
<b>Chapter 1          Introduction</b>	<b>14</b>
<b>Chapter 2          Domestic abuse policy in the UK</b>	<b>18</b>
2.1          Introduction	18
2.2          Tracing the contours	19
2.3          A problem of definition	24
2.3.1          Micro level theories	25
2.3.2          Macro level theories	27
2.3.3          Policymaking and feminism	30
2.4          The problem with definition	38
2.5          Silence and secrecy	41
2.5.1          Private silence	41
2.5.2          Public silence	43
3          Conclusions	45
 <b>Chapter 3          Immigration and asylum in the UK</b>	 <b>48</b>
3.1          Introduction	48
3.2          World in motion	50

3.2.1	The human perspective	51
3.3	Asylum in the UK	53
3.3.1	Glasgow's story	58
3.3.2	Impacts of dispersal on service delivery	60
3.4	Constructing 'asylum seekers' and 'persecution'	62
3.4.1	Women and forced migration	64
3.4.2	Gender and asylum in the UK	67
3.4.3	Women, immigration and domestic abuse	70
3.4.4	Seeking help	73
3.4.5	Finding support	77
3.5	Unity and diversity	79
3.6	Conclusions	83
<b>Chapter 4</b>	<b>Research design and methods</b>	<b>85</b>
4.1	Introduction	85
4.2	Aims of the research	85
4.3	A methodological framework	87
4.3.1	A feminist approach	90
4.4	Theoretical framework	92
4.5	Methods	94
4.5.1	Phase one: discourse analysis	94
4.5.1.1	Selecting a comparative country	95
4.5.1.2	Selecting comparative documents	96
4.5.1.3	Analysis of the documents	97
4.5.2	Phase two: interviews	99
4.5.2.1	Recruiting participants	99



4.5.2.2	Women with insecure immigration status	102
4.5.2.3	Support and policy workers	104
4.5.2.4	Sampling strategies and generalisability	105
4.6	Analytical approaches	107
4.7	Reflexivity and the research process	109
4.7.1	The person and the professional	110
4.7.1.1	My own “basket of privileges”	110
4.7.1.2	Collusive silence? The role of the researcher	113
4.8	Ethical considerations and dissemination	114
<b>Chapter 5</b>	<b>Constructing national definitions</b>	<b>117</b>
5.1	Introduction	117
5.2	Contemporary policy contexts	118
5.2.1	New Zealand : family violence	119
5.2.2	Scotland: domestic abuse	121
5.3	Public constructions of private abuse	123
5.3.1	Defining abuse	123
5.3.2	Defining those at risk	129
5.4	Public relationships	132
5.4.1	The personal: the state and the individual	132
5.4.1.1	Creating ‘others’	136
5.4.2	The civic arena	142
5.4.2.1	Society	143
5.4.2.2	Community and community organizations	146
5.4.3	The political: the role of the state	150
5.5	Conclusions	151

<b>Chapter 6 Definitions in action</b>	<b>155</b>
6.1 Introduction	155
6.2 Political definitions	156
6.3 Professional perceptions and personal experiences of abuse	159
6.4 Hierarchies of abuse	163
6.4.1 Hierarchies of abusive behaviour:	
the prioritization of physical abuse	164
6.4.2 Politically imposed hierarchies:	
immigration vs domestic abuse	169
6.4.3 Human hierarchies: the prioritization of	
Children and the division of women	172
6.5 Fragmented journeys	174
6.5.1 Disclosure	175
6.5.1.1 Disclosure:	
informal networks and public services	177
6.5.2 Help seeking	181
6.5.2.1 No recourse to public funds	183
6.5.3 Escape	187
6.5.3.1 Sacrifices	190
6.5.3.2 Perseverance	192
6.6 Conclusions	194
 <b>Chapter 7 Family secrets and social silence</b>	 <b>197</b>
7.1 Introduction	197
7.2 Protective silences	198

7.2.1	Self-protection	199
7.2.2	Protecting others	201
7.2.2.1	Children	201
7.2.2.2	Family and friends	203
7.3	Coercive silences	204
7.3.1	Enforced non-verbalisation	204
7.3.2	Language	206
7.3.2.1	Interpreters	207
7.3.2.2	Culture of language in the immigration system	209
7.3.2.3	The public realm and professional practice	212
7.3.2.4	Mediating enforced non-verbalisation	215
7.4	Legacies	218
7.5	Conclusions	220

## **Chapter 8 Weaving the threads together: discussion and conclusions**

8.1	Introduction	223
8.2	Hierarchies	224
8.3	Silences	225
8.4	Intersectionality	230
8.5	Reflections on the research process	233
8.6	Limitations of the study	234
8.7	Conclusions: contribution to theory, policy and practice	237
	<b>References</b>	<b>241</b>
	<b>Appendices</b>	<b>258</b>

<b>List of Appendices</b>	<b>Page</b>
1 Thematic framework for document analysis	258
2 Application of thematic framework to documents	260
3 Information sheets: women, support and policy workers	262
4 Consent form	266
5 Interview theme guides: women, support and policy workers	267
6 Thematic framework for interview transcript analysis	269
7 Application of thematic frame to interview transcripts	271

<b>Tables and Figures</b>	<b>Page</b>
1 The UK asylum framework	53
2 No recourse to public funds	73
3 Women on spousal visas	75
4 Addressing the research questions and objectives	87
5 Diagram 1: Silences and intersecting journeys	229
6 Diagram 2: Intersecting factors shaping experiences of help-seeking and public responses	232

## Publications and Additional Projects

During the time taken to complete this thesis, I have also contributed to two external projects. The first was a piece of research which took Dixon Woods *et al*'s (2006) concept of candidacy, which describes access to and utilization of health service as a multiple stage process, and explored its application beyond the domain of health. Using a critical interpretive approach to the existing domestic abuse, health education and environmental services literatures, it assessed its potential for relevance and applicability to these alternative public domains. This resulted in two journal articles:

Mackenzie M, Conway E, Hastings A, Munro M and O'Donnell C (2012), "Is 'Candidacy' a Useful Concept For Understanding Journeys Through Public Services? A Critical Interpretive Literature Synthesis", *Social Policy and Administration*, in print.

Conway E, Mackenzie M, Hastings A, Munro M and O'Donnell C (2012), "Intersections and multiple 'candidacies': exploring connections between two theoretical perspectives on domestic abuse", *Violence Against Women*, under review.

The second project was a three month internship with the Scottish Government, during which I conducted a review of the literature relating to the concept of resilience and in relation to adults who had experienced abuse as children in institutional care. This was published as part of the Scottish Government's Social Research Programme:

Conway E (2012), "Uncertain Legacies: Resilience and Institutional Child Abuse, A Literature Review", Edinburgh: The Scottish Government.

## **Chapter 1**      **Introduction**

Recent decades have seen the transformation of domestic abuse from a private concern and personal tragedy into a key policy issue of cross-party political concern, culminating in the contemporary UK-wide focus on intimate partner violence as one of a multitude of forms of violence against women. Prompted by the strengthening global women's liberation movement during the 1970s, women's collectives in many countries, including the UK, began to establish secret safe houses within local communities to which women who were being physically violated by their husbands could flee with their children. Underpinned by the ethos of 'women helping women', from these early roots grew Women's Aid and its network of refuges which continue to provide safe haven for thousands of women every year who experience abuse at the hands of men who claim to love them.

During the last three decades, a great deal of research has focused on the abuse of women in intimate relationships, in attempts to quantify and understand the problem. Feminist principles have guided much of this work, and both the devolved Scottish Government and central Westminster parliament accept the feminist analysis of the problem: domestic abuse is the result of perpetuating gender inequalities in the social, public realm. Public services are expected to respond to the needs of women fleeing their abusive partners, and state interventions through health, education and social work services, as well as the criminal justice system, have been promoted by successive governments, while public money covers the cost of many Women's Aid refuge places.

Nevertheless, many women continue to struggle to find appropriate support, and concern persists about the ease with which women are able to disclose to outside agencies and access aid to enable them to leave abusive partners. For some women, use of public services is expressly restricted and this includes women who are subject to immigration control. Insecure immigration status precludes access to public funds for many, and subsequently those who experience abuse find their options for support and ability to exit from abusive relationships are constrained. Despite overt policy

statements which recognize the universal nature of domestic abuse and the way in which it will affect very high proportions of women irrespective of their race, colour or creed, state support remains conditional.

The basic premise of this thesis is that the problematisation of social issues - the process by which they are transformed from private matters into public concerns, warranting state intervention and investment - is fundamental to the policies which proceed from it. Of prime importance is problem definition: how an issue is publicly perceived shapes state responses to it. Therefore, what an individual state believes 'domestic abuse' to be will influence how it responds to the issue. In the absence of a single, universal, internationally accepted definition of the problem, the terminology used to capture and describe it has proliferated and deviated between different countries, resulting in varying national definitions which seek to identify the root causes of this critical issue, and these varying definitions inform diverse state interventions. The first two research questions in this thesis therefore relate to this process of problematisation:

- How is domestic abuse 'problematised' by the state in Scotland?
- How do the policies which proceed from this process of problematisation provide and shape escape routes for women from abusive relationships?

The experiences of women who are precluded access because of their immigration status has become of particular concern in the Scottish context since the dispersal of thousands of asylum seekers in the last decade, as well as the rising number of women entering the country on spousal visas. This study examines the central research questions from the perspective of this specific group of women, and in particular those who are resident in Glasgow, the only Scottish city to date which participates in the asylum dispersal programme. The final research question is therefore:

- What are the consequences of exclusion from public service provision for women with insecure immigration status who experience domestic abuse?



The following two chapters discuss the academic literature relating to domestic abuse, and immigration and asylum, setting out the theoretical framework within which the research was conducted. The first includes an examination of different theories of domestic abuse, the challenges of policymaking in this field, and the implications for women whose experiences of male partner violence fail to match public definitions of abuse. The second identifies the particular issues faced by women with insecure immigration status who experience abuse by their partner, contextualizing this within the current UK framework of immigration and asylum policy, and outlining the ways in which the state has sought to provide support to some women in specific circumstances. This chapter also describes the way in which the homogenization of women from disparate backgrounds impacts on individual women, and suggests an intersectional approach as a means to better understand women's experiences.

Chapter Four describes the epistemological and ontological standpoints of this piece of research, and draws on feminist methodology to justify the selection of methods, and the conduct of the fieldwork. The research questions, aims and objectives of this study are described, and ethical considerations addressed, with reference to both the subjects of the study and the researcher.

The subsequent three chapters discuss the findings from each phase of the fieldwork. Given the diversification of national understandings and approaches to tackling domestic abuse, Chapter Five outlines a comparative analysis of policy documents from Scotland and New Zealand, offering an assessment of whether different problem definitions result in different state responses. Two key themes which emerged from the application of critical discourse analysis to the contents of the documents are described: the existence of a variety of hierarchies, and the presence of multiple silences in the policymaking process. These are further investigated in Chapter Six, which draws on data collected during in-depth interviews with participants at policy level, workers in support services, and individual women themselves. This reveals systems of categorisation of women which mediate their access to support services

and are influenced by tensions between the devolved administration in Scotland and central government at Westminster. This chapter also reflects on women's journeys through and away from abusive relationships, and examines the social and political contexts which shape them. The final findings chapter is a deeper exploration of the multiple silences which surround domestic abuse, especially for women with insecure immigration status, and the way in which their verbalization is controlled and mediated by the state, in stark contrast to indigenous Scottish women. Finally, Chapter Eight discusses the theoretical and policy implications of the two key themes which emerge from this piece of research: the operation of *silences* within a policy context which is dominated by *hierarchical values, systems and processes*. This chapter concludes by discussing the implications for policy of the findings of this thesis, arguing that there is scope for a practical application of the findings which could enrich policy understanding and output in Scotland, to the benefit of women who are, at present, one of the most marginalized groups in Scottish society.

## Chapter 2      Domestic Abuse Policy in the UK

### 2.1    Introduction

Physical violence between intimate partners has always been a feature of interpersonal relationships. Historically, this violence was generally judged to be a private issue, arguably seen as an inevitable element of marital relations and firmly the preserve of the family. As such, male-on-female intimate partner violence was sacrosanct as far as state intervention was concerned, although regulated insofar as ‘reasonable chastisement’ of wives was permitted by law until 1891 (Doggett, 1993). However, despite being socially normalized thus, women did not necessarily passively accept and bear abuse and violence within their personal relationships, and there is evidence throughout previous centuries that individual women challenged brutal and dangerous men, seeking protection via the courts, although not always successfully (*ibid*). First wave feminism, which developed throughout the 19<sup>th</sup> century and is most readily associated with a sustained and ultimately successful campaign for women’s political enfranchisement, perceived marital violence as a cause for concern (Mooney, 2000). However, the advent of second wave feminism, emerging after the Second World War and strengthening alongside the civil rights movement in America, sought to offer an analysis of gender inequality that went beyond an absence of rights in discrete social and economic spheres. A groundswell of grassroots activism in the UK since the 1970s has seen an informal network of safe houses expand into an organized system of refuges, largely operated under the auspices of a prominent third sector body, Women’s Aid, and a proliferation in support services offered by both voluntary and public sector bodies (Bograd, in Yllo and Bograd (eds), 1990; Malos, 2000; Hague and Malos, 2005). A variety of feminist perspectives has since emerged, including Black, radical and postmodern strands, offering a range of gendered analyses of society. Despite differing perspectives, feminists fundamentally concur that the roots of domestic abuse lie in political systems and social institutions which create and perpetuate gender inequality (Phillips, 2006; DeKeseredy, 2011).

Feminist campaigning has been key in securing social and political acknowledgement of the scale and scope of the problem, resulting in legislative measures that criminalize rape within marriage and attempt to place assault of a partner on a par with that of a stranger (Mooney, 2000). The issue, persistently seen as resolutely private in the past, has been redesignated a public problem: what was historically personal has now become political. Although ‘domestic abuse’ *per se* is still not a criminal act, it is now firmly on the policy agendas of both the Scottish and UK governments (Smartt and Kury, 2007; Walklate, 2008).

This chapter outlines the contemporary conceptualisation of domestic abuse in the UK and key policy responses to it. It aims to summarize the main theories which seek to explain the phenomenon, and to offer a critique of their contentions. Drawing on feminist theory, it will identify some of the particular difficulties inherent in defining domestic abuse at a policy level, and examine some of the potential implications for women whose personal experience of male violence in their lives may fail to match these public definitions. Finally, it will describe the way in which individual women’s experiences of domestic abuse, and state responses to them, are constrained and controlled across personal, social and political spheres.

## 2.2 Tracing the contours

Since the first UK women’s refuge opened its doors in Chiswick in the early 1970s, the acute nature of domestic abuse as a social problem has gained cross-party political credence and has led to a foregrounding of the issue in public policy (Connelly and Cavanagh, 2007). State intervention is ostensibly validated by offending rates that indicate domestic abuse constitutes a quarter of all recorded violent crime, leading to the death of two women per week in the UK, and rising disclosure rates reflected in a year on year increase in calls to national Domestic Abuse Helplines (Smartt and Kury, 2007; Women’s Aid, 2009). This has been matched by a corresponding expansion in academic research which has sought to explain and understand the nature and causes

of violence in intimate relationships. In contrast to the non-interventionist approach of previous centuries, contemporary policy documents outline a strategy based on prevention, provision and protection in England and Wales (Home Office, 2009), whilst in Scotland a fourth 'P' - participation - is also incorporated (Scottish Government, 2009). Both governments acknowledge that abuses occur in same-sex relationships, and are occasionally instigated by women towards men. However violence perpetrated by a male towards a female partner or ex-partner is the main target of policy initiatives. Such attention is warranted by statistical evidence that indicates the overwhelming majority of violent incidents, between 85% and 90%, fall into this category (Johnson and Ferraro, 2000; Smartt and Kury 2007); and that approximately seven percent of women report experiencing an incident of domestic abuse in England and Wales each year (British Crime Survey, 2009/10). Furthermore, both governments have moved in recent years towards a conceptualisation of domestic abuse as being part of a broader spectrum of behaviours which are differentiated from other forms of violent conduct because of their gendered nature: "...men who hurt women they know" (Howe, 2006, p408) is thus seen as one aspect of a bigger picture, a component of the overarching problem of violence against women and girls (Home Office, 2009; Scottish Government, 2009).

However, although proactive public engagement with domestic abuse as a social issue has recently become embedded in the policy agenda, delineating firm contours of the problem remains elusive. Research in the last two decades has extended the range of behaviours identified as abusive, and as relationships have come under increased scrutiny by individuals, institutions and state - reflected, for example, in the intense and continuing debate surrounding divorce, lone parenthood and 'family' - notions of acceptable conduct within them have been modified. Physical violence is increasingly seen as unacceptable in any form, irrespective if it results in physical injury, and, alongside strategies which have attempted to raise public awareness and encourage women to come forward for help, physical assault against intimate partners was criminalized in the Domestic Violence, Crime and Victims Act, 2004, which: "...gave

the clear signal that domestic violence was to be treated as seriously as violence between strangers.” (Walklate, 2008, p41).

Rising social intolerance of physical abuse in personal relationships has been matched by increasing understanding of the mechanisms of violent relationships. This has led to recognition of controlling and threatening behaviours which almost always underpin physical abuse, and which can ensnare women in injurious relationships even in the absence of physical assault. Consequently, psychological means of damage are now designated abusive: coercion, manipulation and restriction to resources such as finance or social contact, for example, are all identified as abusive conduct (Mullender, 1996; Abrahams, 2007; Women’s Aid, 10/07/12; Scottish Government, 2009). As a result, the Scottish Government identifies domestic abuse as incorporating physical, emotional, financial, psychological and sexual elements (Scottish Government, 2009). While this can be seen as a positive step towards understanding the interlaced patterns of behavior that bind women into abusive situations - and subsequently lead to effective support services that might enable them to unpick themselves from damaging relationships - the intangible nature of some abuse, particularly psychological and emotional manipulation, obscures a firmer delineation and thus definition of ‘the problem’. This is reflected in the Scottish Government’s description of domestic abuse as: “actions which harm or cause suffering or indignity to women and children, where those carrying out the actions are mainly men and where women and children are predominantly the victims” (Scottish Government, 2009, p7).

This offers one explanation of the difficulty in quantifying the actual depth and breadth of the issue: it is estimated that between 10% and 50% of all women will experience *some form* of violence in their lives, while between 25% and 50% of women will experience violence from a partner at least once in their lifetimes (Women’s Aid, 10/07/12; Scottish Government, 2009; Home Office, 2009; WHO, 5/01/10). Most figures, however, are drawn from reported incidents, particularly those involving the police, which are subsequently recorded in national crime

statistics. Yet these figures are based on behaviours which constitute a potential or actual crime, often physical or sexual assault, meaning women who live with emotionally or psychologically controlling and manipulative men will not be incorporated into official statistics, making quantification all the more difficult. Furthermore, a distinction must be made between reporting rates and incident rates: it is widely accepted that physically violent incidents alone tend to be acutely under-reported to the police or to medical services especially if physical injuries sustained are insufficient to merit treatment. Even if a woman seeks medical assistance, voluntary disclosure rates are low, medical and nursing staff frequently fail to link injuries to domestic abuse, and, even if a verbal disclosure occurs, recording practices may not reflect that injuries presented are an outcome of domestic abuse (Richardson *et al*, 2002). An acute reluctance to disclose is indicated by figures which suggest a woman will experience an average of thirty-five physical assaults before she reports the violence and this is indicative of complex barriers which stand in the way of disclosure to statutory or voluntary support services (Yearnshaw, 1997, in Starmer, 2001)). Dobash and Dobash suggest that as few as 2% of violent domestic assaults are ever reported to the police and are subsequently incorporated into official statistics: “...under-reporting and under-recording mean that the vast majority of this violence remains hidden” (in Stanko (ed), 1994, p14).

Thus the “perennial problem of underreporting” (Harwin, 2006, p558) cautions against reliance on recorded physically violent events as an accurate reflection of the scale of the problem; trust in official estimates must be tempered with an understanding of the hidden, cumulative and secretive nature of violence and abuse, which hampers women’s disclosure even to their closest family and friends (Dobash and Dobash, in Stanko (ed), 1994; Smartt and Kury, 2007). These considerations, along with the possibility that there will be a further invisible and therefore unquantifiable number of women who have exited dangerous relationships without seeking any formal support in the public sphere, mean an accurate statistical measurement of the problem is extremely difficult to ascertain. Furthermore, despite the inclusion of psychological and emotional abuse in the state definition of domestic abuse, there is

an inevitable blank in the knowledge of how many women live in relationships with controlling men, and who may be financially constrained, emotionally intimidated or socially isolated, who may never be physically or sexually assaulted. The lack of statistical evidence on these less visible forms of harm is matched by a corresponding lack of coverage in the mainstream media, whose reportage tends to focus on acts of extreme violence, especially the murder of estranged partners and their children. While this draws attention to the tendency for the ferocity of physical violence and control to escalate over time, it may also impact on both policymakers' and the general public's perceptions that, despite overt references in policy documents to various forms of violence, domestic abuse is most readily identifiable - and most serious - in its physical form (Scottish Women's Aid; Wilcox, 2006). Yet public interpretations of social problems provide the framework within which policy remediation is devised: appearances are therefore vital. The transformation from private concern to public problem is predicated on specific interpretations of an issue, and will consequently determine what is identified as 'cause', 'effect' and consequently 'solution'. This can be observed in a range of public issues: for example, Scarman's notion of individual officers' attitudes and actions as explanation for racist practices in the Metropolitan Police force has been superseded by Macpherson's analysis which identified institutional racism at the root of police responses to black and minority ethnic populations, shifting political and public focus away from individual officers' conduct onto the cultural and collective environment in which they operated, and prompting the introduction of a range of strategies to reform institutional practice (Holdaway and O'Neill, 2006; Phillips, 2011). Domestic abuse policy trajectories, from the non-intervention of pre-1970s governments to the three and four 'P' approaches of current administrations, might be seen as an evolutionary policy process intent on tackling 'the problem'. However, an alternative interpretation is that what has actually altered is the definition of the problem itself (Mooney, 2000). Changing social and political attitudes have generated a variety of representations of domestic abuse over time, and these representations can accordingly be seen as both context-specific and value-laden (Fischer, 2003; Knoepfel



*et al*, 2007): it can thus be argued that of key importance in terms of policy responses is not ‘the problem’ itself, but the social and political ‘problematization’ of domestic abuse (Bacchi, 2005).

### 2.3 A problem of definition

Power relations can neither be ignored, nor assumed to be benign in both social relations and policymaking: “Every choice made and decision taken and imposed through the policy process...is an exercise of power.” (Hudson and Lowe, 2006, pp113-114). Furthermore, power is not only expressed in the form of action, but can just as effectively be exercised through resolute inaction (Bachrach and Baratz, 1963). The inaction of political actors and institutions cannot be equated with neutrality and by restricting issues of personal conduct in intimate relationships to the private realm and choosing not to intervene to prevent abuse, the state has previously both condoned and perpetuated violence against women:

“The state was not neutral before the twentieth century - it encouraged the abuse of women, [feminist writers argued] and this was already a public policy about a private, domestic....issue.” (McKee, 2005, p48).

This, however, rests on a feminist analysis of the causes of domestic abuse, which is one of a range of theoretical positions that seek to offer an explanation for the existence and prevalence of male violence against women. These can be organized into two broad categories: micro-level discourses, which focus on the individual pathology of both perpetrator and, less frequently, the victim, with an emphasis on human behaviours and actions, and macro-level discourses, which instead draw attention to the significance of social institutions and systems.

### 2.3.1 Micro-level theories

The focus for this set of theories is on the actions of individual human beings who are connected in some way to a violent relationship, including the perpetrator, the victim and their families. These theories tend to rest upon an analysis of personal characteristics such as a capacity for self-control and decision-making. This grouping includes, for example, individual pathology, which suggests that the aggression of some men finds expression in violent outbursts towards their spouse or partner, often underpinned by a mental illness or instability in personality (Jasinski in Renzetti *et al*, 2001; Hague and Malos, 2005). From this perspective, violence is seen as an outcome of the personal interactive processes between two individuals (Yllo, in Yllo and Bograd (ed), 1990), and the characteristics of both women and men in abusive relationships have been seen as equally in need of analysis. Battered Woman Syndrome (BWS) suggests there is a specific psychological profile which explains why some women are unable to leave their abusers, and why some women: “choose to kill, rather than flee, their abusive partners.” (Fernandez, 2007, p235). Presented as a plea of mitigation in the legal defence of such women, BWS relies on the acceptance of the concept of ‘learned helplessness’, a psychological state resulting from prolonged abuse and repeated failed escape attempts, leading to a woman’s submissive acceptance of her complete disempowerment (Walker, 2009). However, although seeking to explain why some women (yet not others) find it hard to leave abusive relationships, theories such as this tend to characterize women involved with violent men as compliant and complacent, and also feed Freudian notions that some women are masochistically drawn to dangerous men (Jasinski, in Renzetti *et al*, 2001). A more pernicious application of such theories might suggest that women are in some way complicit in their abuse, mistaking their *inability* to leave dangerous men for *reluctance* to do so, leading to the assumption that women who stay are exercising agency and choice, thus shifting responsibility from perpetrator to victim.

Theories relating to the behavioural aspects of individuals involved in abusive relationships rely to some degree on a willingness - or indeed a desire - to ‘other’

male perpetrators of violence, and to place families in which such abuse occurs apart from the mainstream of 'normal' families and thus portray domestic abuse as deviant and abnormal. However, psycho-pathological discourses share weaknesses on key points with biological and evolutionary theories, which focus on inherent personality traits with which individuals are genetically invested - dominance and aggression for men, passivity for women - and suggest that men's sexual jealousy and possessiveness which results in violence stems from an in-built need for 'paternity assurance', ensuring offspring are their own and controlling the woman as the vessel of their biological investment (Walker Wilson, 2005). While this might offer some explanation for the tendency for pregnancy to prompt the onset of physical violence in some relationships, neither of these sets of approaches offers a generalisable explanation for why, if aggression is 'natural' in men, it is specifically targeted at female partners, rather than more generally at either random strangers of either sex or other familiar people in abusive men's lives, as genetically programmed aggression or the violence of mental illness might predict. Moreover, the level of reported cases, particularly when assessed in light of the suspected high rates of under-reporting, is sufficient to point to the possibility that theories which suggest domestic abuse is an uncommon aberration are inadequate:

“If you are one of only 500 abused women in a population of 50 million, then you have certainly been more than unlucky and there may perhaps be something very peculiar about your husband, or unusual about your circumstances, or about you. On the other hand, if you are one of 5million abused women out of 50 million, then that suggests something very different - that there is something wrong not with a few individual men, or women, or marriages, but with the situation in which many women and children regularly get assaulted - that situation being home and the family.” (Wilson, 1983, quoted in Hague and Malos, 2005, p56).

The sheer scale of the problem therefore is used as an argument to suggest there are larger mechanisms at work, and theories which address social and institutional constructs focus on these elements, far beyond the control of any single individual to explain why abuse of so many women by so many men occurs with such frequency.

### 2.3.2 Macro-level theories

In contrast to micro-level theories which seek answers at an individual level, macro-level discourses look towards large, overarching social forces and mechanisms which, it is argued, provide a more effective analysis of the causes of domestic abuse. Some theories seek to examine the intersections in social existences that produce a particular set of circumstances and generate the conditions in which violence might take root and escalate (Jasinski, in Renzetti *et al*, 2001). Violent relationships might more commonly thrive, for example, in homes where poverty causes familial stress and be compounded by deprivation of other social goods such as education and adequate housing (Hague and Malos, 2005). If this were the case, it would be reasonable to see a disproportionate number of incidents concentrated amongst the poorer working classes than among the middle classes, yet domestic abuse is deemed to cut across class boundaries (Scottish Government, 2009; Home Office, 2012). Class differentials do exist, displayed in research which tracks women's routes out of violent relationships, with middle class women more likely to resort to the civil courts and divorce, while working class women more often make use of the criminal justice system and refuge accommodation (Hague and Malos, 2005). Rather than showing that poorer men are more likely to physically assault their wives, it could therefore be more accurate to suggest that they are simply more visible in official crime statistics.

Instead of focusing on social mechanisms, other theories look to social institutions and in particular the family to explain relationship violence. From the family violence perspective: "The family, as a whole, is viewed as a violence-prone institution, and family violence is acknowledged to be widespread" (Mooney, 2000, p61). Gender is irrelevant in this theory, and instead it contends that because women can also be violent towards men and adults towards children, as well as children to one another, the problem originates in family structure itself (Jasinski, in Renzetti *et al*, 2001). In contrast, there is also a theory which identifies not the family itself but its breakdown, in particular the disintegration of the 'traditional' family unit organized

along gendered lines, which has resulted in aggressive conflict between ex-partners (Hague and Malos, 2005). The loss of strictly defined male and female household roles, which provided the basis for the male breadwinner model of welfare wherein the man earned and provided for the family while his wife cared for the home and any children, has resulted, according to this theory, in confusion, frustration and a breakdown in social cohesion. This is illustrated by a rise in violence overall. Once again however, family violence theory offers no explanation for the predominance of male on female violence, which is thought to account for the overwhelming majority of all recorded incidents, nor for the prolonged and escalating nature of abuse (Johnson and Ferraro, 2000; Smartt and Kury, 2007).

It is true to say that some violence is undoubtedly instigated by very violent men, and that some women can be reciprocally brutal in their treatment of intimate partners. In individual relationships, human emotions such as jealousy and resentment may generate physical aggression which might well be exacerbated by poverty, ignited by alcohol or drugs and intensified by mental disorder. However, the frequency and intensity of known instances of domestic abuse, coupled with unquantifiable rates of hidden physical and sexual assaults and equally immeasurable psychologically manipulative and controlling relationships, suggest such relationships are neither uncommon nor aberrational. That these abuses are overwhelmingly carried out by men against their female partners or ex-partners offers scope for an analysis which is gender-based. The many strands of feminist theory concur that, while the role of individual psychologies and personal behaviour must be acknowledged, the roots of abuse in personal relationships are embedded in social structures and organization.

Rapid social change throughout the last century has led to a dismantling and discrediting of the assumption that a woman's role and identity are 'naturally' defined within the confines of the private sphere of home. Women's voices raised in the first and second waves of feminism pushed matters previously considered to belong to the 'private' realm into the public, issues concerning their bodies, sexuality and relationships:

“...feminist writers argued that domestic issues were not...trivial - that relationships, child-rearing, housework, and sexuality were in fact important parts of human society, and had to be recognized as such.” (McKee, 2005, p47).

Feminist research and theory suggests that an understanding of the dynamics of gender is essential, particularly when addressing issues which are rooted in the consistent and persistent oppression of women by men. It is argued that gendered inequality is infused throughout the public domain, and that this presumption of disparity seeps into the private realm, influencing conduct in personal relationships: “...the triangulation of gender, power and control determines the relations in work, politics, law, health and education as well as male dominance within coupled relationships.” (Sev’er, 2009, p240). Therefore the subjugation of women is expressed in a continuum of violence in many forms, perpetuated by the discriminatory state and its public and private institutions, as well as by individual men against women, and is the fruit of persisting patriarchal values and attitudes, which create an unequal society (Walby, 1990, p128). Walby defines patriarchy as: “...a system of social structures and practices in which men dominate, oppress and exploit women” and argues that the deliberate reference to social structures within this: “...clearly implies rejection both of biological determinism, and the notion that every individual man is in a dominant position and every women in a subordinate one.” (*ibid*, p20). This definition is useful to apply to the issue of domestic abuse, since it is demonstrably untrue that every man is physically and psychologically abusive towards women. Nevertheless the rate of incidence and society’s responses to violence between intimate partners are, it has been argued, the result of a culture in which men retain power and control over women generally, and that power is abused by a significant number of men to the detriment and damage of significant numbers of women (Walby, 1990, p21). The patriarchal model of domestic abuse suggests that because power is infused throughout the structures and institutions of society, this is inevitably reflected in the *potential* for the abuse of women by men in personal relationships.

### 2.3.3 Policymaking and feminism

“Violence against women is not only a consequence of gender inequality, it also perpetuates it. Tackling violence against women is therefore a prerequisite to reducing inequality between women and men in Scotland.” (Scottish Government, 2009).

The Scottish Government’s approach is clearly and distinctly set out in the document ‘Safer Lives: Changed Lives: A Shared Approach to Tackling Violence Against Women in Scotland’, which firmly asserts the role of gender inequality as the root cause of violence against women and mechanism by which it is perpetuated (2009). State responses to domestic abuse have proliferated since the 1970s when domestic abuse was ‘discovered’ by feminists and forced onto the policy agenda following publicity surrounding the opening of the first refuge for battered women, and the subsequent establishment of a national network of Women’s Aid organisations in England, Scotland and Wales, co-operatively run by women for women (Dobash and Dobash, 1981; Women’s Aid, 2009). This has been mirrored by a rising global awareness of gender issues in general, and violence against women specifically, as key policy targets of international organizations such as the UN. If “...we only speak of a ‘public problem’ if a situation is judged politically as problematic and is the subject of political debate” (Knoepfel, 2007, p131), the significance of ongoing transnational feminist research and campaigning which maintains high public awareness that domestic abuse continues to constitute a frequent and destructive element of the ‘private’ realm for many women becomes apparent. By talking about and sharing information on abuse, common threads might be drawn together that emphasize the scope, scale and severity of the issue. Furthermore, it can be shown to have negative socioeconomic impacts on society as a whole (McKee, 2005, p47), in terms of costly public service provision to deal with its outcomes and in impeding the social justice agenda (Scottish Government, 2009). In effect, the personal becomes political: the problem is, literally, publicized. However, women’s experiences of relationship violence generally come to public attention when disclosure leads to contact with state agencies or voluntary organizations, and subsequently they become incorporated into official criminal, health or housing and refuge statistics. This,

combined with the accepted hidden, silent nature that tends to characterize many abusive relationships, suggests it is reasonable to contend that there is a potential gap between domestic abuse as it is conceptualised as a public problem and domestic abuse as a personal experience. Bacchi (2008) highlights these gaps, and characterizes them as “silences [which] some problem representations create” (p165), and consequently argues that in order to identify them, public definitions must inevitably be unraveled.

Feminists in particular have drawn attention to the importance of power relations within the policy process and therefore contend that in any policy agenda setting, what is of central importance is not only what is decided but by whom and why (Hudson and Lowe, 2006). Yet the political system itself is heavily gendered: despite the political enfranchisement of women in the last century, there continues to be a gender imbalance among those in political authority and women’s political activity is more commonly below state level, and outside its formal institutions and structures (Mackay, 2004; Fawcett Society, 2006). One interpretation might be that women exercise their democratic right to non participation. However, radical feminists suggest structural barriers built into the political system and socially engendered expectations continue to shape women’s political role and identity, tightly constricting their ability to act as freely as men in the public sphere. Radical feminists suggest, therefore, that these factors actively disengage women, limit political participation and lead to a deficit of women’s voices within the agenda setting process (Taylor, 2007). As a consequence: “..legal inequalities and private subordination within the family have been partly replaced by a more diffuse and less tangible form of public oppression...” (Bryson, 1992, p261). This subsequently limits the ability to address not only the power imbalances which, the Scottish Government accepts, cause and perpetuate domestic abuse, but also the form state interventions may take. Rejecting notions of benign pluralism among actors in the policy making process in which democratically egalitarian decision-making might prevail, Bacchi therefore makes a case for focusing, not on the problem itself, but on its ‘problematism’ (2008). Radical feminism in particular draws attention to the role



gendered power imbalances play in naming and problematizing particular behaviours as ‘abuse’ or violence’, and as a result much debate has centred on the correct term which accurately encapsulates the problem (Eisikovits *et al*, 1996; Mullender, 1996; Dobash and Dobash, 1998; Price, 2005). Over time, a wide range of labels has been deployed in an attempt to give name to the issue: wife battering; intimate partner violence; domestic abuse/violence; gender based violence; violence against women and so on. Naming conventions are embedded in broader linguistic practices which play a central role in the process of the construction of social problems and in shaping both political and personal responses to them (Burr , 1995; Kelly, 1998). Mullender exemplifies this by stating that: “If women know only the term ‘battered wives’ they may not apply the concept to themselves if they are cohabitees who are being mentally tortured.” (1996, p26). The importance of public definitions cannot be underestimated, because such definitions will contain a set of labels which, when applied to individual situations, will categorize them as ‘abusive’ or ‘non-abusive’: the language of policy and politics therefore constructs mechanisms of inclusion and exclusion which shape not only social perceptions of a problem, but the self-identity of individual women too. Yet it could be argued that these definitions will invariably be influenced by the dominant values and perceptions of those who define, and in a predominantly male political system underpinned by lingering patriarchal gendered assumptions, one potential outcome is that: “...women find themselves caught between their own experience which they regard as abusive and the dominant male discourse which defines such behaviour as normal or to be expected.” (Mooney, 2000, p218).

In seeking support from public agencies, a woman is likely to come into contact with a variety of public services working across a range of policy disciplines. The Scottish Government seeks to provide an integrated multiagency approach to tackling domestic abuse (Scottish Government, 2009). Public agencies and institutions such as the police, the judiciary, health practitioners and social work services work in partnership with the government and voluntary and community groups in order to deliver a coordinated state response to domestic abuse. A growing awareness of the

complexity of the issue itself is reflected in the multiplicity of service responses across a wide range of public and voluntary sector agencies. Thus, individual instances of domestic abuse might require criminal justice intervention, physical and mental health services, or social work involvement, especially in light of rising concerns over the child protection implications of domestic abuse (Stanley *et al*, 2011).

Criminal justice responses underpin the protection element of the Scottish Government four P's approach, and recent years have seen emphasis shift from prosecution and punishment towards "prevention, fear reduction, security and harm reduction" (Connelly and Cavanagh, 2007, p259). An ongoing commitment to fortify the legal system is reflected in measures such as the introduction of Specialist Domestic Violence Courts and a national roll-out of Multi-Agency Risk Assessment Conferences, both designed to protect and support women who report their abuse to the police (Women's Aid, 1/04/10). While criminal justice measures visibly demonstrate state and social condemnation of domestic abuse, over-reliance on these mechanisms can be criticized on various levels. The emphasis in legal protection is on physical violence as common assault, as there is no distinct offence of 'domestic abuse' in law. The police respond to an estimated half a million calls each year, and sweeping changes in criminal justice approaches in recent years have led to a perceived improvement in police responses to incidents of domestic abuse (Stanko, 2000). Perceptions have been challenged and it is no longer acceptable for officers to dismiss such calls to households as 'just a domestic', and this is reflected in, for example, high profile campaigns to tackle the known increase in physical assaults of partners on particular days during the football season (Malos, 2000; BBC, 11/06/12). Therefore, police protection focuses on the physical aspect of domestic abuse. As already outlined, under-reporting is an acute problem: it is believed between a quarter and 50% of incidents are reported and consequently recorded (Women's Aid, 10/07/12; Scottish Crime Survey, 2008). Criminal justice can only be effective in reported incidents, which form a minority of incidents overall. Moreover, conviction rates of only 3.6%, 10% of which lead to a custodial sentence, raise concerns over the

ongoing physical protection of women already in violent relationships, potentially exacerbating already dangerous situations (Women's Aid, 2008; Scotsman, 5/01/10). The police and the law tend only to respond to those suffering physical violence, yet the majority of such women do not report it, and for those who do, prosecution and subsequent protection have limited success. It is therefore reasonable to assume: "...the solution to the problem of domestic violence does not, in the long term, lie with the police (they can at best hold the problem at bay), but in structural change in particular, that [is] directed at changing gender relationships." (Mooney, 2000, p222). An over-reliance on the criminal justice approach, therefore, does little to tackle the underlying gendered foundations of domestic abuse and instead focuses on the aberrant or criminal behaviour of individual men and the need for protection of individual women (Walklate, 2008).

Whilst criminal justice services do not attempt to change social attitudes, Women's Aid, on the other hand, has campaigned relentlessly since the 1970s for recognition of, and action on, a feminist agenda for social change which it believes would significantly reduce and ultimately eradicate domestic abuse (Women's History Network, 14/04/12). In addition to its political activism, however, the organisation has come to play a significant role in the public provision of accommodation services for women fleeing abusive partners. Local authorities have a duty to provide accommodation to women who leave their homes because of domestic abuse. This can be in the form of either social housing or, in cases of acute emergency, specialist refuges. Scottish Women's Aid now operates a network of refuges across Scotland in which women can seek sanctuary from violent relationships. In addition, it offers support, advocacy and advice to all women who are experiencing violence, whether they remain in the relationship or choose to leave it. The Scottish Government works in partnership with Women's Aid, and provides grants and funding to provide and maintain refuge provision. However, perhaps contrary to public belief, refuge places are not provided free. The cost of a refuge place for women is recouped, in the majority of cases, by claiming Housing Benefit for each occupant who qualifies. If a

woman does not qualify - either because she has an income or savings of her own, or is denied access to public funds, for example is an asylum seeker or a full-time student - she must find other ways of paying for her place. There are instances in which Women's Aid set aside places and absorb the cost of providing refuge free to certain groups of women - for example, Glasgow Women's Aid has two places specifically reserved for women with no recourse to public funds - but this highlights the limitations of this means of public provision of refuge places. Furthermore, what provision there is has been shown to be inadequate to meet the existing needs of the target population: in 2006-7, 60% of requests by women for refuge were rejected, and in 2009, more than 50% of women who requested a place in a Scottish refuge were turned away (Women's Aid, 2008; Glasgow Herald, 24/11/09). It seems likely that provision will inevitably become further constrained as a result of the current climate of austerity and cuts to public services, as statistics show that 21% of Scottish Women's Aid groups cut service provision in 2011 as a result of a reduction in their government and local authority funding streams, compared with 13% of groups the previous year (Scottish Women's Aid, 2011). The alternative to refuge provision is accessing local authority homeless accommodation but because of the unique circumstances in which abused women remain under threat from their dangerous partners, this is often required in areas outwith their normal areas of residency. Given that "[the] prevalent emotion on arriving [in a refuge]..was fear, amounting in some cases to absolute terror." (Abrahams, 2007, p34), the use of local authority housing to accommodate women who are often in extreme states of psychological and emotional trauma in unfamiliar geographical locations, without the on-site support workers and protective alarm systems refuges offer, is clearly not ideal. Demand for refuge spaces far outstrips supply, and with reported incidents of domestic abuse rising by 8% between 2008 and 2009 and over 50, 000 criminal cases recorded, the need for refuge accommodation can be expected to rise exponentially. The provision of adequate refuge facilities, however, would require massive public investment which is fundamentally constrained, at least for the time being, by the current financial crisis as well as the difficulty of securing consensual cross-party political and

public support for any such initiative. However, Fraser's concepts of redistributive reform and social transformation predicated on recognition illustrate the limitations of simply spending more public money. Increased public investment is, Fraser suggests, in response to the greater economic vulnerability of women compared to men, and calls for increased provision of secure social housing for lone mothers and the victims of domestic abuse reflect this need to take into account the lower average earning potential of women. However, this redistribution of public funds only addresses the consequences of the problem, not the underlying causes. Fraser points out that women are "...disparaged, trivialized, objectified and demeaned in a stereotypical fashion" in society leading to a misrecognition of their rights to dignity and respect (in Mooney, 2000, p223). This public misrecognition then creates cultural perceptions of women which can be used by perpetrators to justify the private maltreatment of their partners. Therefore, refuge provision, while essential for the immediate physical and psychological protection of many women, is, like criminal justice responses, ameliorating the outcomes of domestic abuse rather than tackling the root cause of the problem as acknowledged by the Scottish and UK Governments: gender inequality.

The outcomes and consequences of domestic abuse for individual women are complex, intricate and often require the input of multiple agencies in order to offer adequate support and protection to enable them to leave dangerous and abusive relationships. However, feminists have been equivocal over the direction of policy and the multi-agency approach which is now embedded in the Scottish Government's domestic abuse strategies (Hague *et al*, 1996; Malos, 2000). Feminist theory suggests domestic abuse is a consequence of gendered power disparities, created and perpetuated by persisting patriarchal values and attitudes, and the only effective way to tackle it is to begin dismantling the gendered framework upon which social institutions and agencies are constructed, and through which power is exercised, leading to the oppression of women across society and expressed in a variety of forms of violence against women. However, rather than indicating a willingness to

deconstruct gendered power bases in society, the state has broken down the complex problem of 'domestic abuse' and distributed responsibility for the various outcomes for individual women to a range of separate public and voluntary agencies, and therefore: "...complex social problems are commonly reduced to 'problems' which are then assigned to particular groups of professionals or to different departments of government, leaving the impression that the problem is being addressed." (Walker, 1990, in Bacchi, 2008, pp165-166). Criminal justice approaches continue to emphasize the outcomes of physical abuse, while the limited supply of refuge provision and emergency homeless accommodation enables only a minority of those women in the most immediate danger of severe physical harm to escape their homes. Domestic abuse, an umbrella term which incorporates many different abusive strategies and behaviours which interweave within discrete relationships to produce unique patterns of suffering for individual women, is segmented within policy. The splintering of problems in this way can be seen as part of the process of problematisation of domestic abuse, in which fragmented and discrete outcomes for separate women are addressed by a range of initiatives and services. Increased awareness has led to improvements in the way abused women are dealt with by legal and health professionals and has resulted in more sensitive and nuanced service delivery. Yet domestic abuse rates remain acute. Incremental improvements in gender inequality in the last thirty years are reflected, for example, in narrowing pay gaps and widening educational and career opportunities for women. Yet these have been matched by the emergence of other issues which feed into continuing gendered oppressions, notably a normalization of the sexual representation and exploitation of women (Banyard, 2010). While raised awareness and policy interventions have enabled more positive outcomes for some abused women, limited progress towards gender equality has failed to substantially weaken the roots of the problem.

## 2.4 The problem with definition

Bacchi's policy 'silences' can apply in two ways: by the absence of concrete policy responses to non-physical forms of violence which are fully acknowledged yet less quantifiable, and in public representations of violence that do not resonate with individual women's own personal experiences. If public discourse does not match personal experience, there is a heightened possibility that women are unwilling or unable to identify their relationships as abusive. Marital rape, for example, which until recently was not a criminal offence, was absent from broader discourses on sexual assault. Therefore a woman whose husband forced her to engage in sexual activity was not 'raping' her, her (publicly constructed) identity was not one of 'rape victim' and therefore she might have felt less able to seek support from services overtly targeting 'rape victims' (Kersnereddy and Schwartz, in Renzetti *et al* (eds), 2001). Furthermore, her experience would be absent from contemporary public discourses surrounding sexual assault. Although raping an intimate partner is now a crime, the use of coercion in abusive relationships blurs the picture further, if that coercion and intimidation prevents a woman vocally denying sexual contact: furthermore, her abuser may also fail to identify himself as a 'rapist'. However, this does not mean an individual woman in these circumstances will not feel raped. It is in this gap between public conceptualisation and personal experience that silences can exist, and therefore running parallel to, and potentially reinforcing, under-reporting of domestic abuse is the difficulty of self-definition: "Women underdefine themselves as abused." (Mullender, 1996, p54).

Stanko suggests that women analyse and categorize their experiences of male violence through filters which deem men's behaviour as either "typical or aberrant" (1985, p10), and, when viewed in coalition with the male-dominated policy making process embedded in a patriarchal system, those who make judgements on the acceptability or otherwise of conduct are overwhelmingly men themselves:

"In the area of violence against women, a number of writers observe that definitions of violence, especially legal definitions, are based on men's

perceptions of what harms women, rather than on women's experiences.” (Price, 2005, p14).

This would support the supposition that women labour under a ‘false consciousness’ about their own abuse, and are more likely to passively accept violence as a norm and resist challenging it (Mullender, 1996). However, there is inherent danger in unpicking this particular aspect of domestic abuse, and it may be over-simplistic to suggest that women do not define themselves as abused simply because public definitions do not reflect their own situations. The intricacies of personal relationships suggest that even in relationships which from an outside perspective appear abusive and violent, some women may well retain enough autonomy and power which, coupled with a desire to continue in the relationship, mean they do not see themselves as ‘victim’ or necessarily in any particular danger. This may be especially true if violence is ‘normalized’ on a personal level and culturally reinforced by public conceptions of violence which do not resonate with women's private experiences (Stanko, 1985; Bradley and Davis, 1998; Bacchi, 2008). Alternatively, a refusal to categorize behaviour as violence or abuse is essential to the preservation of a woman's social and personal identity, and thus denial might serve as a mechanism for self-protection. Individual women may, over time, recognize and acknowledge elements in their existing or past relationships which make them abusive, in response to consciousness raising or to retrospective reflection, but equally they may never do so (Kelly, in Price, 2005). Therefore, although false consciousness, predicated on gendered patterns of social conditioning, may be responsible for some women's reluctance to identify themselves - publicly - as victims of abuse, there are other possible factors such as individual agency, psychology and choice which must be taken into account.

Whatever reasons might underpin it, the difficulty in public definition coupled with suspected rates of under-definition by women themselves has led to a suggestion that establishing a single overarching, all-encompassing phrase which captures and accurately represents the issue is impossible. Instead it has been suggested that



individual women should be liberated from rigid, externally constructed definitions - including those defined by public agencies, support services and academic researchers, subject as they are to the values and beliefs of particular groupings - and that self-definition by women themselves should be invested with more weight and public validity (Kerseredy and Schwartz, in Renzetti *et al* (eds), 2001; Kelly, in Price, 2005, p14).

If public definitions are constructed on male-mediated, traditionally gendered assumptions of acceptable and unacceptable behaviour, which may or may not be congruent with women's own opinions and experiences, then a challenge for feminism is to dismantle such public definitions and allow women themselves to define their relationships as abusive. This draws on feminism's fundamental commitment to the importance of subjective lived experience. However, Kerseredy and Schwartz pose the question: "How do we achieve consensus in defining violence against women?" (in Renzetti *et al* (eds), 2001, p29). Price, building on Kelly's suggestion of the individualization of definition and Brownmiller's idea of female definitions, suggests one answer which would facilitate a more reflective public conceptualisation is to reject the pursuit of objectivity but strive instead for "collective subjectivity" (2005, p15). By interweaving many individual women's narratives throughout feminist discourses on domestic abuse, "...a broad consensus on social definitions of violence against women" might be achievable (*ibid*, p15). This rests on an acceptance that social knowledge, personal experience and meaning are not discrete objects but rather dynamic and ongoing processes (Price, 2005, p15). Similarly, violence within personal relationships, whatever form it takes, is not one single occurrence or group of discrete events, the consequence of personal misfortune in individual lives. Rather, it is a highly complex, ongoing social process, experienced by individuals in private, yet situated "...within broader social practices and institutions of a culture" (Bradley and Davis, in Kleine, 1998, p207). Not only do social and cultural environments affect women's individual experiences of domestic abuse in their specific personal circumstances, public responses to domestic abuse are also shaped within these structural frames. Yet despite its location within these broader and

more public frames, the rates of under-definition and under-reporting reflect a social phenomenon which is frequently hidden from the public gaze of family, social networks and community, as well as health and welfare professionals, with women often intent on preserving secrecy while enduring abuse in silence, and this private silence is reflected and intensified by public perceptions and responses.

## 2.5 Silence and secrecy

### 2.5.1 Private silence

The formulation of domestic abuse as a social issue and subsequently a public problem began in the early 1970s, but it was another decade before the investigation of abuse as a lived experience began to gain credence as a valid concern for researchers and policymakers (Johnson and Ferraro, 2000). It is now recognized that experiencing abuse typically provokes feelings such as shame, low self-esteem, fear, self-blame and guilt, creating unique patterns of emotional responses within victims which often manifest in severe psychological illnesses, including depression and anxiety disorders (Mitchell and Hodson, 1983; Clements and Sawhney, 2000; Humphreys and Thiara, 2003). Emotional manipulation, coercion and control, common mechanisms of abuse which are implemented gradually by an abuser and which incrementally erode the victim's sense of self and perceived ability to function independently of him, serve to bind a woman into a psychologically dependent and socially isolated relationship (*ibid*; Stark, 2007). Fear of the abuser can be eclipsed by dread of the consequences of disclosure, and the untrustworthiness of 'outside' protection, fears often fuelled by the abuser himself. Perceived possibilities might include the potential for escalated physical and psychological retaliation from the abuser and the loss of children to social services, as well as practical concerns about financial impoverishment and homelessness (Gracia, 2004). These fears are not illogical, particularly when considering that abusive relationships are often premised on the destruction of the emotional, physical and financial autonomies of the victim,

achieved via abusers' behavioural strategies which seek to: "...instil terror and helplessness, to destroy the victim's sense of self in relation to others, and to foster a pathological attachment to the perpetrator" (Lewis Herman, 1992, p383). In addition to protecting the self however, women may also feel an obligation to protect their children from the reality of violence, an instinct which may also be driven by a fear of losing children to social services should their private abuse become public knowledge (McGee, 2000; Hague and Malos, 2005). Fears of burdening social networks - possibly amplified by the abuser - both in practical and emotional terms, and cultural expectations which place pressure on women to sustain relationships might fuel reticence in disclosure to family and friends (Mullender, 1996; Burman *et al*, 2004; Women's Aid). Thus by not exposing them to the truth of their own suffering, women might feel they are keeping loved ones and relatives safe, and this silence is extended to support services, illustrated in the non-disclosure of domestic abuse to those in public authority. Fears for personal safety, therefore, are often intertwined with concern for others, for children and for family and friends, resulting in a sense of hopeless entrapment. Moreover, the silence emanating from women themselves can also be reflected back: family, friends and neighbours who see signs of abuse yet do not speak out may act out of fear of exacerbating the abuse - thus protecting the woman - but also be wary of becoming personally embroiled in the situation, responding, therefore, out of self-preservation.

Silence in these instances serves not as an aid to purposeful secrecy but as a means of protection, a "survival strategy" (Parpart, 2010, p17), both of the self and of other actors in familial and social networks. Furthermore, the coercion and domination characteristic of abusive relationships, with or without physical violence, results in an inability on the part of the victim to disclose her abuse to anyone, including both those closest and known to her, and to 'strangers' in public services and support agencies.

### 2.5.2 Public silence

“The ordinary response to atrocities is to banish them from consciousness. Certain violations of the social compact are too terrible to utter aloud: this is the meaning of the word unspeakable...” (Lewis Herman, 1992, p1).

Bacchi (2008) draws attention to the role of silence in the policy process, and its potential to create a dissonance between public conceptualisations of domestic abuse as a social ‘problem’ and the personal experiences of women who are abused by their partners. Second wave feminism succeeded in highlighting that abusive relationships are not only enacted in the privacy of individual homes, but are played out in the particular social and political arena of any given society. It could be suggested that key ‘tipping points’, such as the decision to break silence and disclose abuse or to leave an abusive relationship altogether, hinge not only on the characteristics of, or discrete incidents within, the relationship itself. Rather, while concrete support in the form of alternative housing or protection under criminal law might influence decision-making, it could equally be argued that *perceptions* of that support are also critical. This is especially significant in the decision to disclose abuse to an outside agency, and relate to discourses of believability and disbelief (McMillan, 2007).

The construction of normative images of ‘victim’ and ‘perpetrator’ of domestic abuse, often apparent in media reports for example, encourage the use of social archetypes which define the characteristics of the individuals who ‘suffer’ as well as those who ‘abuse’ (Dunn, 2005; Berns, 2004). Furthermore, these images might suggest ‘deserving’ and ‘undeserving’ victims: women who do not leave dangerous relationships and those who return to abusive partners - despite apparent access to protection and support - are seen as somehow complicit in their own abuse (Herman, 2004; Gracia, 2004). Agency and choice are central to such conceptualisations, and they are premised on the assumption of free will (Herman, 2004), and its appropriate exercise by seeking and accepting support from outside agencies to exit the relationship. However accessing public services is often much more complex, not least because the nature of abuse generates a plethora of practical, psychological,

legal and financial problems for women (Peckover, 2003). As a result, interventions from multiple public agencies are frequently required, and these may focus on and prioritise discrete aspects of a woman's case, such as mental health evaluations, child protection, or criminal investigations, which are not always procedurally or culturally aligned with one another (*ibid*; Humphreys and Thiara, 2003; Petersen *et al*, 2005). Moreover, social and cultural expectations of women's conduct and behaviour, as well as public constructs of 'victim' which fail to resonate, might negate a woman's perception of herself as a suitable candidate for domestic abuse services (Mackenzie *et al*, 2012). Furthermore, the presumption that women have and can exercise the freedom to seek external intervention overlooks the coercive and controlling nature of domestic abuse, which deliberately seeks to loosen connections with those outside the relationship while maximising dependency on the abuser, to the extent that "he becomes a potential source of solace as well as humiliation." (Lewis Herman, 1992, p383). Moreover the failure of the state to protect a significant proportion from extreme violence from their intimate partners, reflected in murder rates for example, and the atmosphere of doubt and blame which pervades criminal justice approaches to sexual assault and rape, might serve to dissuade help seeking (McMillan, 2007). While there is robust justification for maintaining confidentiality about the location of refuges, it has been suggested that this in itself helps to perpetuate an aura of shamefulness around abuse, compounded by the extent to which this secrecy affects the ability of residents to conduct 'normal' social activities with family and engage with the wider community (Burman and Chantler, 2004).

Therefore, far from exercising free choice, women must grapple with the psychological effects of abuse within the context of a social and cultural environment which itself makes disclosure more difficult, and it is therefore suggested that: "the culture that surrounds 'telling' about violence serves to further silence women" (*ibid*, p169). The refuge system, hidden by necessity from public view even within the communities in which safe houses are located, might service this silence, extending the secrecy of the abusive relationship to the furtiveness of escape. Therefore silence moves beyond the personal act of non-disclosure, to encompass social and political

processes which can generate and perpetuate a silence so profound and extensive it has been characterized as 'cultural psychosis' (Lewis Herman, 1992). This pathological silence offers one explanation for chronically low reporting rates, rationalizes a political approach which focuses on acute interventions for women who suffer tangible forms of abuse, in particular extreme physical violence, yet also perpetuates the stillness of broader debate around the intricate nature of abuse itself and its complex impact on individual women.

### 3 Conclusions

There has always been violence in intimate relationships, so too has there been a state response to it, including the response of non-intervention. The impact of second wave feminism did more than simply draw attention to the existence of violent intimate relationships - this was already known, and the state's non-intervention was legitimated by its characterization as a private matter. However feminist campaigning established domestic abuse as a personal AND political problem, highlighting the scale and scope of the issue and ultimately forcing a redefinition of the problem itself. The loosening boundaries between public and private spheres enabled feminists to effectively challenge public perceptions of male violence and highlight how patriarchal structures and institutions shape social and private life, and constrain women's access to political power. Other theories, while identifying threads which may exacerbate or intensify violence between partners - inherent violent tendencies in individual men, social pressures such as poverty or the abuse of alcohol or drugs - do not explain the consistently high rates of abuse or that the vast majority is perpetrated by men and against women. By focusing on the gendered nature of this particular form of violence, feminism identifies patriarchy as the foundation upon which oppression expressed as male violence towards individual women thrives.

While acknowledging that the quantification of the problem is complicated by under-reporting and under-definition by women themselves, criminal justice statistics relating to physical assault alone have instigated firm commitments from governments, including the Scottish Government, to tackling the problem. However, the problematisation of domestic abuse takes place within the existing framework of political power in which men dominate. Bacchi (2008) draws attention to the way in which political definitions of social problems are often presented as definitive and unique: even if there are a variety of contrasting definitions of a specific issue emanating from competing political perspectives, each will be presented to the public as 'The Problem'. She argues, however, that what is in fact being presented is one of a variety of interpretations of a specific issue, and that scant attention is often paid to what is essentially an interpretive process, one guided by the values, assumptions, and political motivations of those who have the power to take a social concern and transform it into a public 'problem'. In the case of domestic abuse, this has led to concerns that the very definition of violence is mediated by and through the lenses of men, and women's experiences are thus contextualized by male perceptions: the silences contained in the gap between policy and personal experiences thus illustrate how problematisation can incorporate elements of exclusion.

The impact of problem splintering, breaking down a complex issue in order to address constituent outcomes, is reflected in an approach based on saving one woman at a time, by provision of discrete service responses including (limited and rationed) access to refuge. However, if domestic abuse is a social process rather than a personal misfortune, helping individual women escape damaging relationships - vital though this is - will not result in a long-term reduction of incidents of physical violence, or address the range of other behaviours now associated with abuse. Rising reporting rates and intensifying demand for refuge provision in the last few years could be indicative of some success in public campaigns to encourage women to disclose their abuse and seek help to exit abusive relationships. Should they continue to be effective, the number of 'internally displaced domestic refugees' is unlikely to drop, while constrained public spending is resulting in a contraction of service

provision, with Women's Aid in particular trimming and tailoring their provision according to tightening budget constrictions. It is these notions, therefore - Bacchi's (2008) concept of 'problematization' and its outcomes in terms of silences, and the potential impacts of problem splintering - that provide the theoretical foundations for this thesis, as further elaborated in Chapter 4.

This chapter has examined the root causes of some men's violence towards their intimate partners, and has highlighted the complexity of defining and describing domestic abuse as a social problem. However it has also identified a critical potential discrepancy between public perceptions of domestic abuse, and women's own experiences, a gap which sustains and perpetuates extensive social silence around the issue. However, the way in which the private and the public are inextricably bound together has also been demonstrated: social, cultural and political influences do not act simply as passive frames for personal activity, but rather they shape and define the way in which women respond to their abuse in the private sphere. The following chapter investigates how this interactive process might affect one particular group of women - those whose immigration status is insecure - and illustrates how multiple interlocking public frames serve to further complicate women's intricate private identities, and affect their access to support for and escape from domestic abuse.



## Chapter 3      Immigration and asylum In the UK

### 3.1    Introduction

The previous chapter summarized contemporary government approaches to domestic abuse in the UK, and suggested that conflict between policy definitions and personal experiences create potential gaps between state conceptualisations and the realities of women who seek assistance from outside agencies to exit abusive relationships. However, just as there can be no universal definition of domestic abuse neither can there be a single, unified experience of such abuse. Second wave feminist theory and activism has been crucial in transforming domestic abuse from a private matter to a public concern yet has been criticized in recent years for universalising and normalising an image of ‘woman’ as white, heterosexual and Western (hooks, 1990; Tong, 2007; Bearfield, 2009). As a consequence, the experiences of women who do not fit this particular mould - black and ethnic minority women and lesbians, for example - have tended to go unacknowledged by mainstream feminism (Crenshaw, 1994; Sokoloff and Dupont, 2005; Grossman and Lundy, 2007). Consequently, the emphasis on patriarchy as the dominant system of oppression for *all* women is insufficient to capture, explain and understand the issue of domestic abuse for women who fail to fit an essentialized model. Since the 1970s, emerging strands of feminist theory have increasingly rejected notions of universality in both the conceptualisation and experience of domestic abuse, but also, and perhaps most importantly, between women themselves. Individual women stand at unique and distinctive social, political and personal junctures in society. Just as intertwining elements of a range of behaviours weave a distinctive pattern of abuse at an individual level, social structures and processes might also interact to influence perceptions of, and reactions to, individual experiences of that abuse. As a result, the simplistic hierarchical power model which places patriarchy at its pinnacle has been readdressed in light of arguments that suggest: “multiple systems of oppression, including patriarchy, capitalism and racism” (Damant *et al*, 2008, p127) impact on individual women and their experience of domestic abuse.

This chapter focuses on one particular group of women whose lives are exceptionally complex: women whose immigration status is insecure. It outlines changing attitudes towards immigration and asylum in the second half of the twentieth century, describes the contemporary support framework within which asylum seekers exist in the UK, and assesses some of the impacts the dispersal of a sizeable population of asylum seekers to Glasgow has had on the city in the last ten years. The position of women in forced migration is discussed, and finally the exceptional situation of women who occupy diverse immigration categories and who experience domestic abuse is examined with reference to the UK legislative framework which shapes their access to support and services in a political landscape in which immigration policies reserved to Westminster supersede Scottish domestic abuse policy frameworks.

### 3.2 World in motion

“Asylum is given under the 1951 United Nations Convention Relating to the Status of Refugees. To be recognised as a refugee, you must have left your country and be unable to go back because you have a well-founded fear of persecution because of your race; religion; nationality; political opinion; or membership of a particular social group.” (Home Office, 2010).

The Geneva Convention of 1951 and subsequent Protocol of 1967 defines what a refugee is, and outlines protection which nations should offer to those who fit this definition. The documents set out a framework of legal obligations for participating host nations, and details basic rights to which refugees are entitled. By 2008, 147 nation states had become signatories to either or both the Convention and Protocol (UNHCR, 12/09/12). Global statistics suggest that out of an estimated 16 million displaced persons, 80% remain in developing countries, while Europe accommodates 14% (UNHCR, 10/06/10). Approximately 2% reside in the UK, making it 17<sup>th</sup> in the league table of industrialised countries for asylum applicants per head of the population (Refugee Council, 2009).

Concerns about increasing asylum applications in the late 1980s led to the first piece of legislation which tackled the issue directly, the Asylum and Immigration Appeals Act 1993, which incorporated the Convention’s rules into UK law for the first time (Bloch, 2000). This has subsequently been built upon by both the Conservatives up to 1997 and successive Labour governments thereafter. Applications hit another peak in 2002 but have fallen dramatically since then. In 2008, 25,670 individual claims were lodged reflecting a two thirds decrease over five years (ONS, 2009). Home Office statistics for 2010 show a decrease of almost 50% in applications during the first quarter of this year compared to the same period in 2009 (*ibid*, 2010). Approximately 16% of applicants are granted asylum based on their initial application and, after full appeals processes, one in three of all claims are ultimately successful (Home Office, 2006).

The Immigration and Asylum Act 1999 outlined a strategy of dispersal of asylum seekers and refugees throughout the UK, designed to relieve pressure on public

services in the south east of England where the majority of UK asylum seekers were located. Local authorities with a social housing surplus were invited to take part in the initiative, and Glasgow remains the only Scottish city to date to participate (Wren, 2007; Temple and Maron, 2005). Following implementation, approximately 10,000 asylum seekers arrived in the city, increasing its black and ethnic minority (BME) population by 60% (Scottish Asylum Seekers Consortium, 2007). Asylum seekers and refugees now constitute between 1.5% and 2% of Glasgow's population (COSLA, 2006), and are comprised of around seventy different nationalities, with just over a third originating from four countries: Iran, Pakistan, the Democratic Republic of Congo, and Somalia (Scottish Asylum Seekers Consortium, 2007). Immigration policy remains reserved to Westminster.

There is conflict around terminology applied to asylum seekers and refugees in the global context. In the UK, an asylum seeker is an individual who is awaiting a decision on his/her claim for asylum from the UK Border Agency. If their claim for asylum is granted, they are then recognised, and referred to, as a refugee (Glasgow City Council, 04/08/10).

### 3.2.1 The human perspective

“Refugees are routinely depicted as moving en masse in ‘waves’, ‘tides’ and ‘surges’ - elemental forces threatening inundation and which require containment and redirection.” (Marfleet, 2006, p193).

Marfleet's words encapsulate modern conceptualisations that dominate Western public discourses on the nature and meaning of asylum in the 21<sup>st</sup> century, which tend to dehumanize refugees and portray them as potentially hazardous to host nations. Yet mass population movement and migration between nations and continents is by no means a new phenomenon unique to recent years. From the Elizabethan colonization of the ‘New Worlds’ through the height of Victorian empire-building, Britain specialized in both the export of native British citizens to foreign lands to secure and govern on behalf of British interests, and the import of foreign nationals, often

motivated by the need for increased numbers of labourers and manual workers (Robinson, in Robinson *et al*, 2003). Economic and political considerations thus created both push and pull factors that contributed to the ebb and flow of significant numbers of people into and away from the UK. However simple historical narratives mask discourses which suggest that international migration is socioeconomically and politically engineered. Therefore in times of economic need and political expediency, immigration is positively desired and actively encouraged, as illustrated by the influx from Commonwealth countries in the 1960s and refugees from Eastern Europe in the Cold War era (*ibid*). However, as these needs have receded - rising internal unemployment rates and the end of the Cold War in these examples - and correspondingly social concerns have risen, ever more stringent immigration controls have applied (Aspinall and Watters, 2010).

Present-day global migration patterns reflect a world of significant human mobility. Globalization, viewed through a benign lens as a force for breaking down trade barriers and opening up opportunities to generate wealth and opportunity for the able, can also be seen as distributing inequality. Sometimes mass movement is a result of mutually beneficial 'pull' factors such as the promise of a more secure economic lifestyle in return for alleviating specific labour shortfalls in particular countries; sometimes 'push' factors such as war and natural disaster drive the movement of large groups of people from one area to another. Highly differentiated motivational factors and loosening of EU boundaries for European nationals have resulted in the creation of a plethora of categories in this human traffic, including economic migrants, family migrants, refugees and asylum seekers, and affluent professionals seeking new lives in warmer climes (Gibney, 2004). However, 'unrestricted' migration has become the subject of rising political concern in many Western and European states including the UK, as anxieties over national security and economic downturns within individual nation states have intensified (Aspinall *et al*, 2010; Freedman, 2008). Furthermore, the demographic of those seeking asylum has changed: falling numbers of political dissidents from Eastern Bloc countries seeking safe haven have been mirrored by rising numbers of displaced persons from

developing countries in the southern hemisphere. Ongoing media coverage has fuelled public debate on the impacts and outcomes of multiculturalism, heightening existing anxieties, and this has led, it is suggested, to the emergence of stronger support for far right political movements across Europe (Robinson, 2010; Boswell, 2001).

### 3.3 Asylum in the UK

The Geneva Convention of 1951 enshrined the right of every individual to seek asylum in another country if they are experiencing persecution in their homeland. However the criteria and mechanisms for assessing claims, and social support made available to applicants while doing so, are matters for individual states (Hynes and Sales, 2010). As signatory to the Convention, the UK is therefore obliged to consider anyone's claim for asylum according to its own legal criteria. However persistent perceptions that numbers of applications for asylum are relentlessly rising have made the issue a regular feature on legislative agendas. While labour migration, at least from outwith the EU, can be controlled by direct government interventions, managing the flow of asylum seekers and refugees to the UK as part of a conflated immigration policy in which asylum seekers have at times been churned in with legal and illegal economic migrants, has proved more problematic (Flynn, 2005; Aspinall and Watters, 2010). The following table outlines the key pieces of legislation in the UK in the last two decades, which form the national framework for immigration and the asylum process:

Table 1:     The UK asylum framework

Act	Features
Asylum and Immigrations Appeal Act 1993	Incorporated the Convention's rules into UK legislation for the first time.  Created a process for dealing with asylum applications.

Immigration and Asylum Act 1996	Removed state benefits from those making late asylum claims ('in country' applicants) and those appealing decisions.
Immigration and Asylum Act 1999	<p>Introduced national system of compulsory dispersal of asylum seekers, implemented from 2000 onwards.</p> <p>Established National Asylum Support Service (NASS), agency responsible for regionalisation and asylum support, which was replaced by the Border and Immigration Agency (BIA), subsequently renamed UK Border Agency (UKBA) in 2008.</p> <p>Introduced voucher system of financial support, subsequently small cash payments plus vouchers, to a total value of 70% of Income Support.</p>
Nationality, Immigration and Asylum Act 2002	Introduction of Section 55, whereby support for in-country applicants is restricted to those who apply for asylum 'as soon as is reasonably practicable' after arrival in the UK.
Asylum and Immigration Act (Treatment of Claimants, etc.) Act 2004	Removal of access to basic support for asylum seekers at the end of the appeal process, including those with dependent children.
Immigration, Asylum and Nationality Act 2006	<p>Introduced the New Asylum Model, designed to speed up application and appeal processes, and established regional teams with named caseworkers dealing with each claim.</p> <p>Refugees given limited leave to remain of up to five years. If the country of origin of a refugee becomes safe during that period, he/she can be returned. Permanent leave to remain is only granted at the end for the five year period.</p>

UK Borders Act 2007	Imposed additional reporting and residency rules for those with limited leave to enter or remain in the UK.
Borders, Citizenship and Immigration Act 2009	Introduced 'paths to citizenship', which include additional periods of temporary leave before permanent right to remain is given.

Compiled from data collected from the Refugee Council, 2009; and Home Office, 2010.

A desire to reduce all forms of in-migration underpins attempts to directly curtail the number of asylum seekers reaching UK shores, for example by extending visa restrictions (Bloch and Schuster, 2002). This has been supplemented by a policy approach which focuses on tightening social and economic control over the existing UK asylum-seeking population, a strategy adopted by successive UK governments of both left- and right-leaning political persuasion. This is illustrated, for example, in the removal in 2002 of the automatic right to work, the periodic reintroduction of vouchers instead of cash payments to individuals, and a progressive pruning of the proportion of Income Support payable to those awaiting a decision on their claim for leave to remain. Measures such as these could ostensibly be seen as a means to reduce the 'pull' factor of what is often portrayed, in the media at least, as a generous state support system (Robinson, 2010). This factor, public discourse asserts, makes the UK an optimum destination for all categories of migrants. Despite radically reduced numbers of asylum applications in recent years therefore, fears persist that the welfare system acts as a migration-magnet, and is in danger of being engulfed and overwhelmed as a result of the additional demands placed upon it by migrants. A progressive contraction of asylum seekers' welfare rights is therefore seen as politically justifiable, as the government seeks to ameliorate public suspicions that Britain is a 'soft touch' and simultaneously discourage 'bogus' asylum seekers (Gilbert and Koser, 2006; Bloch and Schuster, 2002). As a result, recourse to public funds and



access to publicly financed services are stringently controlled: education for children and limited access to health services are provided, and a proportion of Income Support, currently approximately half of the standard adult rate, is paid while legal judgement is made on the validity of a claim to remain in the UK, and this can be withdrawn if support is sourced elsewhere, for example via family or friends (Sales, 2002). Accommodation is provided by the state, but there is no entitlement to permanent or temporary emergency housing should it prove to be inadequate or sub-standard (Temple and Maron, 2005).

The New Asylum Model, implemented in 2007, aims to speed up decision-making, tighten the integration process for those who are successful in their asylum claim, and speedily remove those who are not (Refugee Council, 2009). Criticized for failing to take account of the specific, time-consuming difficulties of sourcing evidence from what are often war-torn and politically unstable regions, the new system also increases the risk of detention in one of various purpose-built centres around the UK, abrupt deportation, and, increasingly, destitution (Hynes and Sales, 2010). The right to welfare support, including accommodation and medical treatment, is dependent on an individual having an ‘active’ claim - that is, a claim which has been submitted to the authorities and upon which no decision has as yet been made. Those who are appealing a negative decision or who have reached the end of the appeal process have all state support withdrawn almost immediately, and it is therefore argued that:

“Refugees arriving in the UK to seek asylum encounter a battery of policies designed to deter them from entering the country and to ensure that their stay is both unpleasant and short. These measures include detention, deportation, compulsory dispersal and enforced destitution.” (Hynes and Sales, 2010).

Whether destitution is temporary while evidence is gathered in preparation of a new claim, or permanent because the legal process has resulted in final refusal, official tracking of these individuals stops (Aspinall *et al*, 2010). As a result, estimates are only available for the scale of ‘invisible’ asylum seekers, and these range between

several hundred to hundreds of thousands at any given time (ICAR, 2006). It can be argued, therefore, that within the asylum-seeking population there are distinct categories, some visible, others hidden from social view. Asylum seekers with active claims are closely monitored within the community, their lives controlled by legal constraints on their geographical location and daily activities. Successful claimants who have been given leave to remain in the UK and whose legal status is thus formalised as refugees are free to fully integrate into communities and participate in paid employment. Consequently, they are also visible on the social landscape, although their lives are no longer tracked by immigration authorities. However an unquantifiable proportion remain hidden and invisible, including those who are living in destitution beyond and outwith the state, those who are at the end of the process and who are trying to avoid deportation, and those who are preparing to lodge a fresh claim. The latter process which can take months, during which time they have no access to publicly-provided accommodation or to state benefit support.

Therefore it is difficult to substantiate the statistical contribution asylum seekers and refugees make to the contemporary immigrant population of the UK. The number of new applicants being received each year has continued to drop, and only a third of those who apply are ultimately successful in their claims (Home Office, 2006). However, there also exists an invisible and unquantifiable population created by the system itself. Both past and present Labour and Conservative governments have suggested renegotiating Britain's allegiance to the 1951 Convention, and political emphasis on tightening border controls and dealing more effectively with 'bogus' and 'failed' asylum seekers characterizes the nature of public debate in which those seeking asylum have become associated with the broader immigration narrative (Schuster and Solomos, 2001; Freedman, 2008). The emphasis placed on the provision of concrete proof to demonstrate and underpin the 'credibility' of claims of actual or threatened persecution poses specific problems for claimants who present with particularly culturally sensitive claims. These include women who have been raped or gay and lesbian claimants who originate from countries where their sexual identity in

itself is a crime (Thomas, 2006; O’Leary, 2008). Asylum therefore provokes political and public disquiet as part of an overarching wariness relating to in-migration as a whole, drawing on discourses of dependency, culture and ‘race’, and as a result: “...migration has been seen as a concession to be granted reluctantly rather than a positive benefit to society” (Sales, 2002, p457).

### 3.3.2 Glasgow’s story

In 2000, rapid implementation of a national dispersal policy on a 'no choice' basis relocated asylum seekers around the country at the discretion of immigration authorities. The process created clusters of asylum seeker populations in cities around the UK, and these include Glasgow, which remains the only Scottish city receiving asylum seekers as part of this policy (Wren, 2007). The reliance on surplus social housing for accommodation has led to a concentration of many asylum seekers in poor-quality housing, located in already socially deprived areas of the city (Wren, 2007; Barclay *et al*, 2003). Furthermore, just as relocation is assigned randomly at national level, with asylum seekers being sent to any one of a number of participating cities, it is also imposed on a no-choice basis at local level within Glasgow itself. While asylum seekers are generally dispersed to more socially deprived areas, mostly in the north and south of the city, there has been no attempt to resettle them in common language groups where there might be a basic foundation of supportive networks. Asylum seekers are therefore subject to social concentration in disadvantaged neighbourhoods and are at risk of cultural isolation from pre-existing residents in the city with whom they might share, at the very least, a linguistic bond. Anecdotal evidence suggests that once leave to remain is secured, transforming legal status from asylum seeker to refugee and leading to more freedom of choice, many are drawn to settle in ‘national clusters’ around the city (COSLA, 2006). However while awaiting a decision on their asylum claim, adapting to the loss of homeland and kinship in social and cultural isolation - at least initially - and with limited access to

welfare support, many asylum seekers and refugees suffer high levels of mental health problems, such as depression, and increased rates of self harming and attempted suicide (Cohen, 2007; Ager *et al*, 2002;). Subject to racist malice or wary suspicion by elements in authority and within their new communities, extreme acts of self harm, some asylum seekers have committed extreme acts of self-harm such as stitching together eyelids or lips to symbolise the silence and invisibility imposed upon them, as well as attempted or successful suicide bids, and these have been recorded across dispersal locations including Glasgow (Hynes and Sales, 2010; Glasgow Herald, 10/03/10). Communities in which social and economic resources are already stretched have thus been faced with the challenge of absorbing and integrating significant numbers of disparate and potentially acutely vulnerable individuals. Sales (2002), Phillimore and Goodson (2006), and Hynes and Sales (2010) all discuss the way in which dispersal policy, a strict contraction of welfare rights and the introduction of more stringent asylum procedures in recent years have all served to create a social environment in which:

“Segregated, stigmatised and socially excluded, asylum seekers move through a process characterised by continuous waiting, austere living conditions and a lack of control over their own lives.” (Hynes and Sales, 2010, p57).

By participating in the programme of dispersal, Glasgow became distinctly more culturally diverse almost overnight, and this presented significant challenges both for the communities in which asylum seekers were housed and for the services which supported them. While the Scottish population generally displays higher levels of tolerance towards asylum seekers than their English neighbours (Lewis, 2006), a deep-rooted and diffuse hostility also persists, based on familiar fears about the impact of overall immigration, and what is perceived as preferential treatment of asylum seekers when it comes to the distribution of public goods such as housing (Lewis, 2006). An uneasy mix of acceptance and wariness has therefore characterized the reception and settlement processes of asylum seekers in the city, and local reactions have varied within and across individual communities in the city. Just as racially motivated physical attacks and intimidation present a danger to BME communities as

a whole, Lewis (2006) identifies racism as a significant foundation for some of the debates surrounding asylum, arguing that dispersal itself has served to fortify existing racial tensions in Scotland.

However, while racism unquestionably exists among indigenous Scots, it would be wrong to portray this as necessarily the norm in communities where asylum seekers live. In some instances activists and residents have formed human cordons of resistance against immigration authorities who seek to remove asylum seekers from their homes in dawn raids, thus preventing their removal to detention centres, and this suggests that successful community integration and cohesion can and does occur (The Times, 14/04/10). Revulsion at the confinement of Scottish-based children of asylum seekers in detention centres, and support for high profile campaigns to prevent deportation of individuals who have become active and engaged members of their host communities, has been expressed at both grassroots level by friends and neighbours of asylum seekers, and by representatives of the highest tiers of government, including the First Minister (BBC, 04/08/10). Investment by the Scottish Government of over £12.5 million to aid integration of refugees and asylum seekers, distributed among statutory and voluntary agencies across Scotland, and a further £5.6 million allocated between 2008 and 2011 via the Race, Religion and Refugee Fund, reflects a political recognition of the need to promote acceptance and cohesion within culturally diverse communities (Scottish Government, 17/03/10). However it is also an admission by the Government that racism remains as much a palpable presence in the daily lives of asylum seekers in Scotland as it is among other dispersed populations throughout the UK.

### 3.3.3 Impacts of dispersal on service delivery

One immediate challenge which the city faced was in providing adequate, effective services to a population so diverse in terms of nationality, language and culture, yet

which nevertheless shared one over-arching characteristic: its rigorously restricted access to mainstream public services. The rapidity of dispersal left workers in statutory and voluntary organizations feeling unprepared for the influx of these new service users with multiple and complex needs:

“...appropriate statutory services were not always in place at the start of the dispersal programme, when it was reported that asylum seekers often arrived during the night with no prior warning, leaving no time for basic community preparation.” (Wren, 2007, p400).

The ability to access services and support rests on awareness of their availability and an understanding of how they operate, and linguistic barriers immediately became apparent. Concerns over the quality and consistency of translation and interpreting services which “...emerge[d] repeatedly in research involving members of minority ethnic communities” (Barclay *et al*, 2003; Scottish Consumer Council, 2005, p1), had potentially serious consequences for a population which shared no common language. The need for accurate interpreting services for a broad range of languages became quickly apparent, to ensure the new arrivals understood the nature of available services in the UK, and their own rights in terms of access to them, illustrating another potential cultural disparity:

“...some respondents did not fully understand the concept of a service as an entitlement, but saw it as something to be purchased, reflecting custom in their home countries.” (Barclay *et al*, 2003, p54).

New connections were made by necessity between statutory and voluntary agencies, and Barclay *et al* (2003) found evidence of effective partnership working; service providers were, in general, positive about working with other organisations, although problems of communication and subsequently co-operation did occur. Initially, however, services seem to have been reactive rather than proactive in nature, with arrangements made on an emergency and case-by-case footing, rather than on an organized basis, leading to a series of “ad hoc” responses (Wren, 2007), and pressure has been exerted on statutory services (*ibid*; Barclay *et al*, 2003). However in instances where statutory services have proved to be insufficient or unresponsive to

need, and in particular as welfare rights have become increasingly stringent and restricted, the voluntary sector has stepped in to fill the void (Bloch and Schuster, 2002; Sales, 2002; Wren, 2007). The third sector has also become the only source of support - indeed survival - for the unquantifiable number of destitute asylum seekers whose claims for asylum have been refused, either temporarily or permanently. Community and voluntary sector (CVS) bodies provide emotional and practical support, financed via non-public funding streams, in the form of food parcels, small cash payments, and temporary accommodation with volunteers across the city, in response to what is seen as critical need.

Dispersal has been a complex and challenging process of adaptation, both for asylum seekers and for the communities to which they have been sent, and the evidence suggests there is no single narrative that can accurately encapsulate a decade of enforced inward migration to the city. The asylum-seeking population in Glasgow is exceptionally diverse, differentiated by factors such as race, age, ethnicity, culture, language and religion. However the one unifying characteristic all share is their immigration status, which mediates and controls every aspect of their lives for the duration of their asylum claim, and which has had enduring impacts for the delivery of both public and third sector services in the city.

### 3.4 Constructing 'asylum seekers' and 'persecution'

Initially designed as a humanitarian response to the crisis of displacement following the Second World War, the conceptualisation of 'refugee' by the Geneva Convention over half a century ago has become a highly politicized construct in the contemporary landscape of global migration. The economic and social impacts of uncontrolled immigration are central in contemporary political debates, and are often fuelled by vigorous media dissemination of a proliferation of myths and negative stereotypical portrayals of migrants (Coole, 2002; Gilbert and Koser, 2006). In public discourse, there has been an increasing tendency to coalesce all categories of migrants into a

distinct yet homogeneous group and this has enabled the politicization of inward migration, a practice which helps sustain public suspicions that individuals who seek to settle in Western democracies pose a threat to the social stability of host nations (KhosraviNik, 2005; Gilbert and Koser, 2006; Gedalof, 2007). The media's tendency to use extreme-case, 'newsworthy' portrayals, coupled with conflated "consensual representations" (McKee, 2005, p12) of particular social groups, may reinforce stereotypical and pejorative attitudes towards those depicted, especially if those portrayed are 'different' from target media audiences (KhosraviNik, 2005). As 'immigration' has evolved into a generalized concept in public discourse, the legal status of asylum seekers and refugees can become indistinguishable from that of economic migrants and illegal immigrants, leading to a blurring of who is 'deserving' and who is 'undeserving' of state support. As a result, opinion about who should be accepted or rejected becomes pliable, underpinned by latent suspicions that "most refugees are rootless opportunists whose claims for asylum are illegitimate" (Marfleet, 2006, p193). Political cultivation of volatility in public opinion, often via the media, can therefore foster and nourish negative public attitudes towards forced migrants, delegitimizing their claims for both sanctuary and for welfare resources. This, seen in the context of portrayals which tend to dehumanize and objectify asylum seekers in media discourse, feeds into an 'othering' process (Lister, 2004), whereby doubt and suspicion about individual truth-telling serves as justification for isolating this social group outwith mainstream society, at least until their claims of persecution have been evaluated and found to be credible. In policy terms, this validates severe restriction of welfare rights until an individual is found to have grounds to claim refuge, is granted leave to remain and thus subsequently becomes perceived as less of a social threat than other categories of immigrants. However, as doubts surrounding the legitimacy of asylum claims are often based on perceptions that asylum seekers are nothing more than economic migrants in disguise, a group stereotypically perceived to be young and male (Pedraza, 1991; Gedalof, 2007), it could be suggested that gender plays a role in shaping the asylum debate.



### 3.4.1 Women and forced migration

The 1951 Convention was constructed in an era when understanding of gender issues was significantly lower than it is today (Bloch *et al*, 2000), and one consequence of the absence of gender awareness in its original principles is that its conceptualisation of ‘refugee’ is essentially male and adult (*ibid*; Callamard, 1999; Burman and Chantler, 2004). Yet in global terms, women and children, who tend to be conflated together in a single statistical category, constitute the majority of the world’s asylum seekers and refugees, with figures indicating they account for between 66% and 80% of the overall total (UNHCR, 10/06/10; Bloch *et al*, 2000). A breakdown of these figures suggests that adult women account for around half of the overall global refugee population (Freedman 2007; Kofman, 2008; Piper, 2008; UNHCR, 10/06/10).

The Convention contained no specific definition of persecution yet the presumption that those who flee are primarily male has helped to mould legal frameworks governing what constitutes persecution, and therefore those who qualify for protection, often underpinned by the pre-existing gendered beliefs of host nations (Freedman, 2009). However, in recent years, feminists have argued that the process of persecution itself is gendered, and as a result the effectiveness of protection offered by gender-blind approaches to asylum has been challenged (*ibid*; Callamard, 1999; Zeigler and Stewart, 2009). The argument underpinning gender-blind asylum frameworks is clear: “Women are exposed to and experience the same types of persecution as men.” (Bloch *et al*, 2000, p171), and this is demonstrably true. However, feminist researchers and activists argue that women are also exposed to a further dimension in persecution which is gender-based: they are penalized for behaviours or subjected to particular practices *because* they are women, for example for refusing to wear gender-designated clothing or by being punished more harshly than men for committing the same crime. They are punished in ways specific to their gender, for example female genital mutilation, rape or enforced sterilisation (Bloch *et al*, 2000; Home Office, 2009). There has been a notable lack of understanding, particularly about violence relating to gendered cultural norms and practices which

disproportionately and negatively impact on women, such as honour killing and forced marriage, dress codes and restriction of civil liberties, as well as sexual abuse by militant groups as a weapon of war (Refugee Council, 2005; Bloch *et al*, 2000). Gender-blind asylum frameworks, which do not yet fully acknowledge the differential experiences of men and women in forced migration, may therefore fail to offer protection to women, whose experiences do not match prescribed, male-mediated criteria of 'persecution'.

Increasing understanding of how persecution is differentially experienced by men and women has also led to an analysis of the reasons behind that persecution. In particular, what constitutes political persecution - and, indeed, political activity - has been challenged. The original conceptualisation of political persecution led to the conclusion that: "It is men who have been considered the principal agents of political resistance and therefore the legitimate beneficiaries of protection from resulting persecution." (Crawley, 1999, p309). What was once perceived as a lack of female political participation, and therefore their lesser need for protection in international law, could alternatively be characterized as a misrecognition of what constitutes female political resistance (Freedman, 2009). Women's political activities are likely to differ from men's, moulded by the particular public/private contours of their societies. The ability to participate openly and actively, for example by joining a political party, might be constrained by cultural regulation of women's engagement in public life. However, women might, for example, allow meetings to take place in their homes or offer refuge to political activists and dissidents, either by choice or as a result of coercion by their partners. These activities may be less publicly visible than their male counterparts', yet women remain equally subject to castigation and punishment by the authorities if discovered (Kofman, 2008; Freedman, 2009). Furthermore, behaviour-related cultural practices and social norms are often perceived as apolitical, for example dress codes, and their transgression may be punished by persecution in the private sphere by partners, relatives or communities. Yet those cultural and social codes of conduct may be underpinned by a politically motivated will to control and coerce women, and therefore: "Feminists have long

recognized the political nature of seemingly private acts that transgress customary norms” (Crawley, 1999, p321). While male political resistance and dissent is associated with public engagement and public persecution, women’s political activity, previously thought to be minimal due to its lack of public visibility, has been depoliticized. As a result: “Women’s experiences are conceptualised as ‘private’ - private to personal relationships, private to cultures, private to states - and therefore beyond the scope of international protection efforts.” (Crawley, 1999, p329). This is reflected in equivocal attitudes in host nations towards gender-specific persecution such as female genital mutilation, and rape as a weapon of war (Kofman and Sales, 1998; Crawley, 1999; Bloch and Shuster, 2002), and in a reluctance to categorize persecution inflicted in ‘private’ as an abuse of human rights (Crawley, 1999; Baillot *et al*, 2009). Human rights abuses which affect men and women equally and which are demonstrated in public sphere persecution, such as imprisonment and torture, are more readily recognized in asylum frameworks than mistreatment in the private sphere, the realm which women are normatively presumed to occupy (Kofman and Sales, 1998; Freedman, 2009).

Localized asylum processes, therefore, may not incorporate sensitivities towards cultures and normative practices which shape both the kinds of activities for which women might be punished, and the types of persecution to which they might be subjected. Establishing credibility of individual women’s claims for asylum based on private experiences, which in law might be deemed at best difficult to prove or at worst irrelevant, rests on the gender-sensitivity and responsiveness of legislative frameworks originally established according to male-mediated constitutions of politics, protest and persecution. Women’s experiences might therefore be shaped by traditional social, cultural and political norms in their countries of origin, and these experiences are then subjected to analysis within asylum systems which are underpinned by contradictory, but no less powerful, gendered norms in the nations in which they seek sanctuary (Menjivar and Salcido, 2002). Crawley (1999) therefore argues that a key problem is the public representation of women’s experiences - their problematisation - which renders them irrelevant in the context of traditional notions

of persecution. If their experiences do not resonate within existing culturally filtered policy frameworks, they are met with silence, and in such instances “it is the silence that is eloquent” (Ziegler and Stewart, 2009, p117).

A simple headcount of the numbers of men and women fleeing persecution therefore masks mechanisms and processes which shape differentiated male and female experiences of forced migration. Women are subject to persecution both for gender-neutral conduct or specifically because they are women, and the form of their punishment may be gender-neutral or gender-specific. Their likelihood of being granted international protection depends on the gender-responsiveness of the asylum system of the particular country in which they claim refuge. This consequently leads to the assertion that “Gender structures the migration process” (Nolin, 2006, p32).

#### 3.4.2 Gender and asylum in the UK

In recent years the UK has produced gendered statistics, and figures indicate that women account for just over 28% of main applicants for asylum, a proportion which is consistent with other industrialised nations (Freedman, 2007; Kofman, 2008). Asylum procedures in the UK have been characterised as gender-sensitive, and guidelines for caseworkers promoting awareness of gender issues were introduced in 2004, seeking to promote understanding of gender-specific persecution (Crawley and Lester, 2004; Scottish Refugee Council, 2009). However, the system demands that claims for asylum should be lodged as soon as possible after entry to the UK, and there is an expectation that all information will be fully disclosed at the initial interview stage of the process (Bogner *et al*, 2010). These measures fail to take account of the reticence both male and female asylum seekers may have about confiding in immigration officials, a reluctance which is understandably acute as they flee authorities who failed to protect them, or indeed inflicted persecution, in their homeland (*ibid*). Nor do they take account of the specific barriers to disclosure discussed in the previous chapter which all women must overcome, particularly those

who have been abused, and especially if that abuse has taken the form of rape or sexual assault (Baillot *et al*, 2009). Under-reporting of rape and abuse by UK women reflects a universal difficulty in reporting mistreatment to the police or medical services, but this might be further exacerbated for asylum-seeking women by cultural and social taboos, prompting feelings of guilt, shame and family dishonour (*ibid*; Home Office, 2009). The gender guidelines issued to UK immigration staff attempt to offset some of these issues by emphasizing the impact of trauma on women and the need for awareness of the culture relating to gender in a woman's country of origin (Home Office, 2009). Some attempts have been made in the UK, therefore, to promote sensitivity towards women in the asylum process. Nevertheless, a legislative framework which has increasingly emphasized swift decision-making and rapid removal of 'failed' asylum seekers, underpinned by public scepticism about the credibility of asylum seekers' claims, reduces the chances of women's claims being evaluated with consistent sensitivity towards their unique circumstances. Consequently, female asylum seekers have been described as one of the most marginalized groups in British society (Sales, 2002; Howe, 2006).

Nevertheless, despite these barriers there is evidence that female main applicants in the UK have more success than their male counterparts in the asylum system, and are more readily granted leave to remain. In 2006, while only 6% of male applicants were granted asylum on first appeal, 16% of female applicants petitioned successfully, and by 2008 this figure had risen to 22% (Home Office, 2006; Scottish Refugee Council, 2009). One possible explanation for this discrepancy could relate to the media-generated stereotype that the majority of asylum seekers are male, economically motivated and 'bogus', as described earlier in this chapter. Furthermore, the severity of male persecution might be diluted by expectations of a particular construct of masculinity and as a consequence the seriousness of men's suffering down-played. If this is the case, women might more often be identified with contrasting 'feminine' characteristics, attributing them an inherent vulnerability which enables them to be seen more readily as 'victims', and which subsequently garners heightened sympathetic consideration of their cases (Freedman, 2007;

Haddad, 2008; Kofman, 2008). Men therefore make up the majority of main claimants yet have a significantly lower chance of success on first appeal than their female counterparts, illustrating how gender can negatively impact on both men and women. However negative decisions affect not only the main claimants but their partners and children, whom the system places in a particularly precarious situation.

In the UK: "...men are accorded a primary and active role as asylum-seekers and refugees, [while] women are relegated to a secondary and dependent role." (Bloch *et al*, 2000, p170). Under the current asylum system, women whose partners are the main claimant are conflated with their children as 'dependents' and are disregarded in the asylum claim, irrespective of their personal experiences of persecution. These statistically invisible women also bear the brunt of the high rate of refusal of male first claims, facing destitution and deportation. The UK system, which enforces and perpetuates their dependency and passivity, therefore renders them particularly powerless and vulnerable within the asylum-seeking population as a whole. While the fear of detention and deportation is almost certainly a universal component in the day to day lives of asylum seekers in general, the situation of women who are dependent on their partners' claims is even more complex, as maintaining a stable and secure relationship becomes paramount. Their right to residency, accommodation and financial support hinges on their relationship with the main claimant. For those experiencing abuse in their relationship, this might mean tolerating private mistreatment in order to secure long-term public safety, fearful that revealing domestic abuse might jeopardize their own chance of political sanctuary (Kofman and Sales, 1998). Asylum-seeking women in abusive relationships are therefore under acute pressure because their immigration status makes them:

"...partial citizens, living for the most part outside the public sphere and support networks yet subject to intolerable levels of male and state-sanctioned violence..." (Howe, 2006, p408-409).

The literature highlights the particular vulnerability of asylum-seeking women within the system, yet Howe's (2006) description can arguably be applied to the many

women who fall into other immigration categories and who are also compelled to secure leave to remain in the UK following domestic abuse.

### 3.4.3      Women, immigration and domestic abuse

Research suggests domestic abuse rates among the asylum-seeking population are higher than that of the native UK population: one study in Scotland found that 30% of asylum-seeking women had experienced domestic abuse during their lifetime, and 19% had been abused within the previous twelve month period, with a quarter stating this had occurred after arrival in Scotland (Scottish Refugee Council, 2009, p130). Southall Black Sisters (2008) estimate that there are around six hundred recorded instances of domestic abuse among asylum seekers nationally each year but suggest that a figure of one thousand cases is more accurate, once acknowledged under-reporting is taken into account (p5). Compared with a 25% lifetime risk and an estimated one in ten UK women experiencing abuse each year, this seems to indicate that the threat to asylum-seeking women within their homes might be significantly greater than that to British women. Similarly there is concern over what is thought to be a rising number of women on spousal visas experiencing abuse by their husbands, although statistical evidence is scarce (Jackson, 2011; Home Office, 2011). However, while pejorative discourses regarding ‘race’ and ethnicity might tempt some to attribute this disparity to culturally embedded inclinations towards violence, Burman *et al* (2004) warn against such analyses: “Just as accounts of domestic violence have moved away from ‘woman blaming’, so it is important to avoid ‘culture blaming’ minoritized cultures” (p335). Since domestic abuse cuts across social, cultural and national boundaries, with no identifiable group of men found to be necessarily more violent than another, this calls for an analysis of factors which might explain these higher rates.

Migration, whatever the cause, requires a reconfiguration of relationships on every level, from personal, social and community, to cultural, political and professional. Those who arrive in a strange country and culture face the challenge of integrating

into existing communities and establishing new social networks, while redefining their ongoing relationships and personal identities:

“...gender roles are affected in relocation by disruption of status and power hierarchies, geographical dispersal of kin and friendship networks, new residence patterns, loss of economic resources, differential access to new resources, shifts in work patterns, exposure to strangers with different lifestyles, and different expectations.” (Indra, 1999, p25).

In forced migration, this process might be particularly acute and traumatic, as personal identities fracture and social connections are abruptly ruptured, but even where ‘pull’ factors such as marriage, study or work bring women into the UK, identities must be reconfigured and social networks rebuilt. The politicization of immigration in the last twenty years as outlined earlier in this chapter means increasingly stringent welfare and social restrictions have been used as both an exclusionary mechanism to deter immigration while also serving as a differentiating mechanism between citizens and these ‘others’ (Freedman, 2007). Each category of migrant is accorded varying rights under immigration law, creating a complicated system of differentiated rights, but one in which access to public resources forms the crux. Therefore, individuals in each category are differentially integrated into mainstream society, sometimes, in the case of asylum seekers for example, with lives placed on hold for an indeterminate period of time, and as a result immigrants remain highly visible yet frequently partial and conditional participants in the public sphere. In this context, private relationships must be “reaffirmed, renegotiated and reconfigured” (Nolin, 2006, p32). With personal and social identities of both men and women in flux during the migratory and resettlement period, the immigration process may impact differently on gendered elements of status and self-worth: the prohibition of paid employment may affect men whose traditional, cultural role was that of breadwinner, for example, while the loss of extended family and community support might affect women’s self-perception as principal child-carer (Bloch *et al*, 2000). The implementation of dispersal policy means asylum seekers must often try to adapt in isolation from culturally familiar networks of potential support which



might pre-exist in the UK (Zetter *et al*, 2005). The dispersal mechanism within Glasgow itself, which relocated asylum seekers on an individually random basis without reference to characteristics such as language, nationality or culture, hampered the formation of new social, informal or familial networks (Wren, 2007). A lack of these supportive networks is seen as inhibitive to community integration, but may also hinder the impact of community and cultural influences which might normally regulate conduct within relationships (Freedman, 2007). Furthermore, the additional mental strain imposed by the immigration system on individuals who are already psychologically compromised by the ordeals they may have suffered, as well as by a daily existence marked by uncertainty and insecurity, elevates rates of mental ill health among these populations (Hynes and Sales, 2010; Ager *et al*, 2002). These factors might therefore offer some explanation for heightened rates of domestic abuse experienced by immigrant women. Social and cultural isolation and high rates of mental ill-health, as well as the UK's immigration process itself, can be categorized as exacerbating factors which act as drivers - though not direct causes - of an increased risk for abuse a women whose right to live in the UK is invested in her husband or partner. The vulnerability of such women is further intensified, however, by their immigration status which limits their access to mainstream public services and therefore potential exit routes out of an abusive relationship.

#### 3.4.4 Seeking help

Access to mainstream public services is regulated by the No Recourse to Public Funds (NRPF) rule:

Table 2: No Recourse to Public Funds

- This is a condition of residence in the UK applied to individuals whose immigration status is insecure or undetermined.
- ‘Public Funds’ encompasses services and benefits financed by the State for the social and economic support of UK citizens
- Those subject to this Rule cannot access public housing, claim help with housing costs, and are not entitled to a range of social security benefits including Income Support, Job Seekers Allowance, tax credits and disability or carer’s allowances.
- The Rule applies to individuals in a range of immigration categories including those on temporary student or work visas, trafficked women, and asylum seekers.

Source: Amnesty International UK and Southall Black Sisters (2008)

For women who fall into various immigration categories and who are experiencing abuse, this rule presents a considerable barrier to accessing refuge accommodation. These categories include, for example, asylum-seeking women, women on spousal visas and students. As outlined in Chapter One, a network of refuges has been established across the UK under the auspices of Women’s Aid, but demand is acute and supply severely limited. Refuge running costs are recouped by claiming Housing Benefit for those women who cannot afford to pay for it themselves. However, many women with insecure immigration status cannot claim Housing Benefit under the NRPF

rule, and therefore costs for provision cannot be recovered from the public purse. While Women's Aid groups can provide refuge places to women without access to publicly funded provision, they must absorb the costs within their existing budgets. However, as has already been outlined, funding streams at current levels are unable to provide adequate supplies of refuge places to meet existing demand. In practice, while local groups might occasionally make provision as and when they can afford to, the rejection rate for requests for accommodation by women with NRPF - the majority of whom are asylum seekers - was 76% in 2006/07 (Scottish Women's Aid, 2008). This is a significantly higher rejection rate than that of British women (just over 50%), and the primary reason for rejection was inability of local groups to absorb the costs (*ibid*; Women's Aid, 2008). The acute issue of lack of access to safe and secure accommodation is further compounded by denial of any state benefits under the Rule, therefore subjecting such women to the threat of absolute poverty. For women in this situation the choice is stark:

“These women are either left trapped in violence, in fear for their lives and often for the wellbeing of their children, or face destitution if they flee”  
(Southall Black Sisters, 2008).

There is anecdotal evidence that local Scottish Women's Aid groups can and do reserve spaces within their refuge provision for women who cannot access public funds, and that attempts are made to accommodate women in immediate danger of violence in spare rooms within private homes or private sector accommodation, at individual workers' expense (*ibid*). However, reserving accommodation which is already in critically short supply inevitably leads to the possibility that another woman in immediate need is refused refuge. The impact on service providers and individual support workers forced to make decisions about who to accommodate and who to turn away is unknown.

Being unable to access refuge provision by right and denial of state benefits as a means of subsistence are acknowledged barriers to the safe exit from violence within the home for women with insecure immigration status (Anitha, 2008; Southall Black

Sisters, 07/07/2012). The government has recognized the significant impediment the Rule creates for one specific category of women - those on spousal visas - and currently funds a pilot project offering accommodation and subsistence to such women who have no recourse to public funds, which has, at the time of writing, been extended indefinitely (Eaves Women's Aid, 10/08/10). In addition, legislation has been introduced in response to potential abuse of migrant women by their partners:

The Two Year Rule: 'probationary period'

- Under this Rule, a woman can be granted twenty-four months' leave to remain in the country, on the basis that she is in a relationship, either married or unmarried, with someone who is 'settled' in the UK.
- 'Settled' means either a UK national or an individual who has been granted leave to remain in the country.
- At the end of the two year probationary period, the woman can then apply for indefinite leave to remain.
- For the duration of the twenty-four month period, she has no recourse to public funds.

The Domestic Violence Rule

- Introduced in 1999.
- A woman who is living with a man under the Two Year Rule can apply for indefinite leave to remain independent of her partner if she can prove that she has been subjected to domestic abuse, and that this has caused the relationship to break down.

Source: Scottish Women's Aid (2008); Women's Aid (2008); Iranian and Kurdish Women's Rights Organisation (2012)

Table 3: Women on spousal visas

The implementation of the Two Year Rule enables a woman who enters the country as a partner of a man who has residency rights in the UK to apply for and secure leave to remain in her own right after a period of twenty-four months, provided she remains in

that relationship. However, her enforced dependency on her partner, underpinned by the NRPF rule, raises critical concerns about women who are abused within that twenty-four month period. Initially designed to discourage the use of marriage as a means of currency for citizenship (Anitha, 2008), the incorporation of the NRPF rule in its implementation exposes these women to its risks. In response to such concerns, the Domestic Violence Rule was established, which aims to provide a means of escape for such women.

Yet there are limitations to the legislation which, it has been argued, dilutes its effectiveness as a protective mechanism for women. Due to application of the NRPF rule during the period of separation until an independent claim for leave to remain is prepared and decided, women are forced, again, to choose between staying in a violent relationship and becoming destitute until accommodation and support is provided once a claim for leave to remain is made (Glasgow Violence Against Women Partnership, 10/08/10). Critics argue that this forces women to risk their safety, and that of any dependants they might have, by persevering in dangerous relationships, knowing that if they manage to endure the situation for twenty-four months, they will become entitled to public provision of refuge and benefits (Southall Black Sisters, 2008). For some women, the magnitude of the threat of deportation might encourage them to tolerate known physical, sexual and psychological traumas in the privacy of their homes rather than face unquantifiable risks should they be deported (Dobrowolsky with Lister, 2006). They may, for example, have well-founded fears of community stigmatisation or family retribution following a 'failed' marriage, providing the basis of a claim for leave to remain in the UK. Manipulation of the fear of deportation by the abuser - for example, hiding documents or giving false information to his partner about her probable return home - makes such women uniquely vulnerable (Anitha, 2008). While offering a protective mechanism, the Domestic Violence Rule also places a burden of proof on migrant women to justify state intervention on their behalf: there must be tangible evidence of professional intervention in the form of police and medical reports or submissions from a Women's Aid group (*ibid*, 2008). This echoes the process of asylum-seeking itself, whereby safe

haven will be given only if persecution in the country of origin can be substantiated by concrete proof, such as documentary or testimonial evidence. Many immigrant women, unlike indigenous women, therefore cannot access state-funded support for their abuse until that abuse has been officially authenticated. By insisting on verification of abuse, the Domestic Violence Rule creates two tiers of protection: automatic protection for indigenous women, and conditional protection for those with insecure immigration status (Asylum Aid, 2010). Furthermore, by prioritizing physical and sexual violence over other forms of abuse, the Domestic Violence Rule negates much of the rhetoric in policy documents which emphasizes that every woman deserves legal and physical protection from a partner who seeks to do her harm, and that such harm can be inflicted from a spectrum of behaviours which constitute ‘abuse’. The barriers to disclosure are universal, and many women find it extremely difficult to reveal their abuse to outsiders. Difficulty in revealing maltreatment to third parties might be particularly acute for a woman who knows that her right to stay in the UK is, at that moment, dependent solely on her relationship with her abuser. Despite some headway in offering protection to such women, therefore, the Domestic Violence Rule is significantly flawed in its key aim of offering protection, and one outcome is that protection from domestic abuse in the UK is discriminate:

“...despite advances in the UK to provide better protection and support for women who have experienced or who are at risk of violence, these advances have not been extended to *all* women in the UK” (Amnesty International and Southall Black Sisters, 2008).

#### 3.4.5 Finding support

The responsibility for domestic abuse policy is devolved, and as a result there has been some regional variation in strategic trajectories in different parts of the UK in recent years. In Scotland, the women’s movement succeeded in exerting influence over the constitutional design of the new government, contributing to the foundation of a more egalitarian approach to politics and policy overall, and as a result domestic abuse policy has been described as: “...a striking case of successful feminist

constitutional activism, where devolution ‘has made a difference’ with positive – albeit fragile – gendered outcomes.” (Mackay, 2010, p383). However, women with insecure immigration status in Scotland are caught on the cusp of conflicting political responsibilities, and the constraint of their immigration status, designated by Westminster, eclipses their rights as residents in Scotland.

The point at which women decide to leave an abusive partner is paramount, and the moment of breaking silence to someone outside the private realm of the individual is pivotal (Burman and Chantler, 2004; Southall Black Sisters, 2008). The availability of safe and secure alternative accommodation is clearly essential for many women, but as well as the physical protection it affords, women also describe: “...feeling nurtured and safe through their contact and connection with other residents and with workers” (Burman and Chantler, 2004, p386). This illustrates the importance of emotional, as well as practical, support for women fleeing abuse. Robust and trustworthy informal and social networks are crucial to women attempting to exit abusive relationships, as initial disclosure is much more frequently made to family and friends than to formal services (Kelly, 1996; Klein, 2004; Trotter and Allen, 2009). For immigrant women whose social and familial bonds have been dislocated, these trust connections might be absent, remote or fragile, a situation exacerbated by distinctive aspects of their individual migration narrative – for asylum-seeking women, the randomness of dispersal for example. For a population which is acutely at risk of social exclusion (Zetter *et al*, 2005; Spicer, 2008), social and community networks play a key role in off-setting individual isolation, and in particular may offer a potentially significant avenue of support in dealing with domestic abuse, especially for minoritized women (Kleine, 2004; Wilcox, 2006). Given limited access to mainstream welfare services afforded to women with insecure immigration status, such networks could prove vital. A review of community groups and voluntary organisations in Glasgow indicates a range of diverse organisations that have stepped into the gap between need and provision in the city (Positive Action in Housing, 2010). For some groups, such as Hemat Gryffe, Glasgow’s BME Women’s Aid organisation, this has meant adapting existing services, but new groups have also emerged alongside established ones,

including women-centred, culture-specific collectives offering specialist support, for example to those of African origin in the city (*ibid*). As access to mainstream domestic abuse services has become increasingly circumscribed, it appears that alternative avenues of potential support have opened up to women with insecure immigration status within the CVS sector in Glasgow.

The process of help-seeking to escape domestic abuse is complex and complicated. An interweaving of multiple personal and political factors shapes both the individual experience of an abusive relationship, and a woman's exit from it. Insecure immigration status has been identified as one of a range of issues which make specific groups of women "more vulnerable to victimisation and less likely to speak out" (EHRC, 2010). As well as overcoming the range of universal barriers to finding support all women must negotiate, women with insecure immigration status must also address additional hurdles presented by the immigration and asylum system itself (Burman *et al*, 2004). NRPF is just one example, albeit a highly significant one, of a range of potential obstacles which must be overcome in order to reach a place of safety. Yet the extent to which each woman experiences and negotiates these hurdles will vary, depending on complex personal characteristics and individual circumstances. The political labels of 'asylum seeker' or 'woman on spousal visa' which dominate some women's public identity homogenize a vastly diverse group of individual women. A single, universal lens cannot be applied to all abusive relationships; nor can the experiences of such disparate individual women be assumed to be unified by a particular externally generated and superimposed political identity. It is impossible, therefore, to seek to understand the experiences of women whose immigration status is insecure and who are in abusive relationships without embracing the notion of diversity.



### 3.5 Unity and diversity

Individual social and political characteristics have often been used, with good effect, to challenge the status quo: the rise of the socialist Labour movement in the UK, the emergence of black resistance and the civil rights movement in America, and the reinvigoration of women's equality issues on both sides of the Atlantic in the 1960s and 1970s, were driven to tackle class, race and gender inequalities respectively. This form of identity-based politics "...has been a source of strength, community, and intellectual development" (Crenshaw, 1994, p93) for marginalized groups. However, identity politics, with its emphasis on one particular category of social difference, has been subject to criticism because of its tendency to conflate the more complex life narratives of those it seeks to represent. As a result, the prioritization of that single characteristic among group members dominates over others and can lead to a "...homogenized 'right way' to be its member" (Yuval-Davis, 2006, p195). As second wave feminism built in strength in the USA and UK during the 1970s, the predominant representation of 'woman' was white, heterosexual and Western.

In response, Black feminists in particular challenged the creation of any such 'norm' in women's experiences, highlighting that gender alone and in isolation from other social categories, was not adequate to fully explain the oppression that many women suffered. Resistance to racist as well as gendered oppression by black women is evidenced in the emergence of first wave feminism in the late 19<sup>th</sup> century (hooks, 1982; Bryson, 1999), and became an increasingly potent "political articulation" (Mirza, 1997, p3) throughout the fifty year history of second wave feminism in the UK. Black feminists draw particular attention to the duality of 'race' and gender, suggesting that by analyzing the interplay between these categories, a more rounded understanding of mechanisms of oppression, and consequently more effective tools with which to dismantle them, could emerge. From this perspective, rather than the defining element in women's lives, gender becomes simply one of a range of categories which intertwine to produce any individual 'woman'. Critically, however, it is argued that race and gender (and other aspects of identity, such as class) should

not be understood in addition to one another, but rather through their interaction: “black women’s situation should not be understood as the sum of cumulative disadvantages (gender plus race plus class), but as the product of multiple oppressions (gender *times* race *times* class)” (Bryson, 1999, p35). First described by Crenshaw in 1989, the notion of intersectionality is most commonly focused on the outcomes and impacts of this interactive process between a central trinity of classifications - ‘race’, class and gender - although there has been a proliferation of categories which can be applied beyond these, along with subdivisions located within them, offering a more nuanced analysis of the mechanisms of power (Yuval-Davis, 2006; Davis, 2008). This describes a move towards a pluralistic understanding of identity, both in terms of how human beings might use a range of social building blocks to construct their own public identities and sense of self, but notably how these categories are similarly used by outside agencies, entities and institutions to construct identities which may be in contrast and conflict with an individual’s self perception. ‘Immigrant’ is just one category into which women fall. Yet within this single category, a multitude of further divisions might overlap and interplay, from nationality and ‘race’ to ethnicity, class, disability, religion, language and age, all of which contain the seeds of discrimination. Rather than these social classifications existing in isolation from one another, therefore, Davis invests intersectional theory with dynamism, describing it as:

“...the interaction between gender, race and other categories of difference in individual lives, social practices, institutional arrangements, and cultural ideologies and the outcomes of these interactions in terms of power.” (2008, p68)

Categories of difference are not, therefore, singular, discrete labels which are applied either by individuals to themselves, or by others. Instead, they are overlapping and intertwining. It is at these points of overlap - the personal, social and political junctures at which individuals stand - that experiences of oppression are delineated, and which guide interpretations of those experiences. Intersectionality

could, therefore, offer a means to move beyond the one-dimensional tendencies inherent in identity politics, towards an understanding of women's "...multiple and conflicting experiences of subordination and power..." (McCall, 2005, p1780). While domestic abuse cuts across boundaries such as social class and 'race' and ethnicity, therefore, intersectionality offers an explanation of, and a means of understanding, differentiated experiences not only individual women's experiences of abuse and their varying support needs, but also public responses towards them (Bograd, 1999; Nixon and Humphreys, 2010). However, Burman (2004) cautions against an over-emphasis on 'difference', arguing: "who is different? Well we all are" (p294). In terms of applying an intersectional frame in the context of domestic abuse, therefore, a simplistic focus on discrete categories of difference must be rejected in favour of a determined analysis of how those differences are created by, and entrenched in, wider social, cultural and political frames, and the effects these have on individual women, whatever their background.

As discussed in the previous chapter, historical or cultural constructions of domestic abuse can and do conflict with women's own experiences. Intersectionality offers a means by which to understand why this should be, premised on the argument that there cannot be an essentialised category of 'woman'. By paying attention to personal circumstances in individual lives, notions of what constitutes abuse at an individual rather than an abstract level can emerge: for example, the passport of a woman on a spousal visa might be withheld by her partner who threatens to have her deported if she does not accede to his wishes, or refuses to renew their visa when their spousal visa expires at the end of 24 months (Anitha, 2008; Anitha, 2010). This may not be specifically categorized in policy documents as abusive behaviour, and yet it becomes an effective tool of coercion and control. However, the source of power in this scenario is invested in a woman's partner by the state: it is that which makes her dependent, and thus vulnerable. If she leaves her partner, her immigration status will become even more insecure, and her right to state resources may be withdrawn completely. Yet the state's actions are arguably rooted not only in traditional gendered assumptions that normalize her passive dependency on her partner, but also

in its desire to address ‘the problem’ of immigration by using tactics such as destitution and deportation mentioned earlier in this chapter, fears of which are common to both male and female immigrants. Abusive private relationships can therefore be further compounded by socially entrenched structural and institutional discriminatory practices (Sokoloff and Dupont, 2005), which find expression in a variety of forms including xenophobia and racism.

Gender is therefore only one factor which places particular women at the margins of society, social and political responses to various elements within individuals which are judged to deviate from the ‘norm’ - whether ‘race’, gender, age, disability, sexuality, religion or so on - underpin both subtle and overt discriminatory practices which drive and perpetuate marginalization. This might be demonstrated in domestic abuse policy by an absence of services or support, and indeed a dearth of research for and about women whose profiles do not match prescribed descriptions of ‘victim’, which are formulated within a culturally specific frame.

### 3.6 Conclusions

This chapter has described the framework of immigration and asylum which shapes immigrant women’s experiences of life in the UK. There are multiple immigration categories which women might fall into which will define and shape their access to public funds and consequently support services. The political nature of the UK asylum and immigration system is apparent, as is its fluctuating nature, with numerous legislative interventions designed to control and restrict what are perceived as ‘floods’ of incomers to British shores.

Services in Glasgow have responded to the needs of refugees in general, including the specific needs of women, and where public services have struggled, both existing and new community and voluntary sector organizations have stepped in. It is clear, however, that women who arrive in Glasgow in already abusive relationships and those who start to experience abuse after they become resident are both in an

acutely vulnerable situation. Legislative responses are contingent and conditional, offering only partial and equivocal protection. The tendency to homogenize a vast number of personally, socially and culturally disparate women into a single category of 'non-citizen' has created circumstances in which such women's disclosure and help-seeking is constrained. Intersectional theory argues that it is impossible to understand - and consequently adequately respond to - individual women's experiences without recognizing the multiple aspects of their identity which delineate their personal experiences. However, the complexity of women's position in the immigration system as set out in this chapter demonstrates the way in which these aspects of individual, social and cultural identity encounter and interact with policy frameworks which superimpose overarching political identities on individuals, and it is this multifaceted intersectionality which informs the theoretical framework described in more detail in Chapter 4.

This study therefore sets out to investigate women's experiences of domestic abuse and help-seeking in Glasgow within the political and social context described in this chapter, and the following chapter describes the research design which was formulated in order to achieve this aim, including the methodological framework within which the study was conducted, the methods employed, and the approach to data analysis and interpretation adopted.

## Chapter 4

## Research design and methods

### 4.1 Introduction

The previous chapters demonstrate how social perceptions of domestic abuse have evolved, and how feminist activities have helped in its transformation from private misfortune to public issue, not just in the UK, but in many countries around the globe. However the literature also points out that policy frameworks are constructed according to particular social and political conceptualisations of ‘the problem’, consequently shaping specific avenues of support for generalized representations of ‘victims’ of domestic abuse. For those who do not match these descriptions, because they are either different or *made* different from the pre-defined norm, the individual/state relationship may be no less simplistic than that of the victim/perpetrator. Therefore the primary focus of this study is not individual women’s experiences of domestic abuse, important though these are, but rather on such women’s relationship with the state. This section outlines the central aims and objectives of this research and the means by which they will be achieved. Methodological foundations are discussed, and justification for methods selection is offered, along with a description of sampling and recruitment strategies employed. A distinct section on the position of the researcher is also included. Finally, ethical considerations are addressed, with particular attention paid to the safety and support of both the participants and the researcher herself.

### 4.2 Aims of the research

Drawing on the literature, this research aims to address three specific questions:

- 1 How is domestic abuse ‘problematized’ by the state in Scotland?
- 2 How do the policies which proceed from this process of problematisation provide and shape escape routes for women from abusive relationships?

- 3 What are the consequences of exclusion from public service provision for women with insecure immigration status who experience domestic abuse?

Following on from these aims, the key objectives are:

- a) To analyze contemporary Scottish policy documents in order to examine the underlying discourses that shape policy responses.
- b) To conduct a comparative analysis of the 'problematism' of domestic abuse in Scotland and another nation in order to examine the way in which different conceptualisations of domestic abuse define the issue and determine policy responses.
- c) To identify possible policy gaps created by domestic abuse 'problematism' in Scotland, and outline the implications for women seeking support.
- d) To investigate help-seeking strategies adopted by women with insecure immigration status in Glasgow who have experienced abusive relationships.
- e) To gain insight into the experiences of women prevented from accessing mainstream public services.
- f) To identify ways in which devolved domestic abuse policy might be formulated in Scotland that effectively incorporates the experiences of women with insecure immigration status and addresses their needs, within the current framework of immigration control.

The study consisted of two phases of fieldwork - documentary analysis and semi-structured interviews - and it was designed in a way that would enable these research questions and objectives to be addressed thus:

Table 4: Addressing the research questions and objectives

	Phase 1: Discourse analysis of policy documents	Phase 2: Semi structured interviews
Research Q 1	❖	
Research Q2	❖	❖
Research Q3		❖
Objective a	❖	
Objective b	❖	
Objective c	❖	❖
Objective d		❖
Objective e		❖
Objective f		❖

### 4.3 A methodological framework

“...there is no distinctive feminist methodology, but there is a distinctive feminist approach *to* methodology and methods.” (Krook and Squires, 2006, p44).

Philosophies of knowledge and reality which underpin a research project provide a structure within which the study is framed: similar to problematisation in the policy process, the framing of a research study helps to define the research problem, and influences both its conduct and the interpretation of its findings. Positivism as an epistemological stance draws upon natural science and suggests that research can be conducted in a rational and value-free manner to collect facts which can then be organized to formulate ‘laws’ about the world. This approach perceives knowledge as artefact, and the process of research as archaeological in nature, whereby pre-existing, concrete facts are unearthed by the researcher. However, the complex,



unpredictable and often contradictory nature of individual human action and interaction would suggest that knowledge generated through the study of human subjects cannot be conceptualised in this way. What human beings perceive as ‘fact’ is affected by distinctive social, cultural and life contexts, and, moreover, the assumption of generalized, universalised life ‘truths’ often overlooks the experiences of non-dominant or disempowered sections in society (Ackerly and True, 2010). This then suggests the existence of multitudinous interpretations of ‘truth’ or ‘reality’, and thus it may be more appropriate, when exploring human relationships, to strive for a deeper understanding of human actions, decisions and perceptions, rather than attempt to establish a single, concrete explanation in a broader context for social phenomena. This is reflected in many feminist research practices, which have sought to promote the value of individual narrative - particularly those who are marginalised - in the study of society (Price, 2005; Skinner *et al*, 2005; Ackerly and True, 2010), and this research will therefore employ feminist research practices. This is not to say that a rejection, in this instance, of a positivist approach is intrinsically ‘feminist’: feminist researchers adopt differing epistemological positions from one another, utilise any and all combinations of methods to conduct their research, and incorporate the experiences of both men and women in their work. There cannot be said to be one, single, unified and identifiable feminist methodology (Skinner *et al*, 2005). Nevertheless, there are certain characteristics which are often associated with research which claims to be feminist:

“Feminist research is politically *for* women; feminist knowledge has some grounding in women’s *experiences* and in how it *feels* to live in unjust gendered relationships.” (Ramazanoglu with Holland, 2002, p16).

Rather than take a positivist approach, therefore, an interpretivist stance will be taken, one which “...respects the differences between people...and...requires the social scientist to grasp the subjective meaning of social action” (Bryman, 2004, p16). By recognizing such differences, there is an explicit acknowledgement of the subjectivity of individual lived experiences, opinions and actions, while maintaining

the legitimacy of incorporating such subjective experiences into the scientific study of society. Given the theoretical framework outlined in previous chapters and reiterated below, this offered a more appropriate epistemological position for this study.

This perception of knowledge is complemented by an ontological viewpoint which recognizes that what constitutes ‘truth’ and ‘reality’ varies between individuals, as intertwined elements of difference in each human being are tempered by diverse life experiences: we each might ‘know’ but in different ways (Oakley, 2000). This creates a plethora of perceptions of what is ‘real’. If intersectional theory asserts that oppression is multi-layered rather than single-faceted, a social constructionist stance invites recognition that personal reactions to that oppression might equally be diverse and individualized. Therefore social constructionism validates subjective interpretations of social reality, even if they are conflicting, and intersectionality, which “emphasizes the interaction of categories of difference” (Hancock, 2007, p63), offers a theoretical explanation for how these different perspectives might be created. However, social constructionism is also concerned with the *process* by which the social world is constituted, asserting that human beings do not function in isolation from one another, nor independently of broader powerful social forces. Not only do these dynamic interactions shape an individual’s perception of social ‘reality’, but also, as a consequence, how he or she responds to it. There is potential, therefore, for ‘realities’ to be created by outside agencies which then impact on individual attitudes and behaviours and that:

“...each different construction brings with it...a different kind of action from human beings...Descriptions or constructions of the world therefore sustain some patterns of social actions and exclude others.” (Burr, 1995, p5).

As a result of this, rather than seeking to establish one ‘truth’, the empirical study of society should recognize the existence of multiple ‘truths’, formed through unique personal experiences and influenced by social processes, which may correspond or compete with others’ understanding of the world, reflecting the constructed nature

of unique ‘realities’. Yet simple acknowledgement of the existence of a variety of realities is not enough: feminists also draw attention to the processes by which favoured interpretations of ‘truth’ can become invested with greater authenticity and turned into dominant ‘norms’, overshadowing and effectively silencing other perspectives. An understanding of the role of power in the creation of knowledge is, therefore, crucial.

Feminists have argued that gendered power processes, which have historically favoured dominant masculine perspectives, have equally influenced the study of society. It has been argued that, as a result, women’s voices, concerns and experiences have been marginalized (May, 1996, p159). An analysis of the role of patriarchy in the generation of knowledge about human experience has seen feminist research theory highlight the importance of reassessing existing social ‘realities’ from women’s perspectives. This has been complemented by a perceived need to deconstruct existing androcentric knowledge, and to reconstitute it in a manner which is more gender-representative (Harding, 1987, p3). Questioning the legitimacy and authority of the (gendered) process by which (gendered) ‘knowledge’ is created, feminist research is premised on an acute awareness of the mechanics of power, and how that power informs not just the nature of knowledge itself, but the identity of those engaged in the process of knowledge creation (Sampson *et al*, 2008).

#### 4.3.1 A feminist approach

Individual women’s personal experiences are embedded in the foundations of both modern feminist theory and contemporary Scottish policy responses to domestic abuse (Hague and Mullender, 2006; Scottish Government, 2009). This raises questions of how subjective, perhaps contradictory, personal narratives might reasonably be incorporated into both bodies of existing knowledge and the policy process. However, as the literature suggests, the interweaving of singular personal narratives can create a meaningful and instructive collective discourse, leading to jointly created

understanding of abusive relationships, mediated through a female lens: “The key is that women’s experiences of men’s violence are collectivized and politicized.” (Price, 2005, p15). Therefore, there can be an explicit acknowledgement of the subjectivity of individual lived experiences, opinions and actions, while maintaining the legitimacy of incorporating such subjective experiences into the scientific study of society and, consequently, participatory policymaking.

This research seeks to deconstruct the public conceptualisation of a social phenomenon which overwhelmingly impacts negatively on women in Scotland, and recognizes the role of politics and power in that conceptualisation. Furthermore, it draws upon the life stories of women with insecure immigration status in Glasgow who have suffered domestic abuse, gathering a multiplicity of unique experiences, with the possibility that these disparate narratives can have collective, as well as personal, significance. Woman-centred, reflexive and political, a feminist approach thus offers the most effective means by which to investigate domestic abuse and therefore forms the methodological basis of this study.

As Krook and Squires (2006) indicate, there is no single specific feminist methodology. However, feminist approaches to the analysis of knowledge and reality, and the role of power in shaping them, correlate with the focus, aims and objectives of this particular study. Similarly, although there are no distinctly feminist methods, qualitative techniques, which allow for the analysis of the social world as one comprised of “multiple, subjective realities” (Gilbert, 1992, p33) provide the most appropriate tools for this piece of research, which employed two phases:

- 1        Documentary analysis.
- 2        One to one semi structured interviews with a range of participants.

#### 4.4 Theoretical framework

Before outlining the selected methods and describing the application and evolution of the analytical process, this section sets out the theoretical framework which informed this study. By adopting a feminist approach to the construction of social problems, gender becomes of prime importance, critical in examining a social issue which is concerned with the experiences of women and the actions of men. The fundamental focus of this study was to gain an understanding of the problematisation of domestic abuse, and examine the ways in which protection for individual women in abusive relationships stems from this process.

Bacchi's work identifies the way in which policy 'silences' emanate from the policymaking process, marginalizing some aspects of abusive relationships, such as psychological control, and excluding some women altogether. This exclusion, however, cannot be assumed to be incidental but rather is specifically related to a politically subjective interpretive process whereby domestic abuse as a private concern becomes publicly conceptualized as a social problem. This inevitably involves judgments about the causes of abuse; what constitutes its nature; and will incorporate notions about its perpetrators and victims, in order to prescribe and justify particular policy remedies. The gendered nature of the policy-making process, similarly reflecting differential distributions of power across society, therefore draws the feminist analytical gaze towards the process of problematization itself, the values and assumptions it incorporates, and ultimately its impact on individual women.

Intersectional theory strengthens this focus on the individual, demonstrating the complexity of personal identities and the way in which this complexity often conflicts with normative and one dimensional notions of 'women', and in this instance 'abused women', which might inform policy-making. Defining 'victims', that is generating normative conceptualizations of women who suffer abuse, immediately creates the circumstances in which marginalization can occur: those who do not 'fit' prescribed definitions are in danger of non- or mis-recognition, limiting their willingness and opportunity to access support. Applying an intersectional approach to the analysis of

the problematisation of domestic abuse in Scotland offers the opportunity to expand upon both these existing theories, as well as incorporating a more nuanced interpretation of the experiences of those with insecure immigration status who suffer abuse at the hands of a partner. However, this also presents a means by which to examine the way in which personal identities converge and conflict with political and policy frameworks. Adopting an intersectional perspective on problematisation itself offers an opportunity, therefore, to expand our understanding of the impacts of political interpretations of domestic abuse on individual women. In doing so, it is possible to further elaborate the silences identified by Bacchi (2008), embedding them within the political processes and frameworks from which they proceed.

Moreover, the way in which the policymaking process can fragment or splinter the issue of domestic abuse into discrete components has also been described. The increased recognition of a range of behaviours which characterize domestic abuse has improved an understanding of how men entrap women in violent relationships; the use of psychological manipulation, for example, which wears down her ability to recognize his behavior as abusive. While this enriches an understanding of the problem, policy approaches tend to ‘splinter’ the issue, breaking patterned abuse into its component parts, and distributing responsibility for public response to specific support needs across services in discrete policy domains such as housing, health and criminal justice. While there may be benign justification for this approach - the most efficient use of public resources, for example - access to specific services is inconsistently rationed for women on the basis of their immigration status: health services, for example, are theoretically freely accessible, while housing services are severely restricted. Such compound splintering potentially limits some women’s ability to access support and might directly impact on their help seeking and escape from violent partners, providing only inconsistent and partial responses to their needs.

This study aims to examine two concepts, silencing and splintering, with a view to developing them further, by investigating their specific application to an already

marginalized group of women: women subject to immigration control. However, intersectional theory highlights the way in which women might be positioned on multiple and overlapping cusps of discrimination, and therefore this study also draws upon this to contextualise the impact of policy splintering and the operation of silences around the issue of domestic abuse for individual women with insecure immigration status.

## 4.5 Methods

### 4.5.1 Phase one: discourse analysis

“Discourse” is a contested concept, defined by Burr as:

“...a set of meanings, metaphors, representations, images, stories, statements...that in some way together produce a particular version of events.” (1995, p48).

Bacchi (2008) highlights an inequitable distribution of power among actors in the manufacturing process of discourse, the product of which then helps to define social problems and fashion public identities for particular groups. These images can become embedded in people’s consciousness, forming ‘common knowledge’ around a particular policy area (*ibid*, pp42-43). Moreover, the language used to transmit ideas also conveys specifically designed messages to an audience (Naples, 2003). Language, in short, matters. Discourse can therefore be characterized as a powerful, dynamic process, shaped with intent. Discourse analysis looks for deeper, political meanings by deconstructing the language used in public communications, in order to identify plausible interpretations from which conclusions may be drawn.

In critical discourse analysis (CDA) there is a conscious attempt to connect the analysis of language to the study of society: “...language ought to be analysed in relation to the social *context* in which it is being used and the social *consequences* of its use...” (Richardson, 2007, p45). Furthermore, Walsh suggests that feminist

discourse analysis enables an investigation of texts which takes into account the pre-existing gendered notions of social identities which are incorporated into written works at the point of production, exploring how linguistic practices guide the reader towards precisely gendered interpretations of information (2001). Critical discourse analysis aims to identify subtle embedded messages transmitted by means of linguistic construct. One drawback of this method is that it cannot identify how those messages are received and the extent to which they influence the reader. Nevertheless, this particular piece of research is concerned with the exercise of power in policy: the focus is therefore limited to the creation and transmission of policy narratives. The overall aim is to identify the gender politics implicit in domestic abuse policy documents, and to correlate this with concrete policy action and its impact on individual women, rather than the impact of the documents themselves.

One of the aims of this study is to examine closely Scottish domestic abuse policy in order to identify ways in which that policy defines women's experiences of and exit from abusive relationships. Despite many states recognizing domestic abuse as a public rather than a private issue and formulating responses accordingly, there is no single internationally agreed definition of the issue, and consequently state responses vary across the globe: different problem representations directly influence policy approaches adopted. By comparing Scotland's conceptualisation with that of a country which has a contrasting one, the impact of problem definition on policy approaches to domestic abuse might be better demonstrated. It is hoped that a comparative approach will enrich the analysis of the Scottish data, and thus enhance an understanding of how gaps are created in policymaking.

#### 4.5.1.1                      Selecting a comparative country

Two key criteria were used to select a comparative country: a different public conceptualisation of domestic abuse from that of Scotland; and an active asylum policy, functioning in an already multiethnic, preferably non-European, society.



However, the purpose of the comparison was to identify points of departure in the problematisation process in politically and culturally similar nations: that is, westernized democracies with predominantly white populations. On this basis, African, Asian and South American countries were ruled out. The choice, then, was between North American or Australasian nations. North America, as a federal system, consists of multiple states, each with responsibility for individual approaches, and was therefore excluded as this study was concerned with national definitions. This narrowed the selection to two countries, Australia or New Zealand, and each country's government website was used to examine their approaches to domestic abuse. Critically, the Australian state uses a definition of domestic violence and violence against women and girls which is similar to that adopted in Scotland. In contrast, New Zealand identifies the problem as 'family violence'. On this basis, New Zealand was selected for comparison. A bi-cultural nation, it is one of a handful of countries which have an agreement with the UNHCR to accept a quota of refugees each year, and accommodates a higher proportion of at-risk refugees than any other participants in the quota programme (Nash *et al*, 2006). Those included in the at-risk category include women, torture victims, long-term residents of refugee camps and those with disabilities. Therefore, although geographical location limits the numbers of forced migrants arriving unexpectedly in New Zealand, the quota system means the country accommodates significant numbers of female immigrants.

#### 4.5.1.2                      Selecting comparative documents

Once New Zealand was selected as a suitable comparator for Scotland, contemporary policy contexts in both countries were investigated in order to identify documents from both countries that would provide the most representative and contemporary conceptualisation of domestic abuse in each nation. In 2005, New Zealand established the Taskforce for Action on Violence Within Families. The Taskforce included representatives from both government and non-governmental sectors, CEOs of social organisations, and members of the judiciary and Crown agencies. The

Taskforce was charged with identifying ways of improving state responses to domestic abuse as a strand of family violence, with the ultimate aim of eliminating it altogether. The First Report of the Taskforce for Action on Violence Within Families, released in 2006, was selected for analysis, since this document which lays out “the vision” (Ministry of Social Development, 2006) upon which initiatives have been developed on an ongoing basis in the intervening years.

Scotland has increasingly adopted a multi-agency, partnership working approach to the issue of domestic abuse, and in 2009 the government, in collaboration with COSLA (Convention of Scottish Local Authorities), published Safer Lives: Changed Lives: A Shared Approach to Tackling Violence Against Women in Scotland, the introduction of which states it aim to “...provide a shared understanding and approach which will guide the work of all partners to tackle violence against women in Scotland.” (p3). Unlike policy documents which outline specific strategy or prescriptive plans for action, this document aims to provide an operational definition of violence against women, with an expectation that this would then be referenced by domestic abuse agencies and organizations in Scotland when designing interventions and services. As Safer Lives: Changed Lives explicitly sets out a national definition which was intended to form the basis of cross-sector policy, this was the document selected for comparison with New Zealand’s First Report.

#### 4.5.1.3                      Analysis of the documents

Linguistic mechanisms in the documents were examined, in particular vocabulary, modality (the use of definitive statements and the underpinning notions which justify them), grammatical choices and structural layout. All of these serve to nudge the reader towards particular renderings of domestic abuse, premised on varying social, economic and political foundations. However, critical discourse analysis is concerned with more than the potential impact of individual words, sentences and paragraphs;

rather, it seeks to identify and illustrate the links between language, social and political ideology, and public discourse (Bryman, 2008).

A very simple analytical framework was drawn up, using the three key elements of this study: the public construction of domestic abuse, the private experience of domestic abuse, and the construction of public routes out of abusive relationships. Using this as a starting point for analysis, the documents were then subjected to several close readings with reference to these elements. From these initial readings of the First Report from New Zealand, and the Scottish document, Safer Lives: Changed Lives, two broad themes emerged relating to the construction of domestic abuse as a social problem in both countries: the public (the socio-political location of domestic abuse), and the private (the personal, individual experience of domestic abuse). Drawing on the theoretical framework - specifically, Bacchi's policy 'silences', and gender and power in the policymaking process - key sub-categories began to emerge. These were refined as: the social location of domestic abuse; national and international contexts; public stakeholders - society, community and services; and measuring success, the use of statistics. Similarly, interrogation of the second theme, which related to private experiences, yielded sub-themes: the definition of abuse; private stakeholders - family, women, children and men; the cost of domestic abuse - social, personal and economic; social determinants, for women as victims and men as perpetrators; and minoritised/marginalized women. The third initial element, concerned with the construction of escape routes from abuse and drawing on the notion of policy-splintering, revealed four sub-categories: public; the community and voluntary sector; community; individuals.

A finalized thematic framework (Appendix 1) was therefore built around these three initial elements and the categories which proceeded from them, and using this a comparative analysis of the different problematisations of domestic abuse in Scotland and New Zealand could be conducted. An abstract from the documents, illustrating the way this frame was applied, is appended (Appendix 2).

Thus, with reference to the theoretical foundations of this thesis, the first research question was addressed and the second partially addressed, through phase 1 of the fieldwork. Comparative analysis of the documents illuminated ways in which politically informed discourse on domestic abuse is created and illustrated how policy initiatives shaped by that discourse craft distinct passages of escape for individual women. Analysis of the data identified the way in which definitions of domestic abuse create frameworks within which initiatives and interventions are designed to address it. This then provided the context for an analysis of the experiences of women with insecure immigration status in Scotland.

#### 4.5.2 Phase two: interviews

This second phase of the fieldwork was intended to provide a more complete answer to the second research question relating to the way policies proceeding from definitions of domestic abuse in Scotland shape escape routes for women, and to address the final question, which sought to examine the consequences of exclusion from public services for women who are in abusive relationships. In order to fully explore these issues, it was essential to speak to women themselves, as well as the support and policy workers in relevant organizations with experience in providing help to women prevented from accessing mainstream support. The following section outlines the recruitment of participants, before discussing the sampling strategy and issues of generalisability.

##### 4.5.2.1 Recruiting participants

The literature suggests that, where public provision has failed to meet needs or has been restricted, community and voluntary sector (CVS) groups have stepped in to provide support for migrant women in Glasgow. One CVS group in the city, Positive Action in Housing, produces a comprehensive, Scotland-wide directory of third sector

BME local and national organisations. This listed fifteen different women's support groups operating in the city. Of these fifteen groups, some were not support-orientated - for example, Glasgow Women's Library - while others focused on very specific aspects of violence against women, for example Tara (Trafficking Awareness Raising Alliance). In total, five groups explicitly stated that they provided support for domestic abuse, and were therefore initially selected: the Scottish Refugee Council; Amina, the Muslim Women's Resource Centre; Domestic Violence Scotland; Hemat Gryffe Women's Aid; and Karibu, an African women's support group. Contact with each one of these five groups was initially made via email, with an information sheet attached (Appendix 3). This was followed up with a telephone call requesting to visit the group to discuss its work, with a view to recruiting potential participants for one-to-one interviews. These initial visits were important as they gave an opportunity for the researcher to learn about the group's activities and to talk to support workers and members of the group about the study in more detail. It was hoped that participants would be recruited for this phase of the research both by direct recruitment of group members and by snowball sampling by word of mouth via support workers and members, and this indeed was the case.

Of these five initial contacts, four groups agreed to participate - the Scottish Refugee Council, Amina, Domestic Violence Scotland (which ran a specialist support service, the Domestic Abuse Project), and Karibu. An introductory visit to each agency resulted in the recruitment of support workers in each, and also began to generate further information about additional suitable agencies and organizations. Contact was consequently made, via email and phone as before, with the following organisations: Glasgow Women's Aid, Scottish Women's Aid, Eaves Women's Aid, Glasgow City Council's Community and Safety Services, the Scottish Government, Glasgow Violence Against Women Partnership, and COSLA's Strategic Migration Partnership. In total eleven organisations and agencies took part, and all, with the exception of the Scottish Government which was concerned solely with policy, had direct contact with migrant women at local or national level; the support and policy workers recruited from them had extensive professional experience of supporting,

campaigning, and operationalising policy within their organisations. In total, eight support workers and eight policy workers from across these eleven agencies agreed to participate. Through their participation, and via word of mouth, five women who had had insecure immigration status and who had experienced abuse by their partner agreed to be interviewed for the study. Support workers acted as gatekeepers in three instances, referring women they had supported after their own interviews. The fourth was a friend of one of these women, who asked to take part after hearing about the interview, and another came forward following a presentation given by the researcher about the study at one of the participating support agencies.

All the women who took part in the study expressed concerns over their confidentiality and sought reassurances about anonymity within the study. As a result, a summary outline of broader backgrounds and experiences is offered which does not include any specific aspects by which individual women might be identified, thus balancing a desire to provide contextual information about participants without compromising their privacy. Of those who took part, two originated from African nations, and three were from South East Asia. Two arrived in the UK as asylum seekers, fleeing other forms of persecution in their original countries; two entered the UK on spousal visas and sought leave to remain after suffering abuse at the hands of their husbands; and one was resident on a student visa. Of the two women who initially held spousal visas, one had accessed Sojourner and had been given leave to remain as a result, the other remains on limited leave to remain while her application for asylum is considered. Four out of the five women had experienced domestic abuse within the UK; they had remained within the abusive relationship for between 18 months and ten years before seeking help; and each had sought direct and indirect support from a variety of sources. One participant had left her abusive husband before she came to the UK, but sought help dealing with the outcomes of abuse after she arrived. Time spent in the asylum system varied from a matter of weeks - Sojourner aimed to process women's claims within a very tight timeframe - to several years. The longest any had spent awaiting a decision was six years.

The support workers who participated all had direct, face-to-face support contact with many women, including those whose access to support was limited because they occupied one of a broad range of immigration categories. Participants were drawn from both mainstream support services - Women's Aid and the Women's Support Project, for example - and specialist BME organizations. The length of time spent working in domestic abuse services ranged from five to over thirty years. Several participants had experience of working in policy or activist roles as well as being direct support workers, and this wide-ranging professional experience was also reflected in the policy participants, four of whom had also worked directly with women for either their current or previous employers.

#### 4.5.2.2      *Women with insecure immigration status: narrative interviews*

Domestic abuse is generally perceived as a 'sensitive' topic, one which should be tackled with reflective consideration and awareness of the potential for inflaming pre-existing trauma (Skinner *et al*, 2005). The approach adopted in this study strove to maintain an awareness of the emotional and psychological effects the research process might have, both on participants and on the researcher herself (Sampson *et al*, 2008). The selection of particular methods was therefore informed not only by their appropriateness for the task in hand, but also to consider the research from a participant's perspective. At the heart of this study was a desire to enable women to tell their own stories, to transmit their own 'realities', and in so doing it was possible they might break personal silences surrounding issues which might make them vulnerable to harm. Asylum-seeking and refugee women, for example, who have been abused by their partners, may also have been exposed to persecution in their homelands, as well as prejudicial attitudes and racially motivated discrimination in the UK. Group methods, such as focus groups, were therefore not appropriate for this stage of the study, as it is harder for the facilitator to mediate the tone and content of the discussion and the relationship between researcher and individual

participants could be more distant. Furthermore, individual perceptions were essential for this part of the project, rather than group consensus, and the aim was to allow participants to be as expansive as they wished to be, within a safe research environment built upon trust.

An information sheet in plain English was provided to all interview participants (Appendix 3); this was discussed verbally before the interview began so that each participant was fully informed of the nature and process of this part of the study, and a consent form was signed (Appendix 4). Rather than one-off interviews, the researcher met with the individual women taking part on two occasions. This was in order to discuss, refine and clarify each participant's input, to ensure that the data collected was an accurate and fair reflection of her experiences. Because it was anticipated that participants may originate from a variety of countries, and their first language may not be English, this second interview offered an opportunity to address any points of misrepresentation or misunderstanding in practical terms, as well as ensuring that the transcribed first interview consisted of a personal narrative with which each participant felt comfortable.

The in-depth interviews took a lightly structured approach in the sense that the objective was to hear women's own stories of domestic abuse and how they coped with that particular element of their lives. However, it was acknowledged that domestic abuse is just one factor in women's personal biographies and, as the researcher was aware of the danger of "concealing the woman into her suffering" (hooks, 1999), the interviews were conducted in a flexible format, and it was anticipated that they would vary in length. The overall aim was to tip the balance of power within the research relationship in favour of the participant, allowing her to tell her own story and to construct her own framework of meaning and understanding for her distinctive experiences. In so doing, each participant's experience of abuse was given a life-context by the participant herself. For this reason, a theme guide rather than a question schedule was used (Appendix 5). In order to 'co-produce' data, the researcher sought the participant's ongoing feedback at subsequent



meetings about emerging themes, to ensure the validity of the analysis and the findings. It is hoped that this approach has minimized any analytical distortion which might occur due to the researcher's own cultural and personal positioning. As this was a significantly more time-intensive method than one off in-depth interviews, the project recruited five participants for this phase of the study.

It was recognized that the hidden and silent nature of domestic abuse meant that participants might be hard to recruit. Relying on CVS groups as initial points of contact meant that only women who had accessed them were likely to participate, but, in recognition that there is an unquantifiable number of women who do not have contact with third sector groups, it was hoped that snowball sampling would enable some of the latter women to become involved by word of mouth. Women with insecure immigration status are in a particularly uncertain and vulnerable position, as are women who are living in an abusive relationship, and so this project sought to recruit women who had already been granted leave to remain (LTR), and who had exited abusive relationships. There is some evidence to suggest that many women maintain ongoing links to community and support organisations once they have LTR, working in both voluntary and paid positions within them, and indeed three of the women were actively involved in the organizations which had previously provided them with support. Once recruited, each woman was interviewed twice: the first interview lasted between one and two hours, and the second varied considerably between participants, the shortest of which was thirty minutes, the longest a further two hours.

#### 4.5.2.3                      Support and policy workers: semi structured qualitative interviews

At this point, the study was concerned with an analysis of the relationship between a particular group of women (those with insecure immigration status) and the agencies and organisations, both public and voluntary, which offer support to help them cope

with abusive relationships. The first phase of fieldwork established how the construction of the ‘problem’ of domestic abuse gives shape to a framework of public support. In the second phase, women who had sought this support were asked to describe their experiences within this policy framework. The relationship between the state and the women themselves, however, is conducted at the point of contact with organisations and agencies which put government policy into practice: those who provide and deliver services. An additional component to phase 2 of the fieldwork involved one-to-one semi-structured interviews with key workers from a range of agencies and organisations, with the aim of exploring their experiences of translating policy into practice, especially concerning their work with women who are prevented from accessing mainstream services. As described, participants were drawn from a range of support agencies in both the public and voluntary sectors, and a semi-structured interview schedule was used (Appendix 5), which helped to elicit “rich but focused” data (Schoenberg and Ravdal, 2000, p63). This stage of the fieldwork enabled an exploration of the gap that exists in mainstream provision for women with insecure immigration status, but also examined more closely what was described in the first chapter as ‘segmented’ policy delivery.

Domestic abuse policy as it affects a marginalized group in Scotland was therefore explored from three different perspectives: problem framing at government and organizational policy level; median level localized policy implementation; and personal experience at the grassroots. By adopting this approach, the tensions and challenges of implementing and delivering domestic abuse policy, and women’s experiences of accessing services were investigated.

#### 4.5.2.4      *Sampling strategies and generalisability*

Purposive sampling of specific populations was used throughout in order to ensure that the experiences of those interviewed were relevant to the research questions, and were selected with reference to the methodological underpinnings of the study as

a whole (Bryman, 2008). Primarily, the research questions relate to a specific social phenomenon, domestic abuse, as it affects a distinctive social group, women with insecure immigration status, in a single geographical area, Glasgow. Therefore the gateway CVS organisations selected initially provide support specifically to female migrants living in this city. Membership of some groups - particularly the Scottish Refugee Council - is potentially varied, with individual members at different stages of the immigration process, and possessing a range of experiences within personal relationships. However, in order to answer the research questions, participants were recruited only if they identified themselves as having experienced domestic abuse while their immigration status was insecure. In the interests of participant safety, the aim was to recruit only women who have been granted LTR and had left the abusive relationship. This was the case with a single exception, and it was only when the interview was underway that her active asylum claim became apparent. Beyond these considerations, the sampling strategy had no further specific inclusion or exclusion criteria. This increased the potential for diversity within the sample (Ritchie, Lewis and Elam, 2003), for example in terms of ethnicity, religion and age. For this particular study, diversity was theoretically desirable, as it could enable a more thorough examination of how multiple factors intersect to shape each individual woman's experience. Beyond the initial prescriptive criteria, therefore, the sampling strategy remained deliberately broad. Contrary to Wallimans' (2005) suggestion that purposive sampling aims to recruit a 'typical' sample from any given population, the methodological approach of this study outlined earlier rejected the notion of typicality amongst groups. Given that individuals construct their own subjective realities, shaped by an abundance of internal and external factors, there are significant problems with the assumption that specific shared characteristics among a group of individuals might make their narratives representative of any broader population. This naturally raises the issue of how generalized the findings of this study can necessarily be.

The issue of generalization from qualitative research findings is a crucial one. In this study, the question is whether data gathered from five women can be judged

reflective of experiences and attitudes amongst a much greater general population of several thousands. However, Bryman (2008) points out that “...the people who are interviewed in qualitative research are not meant to be representative of a population...” (p391). As has been discussed, research guided by feminist principles makes no claim to produce concrete truths which can be universalised, and in fact refutes the existence of any such social ‘knowledge’. The intention of this study is not to establish any particular rule that characterizes women’s experiences which can then be transported across geographical and social boundaries to be applied to groups of women who happen to share a common immigration status. Rather, it aims to look for contrasts and convergences within individual experiences which may form theoretical patterns and have “...something to tell us about the underlying social processes and structures that form part of the context of, and the explanation for, individual behaviours or beliefs” (Lewis and Ritchie, 2003, p267). As well as this theoretical generalisation, the possibility for inferential generalisation exists (Mason, 2002), whereby conclusions from this study may be pertinent in other contexts, for example among other categories of women who are prohibited access to refuges on grounds other than immigration status, including students and those turned away due to lack of space. However, such wider inferences are not for this researcher to presume, and this study makes no claim to be representative of any broader population’s experiences or individual’s reactions to them. However the theoretical convictions which inform this project allowed a rejection of the pursuit of representational generalisation (*ibid*, p268) to wider populations, and instead seeks theoretical generalisation as a goal, with potential for broader inference acknowledged and reserved.

#### 4.6 Analytical approaches

Intersectionality provided both a theoretical and analytical basis for this study. The intention was to acknowledge and examine multiple aspects of women’s life circumstances which help shape their identities and experiences, and to assess how

these interplay with externally-created structures and processes, in order to evaluate the impact these interactions have on individual women's help-seeking. It would be mistaken to perceive such a complex concept as intersectionality as a panacea, capable of uniting a multiplicity of feminist strands and offering a singular, cohesive path forward when conducting research. However in the context of this research, an intersectional approach offered a means by which to gain some insight into the complexity of the life experiences of some women with insecure immigration status who experienced domestic abuse in Glasgow, and a means to obtain some understanding of how policy and the practices which proceed from it shape those women's lives. The aim was not to tease out these threads of identity (race and nationality, for example) and apply analysis to them in isolation - this would provide only a fractured view of each individual woman's life. Rather an intersectional approach affords an opportunity to understand one form of oppression in relation to other forms, and consequently to explore how policy which ostensibly seeks to empower and protect might also marginalize and subsequently endanger. The study therefore sought to adopt a holistic view of multi-dimensional issues and processes, and in so doing achieve a more nuanced analysis of each woman's journey through and away from an abusive relationship. Similar to the documentary analysis phase, interview transcripts were purposively read to draw out emerging major and sub-themes from interviews on an ongoing basis. Using this iterative approach, a thematic frame was developed in order to extract and organise data from the interviews (Appendix 6), which was then examined with reference to the theoretical framework of the study as a whole. Again, an abstract from an interview transcript is appended to illustrate the application of the thematic frame (Appendix 7). The findings from this analysis are discussed in Chapters Six and Seven.

As described earlier, a feminist methodological approach highlights the dangers of focusing on the pursuit of an essentialised, universal 'truth', and this is underpinned in this study by intersectionality, which asserts that experiences are perceived and understood within individual frameworks of overlapping categories of difference and disempowerment. Therefore, the existence of "multiple truths and perspectives"

(Mason, 2002, p177) is acknowledged in this research, and consequently the analytical approach adopted was interpretive and reflexive, aiming to discern coherent and compelling interpretations from the evidence gathered, while acknowledging the researcher's own distinctive intersectional gaze.

#### 4.7 Reflexivity and the research process

“A researcher comes with particular race, class, and gender privileges which necessarily put her in political relations with the people and phenomena she studies.” (Ackerly and True, 2010, p24).

A commitment to reflexivity and a belief that the research process is mutually participatory are fundamental underpinnings of any research which is feminist-informed (Burman *et al*, 2001; Ramazanoglu and Holland, 2002; Ryan-Flood and Gill, 2009). That is, the human nature of social research is not just reflected in the participants, but also in the researcher, whose values, attitudes and experiences - who she is and where she is socially, professionally and personally situated in relation to her participants - is an integral element in the process as a whole. Ackerly and True (2010, p22) suggest four key areas to which feminist researchers must give consideration, three of which this thesis has deliberated on already: an awareness of the power of knowledge, marginalization, and the social and political processes and interactions which both contribute to, and perpetuate it, and the role of power in research relationships. The final element is an awareness of the “situatedness”, or social and political positioning, of the researcher (*ibid*, p23). It might be said that research which claims a feminist ethos must therefore be attentive not only to external boundaries of process, but also to internal boundaries of self.

#### 4.7.1 The person and the professional

“If you do not tell the truth about yourself you cannot tell it about other people.” (Virginia Woolf, 1947).

Feminist principles in research require researchers themselves to be aware of the pertinence of their own contribution to any study. This is not only reflected in the mechanical decision-making which shapes a study - what methods to adopt, whose voices to include or to ignore, for example - but also in the values, attitudes and beliefs which researchers, as human beings, inevitably possess. Feminist research advocates digging deeper behind simple ‘researcher effects’ that issues such as dress or accent might have on participants, to recognize and acknowledge the personal and its inescapable impact on the professional persona, and its significance within research relationships:

“A researcher needs to be aware of how her own basket of privileges and experiences conditions her knowledge and research.” (Ackerly and True, 2010, p24).

##### 4.7.1.1 My own “basket of privileges”

As a feminist researcher, I was committed to the pursuit of a more equitable relationship between the participants in this study and myself. Chapter Three demonstrates the way in which women with insecure immigration status are marginalized by the immigration system and by gendered assumptions of dependency, their isolation reinforced by overt and covert expressions of prejudice and discrimination. As a result, they have been silenced and made invisible in policymaking, in research, and in society. As a white Scottish woman, I occupy a more privileged position than they in the social hierarchy. I might, as a researcher, hold a higher professional post than some of the women I interviewed, and I may earn more money. As well as the colour of my skin, these are examples of how I might differ in tangible ways from the participants which might influence how our research

relationship is shaped. These elements might be reflected in perceived power differentials derived from our varying cultural positions within Scottish society. Furthermore, my ability to control the analysis and ultimate output of the study invests in me a power over their public representation, and consequently a responsibility to retain an awareness of how my own values, beliefs and attitudes affect what I hear, how I interpret it and how I present it to others.

This “dilemma of representation” (Scharff, 2010, p83) is particularly significant because a researcher speaks on behalf of his or her participants. Although their ‘voices’ might be heard in the words written on the page, this thesis - and subsequent journal articles, presentations and lectures which might proceed from it - is my conceptualisation of their unique experiences. Yet the participants perceived the world in a variety of ways, and did not necessarily share my core feminist principles and values. Their interpretation of experiences may not match my understanding of them, and, as Chapter Two demonstrated, defining domestic abuse at both a national and personal level is an immensely complex challenge. However a feminist approach in research does not seek to prevent the inclusion of dissenting voices; rather, the reverse is true (Eichler, 1997). To do otherwise would seek to impose an epistemological and analytical superiority. Instead, there is an obligation to incorporate difference, to embrace diversity, and as such to accept that knowing is not an end-stage destination but “a political process and potentially transformative” (Ramazanoglu and Holland, 2002, p75). If I recognize that my own position is the result of distinctive experiences which have been shaped by cultural, political and social circumstances, both contemporary and historical, I can apply this to others and accept their different viewpoints, investing them with equivalent validity and worth to my own. In this way, diversity of experience might become enriching rather than threatening, both professionally and personally.

Given the potential vulnerability of the participants, trust within the research relationship was paramount, and this was especially true when working with refugees who may have survived actual or threatened persecution by authority and official



figures. The recruitment strategies were designed to establish a bond of trust between participants and myself, affording me multiple opportunities to respond to doubts about the purpose of the study, and to reassure if there were concerns about taking part. Interviewing participants one-to-one on more than one occasion established a more secure relationship, and it became evident during second interviews that participants were beginning to regard me as “a friend rather than purely as a data-gatherer” (Oakley, 1981, p47). Given the trust and honesty in our research relationship, I felt similarly inclined. This presented a set of challenges, as I was primarily a data-gatherer, albeit one who rejects the necessity for a stringently delineated professionalized research relationship. As such, another set of boundaries which required ongoing attention were those within the research relationship with individual participants.

For Oakley, the willingness to answer questions asked of her by participants underpinned the sense of reciprocity in the interview: arguably, this is particularly important when discussing sensitive subjects, where there is an expectation that the participant will reveal intimate and private details of their private lives (*ibid*, 1981). I felt an obligation to honour my expectation of honesty from participants by matching it with my own willingness to respond to them, in the interests of pursuing a more egalitarian research relationship. As a result, the interviews generated data by means of participative dialogue, rather than via a series of contributory participant monologues, and an absence of a concrete question schedule helped to loosen the parameters of this process. However, I recognized that my own personal and professional background, as a survivor of an abusive relationship and as a voluntary support worker for women experiencing abuse, had the potential to both enrich and complicate the research relationship. This is not an uncommon dilemma:

“Role conflict has often been written about in relation to the sometimes difficult-to-maintain boundaries between counselling and research and the tensions experienced when researching in a context in which the researcher possesses other qualifications or experience which would allow them to contribute practically to work, and/or to fulfilling some need.” (Sampson *et al*, 2008, p923).

#### 4.7.1.1

#### *Collusive silence? The role of the researcher*

“The decision to research [violence and trauma] is the decision to engage with some of the most disturbing, painful and terrifying aspects of human existence.” (McMillan, 2007, p167).

Hume argues that the role of researcher cannot be detached from the personal biography of scholars of violence (2007). As outlined above, the professional cannot be divorced from the personal. Researching violence, in any context, inevitably invokes emotional responses, and hearing women’s narratives of distress and suffering might realistically rouse “overwhelming feelings of fear, sorrow and despair” in the researcher (McMillan, 2007, p173). It was important to reflect on my life experiences and acknowledge that they might make it emotionally difficult, not only to listen to narratives of abuse, but also to represent ‘truths’ that seemed too sore or testing to myself and my own values and perceptions. In this respect, the challenge of amplifying the voices of the participants in this study involved paying attention to and being willing to develop my own ability to listen, in order to accurately hear their voices in the first instance. Researching domestic abuse therefore requires a particular honesty, an awareness of the possibility - and danger - of rejecting what is heard as a form of self-protection, and by doing so, further propagating the silence surrounding abuse:

“As researchers, we must reconcile the contradictions between listening and self-protection, and examine our emotional responses in terms of what we can learn about our society, gender and...violence.” (McMillan, 2007, p168).

Nevertheless, guided by feminist principles, I view research relationships as not just a means to collect data but as an integral component of the findings of this study overall. This is based on a reflexive approach to both theoretical and practical methodology and methods, which sees honesty and reciprocity underpinning a willingness to renegotiate the boundaries of each interview on an ongoing basis. In this sense, the study set out to conduct research with, rather than on, women.

#### 4.8 Ethical considerations and dissemination

This study involves the participation of women who might be perceived as vulnerable on multiple levels, as survivors of both private and public forms of abuse and persecution. Ethical issues therefore demanded careful consideration before embarking on the fieldwork.

Informed Consent: Information sheets were given to all potential participants, and explained verbally in detail before a consent sheet was signed. Pre-fieldwork contact with CVS groups allowed the researcher adequate time to discuss the study face-to-face with potential participants. Many potential participants spoke fluent English, either because it was spoken as a second language in their country of origin, or because they had acquired it during their residency in the UK, while successfully negotiating the often lengthy immigration process. One participant did not speak good English, and asked that her friend act as an interpreter during the interview. Particular care was taken to ensure that the purpose of the study was explained in these circumstances. Language barriers were anticipated, but did not prove to be a significant problem in this study. The repeat interviews offered opportunities to ensure that information shared was clearly understood by the researcher and that the participants' contributions were accurately represented in data. It was made especially clear that participation was entirely voluntary, and that participants could refuse to discuss particularly distressing issues, or withdraw from the study at any time.

Anonymity: A guarantee of anonymity was given to each participant. Audio recordings of all interviews, made with permission, were transcribed within 24 hours of meeting, and participants were anonymised in the transcripts. The recordings were erased after transcription. Transcripts were stored in a locked cabinet on University premises, and on a password-protected PC. Data was accessible only by the researcher and her supervisors during the research period.

Risk to Subjects: This was considered with particular reference to the refugee women involved in the study. It was made clear to participants that taking part in the study was entirely voluntary and that they could withdraw at any point. The researcher acknowledged the particular sensitivities which were involved in this study, and the approach adopted aimed to maximise control of the process by participants themselves. This was underpinned by a desire to promote a sense that participants were actively contributing to the body of data, as opposed to information being extracted from them. The use of a theme guide as opposed to pre-set questions meant discussion could be more easily controlled by the participants who were free to divulge information or not, according to their own wishes. The researcher has experience in counselling victims of domestic abuse and working with destitute asylum seekers, and these skills were drawn upon to ensure interviews were conducted in a supportive manner. Conducting the research in the familiar surroundings of the CVS groups' meeting places also maximised participants' access to sympathetic supporters during and after the research period. One participant was interviewed in her own home, and had social support in the form of a friend who lived next door. The researcher had an active Enhanced Disclosure certificate from Disclosure Scotland, and also checked with individual organisations if any additional checks or references were required. No participants under the age of 18 were involved in this research. Contact details of a variety of support groups were taken to interviews and offered to participants who felt they might need additional support. On occasion, when a participant became upset or emotional discussing difficult issues, the researcher offered to stop the interview, but in each instance the participant elected to carry on.

Risk to Researcher: The researcher was aware of the impact on her emotional wellbeing listening to others' traumatic experiences might have, and had an established support system available through the agencies where she has worked both with women who have been abused, and with asylum seekers.

Confidentiality and Disclosures to the Researcher: While respecting the rights of participants to maintain their confidentiality, the researcher recognized the possibility that participants might disclose information relating to abuses which constitute a crime in the UK, or which placed them in specific danger, for example female genital mutilation or exiting a marriage which has resulted in direct threats to their own personal safety or that of their dependants. It was explained in advance to participants that their identity would only be revealed to outside agencies in these exceptional circumstances and after prior discussion with that participant. Communication was maintained on an ongoing basis with the researcher's supervisors, and the advice of the Ethics Committee would have been sought if any specific situation had made the researcher feel uncomfortable or compromised in any way. The researcher was aware of the heightened cultural sensitivity which this study demanded, and the importance of maintaining a participant-centred focus throughout, taking into account the wider circumstances of each participant's life. Any published material will subsequently be made available to any participant who requests it, and it is intended that a summary document of the thesis, outlining key findings and recommendations, will be circulated to participating agencies.

## **Chapter 5**      **Constructing national definitions**

### **5.1**    **Introduction**

This chapter presents the findings from the initial phase of research, which sets out to answer the first of three central research questions: how is domestic abuse ‘problematised’ by the state in Scotland? It also provides a partial answer to the second research question, which seeks to explore how escape routes out of abusive relationships are shaped by this problematisation, a question which will be further addressed empirically in the next chapter.

Domestic abuse has been transformed from a largely private tragedy into an acute social concern across the globe in the last few decades, but there is no cohesive, universal diagnosis of ‘the problem’. Rather, there has been a proliferation of definitions, varying from country to country, and, consequently, of national strategies designed to tackle, reduce or eradicate it. Bacchi’s ‘What’s the Problem’ approach (2008) advocates that key to understanding any substantive policy issue is an examination of the transformation process itself: *how* a problem is conceptualised is just as crucial as *why*, and indeed the two are often intrinsically linked. The theoretical philosophy underpinning this thesis emphasizes the pertinence of power in the policymaking process, and the need for consistent critical attentiveness to its political nature: the hidden and implicit must therefore be sought in order to understand and explain concrete political action on particular social issues. To this end, as described in the previous chapter, policy documents from Scotland and New Zealand representing contemporary conceptualisations of domestic abuse in each country were selected and analysed in order to discern the underlying discourses which determine different national policy responses to the ‘problem’. The linguistic analysis described in Chapter Four was conducted with the specific goal of drawing out latent, less visible narratives embedded in the documents, and the potential implications these might have on individual women experiencing domestic abuse.

The documents are both collaborative in nature, produced in partnership between governmental and non-governmental agencies, and therefore cannot be seen as a comprehensive and conclusive portrayal of ‘state’ attitudes towards domestic abuse, although their co-production implies the recognition of a need for collaborative solutions to the issue. Furthermore, they account for only a tiny fraction of government and non government documentary output relating to domestic abuse in either country. Nevertheless, they each offer a detailed and substantial delineation of the issue, and have been used as a point of reference in subsequent policy documents in each nation. As such, they both contain a detailed, substantial and contemporary definition which continues to resonate in the domestic abuse policy fields in both Scotland and New Zealand, offering a snapshot of each nation’s distinctive and interwoven political, economic and social narratives which create unique perspectives on ‘the problem’. In so doing, the documents each present unique interpretations of the inter-relationship between state, society and the individual, offering a particular national template of the ‘good society’ to which both nations aspire, one in which domestic abuse might be effectively tackled and ultimately eradicated. The researcher refers to ‘the state’ with this caveat in mind.

This chapter offers a summary of the contemporary policy context in each country before presenting the key findings from the comparative documentary analysis. The findings are then critically discussed with reference to the theoretical framework outlined in the earlier literature chapters. From this, distinct conclusions are drawn about the nature and impacts of public constructions of private violence which inform women’s experiences of abuse.

## 5.2 Contemporary policy contexts: New Zealand and Scotland

This section offers a brief overview of each country selected for analysis. Scotland and New Zealand have long-established historical links dating back to the early 19<sup>th</sup> century during which period the islands were a British colony and Scots formed a

significant minority of the European influx to their shores (New Zealand History Online, 10/12/10). A demographic summary of each nation is provided, along with salient statistical information regarding domestic abuse rates and current initiatives. The intention is to contextualize the documents selected within each nation's contemporary domestic abuse policy framework, and to highlight critical issues taken into account when analysing the data. Rather than a specifically detailed account, these therefore serve as pen sketches to provide background to the documents themselves.

### 5.2.1 New Zealand: family violence

*He aha te mea nui o te ao? He tangata! [What is the most important thing in the world? It is people!] (Te Rito, New Zealand Family Violence Strategy, 2002, p3)*

New Zealand or Aotearoa (Land of the Long White Cloud in Maori) has a population of just under four and a half million (Statistics New Zealand, 17/12/10), composed of citizens and residents with a range of ethnic identities. The national census in New Zealand offers five different categories, and around two thirds of the population define themselves as European (*ibid*). The oldest indigenous group, Maori, form the largest single ethnic minority (over 14%), and the rest of the population self-identify as Asian, Pacific peoples, or Other, a category which includes those of Middle Eastern, Latin American and African extraction (*ibid*). One in ten, however, identified with more than one ethnic category, reflecting the diversity of New Zealand's complex multi-ethnic population (*ibid*).

New Zealand's family violence approach incorporates a broad range of actors and behaviours:

“Family violence...occurs within a variety of close interpersonal relationships, such as between partners, parents and children, siblings and in other relationships where significant others are not part of the physical household but are part of the family and/or are fulfilling the function of a family.” (Te Rito, 2006, p8).



This approach acknowledges physical, emotional, sexual and psychological abuses that might occur both between intimate partners, and more distant blood relatives in the extended family (whanau), but also includes non-relatives, such as flatmates.

Domestic violence, that is abuse between intimate partners, is therefore just one form of abuse within the spectrum of family violence, which includes child and elder abuse. Nevertheless, policy documents do reflect the heavily gendered nature of family violence in New Zealand, which provokes over 49,000 calls to Women's Refuge crisis lines, and leads to over 1800 women accessing refuge services in 2007/2008 (NZ Family Violence Clearing House, 16/12/10; Women's Refuge Inc, 17/12/10). While rates indicate that female on male violence is an issue, the overwhelming majority of violence is attributed to men, resulting in more serious injuries to the women and children who are predominantly their victims, and this is consistent across the lifespan (NZ Family Violence Clearing House, 16/12/10).

In common with the UK, domestic abuse came to policy prominence in New Zealand as a result of second wave feminist activism in the 1970s, and the first women's refuge opened in Christchurch in 1973. Since then, the National Collective of Women's Refuge, Inc, has been influential in the policymaking arena, as well as providing advice and support services to women living with abuse (Women's Refuge Inc, 17/12/10). The key piece of legislation in New Zealand relating to domestic abuse is The Domestic Violence Act 1995. This introduced protection orders, which both prevent an abusive partner from approaching the family, and compel their participation in rehabilitation programmes. It also extends protection to any children in that family. Furthermore, the Act criminalizes psychological abuse, offering a definition which includes mind games, verbal threats, and allowing children to witness abuse, as well as causing damage to property with intent to intimidate (New Zealand Police, 17/11/10). Within the last decade, policy moves include the family violence prevention plan of action, released in September 2001, which led to the formulation of Te Rito, New Zealand Family Violence Prevention Strategy, a multi-disciplinary initiative which laid out a long-term strategy for the reduction and eventual elimination of family violence (Te Rito, 2006). The Taskforce for Action on

Violence within Families was established in 2005 to advise the ministerial team which oversees family violence initiatives, and includes participants from government departments including health, justice and education. This body is in turn informed by an Advisory Group which includes third sector organisations serving the interests of citizens across a lifespan, from childhood to old age (Ministry of Social Development, 10/10/10).

### 5.2.2 Scotland: domestic abuse

#### Domestic Abuse - there is no excuse (Scottish Government, 2003)

Scotland is a nation of over five million citizens, and is part of the United Kingdom. Ninety-eight percent of the population describe themselves as white British, and of the remaining 2%, the majority are of Pakistani, Chinese and Indian origin (Scottish Government (a)). The BME population in Scotland is proportionately small, but has expanded rapidly in recent decades, rising by over 62% since 1991 (*ibid*).

In parallel with both the New Zealand and English women's movement, the first Scottish women's refuge was opened in 1973 and Scottish Women's Aid was formally established in 1976 (Scottish Government, (b)). Following devolution in 1998, there has been a significant transfer of power and responsibility from the Westminster government to the Scottish Parliament across a range of broad policy domains including housing and education, and for specific social issues, of which domestic abuse is one. Domestic abuse was debated in the Scottish Parliament within a year of devolution (*ibid*), and identifies as abusive a range of behaviours that might occur between intimate partners:

“Domestic abuse (as gender-based abuse), can be perpetrated by partners or ex-partners and can include physical abuse (assault and physical attack involving a range of behaviour), sexual abuse (acts which degrade and humiliate women and are perpetrated against their will, including rape) and mental and emotional abuse (such as threats, verbal abuse, racial abuse,

withholding money and other types of controlling behaviour such as isolation from family or friends)”. (Scottish Executive 2003, page 3).

The Scottish Domestic Abuse Helpline was established in 2000, and the volume of calls it receives annually has doubled during its first decade of operation, totalling 15,000 calls in 2008 (The Herald, 16/12/10). Police recorded over 50,000 domestic abuse incidents in 2009/2010, and 40% of female murder victims in the last decade were killed by a partner or ex partner (Scottish Government (c), 10/01/11). As ‘domestic abuse’ is not a criminal offence itself in Scotland, and criminal justice responses are therefore drawn from a range of legislative instruments, including those relating to common assault, sexual assault and rape, and breach of the peace (Scottish Government (d)). Action can also be taken in the civil court system, and might result in the granting of, for example, non-harassment orders (*ibid*). Pilot schemes such as the Domestic Abuse Court in Glasgow and the Caledonian System of rehabilitation work with male perpetrators have been initiated in recent years (Scottish Parliament, 16/12/10). The Domestic Abuse (Scotland) Act 2011 created a new criminal offence of breaching a domestic abuse-related interdict, and provided a definition of domestic abuse, limiting it specifically to intimate partners or ex-partners. Recent years have seen Scottish conceptualisations move from domestic abuse as a unique form of violence to one of a range of behaviours within a spectrum of Violence Against Women (VAW), which broadens the definition to incorporate issues such as honour killing, commercial sexual exploitation, forced marriage and pornography (Violence Against Women Prevention Scotland, 19/12/10).

Chapter Three described the analytical framework used to examine New Zealand’s First Report, and the Scottish Government’s Safer Lives: Changed Lives document. The rest of this chapter discusses the findings of this analysis, which are organised into three main sections: Public constructions of private abuse; Public relationships; and The political: the role of the state. To distinguish between the documents, the First Report is referenced as ‘NZ’ and Safer Lives: Changed Lives as ‘Scotland’ throughout.

### 5.3 Public constructions of private abuse

Abusive relationships, previously seen as a private concern, are now perceived to be both a personal tragedy and a public problem. The literature drawn upon in Chapter Two demonstrated the way in which the public problematisation of domestic abuse involves a much wider range of individual, social and political actors (see, for example, Bacchi, 2008). The documents reflect specific notions of what constitutes abuse within a relationship, and how the state and broader society ought to respond to it. Initial close reading suggested that varying perceptions of these significant actors and their inter-relationships within both the public and private spheres contribute to the creation of different national conceptualisations of this previously personal problem. The first section of the findings relates to how domestic abuse is defined, considering the classification of particular behaviours, and the justification for those definitions. This is followed in the second section by an exposition of social determinants which are judged to increase the risk of experiencing abuse. Section 3 of this chapter is then concerned with an analysis of the states' attitude towards actors at different levels of society. These are categorized under three headings: the individual; the civic arena; and the state itself. Finally, conclusions drawn from this analysis are outlined.

#### 5.3.1 Defining abuse

In both countries there is a shared acknowledgement that men are the main perpetrators of domestic abuse: "The predominant pattern is one of male violence directed at a female partner..." (NZ, p4); "[abusive acts and behaviours] perpetrated mostly by men and affect[ing] women and children disproportionately" (Scotland, p1). Both documents make explicit a broadly similar range of behaviours which constitute abuse of a partner or ex partner, noting three common categories: physical; psychological; and sexual. Beyond these, the Scottish definition includes emotional abuse, while the First Report explicitly identifies financial abuse. Neither document

elaborates on the specific form physical abuse might take yet both refer to a wide range of psychologically and emotionally abusive strategies employed by abusers which damage their victims: in Scotland, these include humiliation, degradation, intimidation and harassment; in New Zealand, fear, emotional deprivation and domination. Both documents emphasize the centrality of power and control - usually gendered - in the instigation and perpetuation of abusive relationships. In common with Safer Lives: Changed Lives, the First Report recognises intimidation and harassment as abusive, but also contains more frequent and more descriptive references to this form of abuse, suggesting, for example, that it is not only enacted physical violence but behaviours including the “threat of violence” (p4) and the creation of a “climate of fear” (*ibid*) which must be considered. Therefore the intimidation of violence, not just its perpetration, is abusive in itself. This may reflect the criminalized nature of psychological abuse in New Zealand, and while UK governments have not, to date, been moved to legislate against psychological control and emotional violence, Safer Lives: Changed Lives tacitly acknowledges the state’s differentiated approach to various forms of violence, referring to “crimes, acts of violence and abusive behaviours” (Scotland, p1). Behaviour might be violent but not illegal; abusive yet not subject to state punishment. However, the Scottish document also goes on to make a further distinction, contrasting and categorizing different forms of male violence: “...male on male violence is the most common form of general public violence...” (Scotland, p1). Arguably, it is this ‘general public’ violence which is more often subject to state sanction in the form of criminal prosecution, while men’s ‘specific, private’ violence - abuse of an intimate partner or ex-partner - incorporates, as previously acknowledged, violence and abuse which is not necessarily criminal. It could be suggested that, in Scotland at least, it is those private acts of abuse which most closely correlate with public forms of male on male violence - those which result in physical injury or death - which are criminalized, while the unique characteristics that differentiate domestic abuse from other forms of violence, while being of concern, remain publicly unpunished.

Although the literature in Chapter Two suggests that criminal justice interventions are only partially effective in tackling domestic abuse, nevertheless they can be seen as emblematic of the unacceptability of particular behaviours and a willingness to publicly condemn them at the highest level. The criminalization of the physical assault of wives and partners bears witness to the potential for justice interventions to mould not just personal behaviour, but social attitudes towards personal relationships. While stalking and harassment are now encompassed by legislation, most behaviours such as domination, degradation, threats and humiliation have impacts which are less tangible yet serve to enable and sustain all other forms of abuse. While these remain non-criminalized, it can be argued that the state in Scotland remains ambivalent about mental cruelty, and as a result confines it to the private realm as an unfortunate personal tragedy, just as physical abuse once was.

A distinct similarity between both countries is their location of domestic abuse within wider spectra of violence. In the New Zealand context, as outlined in the introduction to this chapter, domestic abuse is located alongside elder and child abuse, and is one element within the larger framework of family violence. Safer Lives: Changed Lives on the other hand draws upon the United Nations Declaration on the Elimination of Violence Against Women (1993). This provides a conceptualisation of violence against women which collates a multiplicity of behaviours and practices which, it argues, all contribute to the transnational abuse of women and girls, facilitated by universal social and political norms premised on women's subordination and consequent subjugation. These include both acts of overt violence, including rape, female genital mutilation and honour killings, and subtler exploitative activities, such as pole dancing, pornography and stripping. This locates domestic abuse within a framework of related processes, drawing attention to the interlocked nature of a range of abuses and forms of violence which are both the cause and consequence of women's oppression. All violence against women, within this particular frame, can be explained by gender inequality, which is intrinsic across the globe, and elaborated in culturally specific ways, an argument which is apparent throughout the Scottish document.

However, the manner in which this is introduced in *Safer Lives: Changed Lives* is revealing: “Our approach is **informed** by the definition developed by the National Group to Address Violence Against Women based on the United Nations Declaration on the Elimination of Violence Against Women (1993)...” (Scotland, p7). The National Group to Address Violence Against Women is a partnership drawing members from the violence against women sector in Scotland. The use of the word ‘informed’ implies that the authors drew inspiration from the lengthy quote that follows, and yet the word is highlighted very specifically in bold type. The use of bold in print is often used to indicate emphasis, to reinforce a particular argument or position, and this would be the case in this instance: it is essential that the reader is aware that the authors have referred to the contents of the quote, yet remain independent from it to an unspecified degree. Analysis of the quote itself shows that it goes significantly further than anything contained in the Scottish document: it explicitly states that gender-based violence is “an abuse of male power and privilege” and must be understood “within the context of women’s and girl’s subordinate status in society” (Scotland, p7). These are powerful and controversial statements, based on a firm feminist analysis of patriarchal social, political and personal relationships, linking a plethora of policy issues around which there has been significant conflict. These include the connection between the objectification of women’s bodies, commercial sexual activity - including lap dancing and pornography - and rape. Yet by incorporating the full quote in *Safer Lives*, the authors seem to be suggesting at least some acceptance of the validity of the National Group to Address Violence Against Women’s analysis, which might be controversial in the national context: this might be an incomplete acceptance, perhaps acknowledging some elements but not others, but the document does not go on to reject or repudiate any aspect. It could be suggested that the quote is employed to provoke public debate around these issues or, alternatively, to deflect criticism of a potentially provocative political position, using others’ words as a protective shield. The use of bold on the word ‘informed’ might therefore carry implicit caveats, rather equivocally positioning domestic abuse within an internationalized - but contested - concept of Violence Against Women.

This move towards locating domestic abuse within the VAW spectrum can be seen as positive, in that it provides scope to expand upon an understanding of social and political processes that result in such high rates of partner abuse. Nevertheless, there is also a risk that domestic abuse becomes subsumed within such a flexible and broad spectrum that not only encompasses but correlates such seemingly disparate issues as verbal sexual harassment in the workplace, incest and human trafficking for purposes of sexual exploitation. There are two potential risks in this strategy. The first is that practices which are horrifying yet distant from the cultural mainstream may come to dominate public consciousness, making less visible the local and private abuses conducted within that mainstream. This may enable society to ‘other’ those who behave in this way, particularly in those abuses which tend to be culture specific such as honour killings and forced marriage, and which, proportionately, affect small and specific populations in the UK, thus fuelling notions that ‘it doesn’t happen here’ or ‘to people like us’, and encouraging a belief that domestic abuse is aberrational, rather than commonplace. Second and related, there is a risk that women will find it harder to identify themselves as victims of violence, particularly if they are subject to the subtler, more nuanced forms of non-physical abuses, notions which might be compounded by the non-criminalization of these forms of behaviours. The wider conceptualisation of VAW might, therefore, serve to contort the public image of what constitutes abuse. This is critical since, as outlined in Chapter Two, public perceptions feed into both collective and individual conceptualisations of domestic abuse, influencing the likelihood of women identifying their own experiences as abusive, and, consequently, their disclosure and help-seeking.

Similarly, in New Zealand the use of the family violence concept might also be subject to the same criticism, wherein abuse perpetrated by a man against his female partner might be subsumed within a broader spectrum of violence. Nevertheless, this particular conceptualisation does incorporate acknowledgement of abuses which are perhaps less recognized, particularly elder abuse and violence, domination and coercion among more distant relatives and unrelated housemates, an explanation of which might lie in the Maori cultural inheritance which has a broader definition of



‘family’ than Western cultures. However, despite an overt acknowledgement of its existence, the First Report does not specifically address patterns of male power and control that create situations in which women can be abused. Language throughout is almost constantly neutral - “victims of family violence” (NZ, p6; p21); “...help families to be safe and healthy.” (NZ, p7); “help those families who want violence in the relationship to stop” (NZ, p21). As the document is attempting to address many forms of abuse within a single concept of violence, this linguistic neutrality is perhaps understandable. Yet nevertheless, as Stark (2007) asserts, power and control underpin all these forms of violence, and this persistent oversight, in the context of what is clearly accepted to be a gendered issue, seems dissonant.

The analysis of the documents clearly illustrates Bacchi’s policy-generated silences: despite detailed and explicit acknowledgment that psychological manipulation not only underpins sexual and physical abuse but is in itself damaging, this acknowledgement remains passive in the Scottish document. In the First Report, the most notable silence apparent in the overall analysis of that document surrounds gender. The neutrality of the language employed, with its emphasis on non-gendered victims and perpetrators, implies a resistance to “naming men as men” (Hearn and McKie, 2008, p78), despite overt acknowledgement in the First Report that the vast majority of victims of all forms of family violence are female, and the perpetrators are predominantly male. This might be further compounded by the incorporation of domestic abuse into broader spectra of violence. The sheer breadth of issues which are gathered together as VAW in Scotland might itself serve to muffle the voices of women experiencing abuse in their personal relationships. The literature highlights how important it is that women can recognize themselves as victims of abuse, yet there is a risk that women will find it harder to do so, particularly if they are subject to the subtler, more nuanced forms of non-physical abuses. This can lead to both the public misrecognition of victims, and the internalisation of distorted images of ‘victims’ by women themselves, thus increasing their toleration of particular forms of abuse, and reducing their likelihood to seek support. A concept which seeks to equate disparate gendered practices may risk creating a hierarchy of suffering, in

which the distinctiveness of domestic abuse as a unique phenomenon becomes obscured, not least in the minds of women themselves, and this personal silence may further nourish public silences.

### 5.3.2 Defining those at risk

The gender neutrality of the language used in the New Zealand document can, once again, be understood in a context in which generalized approaches to an array of abuses are being set out. Nevertheless, despite an acceptance that victims are overwhelmingly female and perpetrators male, there is a lack of distinct negative/positive labelling of perpetrators/victims: “...help families to be safe and healthy.” (NZ, p9); “...approaches which benefit families and their members” (NZ, p9); “Families and whanau have the support they need to live free from violence.” (NZ, p8). There is an emphasis, therefore, on the family as a unit, rather than individuals within it and subsequently support ought to target the family as a whole: phrases such as “...families affected by family violence...” (NZ, p22) reflect not only a rejection of the gendered victim/perpetrator dichotomy made explicit in the Scottish document, but also of strategies which emphasize punishment over support. Although factors such as alcohol and drug abuse - and in the New Zealand document, mental illnesses such as depression - are seen as factors which either exacerbate a pre-existing tendency to violence, or are primary causal factors, they are again left gender-neutral. It is important that: “...*people* get help with factors that put them at risk of violence...” (NZ, p22-emphasis added). The use of ‘people’ encompasses both victims and perpetrators, and is further underpinned by ‘at risk of violence’ maintaining the possibility that this could be either as enactor or recipient of abusive behaviour.

Safer Lives: Changed Lives, despite its equivocation towards aspects of the UN’s VAW strategy, states categorically that “We are clear that violence against women is a consequence of continuing inequality between men and women...” (Scotland, p1).

The definitive and robust “We are clear...” positioned in paragraph three of the first page of the document firmly introduces its fundamental premise, with certainty and conviction, a statement which becomes even more significant as the purpose of the document is set out and which will be discussed later in this chapter. Additional factors over and above gender inequality are referred to rarely: “...poverty, age and disability may increase a woman’s vulnerability as may alcohol and substance abuse” (Scotland, p8). There is a distinction here between cause (inequality) and exacerbating features - social factors such as poverty and disability. What is unclear from this statement is who is imbibing alcohol or drugs, whether it is the woman herself, her partner, or both individuals. This is important, as it raises questions of where responsibility is attributed: it may be implying that a woman who drinks or takes drugs is less able to defend herself because her mental faculties and physical capabilities are compromised, or, alternatively, that a man is more likely to become abusive while under the influence of drink or drugs. Either explanation supports a supposition that the state sees women as inherently at risk of abuse: vulnerability is ‘increased’, suggesting an intrinsic susceptibility, while in the alternative meaning, a man’s innate capacity for abuse is increased. In this conceptualisation there is a subtle implication that men are potential abusers, while women are inherently ‘at risk’. The First Report emphasizes the “suffering of women and children” and yet does not consistently pinpoint the source of that suffering in the specific behaviours of men. Despite a more vocal acknowledgement of the role of gendered power disparities in the Scottish document, however, the adoption of strategies which define the problem as *violence against women* as opposed to, as Clarke suggests (in Razack, 1995), *the violence of men*, that acknowledgement is subtly muted. Scotland’s strategy is premised on particular constructions of ‘victim’ and ‘perpetrator’: a naturally vulnerable woman and an inherently dangerous man. This justifies a policy emphasis on protection of the innocent and punishment of the guilty.

The First Report has an explicit section on risk factors, and, in contrast to the Scottish position, gender inequality is just one of a range of causes. Rather than the UN, the First Report cites the World Health Organization, which states that there is no single

reason why some individuals or groups are more likely than others to experience relationship violence while others do not (NZ, p8). Consequently the NZ document describes a range of factors which increase risk, at individual, familial, community and social levels, in addition to cross-cutting gendered expressions of power and control, which interlink to form different permutations within individual lives, resulting ultimately in abuse and violence. Safer Lives: Changed Lives focuses on factors within the relationship itself, whereas in New Zealand the approach is more diffuse, seeking to incorporate elements ranging from an individual's personal experience and familial circumstances, to community and societal mechanisms, and therefore centring instead on the violence itself. However, where relationships are referred to, it is of note that instability in a relationship is categorized as a risk factor: "partner or marital conflict...marital instability" (NZ, p8), reflects a notion that 'unstable' relationships are the cause, rather than the consequence, of abuse. Moreover, social and community factors underpin a recurrent theme in the document which emphasizes social insufficiencies and their role in enabling and perpetuating abusive relationships: "weak community sanctions against family violence" and "social norms that tolerate and support violence" (NZ, p8) are listed as causes. Both personal and social inadequacies therefore serve to create an environment in which violence occurs within intimate relationships. By fortifying relationships and tackling social attitudes, the document goes on to suggest, the state can reduce and ultimately eradicate family violence. This is illustrative of fundamentally different approaches adopted by Scotland and New Zealand, intimated in these documents, based upon divergent concepts of the nature of not only personal relationships between individual men and women, but institutional relationships between the state, civil society and communities. The following section will discuss the different perspectives in more detail, examining how these relationships are perceived in Scotland and New Zealand, and this will lead onto a discussion about how the state sees its role in the mediation of all such relationships, both public and private.

## 5.4 Public relationships

### 5.4.1 The personal: the state and the individual

Both documents identify various actors in society who are affected by domestic abuse: in Scotland, these include women, children, families and communities (Scotland, pp1-2), while the New Zealand document refers to “women and children” and “individuals and families” (NZ, p13), each document referring to the “thousands” who are affected. Similarly, there is an acknowledgement in both documents that domestic abuse has impacts across the social scale: upon women and children from “all parts of the country and from all backgrounds” (Scotland, p8) and “families of all cultures, classes, backgrounds and socio-economic circumstances.” (NZ, p 4).

Understandably, there are variations in these, which are directly attributable to the fundamental definition of domestic abuse to which each country ascribes. The Scottish document focuses largely on women as victims, with occasional reference to children, while the First Report repeatedly highlights the damage done to the family, by members of that family, and makes reference to elder abuse. The latter is unsurprisingly absent in the Scottish document, given its narrower definition of abuse, which incorporates only those involved in an active or previous intimate relationship with one another. Highlighting the class-blindness and geographical scope of the problem is a strategy which provokes a sense of identification from the reader, while also challenging assumptions about the aberrational nature of domestic abuse - this can happen to anyone, anywhere. It can thus also be seen as an inclusionary strategy, designed to invoke sympathy (it could be a friend or a neighbour) yet also, potentially, fear (it could be the reader themselves). This universalised risk for any and all women is matched by a similarly sweeping conceptualisation of ‘perpetrator’, in particular of sexual abuse, who is most commonly “someone known to the victim...[this] includes sexual partners, casual acquaintances, family members and others.” (Scotland, p9). These groupings arguably constitute most of the men women are likely to know, not just because intimates and relatives are clearly included, but “others” is a vague enough term to capture almost any relationship between a man

and a woman, personal and intimate, or professional and remote. This normalises domestic abuse, extending an arc of inclusion beyond latent stereotypical caricatures of ‘victim’ and ‘perpetrator’ as ‘others’. Moreover, it could also be argued that this is consistent with a feminist analysis of abuse: if abuse is the outcome of structural factors which generally distribute more power to men than to women in both the public and private spheres, then any woman is potentially at risk as any man could potentially abuse his power over her. However, while both documents underline that domestic abuse is a gendered issue, analysis of the language used highlights a key difference in the positioning of women who experience abuse within each country.

In New Zealand, while non-gendered “victims” are referred to repeatedly throughout the document, women are rarely referred to as a discrete category, and always within the wider context of the family as a whole: family violence affects “family members” (NZ, p4); “Too many women and children are dying; too many individuals and families are suffering (NZ, p15).”; “Too many New Zealanders die from family violence” (NZ, p15). Child abuse is discussed in a sentence along with domestic violence, infant and female deaths, and abuse of the elderly (NZ, p25). Identifying victims of violence as “New Zealanders” is again a unifying technique particularly apt in a country with such an ethnically diverse population, among which higher rates of violence are associated with a specific minority group for complex social and political reasons. Appealing to the national identity of readers could once more offset subjective and potentially alienating attitudes, offering a description of the problem that makes it ‘ours’ rather than ‘theirs’. This sense of social collectivism is further reinforced by repeated references to “family”, evoking associations of belonging and connection through kinship. Moreover, the Report uses explicitly affective vocabulary - the “suffering” and “dying” of vulnerable social groups - which compels the reader to engage emotionally with this issue. Rates of violence, abuse and neglect across the lifespan are “shameful” (NZ, p25) and as a result “too many women are dying” (NZ, p25), and the solution is to “transform” society (NZ, p2). This is the language of evangelism, with overtones of suffering and redemption, and prompts a moral, almost spiritual, response from the reader. Repeated references to New Zealand and New Zealanders

throughout the document serve to embed both the shame and the potential for social transformation in the national collective conscience. The sense of an acute moral and spiritual national tragedy which is evoked presents the issue in terms of shared suffering, collective culpability and consequently joint responsibility for action.

The Scottish document sets out initially with a similarly inclusive statement:

“[Domestic abuse] affects all of us in Scotland...” (Scotland, p1). However, the sentence continues “...not only the women and children who directly experience it or those that fear it, but also their families, communities and our economy” (*ibid*). The language used here places women as victims firmly apart from the collective ‘us’ referred to in the early part of the sentence: the use of possessive adjectives illustrate differentiated afflictions - “their” families and communities suffer, yet so too does “our economy”. As well as introducing an economic component to the issue of domestic abuse early in the document, this paragraph delineates ‘them’ as victims and ‘us’, the readers of the document who are separate from those who experience domestic abuse. There is a significant presumption that those who are writing or reading the document are not themselves victims of abuse. Yet statistical abuse rates outlined in the first chapter support the probability that a sizeable proportion of both have experienced abuse, or will do so in the future. A distance is therefore created between the writers and assumed readership of the document, that is policy makers and practitioners, and the ‘victims’ of domestic abuse. This could be conceptualised as a benign form of ‘othering’, not one which seeks to marginalize and exclude necessarily, but one which nevertheless tacitly classifies ‘victims’ as a group separate from ‘us’, the professionals. This is in contrast, therefore, to the NZ document which seeks to contextualize women within a broader range of victims from across the social spectrum who might equally suffer. This presumes that the ‘the family’ is itself a violent institution, and that members of households and families are equally at risk of victimization. Yet this is subverted by the acknowledgement within the document that the majority of victims tend to be women and children, and the majority of perpetrators men. Thus, although the NZ strategy may promote a sense of inclusion, designed to generate a shared commitment from across society to tackle the problem,

it could also be argued that such ‘democratization’ of abuse, which amalgamates so many into the category of ‘victim,’ may serve to neutralize the issue of gendered power dynamics within the home. While acknowledging a gendered dimension to abuse, there is no recognition of the role of customary disparities in power within the private realm that might cause and perpetuate the abuse of women by men who claim to love them.

Nevertheless, there are instances where both documents’ use of personal pronouns serves to blur the boundaries between state, services and their target readership. In the NZ document, for example, it is clear from many statements that ‘we’ refers to the Taskforce itself: statements such as “We are working with the Family Violence Ministerial Team...” (NZ, p2) and “We will use this lifecycle approach...” (NZ, p8) obviously refer directly to the authors of the document. These are echoed in the Scottish document: “The approach...we are developing” (Scotland, p14) and “We are...investing...improving...reforming...” (Scotland, p17). These statements, generally of action, demonstrably refer to the authors alone, rather than the general population or other sectors. Yet on page 10 of the First Report, it becomes less clear who “we” are: “We all need to take responsibility for preventing the abuse and neglect of children, violence between partners, the abuse and neglect of older people...” (NZ, p10). Clearly this statement applies to a broader community than those on the Taskforce, and is notable for the sudden switch to an individualistic tone, while maintaining the theme of universalised responsibility: it is still “we” who must act, rather than, for example, “people” or “individuals”. Similarly, in Safer Lives: Changed Lives, the writers assert that “We expect our communities to be strong, resilient and safe places....” (Scotland, p2-emphasis added), a statement which could refer to the collective presumption of the readers of the document, yet could equally be interpreted as reflecting the state’s expectation.

The universalised, collective - but predominantly gender-neutral - portrayal of those involved in, and responsible for, abusive relationships within individual families in the New Zealand document contrasts with Scotland’s conceptualisation, in which the



victims of domestic abuse, predominantly women, emerge as a group distinct from those who have written and are likely to read the document. As well as suggesting a distinct and homogenised singular group of 'victims', however, this 'benign othering' is also apparent in the categorisation of specific sub groups within it.

#### 5.4.1.1                      Creating 'others'

In both documents, groups which are differentiated for a variety of reasons from the normalized construct of 'victim' are identified. In Scotland, Safer Lives: Changed Lives refers to “women from different backgrounds and with diverse needs” (Scotland, p22), a phrase whose interpretation hinges on the intended meaning of the word 'different'. An intersectional understanding of domestic abuse suggests that intertwined social, political, economic and personal facets of any woman's life create for her a unique set of particular circumstances in which she will experience and respond to abuse from her partner. The abuse itself will be the outcome of a range of behaviours interplaying to create the contours of that specific abusive relationship, and this will consequently influence the interventions and support that are best suited to escape and recovery from it. 'Different' might simply be an acknowledgement of that. However, examining the phrase in the context of the paragraph in which it appears indicates its alternative definition: the initial sentence establishes that this section relates to “marginalized women”, and therefore it is reasonable to conclude that “different” in this instance implies at variance with an established norm. Furthermore, the word “and” makes a definitive assumption that the needs of such women will be at variance with those of the mainstream already defined elsewhere in the document. The concluding sentence, arguing there is “a need to establish what is required and how to realise this in a climate of limited resources” (Scotland, p22), emphasizes the conceptualisation of such women's needs as extraordinary, requiring adjuncts to existing services rather than forming an intrinsic part of them.

These groups of women are generally characterized as “marginalised” in the Scottish document (Scotland, p14; p16), and the use of the verb here is indicative of a notion of an active and political process by which groups and individuals are placed on the periphery of society, most often by those in the majority who have the power to do so. This includes categories specifically relating to ethnicity - “women from minority ethnic communities” (Scotland, p12); “minority ethnic women” (Scotland, p12); “minority ethnic victims” (Scotland, p20) - but also conflated groups which might include both minority and majority ethnic women. These categories include those who are “worried about their immigration status” (Scotland, p9), a group which may include asylum-seeking women, but also the dependents of partners who are in the UK on study visas from European countries and the US, and “women with no recourse to public funds” (Scotland, p20) which includes, for example, foreign students precluded from claiming Housing Benefit and thus have similarly restricted access to Women’s Aid refuges. However, use of language such as this is in stark contrast to that in the New Zealand document, wherein there is no mention of ‘minorities’. As outlined in the introduction to this chapter, the population of New Zealand is much more ethnically diverse than that of Scotland. The descriptor attached to varying groups is, however, simply ‘ethnic’: “ethnic groups” (NZ, p8; p19). Arguably, the existence of significantly-sized populations with clear and discrete ethnic identities might explain why all ethnicities are not conflated into a single ‘minority ethnic’ category as they are in Scotland. Nevertheless, while the most predominant ethnic groups are identified - “Maori and Pacific peoples” (NZ, p6; p9); and “Pacific families” (NZ, p8) - they are not characterized as being a ‘minority’, nor are those who do not fit into these categories but do have a variety of alternative ethnic identities: “other ethnic groups” (NZ, p8). In Scotland, the ‘marginalised’ include those who are identified as being ‘minority’; in New Zealand, a range of ethnic identities, as well as “new migrants” of indeterminate ethnicities, are instead examples of a range of “specific population groups” (NZ, p9). In New Zealand there is therefore a sense of both recognition of distinctions between groups yet an incorporation of their needs into a more egalitarian overall response to abusive relationships: rather than being

considered extraordinary, a range of ethnicities, both distinct and more generalized, is thus part of the mainstream.

One might argue the use of 'minority' as a passive adjective feeds into a dynamic process - minoritisation, the result of which is marginalization - and that these are subliminally linked in the Scottish document, leading to the perception of the needs of such groups as extraordinary. While it is not suggested that the absence of similar words in the First Report indicates an absence of potentially exclusionary processes and their impacts in New Zealand, the language used here rejects a majority/minority ethnic dichotomy. This reinforces that the relative size of particular ethnic groups in relation to the predominant ethnic identity in the country as a whole is irrelevant in terms of developing centralized strategy and national domestic abuse policy. As such, and possibly linked to postcolonial sensitivities, the importance of cultural inclusion is emphasized in the First Report: information provided is not only to be translated into languages other than English, but will also be reflective of the "cultural norms" of its recipients (NZ, p19). "Robust" consultation with specific groups will be developed to ensure that state actions are "culturally relevant" (NZ, p12), and such actions which are aimed at improving family relationships and reducing violence will seek to "enhance...cultural practices" in order to do so (NZ, p23). Actions in the Scottish document have a different emphasis: "...improve data collection..." (Scotland, p16) and "...consult[ing] stakeholders and interest groups" (Scotland, p18) as part of an overarching aim to "continue to explore the options..." available for women with no recourse to public funds, ultimately "Providing improved support for marginalised women..." (Scotland, p22). Clearly, both documents share a similar end goal - to provide effective domestic abuse services - but there is a subtle difference in emphasis. The Scottish document suggests a state willing to listen, to gather information, to increase its own understanding, but which ultimately feeds into a decision making process over which the state itself presides, and one in which the Scottish Government is constrained, since designating access to public funds is a reserved rather than a devolved power. The emphasis is on knowledge of value to the state, in order to adapt services to those who are ethnically non-conformist to, and

therefore separate from, the mainstream. The First Report, in contrast, while suggesting that the information gathered via consultation will also improve services, implies not only listening but reciprocal communication. This is illustrated, for example, in the willingness to adapt printed information not just linguistically but *culturally*, in order that the messages might be understood from different cultural standpoints. This suggests a more culturally reflexive model in New Zealand, rather than the culturally hegemonic position of the state overall in Scotland. In the New Zealand model, difference is naturalized, and ideal services should thus be inherently responsive according to individual “community and cultural contexts” (NZ, p25).

The desire to help and support women from diverse backgrounds is not in question in either document. However, the process of 'othering' outlined in Chapter Three can once again be observed in the Scottish document, albeit in this instance, the process appears benign. In this instance, it identifies sub groups, those who diverge from an established template of 'victim', which are seen as extraordinary, their needs requiring additional input and service adaptation for their benefit. This contrasts with New Zealand where the approach to ethnicity is rather that of culturally differentiated universalism, underpinned by language notable for the absence of subjective adjectives: a range of differences exist *within* the mainstream as a whole, and consequently services which must be flexibly responsive to a range of different needs which might be present within a diverse and varied general population. In this model, services must be more than merely adaptable, but inherently culturally relevant, and it is the state's role to ensure that they are.

Walker asserts (in Bacchi, 2008) that breaking up social problems into constituent parts and distributing responsibility for their amelioration to a range of state institutions and services can provide a veneer of activity which suggests the problem is being 'solved'. While this splintering of issues is failing to reduce the rates of domestic abuse overall, it nevertheless enables specialist support to be delivered by a range of experts. However, there is evidence in this analysis to suggest that the theory of splintering might be extended beyond the confines of the problem itself.

The documents recognize that, in terms of identifying victims, one mould does not fit all. The way in which ‘other’ women are identified is significant in the Scottish document: they are ‘different’, because of a particular aspect of their identity, be it disability, sexuality or ethnicity. As such, within an overall conglomeration of ‘victims’, there are splinter groups, whose needs are additional and extraordinary in relation to existing services. Victims are thus differentiated, not only from the mainstream population by their status as ‘victims’, but from one another by recognition of specific (usually singular) identity traits. If victims form a minority within the mainstream population, some women are categorized to form minorities within that minority. These groups require exceptional responses and this both reflects and reinforces their position outwith the mainstream of both victims and society as a whole. This categorization process therefore highlights the potential for policy itself to act as a marginalizing mechanism.

Nevertheless, shared themes of safety and support for victims, and the state’s responsibility to ensure both, interweave throughout both documents. Yet there is also a desire to galvanise individuals in order to find a resolution to abusive relationships within the private context of relationships and families. The need to empower a range of actors in order to end violence is evident in the Scottish document, “Individuals, families and communities” must be equipped to “take action against violence against women...” (Scotland, p24). There is a sense here that resistance and challenge against abuse must originate not only at state level but also at individual level. However, this empowerment, the process of which is not elucidated, is a priority in the “medium term” (*ibid*). Therefore, despite the emphasis on the individual therefore, responsibility for the safety and support of women in abusive relationships, at least for the foreseeable future, rests with the state in Scotland. This responsibility is fulfilled by reducing risk to women, protecting them if abuse occurs, and by providing services to help them to “rebuild their lives” (Scotland, p3), all, by implication, separately from the men who have abused them. In contrast, empowerment is not seen as a process which the state in New Zealand will instigate but rather it will be an outcome of the eventual eradication of family

violence. As in Scotland, a range of actors are seen as central to tackling violence, and state actions seek to “involve all family members in stopping violence in their family relationships” (NZ, p7; p10). The elimination of violence itself will empower victims (predominantly women), but also abusers (overwhelmingly men), enabling both to “make positive decisions about their lives” (NZ, p26). These “positive decisions” might include remaining in a relationship in which violence has been present but which has since ceased - exit from a relationship is not seen in this document as inevitable. While the safety of victims is emphasised, there is also reference made to “the needs of victims, offenders and their families” (NZ, p17), and a recognition of the need to “give people the help and support they need” (NZ, p18), with a potential goal of “stopping violence in their family relationships” (NZ, p10). While the “strong message sent out to perpetrators” in Safer Lives: Changed Lives (Scotland, p19) is premised on the state’s responsibility to protect women from dangerous, abusive men by providing means of disclosure and access to escape routes supported by criminal protection and prosecution, in New Zealand the emphasis is on conflict resolution and an end to the violence rather than necessarily an end to the relationship. This conceptualisation of family violence therefore sees the family not only as an arena for violence but also as a forum for potential healing through cooperative resolution of conflict. State action might create the environment in which this might happen.

The conceptualisation of the problem of domestic abuse in each nation therefore draws on the state’s perception of ‘victims’, which consequently defines behaviours to which a woman must be subjected in order to transform her into a ‘victim’, but also how she is expected to respond. Comparison of the two documents reveals a particular gap which resonates in the Scottish document around women who do not necessarily want to leave abusive relationships. In contrast to the First Report, which emphasises the potential for the relationship to endure beyond abuse, the Scottish document concentrates on policy mechanisms that might encourage disclosure and subsequent departure from the relationship. This is a delicate issue, as, given the complex nature of abuse, it is beyond doubt that many women are both physically and

psychologically terrorised into staying. Yet the New Zealand document suggests a belief that proportions of women may positively choose to stay, provided the violence stops. Policy responses in Scotland therefore seek to remove the abusive partner from the relationship - the state's priority is to help her leave; in New Zealand the emphasis is on eradicating the violence from that relationship - the focus is helping him stop. This is logical in that Scotland's strategy is premised on particular constructions, as previously described, of 'victim' and 'perpetrator', a naturally vulnerable woman and an inherently dangerous man. However, this also indicates a limited right to autonomy for women, and an unspoken presumption that a desire to continue the relationship is aberrant, the 'right' thing to do, as judged by the state, is to leave and "rebuild their lives". An active personal decision making process about the long-term prospects for the relationship is absent for women in the Scottish document.

Both documents employ a range of linguistic techniques to provoke a sense of collective responsibility and therefore justify a unified, national response to domestic abuse. Each employs differing motivational strategies to galvanise a range of individual actors, and in the process, validate state action. This is done by pricking the collective national conscience in New Zealand; while the Scottish document draws attention to the social injustice of gender oppression. However as suggested in the introduction to this section, the publicising and subsequent politicisation of domestic abuse as a social problem means that abusive intimate relationships straddle both the private domain of individuals, and the public domain of society. The following section outlines state perceptions of society and attitudes towards communities as potential avenues of intermediation between the state and the individual.

#### 5.4.2 The civic arena

"Society" and "community" are both elusive concepts, and varying context specific definitions can be attached to them. However, one way of differentiating them is on

the basis of size: ‘community’ in the documents tends to refer to population subsets, each sharing one specific characteristic. That characteristic might be, for example, geographical proximity, or sharing a distinctive personal or social feature, such as ethnicity or a special interest. ‘Society’ on the other hand tends to refer to populace, institutions and organisations integrated to form a single entity, in this sense, a national community.

#### 5.4.2.1                      Society

There is a presumption that the reader will understand what is meant by ‘society’ in both documents, but close analysis reveals alternative interpretations of ‘society’, and different notions relating to the formal institutional role in tackling abuse within the civic arena. While there is little direct reference to society in Scotland’s Safer Lives: Changed Lives, there is however emphasis on social processes which are seen both to cause and perpetuate violence against women, in particular inequality. There are overt references to “gender inequality” (Scotland, p2) and “inequality between men and women” (Scotland, p1). From this perspective, gender violence is an outcome of deep-rooted social practices and norms which restrain and constrain women’s lives to the advantage of men, disempowering them within both the social and personal realms and thus predisposing them to victimization and abuse. Inequality is therefore the *cause* of gender violence. By acknowledging this - “violence is a consequence of gender inequality” (Scotland, p2) - the Scottish perspective acknowledges a causal relationship between gender inequality and levels of violence towards women.

However, rather than being linear, this causal relationship is cyclical: gender inequality feeds violence which reciprocally succours disparities between men and women. This view which reflects the feminist analysis of domestic abuse, which argues that oppression and gender discrimination create an unequal society which facilitates the abuse of women by men. This is further demonstrated in the subtle



emphasis placed on domestic abuse as a *barrier to equality* as well as a *consequence of inequality*, and embeds gendered social disparities within a broader spectrum of multiple inequalities, thus harnessing the reduction of gender violence to broader, non-gendered, national political goals. The Scottish approach, the document argues, “will contribute to enabling the civic and societal changes described in the suite of Frameworks...” (Scotland, p4), thus linking the social to the political, although there is no further expansion in this document about how this might be achieved in practical, policy terms. The reduction of male violence towards women is instrumental to the broader goal of tackling its root cause, gender inequality: “Tackling violence against women is therefore a prerequisite to reducing inequality between men and women in Scotland” (Scotland, p2).

Therefore, it can be suggested that the focus of domestic abuse policy in this context is concerned with the *outcomes* of gender inequality (domestic abuse) while contextualising its *cause* (gender inequality) within broader social and political frameworks. The explicit acknowledgement of underlying, oppressive social processes might represent an implicit will to address fundamental structural barriers to gender equality, strengthened by the Scottish Government’s positive inclination towards feminist participation in the political process as noted in Chapter Two.

While the Scottish document sees a domestic abuse strategy as one of a range of policies which will facilitate an incremental process of social change, the Report states the ultimate aim of NZ strategies is to “transform [our] society” (NZ, p2; p13). Explicit references to gender inequality are unsurprisingly absent in the NZ document, consistent with a more gender-neutral family violence approach. The Report attributes the perpetration of violence against women not to the social process of inequality, as in Scotland, but to public attitudes which permit, condone and perpetuate violence within families. Society must become one which “does not tolerate family violence...” (NZ, p2), suggesting “social factors, for example, social norms that tolerate and support violence...” (NZ, p7) as key targets which must be radically reformed if policy objectives are to be met. While this is not entirely absent

in the Scottish document, which, for example, makes reference to successful public awareness campaigns which set out to alter pejorative public attitudes towards rape and domestic abuse, it is pivotal in the Taskforce Report. Establishing a society, a national community, that does not accept any form of violence is, according to this document, the key preventative strategy: “Prevention is not just a matter of stopping violence...it is about building a society...in which violence is extremely rare or non-existent...” (NZ, p7). In order to do so, “...we have to reduce society’s tolerance of violence” (NZ, p2). Raising awareness could be characterized as non-intrusive action - information is made visible and accessible, but it is up to the individual to engage with, absorb, and process it on a private basis. The NZ approach invests the state with power to shape and hone not just social attitudes, but the personal conduct of individuals: “Our campaign will begin the long-term changes in attitudes and behaviour that are needed to reduce society’s tolerance of family violence...” (NZ, p13). Moreover, the state and its institutions have an imperative responsibility to do so: “...we have to reduce society’s tolerance of violence” (NZ, p2). While this particular statement suggests a distinction between state institutions and ‘society’, the definition of society generally reflects the inclusiveness characteristic of other sections in the document: effort is needed from “all New Zealanders” (NZ, p4) and “We must all play our part” (NZ, p24). Notably, “all sectors of society, particularly health, justice, education and social services...” (NZ, p7) need to participate. The integration of public services into the broader definition of society as a whole once again reflects the overarching ambition for the Report to promote a sense of unity and shared purpose across public and private spheres, at both individual and institutional levels.

New Zealand and Scotland share some common perceptions of society, and in particular recognition that tackling domestic abuse, whichever broader spectra of violence it inhabits, is contingent on fundamental social change. However, analysis of these documents suggests that institutional opinions about the social roots of domestic abuse differ. The Scottish document portrays domestic abuse as the outcome of a gendered, discriminatory social process which creates the circumstances

in which violence can thrive. The First Report, in contrast, sees social attitudes as overwhelmingly culpable because they both permit and condone violence in contemporary society. It is possible, therefore, to conclude that the Scottish approach leans towards viewing the root of the problem as politically systemic, while New Zealand highlights its socio-cultural characteristics. Logically, therefore, these attitudes must be altered, creating a 'social transformation' in New Zealand, and yet the document offers no deeper analysis of why these attitudes might be formed and persist. A feminist analysis, reflected in the Scottish document, suggests that it is, in fact, gender inequality which both creates and nourishes the attitudes NZ is seeking to alter.

#### 5.4.2.2                      Community and community organisations

In both documents, 'community' is seen as an element in personal networks: "family, whanau and communities" (NZ, p5; p10); "...victims, their families and communities" (Scotland, p2); "women, children and communities" (Scotland, p3); "...children, families and communities" (Scotland, p4); and "Individuals, families and communities..." (Scotland, p24). In each of these statements, the documents imply that the meaning of 'community' at these points is a collection of human beings. This is implied in the use of the plural and further strengthened by the way the lists are constructed, and the associations they prompt. References to smaller units, individuals/women/victims/families/whanau/children - all human actors - are followed by a larger, less individualistic but by implication still human, grouping - 'communities', guiding the reader towards a specifically human definition.

Both countries argue that 'communities' must be "safe" (NZ, p2; Scotland, p2), and are therefore identified as physical spaces or locations, a forum in which human activity takes place. Moreover, in the Scottish context, there is an expressed expectation that they be: "...strong, resilient and safe places..." (Scotland, p2). This conceptualises 'community' as an arena in which citizenship is expressed and civic

responsibility includes control of personal conduct: “...where people take responsibility for their own actions and how they affect others.” (Scotland, p4). Individual behaviour, therefore, is given a collective context, and domestic abuse ‘publicised’ by highlighting the repercussions for broader populations caused by private violence, thus disassociating it from the private suffering of individual women.

However, close analysis of the New Zealand document finds evidence of a more institutional identity for ‘community’: “community, regional and national levels” (NZ, p7); “individual, relationship, community and social levels” (*ibid*). The latter makes reference to the individual, and yet what is being described is a strand in the institutional hierarchy, of which the individual is the lowest/smallest element, reinforced by the use of the singular ‘community’, which implies a single entity, rather than collections of human beings. This is reflected at other points in the document, for example: “...an important way for the community to signal...” (NZ, p16). This definitive use of ‘*the* community’ as a single agency differentiates it from the plural “communities” which is more frequently used to describe groups of individuals. These groups of individuals are assigned a variety of disparate group identities: “...communities, including Maori and Pacific peoples” (NZ, p8); “communities of interest, faith communities, sporting communities and cultural communities” (NZ, p10). They are portrayed as hierarchical [“leaders at all levels and across all communities” (NZ, p24); “supporting community leadership” (NZ, p5); “engage the leadership of many of our communities” (NZ, p10)]. There is a presumption, therefore, of representation: that the leaders of communities might provide a universal voice for the whole. This raises concern with regard to the exercise of power, particularly across such a diverse range of social organisations. Feminist apprehensions about the patriarchal nature of policy making can equally be applied to hierarchical social and cultural organisations, in which women’s voices may be ignored, dismissed or silenced. In the context of seeking social remedies for private violence, which is characterized by a skewed power distribution, processes which invest particular individuals with the authority to speak on behalf of others are critical.

These specific, categorized communities, absent from the Scottish document, are separate entities from community organisations, which are distinctively defined in the First Report: “community sector” (NZ, p4); “community organisations” (NZ, p5); “successful community providers” (NZ, p8); “non-government organisations” (NZ, p8; p14). Both are seen as central to collaborative efforts to tackle violence: “A consistent process will help government agencies, service providers and communities to form a better understanding...” (NZ, p15); success requires “continuing commitment from service providers, communities and families themselves...” (NZ, p24). In the Scottish context many statements are phrased collectively, seeming to imply a pre-existing cohesion between state and domestic abuse service providers: “*our* shared approach...*our* shared commitment” (Scotland, p4-emphasis added). This sense of co-responsibility and joint endeavour is “necessary” to “achieve *our* ultimate aim; to create a Scotland in which violence against women no longer exists” (p1-my italics). This statement unifies the state with agencies providing services, and maintains a consistently positive attitude towards partnership working. The NZ document, in contrast, maintains a clear divide between the Taskforce and outside government and non-government agencies, and moreover overtly acknowledges the challenges of partnership working: “We have to move past polarisation to mutual trust and commitment” (NZ, p24), hinting at previous, unspecified problems in the relationship between the state and non-state organizations, possibly linked to historical colonial oppression.

Nevertheless, despite a more optimistic tone in Safer Lives: Changed Lives, the pre-existing unity which is described is insufficient: it is necessary to expand and increase partnership in order “to achieve greater consistency in service provision” and this applies “both within and outwith the Scottish Government” (Scotland, p3). This is directly linked to the welfare of women, children and communities, offering emotionally/morally compelling reasons for accepting and adhering to the recommendations contained in the document. Yet it is apparent that success can only be assured if “a shared narrative” is adopted, and “a common understanding of the problem, its nature and roots” is established (Scotland, p14). Previous chapters have

illustrated the complexity of domestic abuse, and raised issues of the implications for women that potential discrepancies between politicized conceptualisations and personal experiences might have. However the difficulties in formulating a single, universal and overarching definition, and subsequent approach, are unacknowledged here. Later findings suggest that the “shared narrative” which will define the way forward will be provided by the authors of the document themselves, and this is marked by a perceived shift in institutional attitudes towards women’s organisations.

One striking feature of the Scottish document is the way in which it acknowledges the historical contribution made by third sector activists and organisations. Their identity is veiled, described as simply “the voluntary sector”, yet the rest of the paragraph makes clear which section of this vast and diverse conglomeration of non-governmental groups and agencies is referred to: those who have “traditionally driven this agenda, even in times when others did not fully appreciate the nature and extent of these terrible crimes and experiences” (Scotland, p1). Their work “over the past three decades” (Scotland, p1) makes it reasonable to surmise that these are feminist and grassroots groups, in particular the Women’s Liberation movement of the 1970s, and subsequent to that, Women’s Aid. The use of the present perfect tense [“has driven”] suggests an event which is in the past but which has implications for the present. In this case, the work of the feminist and grass-roots groups which has succeeded in bringing domestic abuse to public attention and securing its place on the policy agenda is accepted, although there is no overt confirmation of such groups continuing in this specific role. The subsequent paragraph indicates one of the overarching themes of the document as a whole: “We must continue to move forward...” (Scotland, p1). As the document sets out a future agenda for Scotland, it makes clear it will be guided and driven, not by community and voluntary sector activists as has happened in the past, but by the Scottish Government itself.

#### 5.4.3 The political: the role of the state

The emphasis on partnership working in the Scottish document suggests that co-operation and collaboration are central to its strategy. This is underpinned by statements such as “...the focus for the Scottish Government...will be to work along with key partners...” (Scotland, p23), and the direction is firmly forward: “taking forward our shared approach” (Scotland, p4); aiming for “swifter progress”; and stating “We must continue to move forward”, the imperative ‘must’ investing an urgency of action. However, examination of the language used in other parts of the document indicates that the Scottish Government’s role is other than that of a co-traveller, with emphatic statements about the need to “drive forward work”, and the Government and its partners “driving forward activity”, in order to “[take] this fight forward across Scotland”. Word selection suggests a crusading battle or war, and the document as a whole implies that forward motion will be both instigated and guided by the state itself. Towards the end of the document, there is an acknowledgement that individual organisations outwith government’s direct control “may decide to take forward work on different aspects of violence against women...according to their own priorities...” (Scotland, p22), although the expectation is clearly stressed that “...the overall direction of travel should always be consistent with the definition and outcomes contained in this document.” (Scotland, p22). Given funding structures and the reliance on government of many third sector bodies for financial support, this is an explicit instruction to adhere to this pre-formed “shared narrative”. Although partnership working and consultation is prioritized, there is little doubt that the government commands, controls and navigates the direction of domestic abuse policy in Scotland.

The First Report also prioritizes leadership, and a section of the document is dedicated to it. It is seen as “[the Taskforce’s] ongoing role” (NZ, p10). However there is also an emphasis on a hierarchical model of both governance and society: “We will support leadership at all levels and across sectors...” (NZ, p10), while its own position in that hierarchy is made clear: “We will also continue to support the

government in its leadership role...” (NZ, p10). The need for effective leadership also cuts across public boundaries into the private: “Leadership is needed - within families and communities...” (NZ, p10), as well as within government, non-governmental organisations and private business. This, however, raises issues around perceptions of ‘family’ and ‘community’. There is a presumption here of the existence of benign democracy within both institutions, yet this seems paradoxical in the context of a document addressing family violence, and the acknowledged imbalances of power which are central to the experiences of abuse within this context. Nevertheless, leadership is central to the role of government in tackling abuse. However, this is coupled with a stated desire to “learn”. The Taskforce is “committed to learning from what is working...” (NZ, p9) and this includes “learn[ing] from frontline workers” (NZ, *ibid*); and “finding out from those seeking help whether they received what they needed...” (NZ, *ibid*). In contrast to the “driving forward” of the Scottish government, the Taskforce states its intention to “continue “learning our way forward”” (NZ, p24). The documents therefore reflect differing relationships between government and civic groups and organizations in each nation. While the Scottish government seeks to maintain overall command and control while working collaboratively with wider social agencies, the First Report emphasizes the central role of multi-level leadership and learning.

## 5.5            Conclusions

The aim of this chapter was to examine contrasting definitions of domestic abuse in order not only to understand the different conceptualisations of the issue, but to analyse critically the principles which underpin and validate the policy approaches of two different nations. In doing so, it was possible to see how pre-existing norms of masculinity and femininity mould both the contours of the problem and guide state action on domestic abuse. The theoretical framework within which this study is conducted suggests that the construction of social problems is a deliberative process, one which is of central concern because how a problem is defined consequently



informs policy responses to it. Those who define have the power not only to determine exactly what the problem *is*, but the scale and scope of provisions made in order to deal with it. This process is inevitably influenced by a multitude of attitudes and beliefs held by those invested with the power to define, and, as domestic abuse involves relationships between men and women, these include pre-existing gendered notions of social identities (Walsh, 2001).

The loosening of some of the discourse threads has enabled some substantive conclusions to be drawn about the nature and impact of domestic abuse policy making, with a particular focus on Scotland. Despite a general deficit of women's voices in the political sphere, Scotland since devolution has a good record of incorporating feminist voices into policymaking (Mackay, 2010), and there is evidence in the analysis of *Safer Lives: Changed Lives* of a commitment to the feminist analysis of domestic abuse. However, of the Four P's - Prevention, Protection, Provision and Participation - the emphasis, at least as represented in this particular document, is on protection and provision, with little reference to preventative strategies. The notion of protection infuses the document, and the state in Scotland sees its key roles as shielding both inherently vulnerable women and children from violence and abuse, and enabling them to escape from intrinsically dangerous perpetrators. An emphasis on crisis intervention aimed at tackling immediately dangerous outcomes, while clearly of central importance, particularly if it effectively removes women from imminent danger, could be seen to reflect a focus on rescuing one woman at a time and punishing one man at a time. While protecting individual women from harm is critically important, concentrating on increasing women's opportunities to disclose and to exit relationships will not reduce the rates of men's abuse, but simply increase the number of women willing to publicly acknowledge it. Nevertheless, this strategy is yoked with what the document identifies as the core cause of men's violence towards women - gender inequality - and suggests a political will to provide effective amelioration of the issue for individual women, while hastening its eradication at structural and social levels.

This chapter is not intended to be presented as ‘proof’ of each state’s beliefs but rather as one possible reflection of policy perspectives represented in documentary form. It does not represent a full and complete forensic analysis of both documents, but instead a rigorous review focusing on a purposive set of key factors which inform this particular study. Nor is there an intention to critique the position of either country: rather, the comparative analysis was a means by which to draw attention to underlying and pertinent themes contained in both documents. Each country exhibits both altruistic and political motivations for eradicating violence and abuse from personal relationships between men and women, and both share this as an ultimate policy goal. While the presence of feminist voices in Scotland may have diluted some historically patriarchal attitudes, the state remains, nevertheless, benevolently paternalistic in its attitudes towards women. Women’s participation in domestic abuse policymaking remains partial, while their autonomous decision making within an abusive relationship seems constricted. However, the splintering of both the problem and of particular groups of women who experience abuse reflects a process of benign ‘othering’ in Scotland, which categorizes women according to particular components of identity, and whose needs are viewed as extraordinary, additional to a perceptible social mainstream.

Through documentary analysis, two key themes began to emerge: first, the existence of hierarchies, illustrated for example in the exercise of power in the policymaking process, and in relation to forms of abuse; and second, the presence of silences surrounding aspects of this issue at policy level. However, the purpose of this study was to explore the impact on individual women of particular public conceptualisations of this social problem, and in order to do so a series of interviews was conducted with women whose immigration status was insecure, and who had experienced domestic abuse, in addition to the policy and support workers who helped them. These women, while standing at unique junctures in their own lives, had their identities overlaid by a predominant category which the state superimposed on them, that of non-citizens with insecure immigration status. Yet the literature on intersectionality suggests that we interpret and respond to the world as individuals according to our

own pluralistic personal and social identities which overlap and intertwine rather than conform to discrete categorization (Yuval-Davis, 2006; Davis, 2008). Adopting this theoretical standpoint, the following chapter describes and discusses the analysis of data gathered during these interviews, as a result of which the emergent notions of hierarchical frameworks and the silences which infuse them were further developed and reinforced.

## **Chapter 6**      **Definitions in action**

### **6.1**    **Introduction**

Analysis of the policy documents discussed in the previous chapter reveal a conceptualisation of domestic abuse in Scotland which is premised on specific notions of ‘victim’ and ‘perpetrator’, framed within the wider spectrum of a multitude of forms of violence against women. Meanwhile the academic literature highlights the tendency to fracture complex problems into smaller component parts, and identifies how, as a consequence, policy responses are often segmented. This is demonstrated in a broad range of strategies seeking to address the multiplicity of outcomes stemming from, and rooted in, the overarching issue of domestic abuse. The previous chapter highlighted how policy splintering extends beyond the problem of domestic abuse itself and is applied to specific groups of women, whose needs are categorised as extraordinary, requiring additional, targeted services. One such group is women with insecure immigration status. One of the aims of this thesis is to explore how policymaking and implementation impact on women in abusive relationships whose access to support is restricted, and this chapter presents the results of analysis of data gathered from interviews conducted at three levels: policy or strategic level, where public responses are designed and coordinated; support level, where resultant policies are implemented and services delivered; and finally at grassroots level, among women whose immigration status is or has been insecure, and who have experienced abuse. This has allowed the second and third research questions to be addressed: how do policies which proceed from the Scottish definition of domestic abuse provide and shape escape routes from abusive relationships; and what are the consequences of exclusion from public services for women with insecure immigration status who experience abuse from their partners.

Findings from the fieldwork are discussed in this chapter, which examines how the Scottish definition of domestic abuse is perceived, understood and challenged at professional and personal levels. It also describes how the definition creates systems of categorisation which shape access to services, and which are influenced by the

tensions between reserved and devolved powers. This provides a framework within which to examine more effectively women's journeys through and away from their abusive relationships. This chapter therefore examines the way in which these journeys are shaped by their social and political contexts.

A central focus of this thesis is problematisation, the process by which an issue is perceived and defined as a social problem. A key theme which was discerned in the interviews was the disjunction between the public conceptualisation of domestic abuse, and professional and private experiences of the issue. Moreover, analysis of these definitional disparities illuminate the way in which hierarchies of abuse are created, which serve to further divide categories of abused women who are already splintered from the mainstream into those who are helpable and those who are not, inevitably shaping the support options and escape routes for women with insecure immigration status. The findings in this chapter are therefore organised into three sections: definitions; hierarchies of abuse; and fragmented journeys. Individual women with insecure immigration status have been assigned different names in the following sections, while policy workers and support workers are referred to by 'policy' or 'support', followed by a number to differentiate between them.

## 2.1 Political definitions

The previous chapter outlined a specific conceptualisation of domestic abuse which encompasses a range of behaviours including physical, sexual, psychological and emotional abuse inflicted on intimate partners and which is perceived as part of a spectrum of violence against women, grounded in the acceptance of the gendered nature of the many forms of violence to which women might be exposed. The Scottish Government underlined the advantages of having this shared definition based on a gendered analysis of male violence against women as it acts as a means to "guide all the work..." (Policy8). There is a sense then that the definition established in *Safer Lives, Changed Lives* (2009) intends to facilitate cohesion on two levels: first, it

unites different forms of violence against women under one gendered banner; and secondly, it acts as a universal point of reference for varied and disparate public and third sector service providers, potentially guiding their work towards a common goal. Generally, policy respondents shared the Government's outlook that "Without [the shared definition] there would have been many more challenges" (Policy8), and were similarly positive about the benefits the definition has brought to service provision, in particular the potential to recognise and respond to interlinking and interdependent forms of violence which create the acknowledged patterns of abuse not only within intimate relationships but which spill out into broader society:

"...we're clear that domestic abuse is a strand for violence against women and children, so you know it's very difficult for anybody to be doing this work and not be looking at a violence against women framework." (Policy2).

"...while domestic abuse is probably one of the most commonly known forms of male violence against women...it has quite an intimate and close relationship with other forms of male violence. That includes rape, sexual violence, stalking, harassment, commercial sexual exploitation. So we work on a very broad definition of violence against women and recognize that there are links between all the forms." (Policy1).

"...we know that women who live with domestic abuse will experience rape and sexual assault. They may well be survivors of child sexual abuse. They may well be coerced into prostitution because she's got to feed his drug habit, as well as anyone else he's carrying at this point in time...we can't say one form of violence against women exists in splendid isolation...They all very often will bleed into one another..." (Policy8).

The violence against women framework therefore not only recognises and describes a broader range of violences which might affect women as a consequence of their gender, but by identifying the crucial factor which interlinks them, also promotes a view of women's experiences as multifaceted and complex. This might erode the tendency to apply a singular label of 'victim of' discrete forms of abuse to individual women, and prompt more holistic approaches to needs assessment and service responses, as these participants suggest. Moreover, the violence against women framework has facilitated the incorporation of a variety of forms of culture-specific

abuses, such as “...female genital mutilation [FGM], so-called honour crimes, dowry-related crimes as well” (Policy1), leading to the introduction of legislative interventions, including the Female Genital Mutilation Act 2003, and the Forced Marriage Etc. (Protection and Jurisdiction) (Scotland) Act 2011. However, one respondent argues it has also promoted a more sensitive understanding of the mechanics which drive these specific practices and facilitated explicit responses to these distinctive gendered abuses:

“...where else are you going to put honour crime and things like that - it might not fit well in criminal justice or whatever...It’s not just about bad people, it’s about tradition and different understandings...So I think it has made sense of the work to have it under the overarching umbrella of gender-based violence and to understand that.” (Policy6).

However, incorporating a diverse range of forms of abuse under a single umbrella notion of violence against women - or gender-based violence - does not ameliorate the challenges of definition, since each discrete type of violence requires a distinct definition in order to design appropriate policy responses. While foregrounding the gendered nature and interrelationship of a broad range of explicit acts of violence, it also includes practices such as pornography and prostitution which may not be traditionally perceived as ‘violence’ or ‘abuse’, and which consequently present difficulties in establishing the necessary political acceptance to enable action:

“...both the last administration [a Labour minority government] and this administration [an SNP majority government] in various public statements...named prostitution as part of the spectrum of violence and abuse, and as a form of exploitation... [but] Parliament itself has not taken a clear vote to name prostitution as exploitation...” (Policy5).

In this example, the participant recounts how acceptance of prostitution as exploitation was hampered by the conflicting social perceptions that surround sex work: “Some of the MSPs are saying, well, women are telling me it’s a choice.” (*ibid*). There is, therefore, political equivocation at a fundamental level about specific

practices which may or may not constitute gender-based violence and merit incorporation into the violence against women framework, and a corresponding potential for discord between different policy actors around an understanding of violence against women in its broadest sense. Nevertheless, it was generally acknowledged that the Scottish Government - and society in general - has come to accept the complexity of domestic abuse, as defined in *Safer Lives, Changed Lives* (2009), and to prioritise it as a key policy issue:

“...domestic abuse is the most commonly reported form of violence against women...I think there’s been quite a significant shift in attitudes from ‘you’ve made your bed, you need to lie in it’ and ‘you just need to tolerate it’... (Policy1).

“I think it’s been fairly impressive the way that they’ve tried to cover the different aspects.” (Policy5).

Locating domestic abuse within the overarching definition of violence against women was broadly perceived as a positive development, one welcomed by policy participants at least, who saw it as underpinning good practice and promoting a more nuanced and informed understanding of the mechanics of gendered oppression and how it is enacted within society as multiple forms of violence. Critically, it has also facilitated the inclusion of culturally-specific practices, which has led to substantive legislative action on these less common but dangerous forms of abuse. Nevertheless, the need to separately classify the many distinctive types of violence which constitute violence against women may present challenges, not least when political perceptions diverge from professional analyses of gendered violence, and from personal experiences of abuse from intimate partners.

### 6.3 Professional perceptions and personal experiences of abuse

Discrete forms of violence under the violence against women umbrella demand specific responses and this includes domestic abuse. At support level, it was apparent how overarching definitions of domestic abuse become fractured into a multitude of



different violent behaviours which are inflicted on women. Support workers referred to physical violence, material and social deprivation, and discrete acts of mental cruelty, all of which served as mechanisms which facilitated the erosion of women's confidence and autonomy, and increased their dependency on the abuser:

“...she had been so deprived [of money], this is what you're getting and be grateful you're getting that. That sustained over a long period of time has a major, major impact, emotionally, psychologically.” (Support5).

“it's once they get into that environment where it's very abusive, and sometimes it can have a drip, drip effect on their self esteem and confidence to the place where they're thinking, well actually, maybe I'm not a very good mum, and I can't really cope, I do need him.” (Support5).

All the women who took part in this research had been exposed to extreme forms of physical violence, including kicks to the face, slapping, severe beatings, or attempted immolation. In each case, as described in the literature in Chapter One, emotional and psychological tactics were employed to disorientate and facilitate the use of physical violence which began with 'milder' acts such as slaps or grabbing, mounting in intensity over time and becoming increasingly dangerous:

“...after that he became...more violent. It started with a slap, after that it was a punch, after that it was whatever...burns, you know? I have a lot of scars, everywhere” (Asta).

“...he tried to hit me...[then]he tried to actually kick me on my face...he slapped me on my legs...” (Elinor).

As well as outlining the physical assaults to which she had been exposed, each woman consistently referred to the emotional and psychological aspects of abuse, describing how verbal assaults gradually compromised their sense of identity and self esteem, and they frequently became tearful and distressed when describing the verbal attacks and their impacts:

“...he kept making me feel down and down, and small and small and small...he used to exercise control over me, and it was very hard for me, a very turbulent life...” (Belle).

“...he used to tell me that ‘you are silly, stupid, useless’...He pushed me first into the room, then he started - ‘you’re a fucking bitch, you are a cunt, you are this and you are that’...” (Elinor).

“Before it wasn’t physical violence, it was talking rash to me, cruel to me...I was getting down, down, and I wasn’t confident, I started to lose my confidence...I found myself...accepting [the violence]...” (Asta).

The purpose and intensity of psychological manipulation and corresponding control was explicitly described in interviews both with support workers and with women themselves: “That’s what [abusers] want, that power...It stops you functioning in your environment.” (Support5); “...this is what he’s doing to you, to make you think that you can’t cope, that you’re losing your mind, but it’s him doing that to make you think you’re unstable” (Support4). Stark’s (2007) conceptualisation of coercive control was explicit in the interviews, illustrated in the ways in which abusive men meticulously and effectively bound women to them by wearing away at their self-confidence, isolating them from friends and family, while gradually introducing increasingly extreme levels of physical violence into the relationship, culminating in situations of absolute entrapment. Elinor describes living a severely restricted existence with her abusive husband, his behaviour condoned and encouraged by his family. This included enforced impoverishment: “I had no money on me to buy stuff...even toiletries”; social and professional restrictions: “he said if you’re going to go to the job, you have to face the consequences”; and humiliation and intimidation: “They were all around me, I was sitting in the middle and their fingers were like this [points]. And I kept quiet. I was just crying”. Her husband’s control over her was absolute, to the point that Elinor became completely compliant: “he used to tell me ‘you can’t move’, so I used to stay over there. If he told me I had to stand in the corner, I would stand in the corner for hours and hours”. She ended up literally trapped in the family home, confined to her room without food or water:

“I was in the room for two days without eating and without drinking anything. In the meantime they were coming into my room again and again and they were saying things, but I couldn’t remember what they were saying because I was almost fainting.”

Prior to this, Elinor had robustly challenged the physical abuse by her husband, threatening to call the police or to jump out of a moving car if he raised his hand to her, and it was the emotional and psychological intimidation and isolation which most keenly impacted on her ability to exercise autonomy in day to day life. The physical abuse which Asta was subjected to was severe and prolonged, and apparent to those around her:

“Even my colleagues...they would go...”you’ve been slapped I think” because sometimes I would put sunglasses on...They would ask me “Asta, what’s happened to your eyes?” “Oh, I slipped last night” or something - they knew what’s happened.”

Although she was permitted to work and to see her friends, she described random acts of psychological cruelty, control and humiliation: “I said ‘I have to go to the cemetery this week to put flowers on my parents’ grave’, and he said ‘no, you are not going’. I said, ‘please, this time, you cannot tell me I’m not going’. He said, ‘you, I’m talking, and you’re just talking...’”.

These were the sorts of narratives that led one support worker to describe her interpretation of domestic abuse as “not primarily a crime of violence but a liberty crime...it’s that idea of the perpetrator entrapping me, keeping me hostage” (Support7), and in Elinor’s case this was literally true. There is a clear disjuncture between this sort of conceptualisation and the more commonly held public perception of domestic abuse being primarily - and most seriously - physical in nature. While it would be wrong to downplay the danger and distress caused by the physical assaults and injuries the women experienced, the participants contextualised it within a framework of control, the impacts of which were felt long after leaving the relationship when physical safety was assured. For both Elinor and Asta, reasserting

control over their lives was associated with attaining safety: both associated ‘feeling safe’ with freedom of movement and the freedom to make decisions over every aspect of their lives, however minor. Autonomy and self determination were therefore crucial to their sense of security in the aftermath of their relationships, and control emerged as a major theme during the fieldwork. In fact, there were multiple narratives of control which came through strongly in the interviews - on personal, social and cultural levels for example - and these affected women’s personal experiences of violence within their marriages. They were reinforced and perpetuated, however, by what can be perceived as politically and socially designated hierarchies of abuse, which, through deliberative prioritisation of specific aspects of types of abuse, of status, and of victims, prescribe the structural framework within which women’s access to support and relationship exit are negotiated. These hierarchies are described and discussed in the next section.

#### 6.4 Hierarchies of abuse

Reflecting on the literature, Chapter Two demonstrated how the definition of domestic abuse shapes responses towards those who experience it, and this was further illustrated in the previous findings chapter. At the most fundamental level, all the women who participated in this study demonstrably match the Scottish definition of victims of domestic abuse: each had been subjected to overt physical assault and covert psychological control and manipulation by her partner or husband. However, their individual experiences, reinforced by the contributions from participants at support and policy level, indicate a categorisation process whereby a singular identity of ‘victim’ becomes fractured. An additional notion identified and outlined by this thesis is the tendency for the state to splinter the various elements of women’s complex abuse experiences into component parts in order to address what is perceived as their specialised support requirements, resulting in segmented service responses. However, findings in the previous chapter highlight how the state organises victims themselves into splinter groups which perceive their support needs

as extraordinary. In this chapter, it is suggested that just as public responses to poverty are premised on designating the poor as ‘deserving’ or ‘undeserving’, frameworks of eligibility for domestic abuse support - which reflect public discourses of domestic abuse - serve to classify women as ‘helpable’ and ‘un-helpable’, irrespective of their private experiences of violence.

#### 6.4.1 Hierarchies of abusive behaviour: the prioritisation of physical abuse

Many participants had encountered instances where physical abuse was seen as much more significant than any other form of abuse. Some attributed this to the visibility of physical injuries and the normalised representation in the public sphere of what a ‘victim’ is and literally looks like: “A lot of the time, the image out there is the black eye or the bruises...” (Support5); “...a battered woman...people...have visions of [her] being black and blue.” (Support3).

These images and the underlying messages of what constitutes abuse are disseminated and perpetuated by the media who present shocking and arresting images which draw public attention to the extremities of violence and danger that women face, thus garnering support and sympathy for victims. This was doubtlessly important in the early days of the refuge movement, when it was critical that public consciousness was pricked about the very real brutality to which some women are subjected by their partners, and which provoked public support for state responses to a previously tolerated social ill. Nevertheless, the persisting use of public images of the ‘battered wife’ to highlight the problem can contrast with the reality which women live with and support workers witness:

“It’s not just physical abuse but it’s what gets focussed on, it gets the attention, it’s shocking, it’s out there. So for media purposes it’s definitely going to be what they focus on...it looks horrific, it’s going to get the attention whereas psychological abuse, how can you document that, how can you sex that up? You can’t really.” (Support5).

This statement highlights that despite a contemporary conceptualisation that acknowledges an array of maltreatments, there can be challenges in transmitting the intricacy of domestic abuse to the general public. All the support workers interviewed for this research worked specifically in women's specialist services, and all recognised the severity of other forms of non-physical violence, especially psychological abuse:

“...emotional, psychological, distortion where you think you're the one who's at it, you're the one who's losing your mind - and these were actually...known as torture techniques to debilitate soldiers in the Second World War. So those are the types of mechanisms men use to completely debilitate women...They are in a torture situation, definitely.” (Support5).

However, unlike torture inflicted in situations of war where the perpetrator is clearly villain/enemy, to be despised and resisted, the emotional and psychological grooming between intimate partners creates an emotional dissonance for women, who struggle to anticipate and respond to the unpredictable behaviour of their lover/torturer while living in a state of perpetual psychological uncertainty:

“...at one time we'll experience abuse that will put us down, at another time our husband will become a very nice husband...I felt better because after he treated me badly, he treated me more nice, as a very special wife for him.” (Belle).

“Women have said over and over again throughout the years to me, ‘the physical abuse I could handle, because there was a beginning and an end to it - I knew when it began and I knew when it ended. The psychological, emotional abuse was much, much worse because you didn't know where it ended and you didn't know where it began’...” (Support5).

Four out of five women in this study had been in relationships where their husbands had used simultaneous love discourses/violent actions to increasingly entrap and control them. As a consequence, discrete acts of violence or ‘minor’ acts of coercive control were downplayed by some of the women, dismissed as part of ‘normal’ relationships, or led to an internalising of blame, a process fuelled by their abusers,

and which eroded their confidence as women, mothers and wives. This can create confusion over the reality of their relationships for some - “some women don’t even know they’re in an abusive relationship” (Support2); “so many bad experiences, I didn’t realise” (Belle) -and might reinforce public conceptualisations which neglect the critical component of psychological maltreatment therefore creating a problematic discrepancy between perceived norms of ‘abuse’ and the reality facing support professionals:

“...there’s this bizarre sort of gap, I suppose, between the rhetoric and the public perception and the stuff that appears in the media, and then what professionals are actually dealing with.” (Support7).

One participant suggested this becomes dangerous for women when professionals working in wider, non-domestic abuse specialized. Public services absorb the public representations in which physical violence predominates and they consequently fail to practice within a framework which acknowledges the complexity of domestic abuse. This, she argued, was due to the structure and organisation of services: “...by and large there is a mismatch between what someone who is experiencing domestic abuse really needs and what services offer, because of the way they construct domestic abuse” and this leads to some practitioners “default[ing] back to talking about physical abuse...because generally our service structures are set up to respond to an incident of physical violence.” (Support7).

While this results in problematic implicit messages whose universal social transmission might shape notions of domestic abuse affecting women in general, professionals approached by women subject to immigration control explicitly prioritise physical violence, because this is the type of abuse which needs to be evidenced in order to access services. Such women are expected to ‘prove’ their abuse, by providing statements from support workers, or other public service professionals such as health workers or the police, who validate their abuse to immigration officials:

“It’s clear about what kind of evidence it needs to be. It needs to be doctors’ reports, or police reports, and Women’s Aid organisations. Unless she has approached any of those agencies then it is quite difficult to get evidence that will make her application strong enough to be able to go onto the next stage.” (Support8).

That their abuse must involve physical violence is beyond doubt, with one participant relating how a woman she was supporting was turned down for leave to remain because her husband had not struck her:

“...she was quite vulnerable and I think he was quite emotionally abusive towards her, but I think they thought, oh it’s not really solid evidence...she didn’t feel she should phone the police.” (Support2).

“...it needs to be bruises that have been noted, police have come out because of a disruption in the home, because the neighbours’ saying the husband has been making noise, they’ve heard something, so it has to be something concrete.” (Support8).

While evidence of abuse might be required in some broader instances - for example, to support criminal prosecution for physical violence - the burden of proof required of women with insecure immigration status themselves nevertheless marks a significant difference between indigenous British women and immigrant women with no recourse to public funds. Once a woman is in the asylum system, it is incumbent upon her to provide and reiterate a consistent, credible narrative which details her abuse and which, crucially, must be supported by outside agencies if she is to have a chance of securing leave to remain. Ruth described her interview with an immigration officer who conducted her asylum interview, an interview which took place in the presence of her children:

“...he was asking me again and again, the dates, the times. When he started hitting me. I said, ‘I wasn’t looking at the time, I wasn’t looking at my watch to see what the time was when he was trying to kill me, starting to fight with me - I didn’t watch the time’.”



Paralleling the asylum process, women who must prove their abuse to external agencies are therefore required to become credible witnesses to their own suffering, to appear 'believable', to sound convincing and to be consistent, with any alteration in the narrative picked over and often taken as evidence of deliberate deception. Given the intensity and distress of experiencing abuse at the hands of a husband or partner, this can place an additional and acute stress on already vulnerable and traumatised women. Moreover this indicates an expectation that women will know how and when to contact support services in a new country, have access to the means to do so - both in terms of time away from their husband and extended families - and be in possession of, for example, a mobile phone, to have a trust in public servants (including the police), understand British cultural attitudes towards domestic abuse and know they can seek help, and have the English language skills necessary to communicate with outside agencies. These issues, coupled with the difficulties disclosure often presents to women whatever their background, means accessing agencies which will give credibility to any subsequent claim for asylum on the grounds of domestic abuse can be extremely complex. This led one support participant to argue that the system indicates "not just a failure to understand the dynamics of domestic abuse...it's a failure to understand human nature" (Support4).

Therefore despite professional experiences in the field, consistent across specific women's support services at least, and an explicit acknowledgement in the Scottish definition of domestic abuse, the perception that physical violence is the most serious form of maltreatment within personal relationships continues to predominate at a societal and more generic service level. While this has major implications for all women seeking support within the UK, it has particular and deep significance for women who are subject to immigration control. For this distinct group of women, the aura of scepticism and suspicion which surrounds the asylum system extends to their 'claims' of abuse, which must be validated externally before provision will be made for them.

#### 6.4.2 Politically imposed hierarchies: immigration versus domestic abuse

The Scottish Government asserts that “The needs of asylum seeking women and of women from other ethnic and cultural backgrounds are considered throughout policy development on violence against women [in Scotland]” (Policy8). However, an immediate and insurmountable obstacle to making provision for women subject to immigration control is the tensions between devolved and reserved powers:

“...something I think we need to be clear about is that women who are applying for indefinite leave to remain are quite clearly the responsibility of Westminster because it’s an immigration issue and immigration is a reserved power.” (Policy2). It is clear from participants at every level that immigration supersedes domestic abuse as a key issue, of prime concern to policy workers who seek to negotiate policy within the limitations of reserved/devolved power structures, and to support workers who need to find ways to operate within a system which constrains access to particular resources and services as a result of the no recourse to public funds rule for those without secure leave to remain. Clearly this is also critical to women themselves, for whom securing the right to stay in the UK will protect them and their children from life-threatening persecution in their country of origin: “immigration will always prioritise for women over the domestic abuse stuff. Because you’re talking about your life and that can change, make or break your life.” (Support2).

Claims for asylum are usually lodged by a single applicant, with their spouse and any accompanying children anonymously appended to the claim:

“To all intents and purposes they’re just a number - they’re not even named on the new arrival list that comes to the initial accommodation. They’re just ‘dependent wife, dependent child’.” (Policy7).

Access to support and accommodation is conditional on being part of that claim: a woman who enters the country with her husband to seek asylum becomes dependent on his claim - and therefore, the existence of that relationship - for support and security while an asylum case is being processed. This clearly invests enormous power

in the men who seek asylum, and as described in Chapter Three, significant concern has been raised over the way in which the system places such women in situations of critical dependency and extreme vulnerability, with no right to alternative accommodation and support unless they makes an individual asylum claim on her own behalf - an option frequently not flagged up to women entering the country. Moreover the system creates additional forms of abuse to which women with insecure immigration status are subjected - specifically, the threat of deportation. Fear of returning to countries of origin might proceed from overt threats of violence on political grounds, and the definition of persecution by the UNHCR clearly recognises this. However participants also demonstrated intense fear of family or community reprisals for 'failing' to remain married, and it was this terror of familial or community persecution that formed the basis of their terror of returning to their countries of origin. Two participants had been threatened with or subjected to violence by members of their immediate and extended family, for example, and this was supported in interviews with support workers:

“A lot of women say to me ‘I can’t go back because my in-laws could possibly kidnap my children, take my children from me, not let me see them again, they could possibly attack me or my family’” (Support8).

Several participants referred to instances where the right to remain in the UK was used as a means of control of women by their abusers, often defining it as a form of abuse: “she was being psychologically tormented by this man, because he was saying ‘I won’t apply for your ILR’” (Support8); “there’s a really big, big power imbalance...he’s got all the control, all the power, and she’s literally just a thing that’s there....” (Support3). Elinor, in the UK on a spousal visa, was threatened directly in this way: “[I said] Are you going to leave me? Ok, leave me then. And he was like no, I’m going to send you back...”. When Elinor ceased to fear the break-up of the marriage and the threat of social castigation in the UK was no longer enough to subdue her, her abusive husband increased pressure by threatening her with return to a community which would disown and disregard her, to the endangerment of her life.

While many forms of abuse - physical or psychological, emotional, sexual or financial - are abuses of the power and trust personally invested in men by their partners, the use of immigration status as a means to control and coerce women into remaining compliant and passive within a relationship is an abuse of power invested and reinforced by the state, because the immigration system imposes forced dependency upon women and children in terms of asylum claims such as these. This applies not only to women whose husbands are named on an asylum claim, but also to women who enter the UK on spousal visas, and who are reliant on their husband to make a claim for their independent leave to remain after two years of residency. In terms of asylum-seeking women, pressure is further exerted because the consequences of gaining liberty from abuse places their husband or partner in difficult or dangerous situations:

“...say for example a woman does decide to assert an asylum claim in her own right, and she has the children, so she gets the National Asylum Support Service support, and then he’s left as a single man on his own, potentially destitute and that’s a lot of pressure...She may want the violence and the abuse to stop, she doesn’t necessarily want to see him destitute as a consequence of it - that’s the choices she’s got to make...” (Policy1).

In each of these cases, the state itself provides the weapons and creates the circumstances within which harm might be inflicted on women in their personal relationships. When seen in the context of the love discourse/violent action model of abusive relationships, this puts immense and additional pressure on women to remain with their husbands whom they may continue to love and care for, but whose violent and abusive behaviour they want to stop or secure escape from. An even starker possibility is the potential for deportation, should a husband receive a custodial sentence for physical violence towards his spouse following her disclosure. In this way, the state locates and underpins the responsibility for an abuser’s security with his partner: the price for her own liberty and safety is his potential destitution, and potentially, should he be returned to their country of origin, his life. The limitations of service access due to the no recourse to public funds rule is therefore only one

example of the way in which the politically designed asylum system creates and perpetuates a hierarchy of needs, at the pinnacle of which remains immigration, and one in which the protection of women from private violence is of secondary concern and subject to stringently restricted entitlement:

“I think when you bring immigration control into the mix it takes people’s eyes off the ball of what the real issue is. With immigration, they’ll say what is your status? And you go, well, is that your job to do that? Is that really what you should be so concerned about?” (Policy1).

#### 6.4.3 Human hierarchies: the prioritisation of children and the division of women

It might seem intuitive to prioritise the welfare of children over that of women, given their perceived heightened vulnerability, and existing policy ensures that children’s safety is paramount:

“Obviously if there’s children involved that’s a lot easier, because you can support them under the Children (Scotland) Act in quite a straightforward way...[and]allows you to [provide] support under the Social Work Act. If it’s a single woman that makes it more difficult.” (Policy3).

Several support workers referred to anecdotes they had heard about specific branches of public services ensuring the protection of children but refusing support to their abused mothers. However, for women who are married to British men or men with leave to remain - that is, women on spousal visas whose temporary right to reside is contingent on their marriage to a man whose immigration status is secure - issues of nationality and citizenship create divisions between them and her children: “The loyalty [of public services] would lie with the children, not her.” (Support2). Because such children are British citizens, the system serves to protect them while the no recourse to public funds rule applies to their mother, and therefore restricts her access to services which, support participants argued, had resulted in family break-up in the past: “we can’t help house the mum so what we can do is give the kids to foster care, but not the mum...[justified with] ‘oh sorry, but they’re British, we’ve got loyalties’” (Support2). One support worker recounted her experiences of supporting

a woman who had been married to a British man and had a child with him, and who disclosed abuse to midwives shortly after the birth. The father successfully argued that his wife was the abuser and gained full residency of the child, partly, it was argued, because of her insecure immigration status following the breakdown of the marriage: “They couldn’t allow her son to be deported - I have to say they didn’t display any concern whatsoever about the possibility of the woman being deported...So really she lost the residency of her child because she was an asylum-seeker. She never actually got her child back - that’s six years now” (Support3).

While having children tends to prioritise the needs of women in terms of public services generally, for women subject to immigration control, the state perceives her needs as explicitly secondary to those of her children. However, this is inconsistent across types of immigration control: women who qualified for Sojourner and its replacement, the Destitution Domestic Violence concession (DDV), for example, receive fast-tracked applications for leave to remain, irrespective of whether or not they have children. For that category of women, provided they can prove physical abuse, safety is assured. However, Sojourner and the DDV apply to a very specific, defined group of women: those who have entered the country on a two-year spousal visa. As a result, rather than reduce discrimination between migrant women who enter the UK and indigenous women, this system introduces another category of women, creating further divisions between the ‘helpable’ and ‘un-helpable’, irrespective of their abuse experiences:

“The inequality issue was between British nationals and immigrants and now...we’ve created another tier which means *this* group of immigrants can access some money, but students, people on work permits, there’s a whole other lot of other equally abused, vulnerable, isolated women and there still isn’t anything for them...” (Policy4).

“...these women are getting it, so now we’ve got the three tiers of women, we’ve got all the women who qualify, and we’ve got this group of women over here who don’t - we really don’t want Scotland to be a three tier system in terms of women who experience DA.” (Policy2).

While everyone saw Sojourner (and subsequently the DDV) as a very positive and effective way of providing a solution to the particular problems of women on spousal visas who are in abusive marriages, it nevertheless serves to splinter women further into discrete categories, based not on the ferocity and intensity of their abusive relationships, but on very clearly defined immigration criteria. Sojourner and the DDV, it was felt, was highly unlikely to be extended: “When we asked early on if the long term solution would be for everyone, we were told quite categorically ‘no’, it would be for spouse visa holders only” (Policy4). These politically-created human hierarchies mean that, for women with insecure immigration status, their immigration status always supersedes their domestic abuse support needs, while their children’s protection is prioritised over their own. Furthermore, the willingness to protect discrete subgroups within the immigrant population indicates that the UK approach - as this policy is defined, since it must be, at Westminster level - is intent on saving not only one woman at a time, but one category of woman at a time. Individual women’s journeys through and away from abusive relationships are therefore inevitably diversified and fragmented by the political frameworks within which they occur.

## 6.5 Fragmented journeys

One outcome of the categorisation and consequent differential treatment of separate groups of women is that their narratives of escape are inevitably diverse, as access to particular forms of support is limited according to status. Women are accorded different rights to support, some universal - for example, the involvement of the police in physically violent incidents - while others are restricted, and this includes the right to enter refuge. The following section describes the different routes taken by the women who participated in this study, as they came to recognise their relationships not only as abusive, but as unresolvable. These narratives were complemented by input from support and policy workers, and from the data emerged

descriptions of fragmented journeys away from abusive situations to positions of relative - but often conditional - safety. This section examines three critical points in women's journeys: internal and external points of disclosure (to oneself and to other individuals), help-seeking (the consequential actions taken following disclosure), and finally escape (an examination of leaving processes employed to exit the abusive relationship).

### 6.5.1 Disclosure

The literature discussed in Chapter Two describes the personal, social and cultural barriers women face when disclosing domestic abuse, both to formal services and informal networks, and how disclosure to individuals and agencies outwith the relationship can compromise their safety and that of their children. The women who took part in this research all described the emotional and physical obstacles they had to overcome in order to access help and achieve liberation from their abusive relationships, recounting individual narratives of the journey towards safety which began with the realisation that it was impossible to continue in their relationships. Each of the women recalled a moment of clarity, often precipitated by an incident of threatened or actual physical violence, which changed the course of the relationship:

“I had my mobile in my hand and I said, ‘I’m going to dial 999 now and then I’m going to see how loud you’re going to shout at me’. Then he was like, ‘I’m sorry, I’m sorry’. I said ‘don’t touch me, this is over now, our relationship is finished now’.” (Elinor).

“...we went to hospital and the doctor said “you’ve lost your eardrum”. I couldn’t hear. I couldn’t go to teach. And after that, I decided I have to move. I left.” (Asta).

“...he physically tortured me...after that...I went to the police...” (Ruth).

However, it was not only the physically violent incidents which acted as catalysts for action. For Elinor and Asta, the events they describe also reflect changing patterns of



control and agency. Elinor had been in touch with the police privately, and was receiving support from them, but this was the first instance where she felt powerful enough to threaten their involvement to her husband's face; Asta had maintained her professional life despite suffering repeated injuries, hiding the violence from colleagues while nevertheless continuing to work, but this incident encroached on her ability to do so. Her husband's control extending to that part of her life effectively made the abuse intolerable. While physical violence acted as a catalyst, there were also significant psychological dimensions to these particular moments which transformed them from another incident in a litany of abuse into critical turning points. In addition, each woman described emotional epiphanies, when they gained insight into their husband's emotional disconnection, crucial points at which love discourses no longer balanced out violent actions. Asta was taken to hospital repeatedly with injuries inflicted by her partner, but it was his response to an extremely violent attack on her by a stranger in the street which made her realise the extremity of her situation:

"He was sitting like that, "I don't care"...And after that I started thinking, ok then, I think that this is not my place, because I could have died that day and he would have said I don't care...I can't live like that." (Asta).

Belle, who had previously divorced her husband and remarried him under intense cultural pressure despite his severe physical and psychological abuse, described her determination to remain in her marriage in order to 'make it work', motivated by a belief that he could change. She endured increasingly violent assaults, over a protracted period of time, but finally realized that there was no hope of change within the relationship during a final work trip abroad during which her family accompanied her, and throughout which her husband continued to assault her:

"Over twelve years that was the way. I thought, for me, with him [being so violent] - he will change. He will have some sympathy for me. Actually, no. So when we go[t] back home, that's the turning point for me." (Belle).

Physical catalysts can therefore converge and interact with emotional and psychological epiphanies to create transformative turning points for each woman, and following these incidents each actively sought out help from external sources, both informal and formal. Although these were clearly pivotal moments in each woman's narrative, what followed were varying and lengthy processes of disconnection from the relationship. Most of the participants had disclosed to family or friends already, and these informal networks often signposted formal support services, frequently offering emotional sustenance and reassurance to the women who sought service interventions to enable their escape.

#### 6.5.1.1                      Disclosure: informal networks and formal services

Most of the participants had disclosed to close family while still within the relationship and trying to make it work, and this included confiding in parents, sisters and an uncle. In each of these cases, family tried to intervene to ameliorate the situation, especially in the event of physical violence, and matched these actions with expressions of unhappiness that the relationship was continuing. This unequivocal support was not matched, however, by broader social networks such as colleagues and friends, who knew but did not intervene. Asta's colleagues, for example, accepted her explanation of her injuries as accidental, although she suspects they knew the real cause, while Belle felt dismissed and abandoned by those in her social circle to whom she disclosed:

“So I don't want to disclose to [the community] any more, because the more I disclose, the more they know about me. They do nothing to support me - they just gossip and gossip and gossip, and I would hear so many things about me that would make me feel so emotionally down.” (Belle).

This reluctance to divulge the reality of home life to friends and the wider community was underpinned by feelings of shame but also of a sense of social expectation: Asta,

for example, felt a responsibility to perpetuate a sense of consistent normality, while for Belle the issue was one of maintaining a right to privacy:

“...people would know around me, and I had to go out, they would look at me like that. “Asta, are you ok?” I always was “Yes, I’m ok” - I’m happy, you know? - that is always me, and we would laugh.” (Asta).

“I always show a very happy family life. Nobody knew what actually happened behind the door. That’s what an abused wife always displays, because we don’t want people to know about our private lives, about what our husband did to us...” (Belle).

While shame might fuel this desire for privacy, it could also be motivated by a need to maintain control over, if not what is happening, the *knowledge* of what is happening. This was echoed by one of the support workers, who suggested that:

“...when people do disclose, generally speaking, they’re in control of that disclosure...people aren’t wanting to be ‘fixed’ they’re wanting to be believed, they’re wanting to be heard...” (Support4).

In Belle’s case her conviction that those in her cultural community would not comprehend the extremity of her situation drove her commitment to keep knowledge of her abuse from her friends and wider social networks, and she chose to confide in a trusted work colleague instead:

“I couldn’t disclose to my...friends [from the same cultural background], because this is something very personal and people will not understand. People who haven’t gone through this thing will not understand.” (Belle).

Nevertheless, the support women received from informal sources made them aware of broader services, as these confidants signposted avenues of support to them and encouraged them to make use of services to which they were entitled. This included

soothing worries about the nature of public services in the UK, where cultural perceptions differ from the realities in countries of origin:

“Then one of my husband’s friends... he told me ‘you can go to the police station, you should complain to the police’. I was...you know, in our country, the police are not helpful. We’re always frightened to go to ask for help. So I was frightened here as well, because I didn’t know about the police. But he told me ‘no, you don’t need to worry, it’s not like [my country of origin], they don’t take bribery, so you can go and you can tell them your problems’. (Ruth).

Perceptions such as these might act as barriers to accessing services, making women more reluctant to approach public institutions, as acknowledged in Chapter Two. However, this wariness of formal disclosure might be matched with resistance to interfere by some public service workers fearful of intruding into what might be complicated and complex private situations: “One of the things we hear quite often [from service providers] is: ‘asking is just opening a can of worms’.” (Support7). While access difficulties are often associated with the demand side of services - women’s inability to speak English, for example - there may also be practitioner-based obstacles too. Therefore, although there may be reluctance to approach public institutions borne of different cultural attitudes towards both domestic abuse and to state services and their employees, one support worker pointed out that fears of service responses are common among all women, irrespective of their cultural background, as reflected in the disclosure rates outlined in Chapter Two:

“Women are prevented, or they’re too ashamed, or they’re fearful - there’s a whole variety of good reasons why women who have been born and brought up in Scotland all their lives don’t report to the police, and certainly not social work...or to health. (Support4).

Most of the women who took part in this study spoke good English and therefore did not have to deal with linguistic barriers to accessing external services. However, support workers reiterated the evidence in the academic literature which draws attention to the way language barriers can intensify isolation and vulnerability. This is

particularly relevant in the geographical context of Scotland especially, where the BME population in rural, more remote areas is increasing:

“...women who come from abroad and live in rural areas of Scotland are so, so isolated and have got no opportunity, they don’t even have other Asian women, or other BME women they can speak to, no other friends. They are the most vulnerable women, because the isolation, the ability to maintain control is just so much more complete and then if you add to that that she can’t speak English, she can’t even speak to her Scottish neighbours, or the Scottish teacher at school, where can she go?...They’ve got nobody, no women’s friendship groups, nothing like that...” (Support8).

For such women, the existence of effective, accessible public service support is vital. Even language barriers can be surmounted in the right circumstances:

“...if they’ve got a nice patient, friendly health worker, sometimes I find that’s the only person that has access to these women and somehow, a few of the clients that I’ve had have been able to communicate to the health worker that something’s not quite right, through very, very basic, broken English been able to communicate that “I’ve got problems”, or “I’m not happy”, and that’s how the health worker’s been able to get in touch with us and we’ve been able to go out and see that woman.” (Support8).

Women with insecure immigration status in Scotland therefore have a range of issues which may increase their vulnerability. While Chapter Three highlights the progress made in terms of providing effective translation services, a more dispersed BME population across remote and rural communities means that specialist women’s services, particularly those which provide specific cultural support, may need to operate outreach services to such women. Public services, particularly health visitors and medical staff who are more likely to have contact with women on an individual basis, are critical to providing connections to larger, specialised, urban-based women’s organisations. The participants had disclosed their abuse to trusted private individuals, whether related or not, and for those who went onto access formal services, these confidants proved crucial in service access and utilisation.

### 6.5.2 Help-seeking

The extent to which the women who took part in this study were reliant on informal sources of support in the early days of help-seeking was apparent. Although both Elinor and Ruth approached the police as a result of physical violence from their partners, individuals in their informal networks acted as signposts to broader support services: Elinor's uncle, to whom she had first disclosed, advised her to seek help from Women's Aid, while the manager of the hotel to which Ruth and her children had fled from her husband provided contact details for the Scottish Refugee Council. Similarly Belle's colleague at work in whom she had confided asked his wife to compile a list of agencies who could help her in Glasgow, strongly recommending Women's Aid. For Elinor and Belle, contact with Women's Aid in Glasgow proved revelatory in terms of understanding their abuse, and provided affirmation of their decision to leave their relationships:

"I came over here on 1<sup>st</sup> March to Women's Aid, because I realised that everything is finished now, it's all about me. So they were making my mind up - finally, thank God. They helped a lot." (Elinor).

"...the first time I went to talk to someone at Women's Aid...she gave me a booklet about the abuse experience. You know, when I read that one, I discovered, 'oh my God, this is why I feel like this', I understand about me." (Belle).

However, although all the women in this study had input from multiple agencies and organisations to deal with a variety of ongoing issues stemming from both their abuse experiences and the immigration process, not all accessed specialised domestic abuse services. Ruth and Kate sought support from the Scottish Refugee Council, while Asta found participation in English language classes gave her a means of self-expression that helped her to process her experiences:

"“tell us about your life back home” - it was an opportunity to talk about things... - taking things out of your heart. It was like therapy...after half a page you write, and write, and write, and write, because you want to assert yourself to someone. It was like something that helped me lots, yeah." (Asta).

Three of the women were continuing to receive ongoing support from mental health practitioners and medical professionals, and one had social work support to help with her children. Additional helpful organisations included independent counseling services and local housing associations with supportive staff. The range of agencies involved in these women's lives illustrated how "A woman doesn't just come with domestic abuse, there's like a spider's web of all the other issues that she's maybe affected with." (Support5). The analysis of Safer Lives, Changed Lives (2009) outlined in Chapter Four highlighted the emphasis placed on multi-partnership working at policy level, and this was mirrored in this study at support level by interagency cooperation. Referrals were made to third sector organisations via a range of public agencies, including the police, social work and midwifery services, as well as by word of mouth from ex-service users who made recommendations to friends, and through calls to agency helplines. Support workers in two organisations drew particular attention to the role of health visitors in identifying women - at least those who have children - who are experiencing abuse:

"Health visitors are quite good for us because they get access into the house and this might be the only other human being the woman has contact with if her partner isn't letting her out and she can then disclose, so we do get quite a lot of referrals from health professionals that are maybe concerned about women." (Support5).

There was evidence of close inter-agency working and the existence of networked knowledge across organisations which, one support worker argued, allowed practitioners to make better referrals between organisations (Support5), crucial since support workers sought to refer women onto agencies who could help them if their own particular organisation could not. However, there was also evidence of sharing tangible resources in order to better support women, particularly those whose access to services is complicated by issues including restricted access to public funds:

"...we've struck up an agreement with another organisation...We've come up with an agreement with them that we provide the woman with accommodation and they will pay for her rent and also subsistence. So we pay the money up

front to the woman on a weekly basis and then we claim it back from [the other organisation]...they don't have accommodation and we have accommodation, so we're meeting our needs of housing costs and they would foot the bill." (Support5).

Support offered, therefore, is nuanced and honed, shaped and modified by inter-agency working and the sharing of professional expertise as well as practical resources. There is a sense of networked support provision, which ought to ensure that each woman who seeks help receives it according to her particular needs: "If we genuinely couldn't help a woman, we would go out of our way to find anybody who could" (Support2). While women may be supported by multiple agencies, therefore, and pass through more than one service on their journeys away from abusive relationships, networked support as described by participants in this study offers one way of connecting up fragmented support needs and ensuring cohesive and appropriate service provision. However, as the literature referred to in Chapter Two highlights, the level and extent of support offered is constrained by specific circumstances, in particular a woman's right to access public resources: "...does she have recourse to public funds? The *first* question" (Support8).

#### 6.5.2.1                      No recourse to public funds

The introduction of the Sojourner pilot was seen as an overwhelmingly positive development for women on spousal visas who experienced abuse, enabling access to refuge accommodation and fast-tracking women through the asylum process while ensuring their safety:

"Sojourner's definitely working. I'm very positive about it and I'm very, very thankful that it's in place because prior to that our whole focus was on how we can help these women, it was going into a black hole, there was nothing we could do for them..." (Support8).



“I think one thing that Sojourner did was that timescales were really, really tight, but in a way it’s a good thing because at least things get done much faster.” (Support2).

Clearly, for a very specific group of women, Sojourner proved effective and efficient, evidenced in this study by the experiences of Elinor, who accessed Women’s Aid after leaving her abusive husband with the help of her uncle and police intervention, and was subsequently fast tracked through the asylum process via Sojourner, receiving her indefinite leave to remain within months of exiting her relationship. Nevertheless, there are immediate restrictions on its application:

“You can’t do that if you’re here on a student visa, you can’t do that if you’re here on a working visa, you can’t do that if you’re on a partner student visa, so it’s only women who are here on a spousal visa that can do it.” (Policy2).

However, even within the category of women subject to immigration control who are eligible to access Sojourner there are restrictions imposed, drawing on hierarchical notions of types of abuse outlined earlier in this chapter. Evidence must be presented of explicit or threatened physical assault, and as a result, there has been a notable shift in focus when women attempt to access refuge and support services: “My first question now would be to the woman ‘have you got evidence of what has happened to you?’” (Support8). Representations of this particular group of abused women in the Sojourner pilot therefore draw exclusively on the stereotypical ‘battered woman’, and are at odds with the more nuanced and subtle understandings of domestic abuse represented in Safer Lives, Changed Lives, demonstrating the explicit adoption of hierarchical evaluations of forms of abuse. Moreover, it makes assumptions about access to support services and the exercise of autonomous agency, which have clearly been demonstrated to be problematic for many women, especially if domestic abuse is perceived to be a liberty issue, and which might be complicated further by, for example, language barriers for women on spousal visas:

“One of the issues [for one client] was that there was no health evidence - there was no health evidence because a) they wouldn’t let her out the house, and b) if they did let her out the house, she was always accompanied by one of his family who interpreted! There was no police evidence because this woman spoke no English! It’s just quite incredible that they can say ‘but you didn’t seek help’.” (Support4).

Furthermore, Sojourner was not retrospective. Women like Ruth, who have been subject to physical violence but who sought help before the introduction of the pilot remain within the asylum system, sometimes for protracted periods of time. This situation was reiterated in interviews with one of the support workers, who described the ongoing support she provided to a woman who could not access refuge because of her immigration status:

“...if she came now, we would certainly suggest she came into refuge, went down Sojourner and she would have it within fourteen weeks. Three years down the line, she’s still trying [to get leave to remain]...” (Support4).

Women with insecure immigration status who have managed to access refuge - either through Sojourner or with a Women’s Aid group who are able to absorb the cost of her housing needs while the apply for leave to remain - not only receive protection from their abusive ex-partners, but are also able to access extended, specialist support with the immigration process:

“...the lucky ones are the ones that probably get in [to refuge]. So if the money stops or immigration status says no, we then have the resources to push for an appeal. We have mechanisms that we can use. I don’t know of a situation where we’ve had to ask a woman to leave because her immigration status is refused, so I don’t know of that off the top of my head. We would actively pursue her to get secure status.” (Support5).

The impact of Sojourner, while positive for a very specific group of women who could provide concrete evidence of one particular form of abuse, is to further sub-divide women into separate categories, even within the population it targets. Women on

spousal visas are not all eligible for support: they must not only have experienced physical violence, but also have reported this to an external agency which can verify their abuse. Their abusive relationship therefore moves from the private realm of personal experience and becomes subject to public interrogation and evaluation within the asylum system. It becomes the hard currency by which leave to remain is negotiated, and hinges on women being effective and credible witnesses to their own maltreatment:

“...look, they don’t really give a shit about your story. If you had to go back home it’s no big deal to [immigration officials]. You’re another statistic and another number to them. So you have to remember that. When you’re there, you need to tell your story. They’re not going to take the hankies and go, ‘that’s a shame!’ You need to remember that going in there. It’s just preparing women for that.” (Support2).

The decision-making process for a woman in this situation therefore becomes significantly more complex, presenting her with the option of private danger and public security by remaining in an abusive relationship which nevertheless ensures leave to remain for her and her children, or the unquantifiable risk of private safety and public insecurity of attempting to negotiate a notably harsh asylum system independently of her husband. For many women, the perceived threat of return to her country of origin, either with or without her British born children, is too great a risk:

“...I remember this woman saying to me maybe I would just need to stay. And a lot of women see that as a real option. They’d rather stay in an abusive relationship than put their kids through going back to a country they know nothing about or breaking up the family unit and then her going back home...some women just don’t feel strong enough to deal with the whole asylum process.” (Support2).

### 6.5.3 Escape

Rates of assault and continuing pursuit by abusive men whom women have left, as discussed in Chapter Two, indicate that for many women leaving an abusive relationship is a time of critical vulnerability, certainly for those who are exposed to physical violence, as it is a point at which their partner's attempts to control them intensify and can erupt in acts of extreme violence and brutality. For women with insecure immigration status, leaving an abusive partner is complicated by the uncertainty inherent in the asylum system, not only for them but for their husband or partner. One support worker suggested that a significant number of women she works with decide to stay in dangerous relationships:

“...I would say it's kind of unpredictable. I wouldn't say a lot of them leave or don't...A lot of them do leave, but a lot of them don't leave.” (Support2).

If we accept that the system itself acts as a restrictive mechanism on women's decision making - whether by limiting their practical support options, or by exposing both partners to potentially lethal outcomes if either is forcibly returned to their country of origin - there might be understandable equivocation over the decision to leave a partner. However, although immigration issues might predominate for women who do not have leave to remain in the UK in their own right, these fears may be complicated by issues common to many women who are living with abusive partners:

“...if you're suffering abuse and you've got kids it's very, very, very hard for women to take their children into an area that feels much more unsafe than where they were. So if for whatever reason they're not able to remain in their own home and be safe, it's a huge, huge drawback and it's just hard to cut through that.” (Policy5).

“If a health visitor has referred a woman, she's probably just had a baby, she probably thinks we're a family unit now. So although she's maybe quite down in the dumps and she's maybe staying with her in laws or whatever, sometimes the last thing on her mind is to leave.” (Support2).

The focus in these situations, for this agency at least, centres on providing support and information, ensuring women know their rights in particular circumstances, especially if they do feel threatened or intimidated. However, an inability or unwillingness to exit the relationship, for whatever reasons, might increase a sense of despair and isolation, particularly if the support approach is based on an expectation that the woman ought to leave the abusive relationship - especially if there are children involved - even if by doing so puts she herself at increased risk:

“Those mixed messages are immensely difficult. I think that the focus on leaving, for some groups of women are immensely unhelpful.” (Support7).

The same participant illustrated the complex, interwoven decision-making processes that characterise escaping abusive relationships, by referring to the difference between ‘head space’ and ‘geographical space’ - that is, differentiating between concrete and visible acts of physical removal from a situation, and psychological and emotional disconnection from the relationship altogether - and how society, policymakers and support professionals can misconstrue women’s actions:

“...sometimes we misinterpret where someone’s at. So for example, I’m experiencing abuse, and I run away to Women’s Aid refuge and everyone thinks ‘oh she’s left the relationship’, whereas I might be thinking actually, I’ll leave, I’ll buy myself some time, I’ll let him see what he’s going to lose. So in a sense, I haven’t left the relationship, I’m still re-evaluating the relationship, but because we focus on geographical space, we think that I’ve left.” (Support7).

It can be suggested that it is not the focus on leaving itself that is necessarily misguided - for many women literal escape is crucial - but rather that public perceptions of leaving, if they are associated with perceptible acts of physical exit, are misconceived. Again, the public image of domestic abuse as primarily physical, which overlooks the impact psychological manipulation has both on women’s immediate decision making and their longer term mental health, may reinforce such

misconceptions. Echoing Kelly's (1999, in Women's Support Project) description of a six-stage process of leaving, physical *exit* is not the definitive end point of a relationship. *Leaving* is a lengthier, ongoing process of which *physical exit* is only one component: *leaving* might comprise both a physical exit, and psychological and emotional disengagement from an abusive partner, as well as more practical aspects such as securing housing, resettling children in potentially new schools or neighbourhoods, and sorting out finances. For all of the women who took part in this study, the moment of physical exit represented a significant moment in their narrative. Elinor, for example, whose uncle intervened to remove her from her marital home, recalls her husband finally breaking down when he realised she was leaving: "My husband was like, I'm sorry, I'm sorry, I made a mistake, I'm sorry...He said, you can do anything to me - he was crying as well at that time - he said, you can do anything to me..." (Elinor).

For Asta, Belle and Ruth, the moment of physical exit was the last time they saw their husbands, but none identified it as the definitive moment at which their relationship ended. Rather, each describes difficult and indeterminate periods of transition, marked by emotional and psychological struggle, as they developed strategies to adapt to their new identities as lone mothers and divorcees, while simultaneously addressing their individual immigration issues. Physical exit is only one element, therefore, in the journey away from an abusive relationship, and there was some ambivalence among support workers about the way public services can promote physical exit as an ultimate goal, without recognising the ongoing challenges women face extricating themselves from complex abusive relationships. What was seen as of critical importance, therefore, was informed and autonomous decision-making by women themselves:

"...it's not an easy road when you do leave. I think [the decision to do so] is something that a woman herself wants to do." (Support2).

"I don't want you to get the wrong impression that I don't think leaving is something that we should be helping people to do, but only in their own time and if they want to do it. Only if they want to do it." (Support7).

#### 6.5.3.1

#### Sacrifices

The personal cost each woman had paid to achieve escape from their partners was apparent, and affected her on social, familial and cultural levels. Belle described feelings of intense isolation, bound up in her rejection by her national community here in Scotland:

“I lost all the friendship, all...social life...I have no friends, no life, no social life, and no fun, isolated...” (Belle).

Elinor also suffered cultural isolation, but rather than being isolated from her national community in Glasgow, she was prevented from returning home to her parents and close family in her country of origin. She was initially dissuaded by a social worker who shared her cultural background and this was then reiterated by the support workers in Women’s Aid who supported her in refuge:

“[she] said you know that society is not going to accept this. I know that your mother has already told you that you can come back, but you know about the society back [home] - you have to stay here, you have to think about your own life...[my support worker said] you have to do the case, you have to fight against him.” (Elinor).

Although Elinor maintains contact with her family in her country of origin, this can be severely problematic for some women. One policy participant highlighted the assumptions underpinning support and service provision to BME immigrant women:

“...women coming here [and] seeking asylum...people might say, well, naturally she might want to gravitate towards the [national] community here in Scotland. And you’re thinking, well, no she won’t. If they still have family connections back home and part of what she is fleeing is back home, the last thing any woman might want is any connection with indigenous or first or second generation national communities - I doubt it. It can be very dangerous because information is fed back home. Those connections are very lively.” (Policy1).

This was clearly illustrated by Ruth, who has been forced to cut all connections with friends and has only intermittent contact with her close family in her country of origin, following their intimidation and assault by her husband's associates when he returned there following her escape. As a result of threatened and actual violent assault against her loved ones, she "stopped all contact with them." (Ruth).

There were ambiguous feelings about the cultural communities in Glasgow, as a result of mixed experiences. Asta, for example, built strong and supportive networks from the day she arrived in Glasgow, actively seeking out women who shared the bus to their accommodation and establishing firm links with organisations in the city early on in her asylum claim. Belle, however, experienced acute difficulties, and found herself rejected by those she had known before she left her husband: "Suddenly I wanted to divorce a 'very kind and loving husband' - to them. So I experienced a very isolating and blaming attitude from my own people."

She described being shunned by individuals who had previously been friendly when she still lived with her husband, and incidents after her separation where those she thought of as friends turned against her and contributed to her now ex husband's attempts to intimidate her. For example, someone she previously thought of as a friend took her passport in order to give it to her ex husband who was threatening to return to the UK to find her. These acts, she felt, represented continuing abuse, conducted at community level, and as a consequence she has cut ties with her cultural and religious contacts in the city:

"...we met in a prayer room, someone who asked me for help last time in the office, who works next door - he doesn't want to talk to me. Some kind of psychological abuse, I feel there...So I cut communication with [those] people and when I moved here, to this area, nobody knows where I stay so that's of benefit for me - but sometimes quite hard."

Clearly, different experiences might be related to the varying cultural backgrounds the women came from, as they came to the UK from three different continents.



Nevertheless, the cutting of ties and severing of contact was a recurring theme in individual narratives, and one cause of the isolation and loneliness most of them described as experiencing at one time or another. Escape from their abusive relationships was therefore conditional for all these women, contingent on their ability and willingness to sustain acute losses: of family and friends; of their religious faith and practice; and of a shared cultural identity outside of their countries of origin. Escape might be characterised, therefore, as partial, particularly in situations such as Belle's and Ruth's, where their continuing abuse is rooted in but no longer identified as 'domestic', as perpetuation widens to their community or makes victims of their wider social networks. The domestic abuse each woman had been subjected to continues to shape their experiences long after physical exit occurred, presenting ongoing and persistent challenges: "It's changed my life forever." (Belle).

#### 6.5.3.2                      Perseverance

In spite of the suffering these losses had caused, participants described various elements in their lives which sparked a determination to persevere, and these were often underpinned by a powerful sense of altruism. Those who had children cited them as their inspiration:

"In my life, there's nothing. I've just got my children otherwise my hands are empty...So I'm doing all these things for my children, for their safety, for their happiness, for their lives. If I didn't have children I wouldn't mind going back. I don't care about my life." (Ruth).

"A few times I thought about suicide, but I will not do that, because I have...children...I only have my life with my children". (Belle).

However, Belle and Ruth mentioned those outside their own families or social circle who they felt might benefit from their knowledge and experiences. Belle expressed a desire to help women in her country of origin, in her professional capacity: "Because for me this is not only for myself, but maybe one day I might help people back home"

(Belle). Elinor, however, had a desire to protect other women from her husband and, consequently, has refused to grant him a divorce. She expressed absolute certainty that he and his family would mistreat a future wife, and this act of resistance to her ex husband in order to protect other women gave her a sense of power and control that she felt he had once exercised over her: “I am going to be the husband now.” (Elinor). Asta and Ruth both went on to work, in either a voluntary or paid capacity, for support organisations in the city, helping asylum seeking and refugee women adjust and integrate into their new lives in Glasgow, work which Ruth especially found personally rewarding:

“I...feel really satisfied when I do these things. I’m helping. I couldn’t get this support but I’m helping...others. (Ruth).

Despite experiencing extreme and sustained forms of abuse from their partners, and irrespective of their varying experiences of negotiating both domestic abuse support services and the immigration system, each of these women has maintained a powerful drive to survive, and has externalised this, focusing on others - frequently children, and often other women - in order to sustain themselves in the aftermath of their abusive relationships. The complexity of their individual experiences demonstrates, however, that the process of leaving might be better seen as plural: there are multiple processes of leaving - and of surviving - which vary from woman to woman, and which are contingent on external social, cultural and political systems and internal values and perceptions, as well as the type and nature of abuse to which they have been exposed by individual men. As a result, women’s individual experiences of escape must be understood from a perspective which recognises how these different elements might interact to create inevitably fragmented journeys through and away from their abusive relationships.

## 6.6 Conclusion

The introduction of a violence against women focus to guide policy on a range of gender-based violence to which women might be subjected has proved positive in terms of broadening out an understanding of what might constitute abuse for women in different circumstances, including those involved in the sex or pornography industries, but also for BME women who are subject to immigration control. The violence against women perspective accommodates culturally-specific practices and has prompted legislative action which offers some protection to women who are subjected to them, as well as facilitating a deeper understanding of their causes and consequences. Nevertheless the individual yet interlinking forms of abuse clustered under the umbrella of violence against women each present unique challenges to policy makers and support workers, and a fracturing of perceptions is apparent between domestic abuse as commonly portrayed and perceived at policy level, and the lived experiences of the women who took part in this research. This was most obvious in the different prioritisation of the various forms of abuse suffered by the women; while public conceptualisations see physical assault as of central concern, women and their support workers perceived psychological violence as at least equally damaging. This indicates a potentially misplaced emphasis on the act of physical exit, which becomes synonymous with a singular act of ‘leaving’, while narratives such as those described in this chapter demonstrate ongoing, complex and diverse *processes* of leaving for individual women.

While incidents of physical violence acted as critical catalysts for escape for the participants in this study, simultaneous psychological and emotional shifts were always evident. Belief in love discourses employed by their abusers to enable and excuse violent actions became eroded, tilting each woman away from a commitment to stay towards the decision to leave. As each woman undertook her process of leaving, the deep-seated and ongoing impacts of psychological trauma persisted, witnessed by the support workers who helped them, and this draws attention to the centrality of psychological violence in abusive relationships. This is not to downplay

the importance of providing protection for women who are subject to physical attack, however, but rather suggests that the public/private perspectives are at variance, and indicates a need for a re-examination not only of how domestic abuse itself is defined, but a better understanding of women's leaving processes in order to more effectively offer public service support. In particular, the findings in this chapter indicate a need to consider whether domestic abuse should continue to be seen primarily as a criminal act of violence, or should be perceived fundamentally as a crime of entrapment which can lead, in many cases, to complete physical and psychological subjugation.

However, the prioritisation of physical violence in public conceptualisations is only one means whereby frameworks of eligibility for support are constructed upon hierarchies of abuse, categorising women with insecure immigration status as helpable or un-helpable, creating further splinter groups within an already differentiated population. These hierarchies restrict women's decision-making, either practically because of the strictly defined parameters for action imposed by the immigration system; or morally, by forcing them to prioritise their own safety over that of their husbands or partners. The responses from participants at policy, support, and individual levels, were overwhelmingly positive about the ability of Sojourner in particular to facilitate escape, with the caveat that this is creating further tiers of women. Rather than rescuing one woman at a time as previously suggested therefore, the current system is focusing on saving one category of woman at a time, splintering women into further subdivisions of subgroups, and creating additional segmented responses to their needs. The result of these political frames for women is a fragmentation of their escape journeys, where immigration status predominates over their abuse experiences and inevitably defines their decision making, help-seeking and escape. Women with insecure immigration status are regarded with suspicion by the state, evidenced in the obligation to provide external verification of their physical abuse in order to access some key support services. Politically-created subdivisions of such women as help-able or un-help-able have created schisms not only between women in different immigration categories, but

also among women with the same immigration status: those on spousal visas who fled abuse prior to the introduction of the Sojourner pilot, and those who did so afterward, for example. This creates fragmented responses to, and consequently politically contingent journeys for, women who seek support for domestic abuse in Scotland, despite explicit policy discourses which judge all violence against women as unacceptable. There is therefore a discrepancy between the vocal, public rhetoric surrounding domestic abuse, and the inescapable impacts of politically constructed frames such as those described in this chapter, which directly shape women's ability to access public support and escape abusive relationships. The following chapter explores this discrepancy in more depth, drawing on Bacchi's (2008) argument which illustrates the way in which domestic abuse is characterised by silences such as these, both in its public conceptualisation, and as it is personally experienced.

## **Chapter 7**      **Family secrets and social silence**

### **7.1**    **Introduction**

Chapters Four and Five examined the construction of domestic abuse as a social problem in Scotland, and its consequences for a specific group of women whose immigration status is insecure. It has been argued thus far in the thesis that the creation of specific political conceptualisations of domestic abuse as a public concern incorporate both explicit and more subtle mechanisms of inclusion and exclusion of particular groups of women, and that their access to support services is subsequently moderated. The literature discussed in Chapter Two emphasised the way in which gendered violence against women as a personal experience and as a social problem is characterised by the silences which surround it, silences which infuse the personal, social, cultural and political realms, operating in both the public and private realms, to such an extent that Herman argues they create and perpetuate a ‘cultural psychosis’ (1992). These silences may be a result of coercion, either personal or social, which limits the willingness of women to disclose their abuse to outside agencies, because of fear of retribution, guilt or shame. Equally, they may be voluntary, the withholding of secrets for the benefit of others - children for example, or wider family networks. This chapter explores some of the social, political and professional frameworks and practices which contribute to the creation and perpetuation of such silences, focusing specifically on the way in which women’s verbalisation of abuse is regulated, both voluntarily and by compulsion, as they seek to escape abusive relationships and to navigate through the immigration system.

Re-examining the data with the purpose of identifying the functionality of silence in the context of this research revealed many examples of the way in which it is used by, and against, women who are seeking support, but also the way in which these silences are not ‘broken’ with disclosure, or indeed escape, but rather continue to permeate the lives of women living with the legacies of abuse. The literature discussed in Chapter Two described silences as public and private, and interviews with the participants in this study reflected these concepts. However, analysis of the

interviews suggested there could be further refinements within these two categories, and therefore the following chapter discusses two categories of silences: protective silences - the way in which silences are maintained and secrets preserved in order to protect both the woman herself as well as those around her; and coercive silences, which relate to social and cultural norms and professional practices which proceed from policy frames informed by political definitions of domestic abuse.

## 7.2 Protective Silences

Women are exposed to critical danger while living in an abusive relationship, and both during and in the aftermath of the leaving process. One defence mechanism women deploy is that of keeping counsel, of maintaining silence about the realities of the relationship to those closest to her. Perhaps the most explicit and widely acknowledged act of breaking silence surrounding domestic abuse is the point of disclosure, the moment a woman reveals to another person, whether in formal or informal settings, the truth about her partner's behaviour, an act which moves her private experiences into the public domain in varying degrees. The previous chapter detailed the differing experiences of the women who took part in this study, and indicated some of the reasons women remain silent and secluded in their suffering. For this group of women, fear of retribution was apparent, whether it was anticipated from their partner, their wider family, or cultural communities. The desire to preserve autonomy and control over their privacy, however, was also a significant factor, as Belle for example articulated in the previous chapter, expressing a need to retain privacy about what happened within a marriage. This desire to withhold details of abusive experiences from those outwith the immediate relationship was underpinned by a drive to protect those in their immediate family and social circles. However, the urge to protect informed not only a reticence to disclose painful realities which might cause distress and concern to others but was also important in order to preserve elements of personal identities and maintain some normal

functionality in day to day life. Silence as a protective mechanism therefore fell into two categories: self-protection, and the protection of others.

### 7.2.1 Self-protection

For Belle, maintaining silence about her abusive marriage was crucial to preserving her professional standing within her community. Her work as a trained counsellor entailed enabling her clients to break their own silences and share their secrets. Her professional role, which included public motivational speaking, placed pressure on her to preserve a public persona which was very much at odds with her private experiences: “I always show a very happy family life....Nobody knew what actually happened behind the door.” (Belle). It was apparent how crucial her ability to practice professionally was to Belle, and in order to sustain this, the maintenance of an outward façade of normality was critical, sustained only by her continuing silence about her abuse. This subsequently limited her ability to seek help and support in her home country, a situation which another participant suggested is not unique:

“I can’t simply do this [ask for help] because I’d be concerned for my organisation...’what the hell...this [counsellor] is looking for support!’ Maybe because of that, I didn’t leave my marriage...because I needed to keep my reputation and prestige...You can imagine...my private life is a very crazy life!” (Belle).

“I think there’s an awful lot of women in that circumstance, it’s difficult for them to say, yeah that’s happened to me...people go, no, no I’m not like that ...” (Support3).

Belle’s motivation for not leaving her very violent husband appears to be embedded in the personal realm: she ostensibly chose to stay in her marriage for fear of the impact it might have on her ability to do her job in her home country. However, rather than an exercise of agency, the making of an informed and free choice, Belle’s decision might equally be seen proceeding from specific constructions of perceived ‘victims’ of



domestic abuse - she believed that people would be horrified that a woman of her professional practice and standing would be subject to intimate violence. Both these quotations illustrate Bacchi's argument that conflict between public representations and private experiences can limit women's willingness to identify as victims of abuse, and subsequently they choose - to an extent - silence.

Nevertheless, silence as self-protection might be used selectively, applied to a range of experiences according to the needs of different women for privacy and protection in varying circumstances. For asylum seeking and refugee women, abuse may be private and personal, inflicted by a partner, but also public and political, exercised against them by those in authority in their home countries. Women who have been subjected to a variety of forms of abuse and violence might use silence selectively: however therapeutic breaking silence by disclosing and discussing some experiences might be, in other contexts its maintenance is crucial to preserve psychological equilibrium:

“The woman who came from the Great Lakes area will not talk about what happened to her...But she'll talk about the domestic abuse she endured...that's her way of coping, but she doesn't want to talk about what happened in Africa. She's lucky to be alive.” (Support4).

The networks of potential risk for women from particular cultures might spread beyond geographical borders, and this is especially acute in the context of potential forced return, either because an asylum claim fails, or because husbands are given the power to enforce repatriation, using it, as Elinor's case illustrated in the previous chapter, as a threat to ensure compliance within the relationship. One participant described the ongoing and continuing intercontinental and inter-generational social and familial links as “lively” (Policy1), even after a protracted period of time. For women who have sought asylum in the UK, silence may have to be maintained across continents, and often over considerable periods of time, long after leave to remain has been granted. Some silences serve the purpose of self preservation, therefore, either in the context of literal physical safety - such as limiting information within

wider networks - or in order to maintain critical aspects of identity that enable women to function in their lives outwith the relationship - in Belle's example, through her work. Such silences should not be viewed as unequivocally 'voluntary', however, as they may be fuelled by socially constructed perceptions of 'victims', and the socially expected behaviours which proceed them. Whether acting out of self preservation or the desire to protect others close to them, it would be wrong to assume that women are exercising agency by choosing to maintain silence. Clearly in situations where their physical safety is at stake, the decision to remain silent - for example, to avoid mixing with cultural communities in the UK who might have links back to their home countries - is not one which might reasonably be described as 'free choice'. Instead the participants referred to a range of factors which limited decision-making and agency within their personal situations. Rather than choosing silence, therefore, their non-verbalisation - the decision not to give voice to, or openly articulate, their abuse - was enforced by external individuals, systems and processes. However, as well as making use of, or accepting, silence as a personal 'survival strategy', it is also clear that women maintain silences in order to protect those closest to them from the reality of their situation and from the consequences that might follow.

### 7.2.2 Protecting Others

#### 7.2.2.1 Children

Children were cited by the women taking part in this research as the central reason why they continued in the relationship despite suffering a variety of forms of escalating abuse at the hands of their husbands, while the inability to hide the extremity of the violence from their children acted as a catalyst for leaving:

"This is about marriage and I have three children, and I realised I only stayed in my marriage because of my children, I don't want them to not have a father."  
(Belle).

“The one who was six years old, one day I was eating and when he came to the garage with the car, I said dad’s coming, go and say welcome to him, and he said “not going, last night I hear you crying, he beat you again, so I’m not going”. So it was affecting my children...so, time for me to go.” (Asta).

In the previous chapter, Asta described how her attempts to cover up the violence became futile, and instead of continuing to try to hide it from her children, she reinforced their interpretation of the violence as frivolous and light-hearted, silencing her own extreme suffering in order to bestow a sense of normality in her family. This is one example of the lengths some women feel compelled to go to in order to sustain a family life despite their abuse, and the extent to which women might be capable of suppressing their own suffering in order to make it palatable and tolerable to those around them. In Asta’s case she was unable to prevent her children overhearing the extreme physical violence to which she was subjected, and so she reinterpreted the abuse as humorous for her children, a situation which might have been further complicated by the cultural values of a community which, she argued, is resigned to male violence towards women within the marital home. This is one example of the radical lengths women might go to in order to try to protect their children from the audible and visible signs of domestic abuse. One support worker described an instance where a service user reported that: “...her mum used to put the electricity off for three days so nobody could see how badly bruised her face was.” (Support2). Ruth was unable to hide from her children the regular violent assaults her husband and his immediate family inflicted on her, but instead tried to keep them away from these incidents:

“I always told my children, you don’t have to say anything, you don’t have to come when they are fighting with me, or they are hitting me, you don’t have to come near us.” (Ruth).

Ruth exhorted her children to keep both a physical distance from her even if she was being severely assaulted, but also encouraged them to maintain their own silence in

relation to her abuse. Once again, however, this was a strategy intended to keep them safe - her abusers also beat her children severely - and in doing so, she taught her children how they might use silence to protect themselves whenever she was unable to.

#### 7.2.2.2                      Family and friends

Despite their ongoing suffering, several of the participants referred to using silence as a means of protecting family and friends. This protection extended to Belle's partner, whom she felt a responsibility to protect from the authorities: "...if I tell the police, the police might put him in prison because that already happened to someone else. So I don't want all that to happen" (Belle). As described in the previous chapter, women with insecure immigration status in abusive relationships are charged with preserving their abusive partner's right to remain in the UK, and as a result of this might opt for silence and the perpetuation of the abusive relationship, rather than expose him to what they perceive as greater danger. However, this urge to shield others also extends to members of the wider family. A strong instinct to protect her family was reflected in the way Elinor described how she felt an acute responsibility to her parents and her siblings back in her country of origin, aware that the failure of her marriage would signal significant life changes not only for her but for them as well. She referred to the cultural beliefs which underpinned her sense of responsibility: "In Urdu they say that once you're married and you have left your parents' place, only your dead body can come back to your parents' place" (Elinor), before explaining, with resignation, the basis of her decision to keep silent:

"So I was like, alright. I was thinking about my other sister as well, because it's going to affect her life and my brother's married life, everyone. I was thinking about everyone. I kept quiet, I was like, OK." (Elinor).

Elinor's sense of resignation about the burden of responsibility for loved ones' happiness and wellbeing also permeated Ruth's narrative, when, alone in the UK and

speaking little English, she was forced to give up all contact with her best friend in her country of origin. Her ex-husband, intent on locating Ruth's whereabouts in the UK, employed others to threaten her best friend's family with physical violence, threats which were subsequently carried out in a serious assault of her friend's husband:

"...she [her best friend] was saying 'don't phone me again, how can I say again and again, they can check through the phone as well. Please don't keep any contact with me, we don't want to tell but they are doing these things to us'. So she was really in difficulties." (Ruth).

This section has discussed the way in which women make use of silence on a personal level, not only to protect themselves but also to protect their children, other family members and their friends. Examples of what Parpart (2010) defined as "survival strategies" (p17), whether their adoption is the result of women's informed agency, however, is debatable, as the impact of social and political constructs of domestic abuse influence women's decision-making, and might compel them to stay silent. The personal decisions of women to utilise silence as a protective mechanism, therefore, are inextricably bound up with broader processes which moderate their actions within and in the aftermath of an abusive relationship. The following section examines the structural, procedural, social and cultural frameworks within which women negotiate support for and escape from abusive partners, and discusses how these create circumstances in which silence is expected of, or imposed upon, women.

### 7.3 Coercive Silences

#### 7.3.1 Enforced non-verbalisation

"...we know that women suffer in silence for a long time" (Support3).

As discussed in Chapter Two, and highlighted in the findings in Chapter Six, abusive men seek to contain and control their wives and partners, and this includes a literal

silencing of their protests or objections. Asta described how her partner did this, eroding her self-confidence by focusing on the way she expressed herself verbally:

“When it came to discussion, and I want to give my point of view - because I always want to give my point of view for something - he said “what do you want to show to people, that you are educated?” So I was getting down, down, and I wasn’t confident... I was thinking maybe if I talk like that, I’m the worst thing in society.” (Asta).

In Asta’s case, the most explicit and intimate means of breaking silence - to talk - was undermined. On a personal level, therefore, silence is imposed by the abusive partner, and the impacts on women of coercive control in its various forms might include the twisting of personality and identity, as they try to adapt their behaviour and conduct to conform to their abuser’s expectations in order to achieve and maintain some equilibrium in the relationship and the family home. However, the behavioural and psychological contortions of the private realm might be reinforced and compounded by social and cultural attitudes which similarly compel women to keep their truths private:

“...in our culture we don’t like to say if we have [been subject to] physical torture. We don’t like to tell neighbours, friends. We feel ashamed because I don’t know what they will think about me, that I am wrong...So it’s very hard for us to tell them things.” (Ruth).

“For some people [refusing to accept women’s abuse] is actually a safety mechanism. I don’t like the idea that this is something men do to women because that makes me feel unsafe, as a woman.” (Support7).

Elinor described great difficulty in engaging with her own national community in the UK, arguing that “they want to see every page in your life book” (Elinor). This intense inquisitiveness about people’s lives and experiences she ascribed to cultural values and conduct. Seemingly innocuous questions such as “Why did you come to the UK? How did you end up in Glasgow?” could present significant problems in light of the international links which may exist, and information might be fed back through

interlinking family and social networks, either to the abusive partner and his family in the UK, or back to the country of origin. Elinor, whose terror of bringing shame on her family back home had already been exploited by her husband as a means of control, and who had already accepted that she could not return despite her strong desire to do so, therefore felt no option but to maintain distance from her national community in the city by avoiding social contacts if possible and deflecting questions where necessary. Women dependent on their husband or partner for leave to remain in the UK have their silences reinforced by the political system which ensures they are both invisible and unheard within the immigration system, and who, when they do disclose, can face the significant difficulties outlined in the previous chapter.

### 7.3.2 Language

One of the most significant practical barriers to support which must be overcome, as acknowledged in the literatures discussed in Chapter Two and reiterated by many participants in this study, is that of language. Of the women who took part in this research, three were already fluent in English when they arrived in the UK. Two participants had undertaken ESOL classes, and one spoke little English and was interviewed with an interpreter. Support workers described the difficulties faced by women who speak little or no English, particularly their challenges in help-seeking:

“I’m working with a woman...she...speaks a variation of a minority Asian language in Pakistan - how is she going to seek help!” (Support4).

“...a few of the clients that I’ve had have been able to communicate to the health worker that something’s not quite right, through very, very basic, broken English been able to communicate that “I’ve got problems”, or “I’m not happy”... I find those the saddest cases, I find those women so lonely and so much more vulnerable.” (Support8).

Learning to speak English is seen as critical in these cases, where language barriers can create intense loneliness and isolation. Support workers therefore saw gaining

English language skills as critical, as a means of self-protection and as central to women's ability to negotiate their way through services and the immigration system, and one of their initial aims when such women came to them was to facilitate access to English classes:

“...in order to survive in this environment they have to speak English. So we'll access ESOL courses for them at the local colleges. That takes priority...

I think once they develop language skills, and they can communicate better and freely, that...definitely has a positive effect on their wellbeing, being able to sustain themselves in this environment.” (Support5).

However, gaining English language skills takes a significant amount of time, and many women who initially seek help, or who are pursuing an asylum claim, rely on interpreters to facilitate communication.

#### 7.3.2.1                      Interpreters

Clearly the ability to articulate and be understood is central to securing access to support to escape an abusive partner. The participants all highlighted how difficult this can be for those women for whom English is not their first language. One support worker illustrated the complexity of dealing with women of different nationalities and differing knowledge of language:

“...the worst thing is when women speak fluent English that's fine, if the woman speaks no English that's fine - it's when she speaks some English, that's the most problematic. Because you're not sure whether she's understood and we're often not sure what she's saying. So all or none, you know where you are. It's where there's *some* that there's scope for a great deal of confusion and misunderstanding.” (Support4).

The importance of securing the services of good quality, reliable interpreters was seen as a crucial yet complex undertaking, and participants referred to multiple



difficulties in locating appropriate interpreters to assist in domestic abuse cases. These included potentially prohibitive costs: “We don’t have money to pay for interpreters except on a very restricted basis...So the language barriers can be very difficult...”(Support4); as well as a lack of available and suitably expert interpreters: “I think it’s a real specialist skill to get somebody’s body language, to get the tone of voice, they’re almost having to mimic somebody’s personality to somebody else and then do the same back, to someone where English is not their first language” (Policy1) and “There aren’t that many around,” (Policy7). There were also difficulties finding interpreters who were experts in rarer dialects within broader linguistic families: “...she spoke a variant of a language in Pakistan and there weren’t many interpreters for that variant and she didn’t understand the main language” (Support4) and “[interpreters are] maybe not necessarily familiar with local dialects” (Policy1). This means, depending on the language spoken, there can be an extremely small pool of experienced interpreters to draw upon. As a result, one participant recalled that one woman had to rely on her own family to interpret (Support4), a situation which was seen as far from ideal. The potential trauma of situations such as these is further compounded by possibly complex attitudes towards the nature of some of the issues women must disclose: “...rape, sexual assault, domestic abuse, the stigma around that, there’s so much stigma in particular communities” (Policy1). The shortage of available, experienced and appropriate interpreters means that sometimes the only option is for an already-familiar member of the community to act as interpreter, and, in light of the harrowing and deeply personal nature of some aspects of abuse - sexual assault, for example - this might create serious problems for some women:

“You’ve got no hope of that woman ever opening up in front of somebody from her community. It could be a man! They try to get a woman but it’s not always possible...and if there aren’t that many, you probably already know them if you’ve already had some interviews, because it’s all the same people. There are probably under ten female Urdu interpreters in Glasgow for the huge community...” (Policy7).

The interplay between community, culture and language demonstrates the intricate way in which each interweaves with the other to create circumstances in which the likelihood of women's silence regarding abuse by their partner is heightened.

Women's verbalisation might be practically limited by their lack of English language, and further constrained by a dearth of appropriate and available interpreters, therefore heightening the possibility of women in abusive relationships maintaining reluctant silence. However for women in the immigration system this restricted verbalisation surrounding domestic abuse contrasts with an expectation of comprehensive, immediate, consistent and frank disclosure of the circumstances surrounding their claim for leave to remain in the UK.

#### 7.3.2.2                      *The culture of language in the immigration system*

Previous chapters have already highlighted the way in which women are made invisible in the asylum process, disregarded as a result of their dependency on a husband or partner's asylum claim. However, for women who are negotiating the immigration system solo, detailed narrative descriptions are crucial and in their construction, the precision of language is critical. One participant outlined the violence and trauma many women entering the UK seeking asylum had been subjected to, highlighting the consequent potential fragility of their mental health:

“...evidence from research shows that 70% of women arriving in Scotland have experienced sexual or physical violence in their lifetime. 28% had considered suicide in the week prior to being interviewed. They're horrific statistics. Horrific!” (Policy7).

Despite this, there is a tacit expectation that information given at initial interviews very soon after arrival in the UK will form the basis of a substantive asylum claim, and this frequently runs counter to women's own understanding of the process:

“...the environment for disclosing any information at screening is dire... It’s proven scientifically that women who suffer trauma find it a lot more difficult to talk about it and when you’re asked to talk about it within two or three weeks of arrival, you might be totally isolated, in a new country, you don’t have a clue what’s going on, you don’t know the system, terrified about having to go home, don’t trust somebody in uniform in front of you, going to a horrible environment in the Home Office to be interviewed, you’re not going to talk about these things. Often women don’t think they need to, they don’t think it’s relevant to their asylum claim, they think it’s something different.” (Policy7).

However, the culture of disbelief and doubt which underpins the immigration system, as described in Chapter Three, means that altering aspects of personal narratives jeopardises an individual’s entire claim for leave to remain. Credibility is seen to be represented by the consistency of a claimant’s narrative, and rests in their ability to provide repeatedly coherent, unwavering answers to the same questions asked again and again on multiple occasions in a series of interviews conducted over a period of time. This is acknowledged to be distressing for those whose political persecution may have incorporated similar elements of interrogation: this may be equally true for women who have been subject to private persecution and intensive personal control by their partner. The impact on women should they deviate from previous accounts provided in the early days of the immigration process was clear:

“...when you get a refusal letter, it might say ‘but you said in your substantive interview’ - which is the main interview you might have a few weeks after arriving...you said your name was this, or you gave this reason, but when you were screened you said something else. And that’s used against you, against your credibility...” (Policy7).

“...the immigration judge...said the woman had negative credibility because in the hostile and aggressive questioning from the Home Office worker...she said some new things to what had been written down and to what she’d told her solicitor.” (Support4).

However, one participant described how credibility, so central to a successful claim for leave to remain, might also be shaken by cultural divergences relating to language, and of differing understandings of familial and kin relationships:

“She’s been staying with who she calls her brother. In her cultural terms, it’s her brother; in our cultural terms it’s not her brother, because they don’t have the same father, the same mother, but for her, he’s her brother and that’s what she calls him. This was also an issue at the immigration tribunal, because they said ‘but he’s not your brother’, she’s saying ‘but he is!’” (Support4).

For women seeking asylum independently, there is an expectation of comprehensive, detailed, immediate and frank disclosure of all details of their intimate and personal experiences which might affect their asylum claim. This is consistent with the expectation of disclosure of details of domestic abuse to outside agencies essential to support claims for leave to remain for women on spousal visas. While subject to enforced non-verbalisation on the one hand, therefore, whereby political, social and cultural influences create circumstances which make disclosure extremely problematic for many, such women might also be subject to *enforced* verbalisation: they must disclose, and they must do so in ways which are culturally convergent with the dominant prescribed cultural norms of the UK. In light of the statistics which guide an understanding of patterns of disclosure for women indigenous to the UK - where only one third of the minority who reveal particular incidents of abuse each year do so to formal, external agencies rather than to intimate friends and relatives (Scottish Crime and Justice Survey, 2011) - this is particularly stark. Language is critical, therefore, for many women seeking leave to remain, whether they are fleeing violence in their country of origin, or on the grounds of domestic abuse here in the UK. What you say, how you say it and when you say it are crucial, and subject to inspection and interrogation in the pursuit of credibility, practices conducted within the context of an immigration service premised on a culture of suspicion and disbelief. Women’s conduct, therefore, the way they present and re-present themselves is critical if they are to secure the help they need: the ‘telling’ of abuse is

therefore constrained within broader social, political and cultural contexts. For women with insecure immigration status, breaking the silence surrounding their abusive relationships might be variably restricted or compelled, and therefore their verbalisation can be seen to be regulated not only by personal circumstances, but by wider structural aspects and also, it emerged, by professional frames of practice in the public realm.

### 7.3.2.3                      The public realm and professional practice

Several participants drew attention to professional attitudes and practices in the public realm which affect women's ability to articulate the truth of their experiences. While there has been great progress in recent years in police responses to domestic abuse, one participant suggested there is still a lack of understanding of the dynamics of abusive relationships and their impact on women who are caught up in them, and instead a tendency to see physical violence between partners through the lens of common assault:

“...so the police get called out to an incident, a woman's been assaulted and they're not trained then to understand why she might deny what's going on, not want to talk to them, because they're trained to think about that incident and generally speaking if someone comes up and punches you on the nose in the street, you're going to respond in a certain way, and they're trying to transfer that situation without seeing the bigger picture effectively.”  
(Support7).

Similarly, several participants recounted stories of public service professionals applying their own specific professional frames to situations regarding women whose immigration status prevented access to mainstream services. Belle, who was suffering from severe depression, was self-harming, and experiencing suicidal impulses, recalled asking a social worker for help with her three children (who attended three separate schools), but her request was turned down because of her inability to access public funds. The previous chapter described human hierarchies of

priorities, in which children's safety takes precedence over women's needs. Support and policy participants offered multiple accounts of social workers offering to support children where they could not help women:

"...if they went to, say, social work for help because they were destitute or whatever, there [were] anomalies about how different offices were interpreting women's no recourse to public funds... you were getting really scary things, like we can't really do anything for you, but we can look after and accommodate your child for you." (Policy1).

Once again this might be seen to place desperate and frightened women in the position of having to make extremely difficult choices about ensuring their child's safety while undermining their own. The courts system was also thought to emphasise the rights and protection of children, over that of women, proving problematic in terms of women's ability to present their narratives of abuse in public.

"I remember one woman that was told by her lawyer don't start mud-slinging, the Sheriff doesn't like it. What she meant was he used to abuse me in front of the children, oh no you can't mention that because it's not about you, it's about the children... Sheriffs don't want you to speak, they just want the lawyers to say stuff." (Support3).

The language of the legal system, used in the essential paperwork required to pursue a case through the courts, was referred to by one participant as an immediate barrier for many women seeking recourse in the law: "...these forms are full of jargon and legal terminology that would be completely insufferable for anybody" (Support4). Even once women reach the courts, it was suggested that the conceptualisation of domestic abuse, and behavioural expectations upon women who are in abusive relationships, impacted on court responses to those who sought legal protection:

"...for women that are middle class and educated and in some sort of professional work, I think they get a really hard time in that situation because it's like the courts look at them and go, well, you shouldn't have allowed this to happen..." (Support3).

As a consequence, this participant argued that it is in such women's best interests to present a particular persona to the courts, to disguise their identities and suppress their verbalisation in order to get a fair hearing and avoid personal judgements when seeking legal settlements:

“...sometimes it's awfully hard because sometimes you have to say to women, look if you could appear like you don't really know what to do and you really need advice...that might go down better than being articulate.” (Support3).

There was some ambivalence, therefore, about the supportive role public services and professional practitioners play in supporting women seeking protection and escape from an abusive partner. One participant saw public and professional responses such as those described above contributing to, rather than ameliorating, the entrapment of women in dangerous circumstances - “...how are our services, to put it simply, part of the problem as opposed to part of the solution?” (Support7) - suggesting that the increased theoretical understanding of abusive relationships has not filtered down to professional practice because of a lack of adequate training:

“...by and large...social workers, health workers, teachers, don't get effective domestic abuse training pre qualification. There's a massive gap there. People aren't trained to work effectively with the issue and that's a real problem.” (Support7).

Despite the sense that professional ignorance and misunderstandings can serve to moderate verbalisation and thereby reinforce silences imposed upon women, there were also reports of positive developments, both at local authority levels and within individual services, with particular regard to women with no access to publicly-funded support:

“...we're now working with the Scottish Government to produce guidelines, and one of the things that will cover is what are the rights and entitlements of

women who are subject to domestic abuse but have no recourse to public funds. That would be a huge step forward in terms of supporting local authorities to make a decision about what are their responsibilities, what support can we provide, how can we respond to this?" (Policy3).

"...we raised with the Partnership some of the concerns we had with the local authority, how they interpreted women with no recourse to public funds so as a consequence to that Social Work took that on board and said ok...they just recently produced practice guidance for frontline staff on women with no recourse to public funds. So that should offer a more consistent response..." (Policy1).

Professional frames of practice and the conduct of individual practitioners within those frames therefore contribute to the regulation of women's verbalisation, as well as of their ability and willingness to disclose and discuss the abuse they are experiencing.

While silence might be used by women as a protective mechanism, the extent to which exercising it is a distinct choice is compromised by intertwining personal, social, cultural, political and professional pressures, processes and practices, which through their interactions can result in the imposition of silence, both for individual women and about domestic abuse more generally. Social and political environments might make it difficult for women to speak out about their abusive relationships without running considerable risk to their personal safety, or that of their children. However, there was also evidence of professional strategies and approaches which were effective in helping women overcome such enforced non-verbalisation, allowing them to access crucial support in order to escape abusive partners.

#### 7.3.2.4                      Mediating enforced non-verbalisation

It was evident from the interviews with support workers in particular, that there are some public service practitioners, especially in the health services, and individual voluntary sector projects which took part in this research which employ effective



strategies to facilitate the breaking of silence for some women, overcoming restrictions imposed by both abusers in the private sphere and by women's social networks and cultural communities. Examples of strategies included routine enquiry in health settings (Support7), and ensuring services are accessed via anonymous doorways (Support2). The majority of support workers described dynamic relationships with other agencies which operate as an informal referral system between organisations. As discussed in Chapter Five, health visitors and midwives were seen as especially valuable in identifying and referring women in need of support for domestic abuse to specialist agencies. Not only do they have unique access to women's home environments, their professional practice means they are justified in examining women alone, separate from partners or other family members, thus creating safer opportunities to disclose:

“...health visitors tend to come across women when they go to the house, and see something's not right there. They tend to catch a lot of the women who are in this situation but who are maybe not reporting it but they'll tell the health visitors, yeah, I'm really not happy. There's a few things going on but I can't talk.” (Support2).

Inter-agency working in this way, where health visitors or midwives identify women in need and facilitate their contact with support services, was seen as highly effective in connecting women with appropriate help:

“They'll try and get these women out to see me. There's a lot of times when health visitors will say to the mum, you need to come with the baby, we need to do a baby check, we need to do a weight check, but they're not really there to do a weight check, they're there to see me. So I tend to do the undercover operations quite a lot! But it works.” (Support2).

“...[maternity services] had developed these special posts called link midwives which started out being for domestic abuse and then broadened out to gender based violence, and they had a role in advising in situations where there were vulnerable women and women that might have been abused...” (Support3).

However, the interviews highlighted once more that disclosure in itself, the initial breaking of silence to outside agencies, is not straightforward. The literature in Chapter Two reveals how women in abusive relationships are psychologically and emotionally worn down and manipulated by their partners, often to the point of extreme suggestibility and malleability, and the way in which women's perceptions of themselves and those around them become distorted and their judgement severely compromised. As a consequence, this act of breaking silence - of disclosing abuse - can be complicated by internalised messages which warp women's perceptions. This is illustrated by one support worker, who discussed the difficulties of working with women in the early stages after disclosure:

“I saw a woman last week that was so down beaten by her partner that she felt she wasn't capable of looking after her two year old son, that it would be best if she did leave and that she left him with the dad, because she's not capable of looking after her son and she's not right in the head...What he's doing is classic abuse with [her], that he can have that power over [her], to the point that he can control every aspect of [her] life. To the point that he thinks he's got [her] thinking [she's] going mad. “ (Support5).

While this woman acknowledged that she had been abused by her partner, and had broken silence in the sense that she had sought help, the task of the support worker was to establish a coherent narrative and to give voice to the reality of her situation. Contact with support services, therefore, might be characterised as the breaking of external silences, while there may remain internalised silences which the services participating in this study understood and as a consequence responded to women accordingly. However, disclosing abuse and accessing services is only a part of what the previous chapter described as the leaving process, which involves a complex disconnection from an abusive relationship. The women who were interviewed for this study had all exited their abusive relationships, and they described their individual experiences of breaking silences both in the context of initial disclosure, and in the longer term as they adjust to life after abuse.

#### 7.4 Legacies

The women who took part in this research had all experienced physical, emotional and psychological abuse, inflicted by their partners. They described relationships which were defined, in their final days, by extreme fear and terror. All described suffering acute mental health problems in the aftermath of exiting their relationships, problems which continued to affect them to varying extents. For several women, the act of speaking about their abuse, of describing their experiences out loud to another human being, had enabled an externalisation of some of the pain and distress their husbands had caused. Counselling had played a central role in helping these participants come to terms with aspects of their abusive relationships and had enabled them to achieve emotional relief and find a sense of peace:

“I go for counselling. When I didn’t go anywhere for this type of help that was very difficult for me, because I had to keep everything just inside me.” (Ruth).

“At that time I had so many negative thoughts, I felt I wanted to end my life, until I went back and talked to the counsellor. “ (Belle).

Ruth referred several times to the need to ‘let things out’, and how the support she had received from both staff and other residents in her Women’s Aid refuge had enabled her to do so, although she also attributed her persisting stability to maintaining no contact with her ex-husband and his family: “As far as I’m not in contact with them, that’s all right. I just need peace of mind” (Elinor). Asta did not seek counselling specifically for her abusive relationship, but instead found the activities at ESOL classes gave her an opportunity to similarly externalise her thoughts and consequently her negative feelings, where she was encouraged to “write and write and write”.

While this had clearly been beneficial for Asta, she nevertheless described the lingering impact her abusive marriage has had on her perceptions of men and relationships: “I can’t trust men even now. That’s why I’m single.” However, although Belle, Ruth, Elinor and Asta had all found confiding in others helpful, it was

also apparent how challenging it can be for women to open up to others, including counsellors, particularly when in the depths of mental ill-health: “I felt so depressed. I don’t have the courage to talk to a counsellor - so depressed.” (Belle). Elinor echoed Belle’s reference to the courage required to confide in professionals, as she described how she wasn’t “brave enough” to make contact with the multiple agencies her uncle had found who could help her, including Women’s Aid. However for both Belle and Elinor, the decision to break silence in this way was, to an extent, made freely. In contrast, Kate suggested that the obligation to recount her story repeatedly in support of her asylum claim caused her real distress, compounding painful feelings of isolation and despair:

“It is very difficult, really, when someone asks about our past, we don’t want to remember these things, we want to forget. When someone asks, it brings it into our mind again. Nobody can feel what is going on in me just now, and what was going on in the past. The person can feel what is happening and what happened, but nobody else can feel these things. It is very difficult for me to say these things again and again.” (Kate).

This illustrates the contrast between compulsory and voluntary disclosure: those who chose to confide, whether in counsellors, refuge workers or through class activities at ESOL, were all positive about the experience, and reaped benefits in the form of a sense of peace and optimism. However, women who are compelled to describe their experiences of both public persecution, which might include gendered forms of violence, and private abuse by their husbands or partners have the control of their silence taken away. In this context of *enforced verbalisation*, there is potential for serious negative impacts on women, like Kate, who have no option but to retell their narratives over and over again, acts which clearly caused her great psychological discomfort and distress. These varied experiences of breaking silence in the aftermath of abuse illustrate the importance of allowing women to maintain a sense of ownership and control over narratives of abuse, yet that control is denied women who are negotiating the immigration system, where their stories become exhibits,

entered as evidence to be weighed and judged in a system which barter protection for proof.

The previous chapter argued that exiting an abusive relationship should be conceptualised as a process of leaving. Each of the women who took part in this study occupied different points on a spectrum of survival: all had exited their relationships in the geographical sense, but continued to live with the continuing legacies of their abusive relationships. However, despite disparate experiences, each woman's narrative described the way in which silences had been used by them or against them, whether voluntarily employed as part of a range of survival strategies, or imposed by external agencies and practices. This demonstrates the way in which women's verbalisation is controlled and is contingent on a variety of external individuals and agencies.

## 7.5 Conclusion

The women who took part in this research are strong women who have prevailed despite intense psychological and physical danger. By conjugating their disparate, individual experiences, it has been possible to demonstrate the way in which women's verbalisation is regulated and controlled not only by their abusive partners and their cultural and religious backgrounds, but also by the systems and processes of the state, and by the professional and policy frameworks that shape the support offered to them, which expect and demand varying degrees of verbalisation from individual women.

This chapter has described how women might use silence as a means of self-protection, not just in the physical sense of 'not telling' for fear of retribution, but by maintaining their own professional and psychological integrity in order to preserve key elements of personal identity which may have protective qualities in themselves. Such use of silence extended beyond the individual, however, and was used to protect loved ones, including children and friends. However, this chapter has also offered

evidence to suggest that protective silences on a personal level coexist with coercive silences, those which are generated, disseminated and perpetuated by wider social, political, cultural and, critically, professional frameworks and practices in the public realm. Just as women adopt silence to protect themselves from the immediate physical and psychological threat posed by their abusive partner, so too they may be compelled 'not to tell' for fear of social and cultural retribution for their disclosure: in this sense, they are subject to *enforced non-verbalisation*. However, for women who are seeking leave to remain in the UK following an abusive relationship, their choice to remain silent is removed, and they are compelled to disclose, in consistent and intimate detail, the abuse they have experienced. They are, in contrast, subject to *enforced verbalisation*. There was, however, evidence of professional practices, at least among specialist women's agencies, which sought to tackle some of the practical barriers to disclosing abuse and accessing services - such as language difficulties - and of both formal and informal multi-agency working, with the aim of ensuring women could find the means to access help and support critical to their escape from dangerous relationships.

This thesis set out to explore the links between the conceptualisation of domestic abuse as a social problem in Scotland, the avenues of support which proceed from that conceptualisation, and the implications these have for both professional practice and for individual women, in particular those who have insecure immigration status. Each of the three findings chapters has explored discrete aspects relating to these issues. Drawing on the evidence presented, the following discussion chapter refines the findings from across all three of these chapters in order to demonstrate a firm relationship between the problematisation of domestic abuse in Scotland and women's experiences of help seeking. It will illustrate the way in which overlapping matrices of policy, practice and personal circumstances create the hierarchical frameworks within which women's experiences are inevitably filtered, mediated and processed. In so doing, it seeks to build upon and further develop the theoretical and conceptual foundations of this study, in particular the way in which an intersectional analysis might be more dynamically conceptualised in order to better understand and

respond to women's personal experiences of domestic abuse, and the public and private silences this issue invokes, provokes and perpetuates.

## Chapter Eight    Weaving the threads together: discussion and conclusions

### 8.1    Introduction

The theoretical perspective of this research posits an intersectional approach to the analysis of social problems, in which consideration of multiple aspects of women's personal identities affords a more complete understanding of their lives. Specifically, intersectionality highlights the way in which multiple modes of oppression overlay and invigorate one another, thus, in the case of domestic abuse, shaping women's differential experiences of abusive relationships and of help-seeking. This thesis is also underpinned by a feminist analysis of both domestic abuse and the politics of policymaking. At its heart, the study involved an examination of the experiences of a group of women who have been abused by their partners, and who are routinely precluded from accessing public services because their immigration status prevents access to public funds. Ostensibly, immigration policy, formulated and regulated by government at Westminster, supersedes and overrides devolved domestic abuse policy in Scotland. This offers one concrete explanation for the difficulties such women have in seeking support, whether they are living within abusive relationships or are trying to access help to exit them. However, this research has identified a range of additional factors and processes which overlap and intertwine to shape each woman's specific journey through her relationship and away from the man who abused her, elements which operate differentially for each woman at personal, social and political levels. Two key themes have emerged from the research: the way in which various *silences* operate on multiple levels, and the location of those silences within a policy context which is dominated by *hierarchical values, systems and processes*. The rest of this chapter discusses these various hierarchies and the silences which both proceed from and perpetuate them, before contextualising the findings of this study within an intersectional framework. Finally, it outlines the overall conclusions that can be drawn from this piece of research.



## 8.2 Hierarchies

The process of splintering has been at the foreground of this study, and following its early identification in the literature, it has remained a key theme throughout. Analysis of the policy documents revealed evidence of multiple splintering processes, initially identified in Chapter One as a political tendency for broad and complex social problems to be broken down into their constituent issues which can be tackled individually by a range of different public services. Specifically, there was *definitional splintering*, where domestic abuse is both identified as part of a wider spectrum of violence against women, and is also recognised as comprising a multitude of different forms of abusive behaviours. These constituent elements are approached differentially, with physical violence criminalised, for example, whereas psychological abuse is not. Splintering the issue into these component aspects, each invoking discrete input from a range of services, focuses public attention on the disparate outcomes of abuse, potentially distracting from the root causes of the problem.

Furthermore, the *classification of women* was described, with specific groups whose needs are seen as extraordinary and additional to the ‘mainstream’ being separately identified. Subsequent to this, specific legislative intervention has been introduced to tackle what were perceived to be discrete groups’ unique needs; for example women on spousal visas can currently access support through the DDV, the successor to the Sojourner project. The reluctance to extend legislation to other women subject to different immigration controls indicates a will to save one category of woman at a time, splintering off groups of women deemed ‘help-able’ from those who are ‘un-helpable’. While different forms of immigration status appear to be the most obvious means of sorting women into either of these categories, the prioritisation of physical violence as the most serious form of abuse also serves as a means to sift the helpable from the un-helpable. This is evidenced in the need to provide proof of physical assault in order to gain full rights to state support while pursuing an individual claim for leave to remain under the Domestic Violence Rule and via Sojourner and the DDV. Splintering processes can also therefore serve to create

hierarchies: in these instances, a *hierarchy of victims*, with differentiated interventions accorded discrete groups judged either helpable or un-helpable as defined in the public, political realm; and a *hierarchy of types of abuse*, with physical violence seen as paramount over other recognised forms of abuse. This is despite an acknowledgement in policy documents, including Safer Lives: Changed Lives, that multiple forms of maltreatment intertwine and interact to create particular patterns of abuse for individual women, patterns which may or may not include any physical violation. The problem of domestic abuse is universalised in policy documents while state responses are demonstrably selectively specified. The politics of domestic abuse policymaking are therefore inescapable. However such hierarchies are created within the existing *political hierarchy*: this study described a hierarchical policy making process in operation, where the Scottish Government predominates, even in the context of cross-sector participation, co-operation and mutuality. These hierarchies involve concrete, overt and explicit factors which inevitably shape women's experiences of help-seeking in Scotland - for example, the supremacy of Westminster immigration policy - but also less tangible and obscured elements, which suffuse domestic abuse policymaking in Scotland and which inform frameworks of support. Policy-speech is not necessarily matched by policy output in terms of support provided, and, building on Bacchi's notions, disparities such as these are conceptualised in this study as silences.

### 8.3 Silences

In the most literal sense, there are many women's voices absent in the policymaking process, and from this research. One of the hierarchies identified in Chapter Six describes the way in which children's needs are often prioritised over those of their mother, but as Hearn and McKie point out (2008) one significant group of women frequently overlooked in public portrayals of domestic abuse, and in service provision, are women who do not have children. This is a reflection, perhaps, of the tendency to prioritise children's needs for protection over those of not only their own mother,

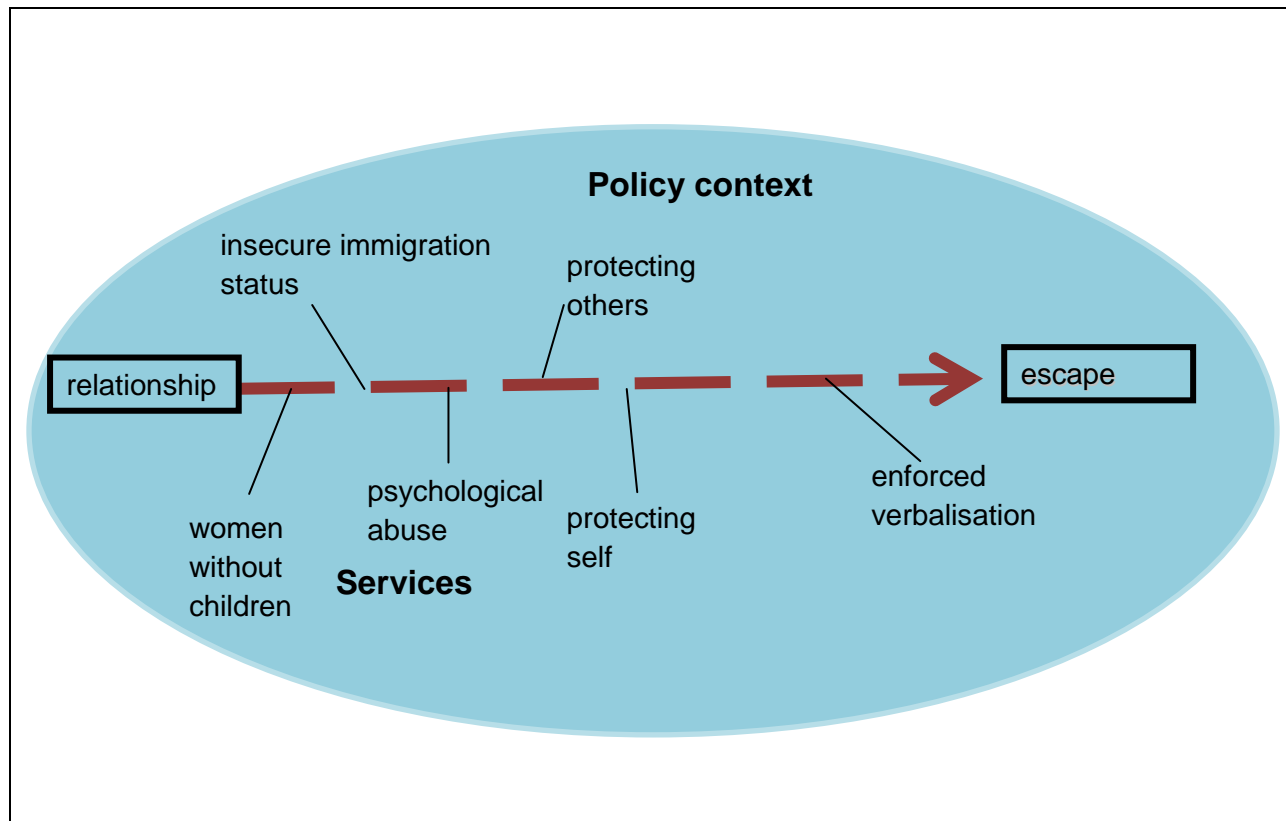
but of women in general. The presence of children therefore elevates the claims of mothers for protection over those of non-mothers, especially in a resource-constrained support environment. In addition, the Scottish Government's desire to incorporate the voices of service users into policy making clearly precludes women who do not use public services, including refuge, either by choice or through exclusion. As Chapters Five and Six demonstrate, the problematisation of domestic abuse in Scotland - in contrast to New Zealand - is premised on the construction of escape routes which emphasise physical exit from an abusive relationship, and this unspoken and universalised policy prescription does little to remedy, or include in the policymaking process, the predicaments of women who want to stay in their relationship in the hope that their partner's abuse might be assuaged if not entirely eradicated. Women who do not seek formal, public support for their abuse, therefore, are often both invisible and silent in the policy making process.

Bacchi (2008) argues that problematisation, the constructive process by which any social issue is converted into a public concern, incorporates silences. She suggests that in the case of domestic abuse, these take two forms: the absence of state responses to non physical abuse, despite recognition in policy; and public representations of abuse which do not resonate with women who experience it. Chapter Five presented evidence from the analysis of the Scottish policy document which clearly illustrates both of Bacchi's policy-generated silences, and this was further reinforced by interview participants. Despite detailed and explicit acknowledgement in policy documents that psychological manipulation is a significant form of abuse in itself, and support workers and women themselves describing it as an integral component of abusive relationships, this policy acknowledgment remains passive. One outcome of such a gap between public renderings and private experiences of abuse is multiple misrecognitions. Firstly, there is a danger that the true nature of abusive relationships, the mechanics of how they become established, are reinforced and perpetuated over time, is overlooked by policymakers; and secondly (a related point), the needs of women who have been abused in their relationships, and who may require understanding and specialist support to deal with

the lingering impacts of emotional and psychological manipulation and control, even in the absence of physical violence, are misidentified. Support work and academic research in the last few decades with women who have been abused by their partner has identified the many forms abuse might take, and this has permeated policymaking over the last few decades, knowledge that is reflected in both the Scottish and New Zealand policy documents analysed for this study. However, the creation and perpetuation of hierarchies of abusive behaviours, and the consequent prioritisation of the impacts of physical violence, does not take account of the dynamic and interactive nature of the plethora of maltreatments women might be exposed to by their partners, and which will vary from relationship to relationship. Thus the problematisation process might result in definitions which reflect domestic abuse as a multidimensional issue, but fail to capture its dynamism according to individual circumstances: women's inevitably diverse experiences may fail to match the construct of domestic abuse as primarily and most easily associated with physical assault. Although there is recent evidence of increasing policy attention paid to the psychological aspects of partner abuse, the case of women with insecure immigration status underlines the state's propensity to perceive physical violence as 'proper' abuse, which validates external service support and legislative intervention, while psychological abuse, incidental and complementary to physical violence, does not justify the need for state protection in and of itself. Bacchi's silence, identified in the gap between policy perceptions and personal experiences, can be further elaborated here, as it is apparent that there is not only a silence surrounding such misrecognition of each individual woman's reality, but that women's collective experiences are differentiated. There is thus a silence surrounding discrete groups of women's experiences. The state applies multiple problematisations for categories of women, and consequently diverse responses are validated, beneath a single unifying social issue of 'domestic abuse'. Silence not only exists in the gap between the state and individual women's conceptualisations of abuse, but also in the gap between differentiated state definitions of abuse which are applied to distinctive groups of women.

This, then, is an additional silence which proceeds from the splintering process. Women with insecure immigration status are categorised differently from indigenous women in the UK, but within that larger grouping, there are subsets whose access to services is moderated according to their particular immigration category. However, as the findings discussed in Chapter Seven illustrate, this silence is contingent, controlled by external agencies. Women with insecure immigration status are subject to directed verbalisation: their silences may well be ostensibly ‘voluntary’ - although apparent exercise of agency might also be contingent on external influences - but, depending on their circumstances, they are also subject to enforced verbalisation, the compulsory disclosure of details of their abuse. As a result of these splintering processes, women’s journeys through and away from abusive relationships are diverse, moderated by the state according to immigration designation and the policy frameworks proceeding from them at any one time. Women’s journeys therefore are fragmented, punctuated by the various interlocking silences which individually shape them.

*Diagram 1: Silences and fragmented journeys*



The diagram illustrates the way in which the women exist within constellations of social, political and cultural silences, and the way in which these are not necessarily mutually exclusive but can and often do overlap. Points of convergence between protective and coercive silences are associated with equivocal agency.

The literature in Chapter Two described the difficulty in creating collectivised meaning from personal and inevitably diverse narratives. Each woman in this study experienced an individually unique journey, initially defined by her immigration status. However, her level of safety and degree of exit were shaped not only by her right to access public funds, but also by a politically-defined policy framework, which offers protection to some women but not to others, and in which there are persisting gaps and silences. It is these gaps and silences which also shape an individual woman's journey through and away from an abusive relationship. The theoretical

frame of this study offers one means to discern meaning from their disparate experiences, and to draw conclusions about the nature of interactions between politics, policy and the individual. The following section discusses the contribution an intersectional approach can make when examining the exercise of power in the problematisation process.

#### 4 Intersectionality

Intersectional theory maintains that our perceptions vary since we all stand at different social, political and personal junctures as a result of the interplay between individual values, beliefs, attitudes, and an innumerable range of other factors, many of which are fluid and in flux, all of which might influence and be influenced by our ongoing life experiences. An intersectional understanding of identity seeks to overcome the problems created by too sharp a focus on singular identity traits which become dominant and exclusive, obscuring the narratives of women who do not fit specific, prescribed moulds, and consequently skew perceptions of women as a collective group, while over-simplifying the barriers and problems individuals face in their lives.

Yuval-Davis (2006) describes the way in which a single characteristic among group members can prevail, creating the 'right way' to be a member of that group. This can be paralleled with the creation of an identity of 'victim' in the problematisation of domestic abuse - in Scotland's case one who is a British national, who is exposed to physical violence and actively seeks protection from it, and who also seeks to exit the relationship. However, the splintering process described in this thesis illustrates how even within the single category of 'victims', specific women are sheared off into sub-groups and even within these groupings, a single identity tag predominates. For the women in this study, the specific aspect of identity which predominates is 'immigration status', and yet those subject to immigration control constitute an

extremely diverse population of women who have different nationalities and ethnicities; come from a variety of cultural backgrounds; and occupy a range of social contexts. In order to understand the lived reality of each woman's life, it is essential to examine other categories of identity that might influence her decisions, and her ability to seek and accept help. Women in this study talked about their protective responsibilities as a mother, for example, or their need to preserve a professional identity despite their abuse. Yet none of these aspects exist in isolation from the others.

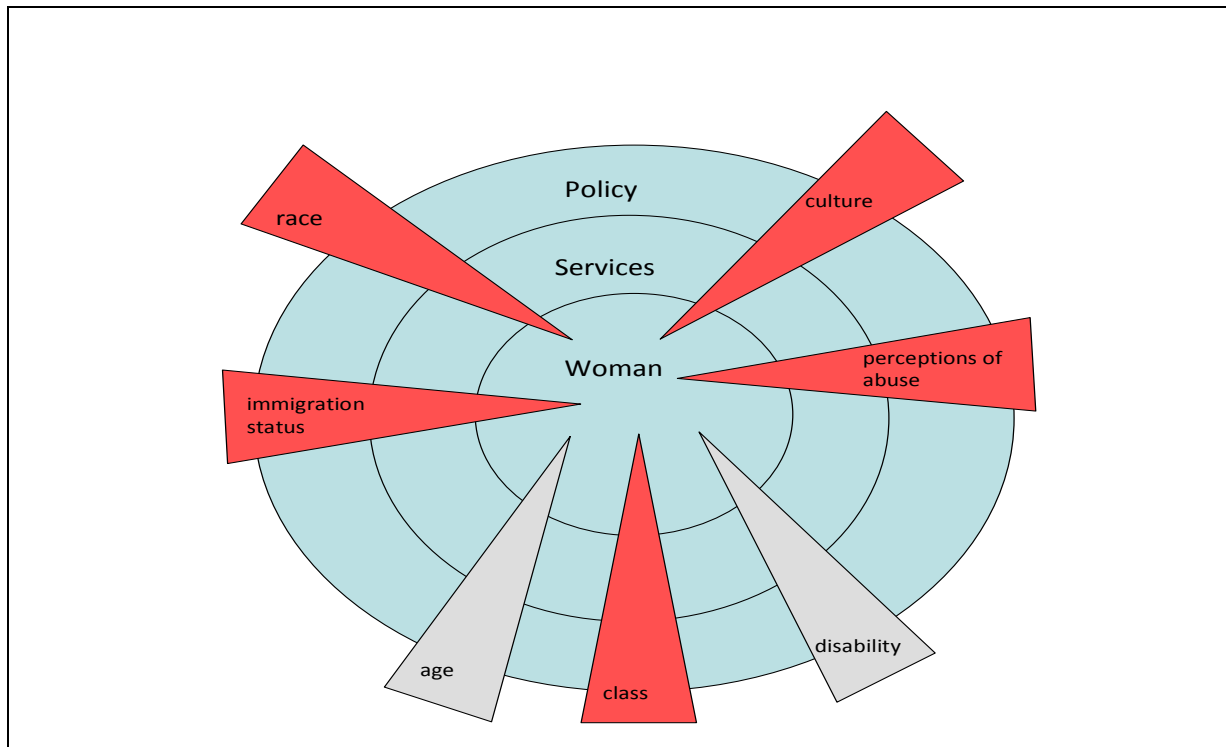
While policy splintering suggests an over-simplification of identity and the application of generalised labels to diverse populations of women, intersectionality highlights the need to identify and understand the links between separate aspects of women's lives and identities in order to better understand their experiences. In an ideal policy context, this increased understanding can result in better and more reflexive policy responses.

However, intersectionality also emphasises that women's experiences cannot be divorced from the social and political contexts in which they occur: marginalisation occurs at multiple levels, and this thesis demonstrates the way in which policy framing contributes to the marginalisation of a specific group of women who experience domestic abuse. By exploring the relationship between the individual, the state, and those intermediate agencies and organisations which both influence and enact policy, this study demonstrates that attention must be paid to the interaction between all three. Rather than operating on discrete levels, the decisions of policymakers, the conduct of support agencies, and the experiences of individual women are inevitably intertwined with one another. Each level - macro (policy); meso (service); and micro (the individual) - is invigorated or restrained by intersecting considerations. Yet as has been seen, women's personal experiences are not only influenced at a personal level, but are shaped by decision-making at policy and support level. By focusing on the interplay between levels, the journeys described earlier might be better understood, the silences more readily identified and



responded to. Rather than intersectional interactions being one-dimensional, each matrix of intersections overlays the others, and as such forms a multidimensional matrix within which the impact of multiple factors can be more effectively discerned:

Diagram 2: *Intersecting factors shaping experiences of help-seeking and public responses*



The diagram illustrates some of the factors which affected women who took part in this study (red), and indicates additional potential features which might equally apply (grey), and represents the way in which they intersect not only for women at a personal level, but across the private, public and political realms, shaping not only the way women seek help, but also public responses to them.

#### 8.4 Reflections on the research process

This research involved a range of participants from a variety of backgrounds who related diverse experiences of abusive relationships, from both personal and professional perspectives. As the central focus of this piece of research was the way in which problematisation in policymaking impacts on service design and delivery and therefore ultimately on individual women's experiences, it was vital that input from each of these levels - the policy, the support professional, and the personal - was incorporated to create as detailed and nuanced a vision of this process as possible. The data collected from policy professionals and support workers demonstrated a significant level of congruence, and several reasons for this might be suggested: many of the interviewees had experience of working in both policy and support fields - indeed some, particularly in the smaller organisations, continued to do so; the level of knowledge of, and engagement in, Scottish politics and policymaking was very high, possibly due to the relatively small population of Scotland as a whole, as well as the amenability of the Scottish Government to consultation and collaboration; there was a palpable sense of consensus across the organisations and individuals who taking part in this particular study relating to key issues and challenges, the fundamental drivers of those issues, and their potential solutions.

Although the sample size of women participants was relatively small, by interviewing a range of other participants at multiple levels it was possible to reflect and expand on these personal experiences, since the support participants drew on a wealth of professional contact with the many women whose situations were constrained by their immigration status and who had accessed their services. Nevertheless, the five women who shared their personal experiences of abuse and escape did so generously and in great detail. This, at least to some extent, can be attributed to the use of double interviews. At the second meeting, few women changed any details of their narratives, instead correcting grammar or filling in missing words in the transcriptions. They spoke eloquently and often with great emotion about their journeys, conversations which demonstrated these women's great personal resilience

and defiance. While taking part was understandably emotionally challenging for most as they described their trauma and flight, two participants in particular reiterated several times that taking part in the research was important to them, and that they saw the study itself as significant. Belle, for example, exhorted me to “...write it, Ellie, write it down, and when you do presentations, tell people.” Elinor, who was upset and tearful during our second meeting, refused repeated offers to end the conversation, stating “you need to hear this, I need to say it”. Many of the potential challenges for me as a researcher, discussed in chapter 4, were realised. It was impossible not to engage with each of the women on a personal as well as a professional level; as a researcher, and as a human being. Oakley (1981) highlights how crucial honesty between researcher and participant must be, and on every occasion participants asked questions about my own life and relationships, questions which demanded an honest answer and which required critical reflection, and sometimes external support, afterwards. The result, however, was a research relationship with the participants which, I believe, was enriching, fruitful and supportive, for both the researcher and the women themselves.

## 8.5 Limitations of the study

In any piece of research, there are inevitable constraints and limitations. Some key points relating to the drawbacks and challenges of the particular methods employed were outlined in Chapter Four, particularly regarding the use of critical discourse analysis generally, and the potential for researcher bias in the analysis of both the policy documents and interview transcripts, for example. However, the overall research design, conduct, analysis and subsequent findings suggest further points for consideration.

Research design: The sample size of women with insecure immigration status could be seen as small. However, as has been previously described, in order to meet the aims and objectives of this particular study, the experiences of five women, using

double interviews, were adequate to demonstrate the variety of ways in which women's help-seeking is controlled and constrained within existing political and social frameworks. Furthermore, interviews with policy and support workers served to enrich and reinforce narratives of help seeking for this particular population of women. However, due to the recruiting strategy, only women who had actively accessed services were able to participate in this study. A significant absence, therefore, is those women who have tried and failed to access services, or who have accessed services less successfully and have perhaps ended contact with groups and organisations. There is a dearth of information and research on the accessibility of public services, and women's negotiation of support systems. Future research might focus on recruiting women such as these, using strategies such as snowball sampling in the community - this work could further develop an understanding of women's decision making and ability to disclose and seek help from public sector professionals.

Theoretical challenges: The complexity of intersectional theory is acknowledged widely in the literature (for example, McCall, 2005; Hulko, 2009), and Davis (2008) argues its key features, its "ambiguity and open endedness" (p67) might be seen as both a boon and a burden to scholars and researchers. The multiple categories of difference which might interact to create specific patterns of privilege and oppression for individual women, have the potential to proliferate "to an infinite regress" (Burman, 2004, p299). This might lead to a focus on these fragmented elements of complex personal and social identities in both qualitative and quantitative studies, many of which elements are socially constructed and understood, shifting focus onto discrete categories rather than the process of interaction between them. One particular challenge when using intersectional theory, therefore, is how to contain the potentially limitless field of categories which could theoretically be applied. As a result, this study makes no claim that the discrete public and private aspects described as creating specific political, social and personal frameworks within which women negotiate and leave their abusive relationships are exhaustive. Rather there has been an attempt to focus on how these interact to generate a particular policy and practice environment within which specific decisions are taken by women with

multifaceted, individual personal identities. This study has therefore grappled with the difficulties of operationalising an important but nevertheless fuzzy and fluid theory, a challenge which is detailed in the literature and is subject to ongoing exploration by feminist academics and researchers.

Practical issues: Hulko (2009) draws attention to the time-, place- and context-specificity of identity and of human experiences. Our individual privileges and oppressions might change as we move through the dynamic landscapes of our day-to-day lives, altering and requiring re-evaluation with every encounter and according to changing circumstances. This study asked women to reflect on difficult and traumatic past experiences. Their recollections were inevitably filtered through retrospective lenses and subsequent life experiences, both positive and negative. Memory, for all of us, might be selective and reality subject to review by subconscious processes, particularly when those memories are painful and potentially harmful. It was not possible, given the ethical framework of this particular study, to speak to women who were currently living with abusive partners and whose perspective on help-seeking and decision-making might have been equally illuminating. Additionally, a longitudinal study of women's experiences was not within the scope and range of this research, but might, in future, prove a fruitful and informative means by which to understand women's experiences and improve the services offered to them.

Despite these limitations, this study achieved its overall aims and objectives. Nevertheless, there is scope for future research to focus on some of these aspects - to further explore, for example, how intersectionality might practically be applied in policymaking to better provide for women's needs, and to examine specific aspects of women's journeys through and away from abusive relationships which have hitherto been under-researched, for example their disclosure to public agencies.

## 8.6 Conclusions: contributions to theory, policy and practice

This study set out to address a gap in the literature relating to women with insecure immigration status and their experiences of domestic abuse. It has demonstrated how complex individual experiences are inextricably embedded in broader social structures and processes which, rather than existing in isolation from one another, occur on an ongoing interactive basis, shaping the experiences of women and of their journeys away from abusive partners. The study makes a contribution to the growing body of work on intersectional theory and its potential to further enrich feminist analyses of domestic abuse and policymaking, by recognizing that abusive relationships occur within intricate, pre-existing socially-constructed frameworks of gender, ethnicity, class and culture, but also of policy making and particular service environments. This study focused on the help-seeking of women who are marginalized on multiple levels, sometimes by policy framing itself, in the belief that this is fundamental to developing a deeper understanding of domestic abuse as a private experience, one which cannot be divorced from its broader social context. This was underpinned by a conviction that comprehension of domestic abuse, both as a concept and as a policy domain, can be expanded by listening, and responding, to women's own narratives.

This thesis began by laying the foundations of 'the problem': the difficulty of defining domestic abuse; the gendered politics of problem definition; and how this impacts on a very specific group of marginalized women. At its core is an investigation of relationships between the state, the individual, and those who mediate between the two, delivering publicly funded services and contributing to the policy making process, while seeking to support and advocate on behalf of women. Grounded in feminist politics, principles and research values, inevitably it is an examination of power: its differential distribution, its operation, and the implications for individual women who have experienced abuse by a partner, and subsequently sought political and personal refuge in the UK.

The literature emphasises how the previously private issue of domestic abuse has become publicised, and as a result remains firmly on the social policy agendas of most developed nations, including the UK. However, Bacchi's conceptualisation of the process of problematisation draws attention to the silences generated around the private abuse of women by men in intimate relationships: despite prolific public and political discourses on the subject, silence abounds. This study further developed Bacchi's notions of silence, to examine those silences emanating from hierarchical definitions and processes; the silence of issue and victim splintering; and the way multiple silences are imposed and controlled, with women's verbalization of abuse mediated by political and social systems, in this instance in the immigration system. In everyday life, women continue to negotiate social, political and cultural landscapes largely constructed according to how they are perceived by the male gaze. This includes both domestic abuse, illustrated by the tendency to continue to prioritise forms of violence against women most readily correlated with public, male-on-male violence (physical assault), and the politically constructed immigration system, premised on gendered notions of persecution, which provides only selective public protection for some immigrant women who are exposed to private violence. That there are explicit parallels between private, personal persecution and that which is public and political is reflected in the pursuit of safe haven from both. However, the current system of provision affords only partial and contingent protection for women who fall outwith the mainstream construct of 'victim', despite definitions of abuse which clearly match women's private experiences. Definitions of abuse present a universalised risk to all women, while provision is rationed. This thesis presents an explanation of why this might be, examining the interlocking systems of oppression (Razack, 1995) which serve to constrain and restrict women's decision-making and access to support.

Intersectional theory draws attention to the way manifold interacting aspects of personal identity shape individual values, attitudes and responses, and the varied outcomes of this dynamic process in terms of multiple modes of oppression which might be experienced by individuals at various points in their lives. The theoretical

and analytical approach in this thesis was based on the conviction that an intersectional perspective can enhance the understanding of a particular social issue which affects women from diverse backgrounds. This perspective proved especially fruitful in the context of this study, as the women who were the primary focus in the research are publicly identified by a single, overarching characteristic which overwhelms and obscures other aspects of their life circumstances: immigration status. In terms of help-seeking and support for domestic abuse, this study illustrated the tensions created for women at the point at which this simplistic, single-faceted identity intersects with a politically contingent and socially constructed definition of domestic abuse, and its consequent idealised construct of 'victims' which shapes routes of escape for women in the UK. In fact, this research identified a splintering process which refines the single state definition of abuse, and applies it differentially to different groups of women categorised as helpable and un-helpable. The intersectional lens applied in this study enabled an exploration not only of individual women's complex identities and their effect on help-seeking and support provision, but also of the interactive nature of relationships between actors at three different levels - the political policymaking, social service provision, and individual, grassroots levels. The outcomes of this, serving to reinforce women's entrapment in dangerous relationships, could thus be examined in terms of policy and practice. Attention must be paid, therefore, to the intersections not just at each level, but between them, and this thesis proposes a model which perceives policymaking, service provision and help-seeking as inextricably bound, one with the other: multidimensional, multi-level and interactive.

The policy environment in Scotland, however, offers positive potential for support organizations, campaigners and researchers to explore ways of operationalising this theoretical understanding. This thesis proposes that attention to two issues might enrich domestic abuse policymaking in Scotland, and consequently improve support for individuals who are subject to abuse from their partners but are constrained by their immigration status. The first is the development of a definition of domestic abuse which moves beyond the recognition of the discrete components which



constitute abuse - the physical, psychological and sexual elements and so on - to explicitly incorporate an understanding of how they interact with one another to create, sustain and perpetuate abusive relationships, situating this understanding within the Scottish social and political context. Emerging concern about psychological abuse is to be welcomed, for example, but must be seen as intrinsic to, rather than discrete from other elements in individual abusive relationships. The second issue deserving attention is the need to locate abusive relationships within wider social and political contexts in Scotland, and to recognize and acknowledge the power dynamics inherent at every level of policymaking and implementation, culminating in service provision.

While the intersection between reserved and devolved powers ostensibly makes intervention difficult, in respect of restricted access to public funds for some women, it can be argued that work in these two areas would enable more effective lobbying and campaigning on behalf of all women who are physically, psychologically and sexually violated by their partners, in the hope that provision of effective public routes to safety can be offered to all women. While continuing to strive to reach the overarching goal of eradicating violence against women - and that means maintaining the focus on the gender inequalities which create the social and political circumstances in which domestic abuse occurs - improving the outcomes for individual women, whatever their personal circumstances, must be paramount. In so doing, the Scottish conceptualisation of universalised risk for women can then be matched by a commitment to universal protection, provision, prevention and participation for all women resident in Scotland.

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## Appendix 1

### Thematic framework for document analysis

#### Constructing the ‘problem’ of DA:

- Social location of DA:
  - National context
    - The Personal
    - State Intervention
    - The Political
  - International context
- Public Stakeholders:
  - Society
  - Community
  - Services
- The use of statistics

#### Constructing the experience of DA:

- Private Stakeholders:
  - Family
  - Women
  - Children
  - Men
- The Cost of DA
  - Social
  - Personal
  - Economic
- Risk factors
  - For women as victims
  - Men as perpetrators
- Minoritized/Marginalized women

#### Constructing escape/rescue from DA:

- State responses and interventions:

- Public
- CVS
- Community
- Individuals

## Appendix 2

### Application of thematic framework to documents

We want a successful Scotland where everyone has the opportunity to contribute to the nation's wellbeing and economic prosperity. We expect our communities to be strong, resilient and safe places, offering improved life chances for all and a better quality of life. We know however that violence is a major issue in Scotland and that it has significant impact on the wellbeing and potential of those affected. It also has cost implications for the economy and public purse. We are clear therefore that to improve outcomes for people in Scotland we need to take action to prevent and reduce the impact of violence on victims, their families and their communities.

Violence is unacceptable and we recognise that strong action needs to be taken to address its many forms. To this end we have developed a coherent programme of violence reduction which is being woven into policy developments across Government. To be sure of successful solutions and interventions, however, we need to fully understand the causes of violence and the ways in which it impacts on different groups of people. The evidence tells us that men's and women's experience of violence is different.

While male on male violence is the most common form of general public violence, there are a number of crimes, acts of violence and abusive behaviours that are perpetrated mostly by men and affect women and children disproportionately. Included in these are domestic abuse, rape and honour crimes all of which have their roots in the inequality between men and women in society. We refer to the continuum of these forms of gender-based violence as violence against women, the prevalence of which is extremely high in Scotland and rightly of major concern. It needs to be targeted specifically and demands a dedicated response which recognises the difference between this and other forms of violence. Most perpetrators and victims of other forms of violence, for example, do not share a home and are not linked together in a variety of ways including through a relationship or having children together.

The signing by the First Minister of the Women's Coalition Statement of Intent in December 2007 committed the Scottish Government to continuing to work with others to address violence against women in all its aspects, and to adopting a broad definition of violence against women which makes the links between domestic abuse, rape and commercial sexual exploitation.

The way in which agencies respond to violence against women has changed remarkably over recent years. We acknowledge the significant advancements made in challenging perpetrators and providing appropriate services to meet the needs of victims. We are fully committed to working with partners to further improve and engage around this agenda.

Violence against women is not only a consequence of gender inequality, it also perpetuates it. Tackling violence against women is therefore a prerequisite to reducing inequality between women and men in Scotland.

## Appendix 3

### Information sheets (women, community groups, policy level)

#### Information sheet (women)

##### Interview Information Sheet

*You are being invited to take part in a research study. Before you decide whether or not to take part, it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully.*

My name is Ellie Conway and I am a PhD student in the Department of Urban Studies at the University of Glasgow. My research looks at the experiences of women with insecure immigration status in Glasgow who have suffered violence in their marriage or relationship. It also explores how voluntary groups offer support to women in Glasgow.

As part of the research, I would like to talk to women who have been given Leave to Remain, and who have left a marriage or relationship because of violence from their husband or partner. I would like to interview you to hear about where you looked for support, what kind of advice you were given and how you left the relationship. We will meet more than once to give you the chance to read the notes I have made about your experiences, and to add to them or change them if you wish to. I hope to interview up to fifteen women in Glasgow, and the information I gather will help me understand what kind of support has helped women who have suffered violence in their homes. It will also help me identify how things can be improved to help women with insecure immigration status more effectively in these situations.

If you do decide to take part, you will be given this information sheet to keep and you will be asked to sign a consent form. If you do change your mind about being interviewed, you can withdraw at any time and you do not need to give a reason. During the interview, you do not need to talk about anything that makes you feel uncomfortable.

Each interview will last about an hour, and your name and details will only be known to me. With your permission, I will record the interview and only I will have access to the recordings. I will make notes from the recording, and it will be erased at the end of the study. I will not reveal your name to anyone unless I am worried that you or your dependents may be in danger. I may publish some of my research findings, but you will not be identified in the research. The research has been approved by the Faculty of Law, Business and Social Science Ethics Committee.

If you have any questions about the research, please contact me:

Ellie Conway ([e.conway.1@research.gla.ac.uk](mailto:e.conway.1@research.gla.ac.uk)), Tel: 0141 330 4377/Mobile: 07584014024

You can also contact my supervisors:

Mhairi Mackenzie ([Mackenzie@lbss.gla.ac.uk](mailto:Mackenzie@lbss.gla.ac.uk)), Tel: 0141 330 4352

Susan Deeley ([S.Deeley@lbss.gla.ac.uk](mailto:S.Deeley@lbss.gla.ac.uk)), Tel: 0141 330 5657

If you would like to raise any concerns about how this research has been conducted, please contact the Urban Studies Director of Teaching and Learning: Nick Bailey ([N.Bailey@lbss.gla.ac.uk](mailto:N.Bailey@lbss.gla.ac.uk)), Tel: 0141 330 3154

Thank you for taking the time to read this information sheet.

### Key Worker Information Sheet

*You are being invited to take part in a research study. Before you decide whether or not to take part, it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully.*

My name is Ellie Conway and I am a PhD student in the Department of Urban Studies at the University of Glasgow. My research looks at the experiences of women with insecure immigration status in Glasgow who have suffered violence in their marriage or relationship. It also explores how voluntary and third sector groups support such women in Glasgow.

As part of the research, I would like to talk to key workers about their professional experiences of contact with women in this situation who have suffered domestic abuse. I am particularly interested in your views on available support systems where access to mainstream services is prevented.

It is your choice whether or not to take part in this study. If you do decide to take part, you will be given this information sheet to keep and you will be asked to sign a consent form. If you do decide to participate, you can withdraw at any time and you do not need to give a reason.

The interview will last about an hour. With your permission, I would like to tape record the interview. Only I will have access to the recordings, I will transcribe them myself, and they will be erased at the end of the study. You will be anonymous in these transcripts and, although I may publish some of my research findings, you will not be identified in any subsequent written work. The research has been approved by the Faculty of Law, Business and Social Science Ethics Committee.

If you have any questions about the discussion group, please contact me:



- Ellie Conway ([e.conway.1@research.gla.ac.uk](mailto:e.conway.1@research.gla.ac.uk)),
- Tel: 0141 330 4377
- Mobile: 07584014024

You can also contact my supervisors:

- Mhairi Mackenzie ([M.Mackenzie@lbss.gla.ac.uk](mailto:M.Mackenzie@lbss.gla.ac.uk)), tel: 0141 330 4352
- Susan Deeley ([S.Deeley@lbss.gla.ac.uk](mailto:S.Deeley@lbss.gla.ac.uk)), tel: 0141 330 5657

If you would like to raise any concerns about how any aspect of this research has been conducted, please contact the Department of Urban Studies Director of Teaching and Learning: Nick Bailey ([N.Bailey@lbss.gla.ac.uk](mailto:N.Bailey@lbss.gla.ac.uk)), tel: 0141 330 3154

Thank you for taking the time to read this information sheet.

### Policy Worker Information Sheet

*You are being invited to take part in a research study. Before you decide whether or not to take part, it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully.*

My name is Ellie Conway and I am a PhD student in the Department of Urban Studies at the University of Glasgow. My research looks at the experiences of women with insecure immigration status in Glasgow who have suffered violence in their marriage or relationship. It also explores what support is available to such women in Glasgow. I am interviewing women themselves and support workers who offer them help. However, I would also like to talk to stakeholders who are involved at a policy making and strategic planning level in Scotland.

It is your choice whether or not to take part in this study. If you do decide to take part, you will be given this information sheet to keep and you will be asked to sign a consent form. If you do decide to participate, you can withdraw at any time and you do not need to give a reason.

The interview will last about an hour. With your permission, I would like to tape record the interview. Only I will have access to the recordings, I will transcribe them myself, and they will be erased at the end of the study. You will be anonymous in these transcripts and, although I may publish some of my research findings, you will not be identified in any subsequent written work. The research has been approved by the Faculty of Law, Business and Social Science Ethics Committee.

If you have any questions about the discussion group, please contact me:

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If you would like to raise any concerns about how any aspect of this research has been conducted, please contact the Department of Urban Studies Director of Teaching and Learning: Nick Bailey ([N.Bailey@lbss.gla.ac.uk](mailto:N.Bailey@lbss.gla.ac.uk)), tel: 0141 330 3154

Thank you for taking the time to read this information sheet.

## Appendix 4

### Consent form

#### Interview Consent form

Principle Researcher: Ellie Conway

[e.conway.1@research.gla.ac.uk](mailto:e.conway.1@research.gla.ac.uk)

Tel: 0140 330 4377

- 1 I confirm that I have read and understand the information sheet and I have been able to ask questions about this study.
- 2 I understand that my participation is voluntary and that I can withdraw at any time, without giving any reason.
- 3 I agree that the interview can be recorded with my consent, that I will not be referred to by name and that I will not be able to be identified in any written work resulting from the research. The information I give will only be used for the stated research purposes.
- 4 I agree to take part in this interview.

\_\_\_\_\_ Signature of Participant

\_\_\_\_\_ Name of Participant (please print)

\_\_\_\_\_ Date

## Appendix 5

### Interview theme guides (women, community groups, policy level)

#### Theme Guide

- Background to arrival in Glasgow
- The relationship
- Seeking help: who from? how?
- Advice received
- How (and when) the relationship came to an end
- Outside sources of support: during/after/contact with outside agencies
- Impacts: leaving; asylum claim; day to day life
- The future
- Looking back: what would have made your experience easier, what would do you think would most help women in situations similar to yours?

Summary transcript: would you like a copy of my notes summarizing the conversation sent in advance before our second meeting or brought along on the day?

### Key Worker Interview Topic Schedule

- Contact with women with insecure immigration status who have been abused by their partner
- What those experiences involved
- Women's access to services/support - this group in particular
- How could services/support be improved
- OK to follow up in future?

### Policy Worker Interview Topic Schedule

- Role within the organization
- Positive/negative experiences of working within Scottish context
- Input into policy making/joining up services
- What would you like to see the Scottish Government do in relation to domestic abuse policy? How do you see things developing from here?

## **Appendix 6**

### **Thematic frame - interviews**

#### **Definitions of abuse [individual perceptions/notions of abuse]**

- Policy workers
- Support workers
- Women

#### **Personal experiences of abuse**

- Types of abuse
- Coping strategies

#### **Help seeking**

- Catalysts
- Disclosure
- Informal sources of help
- Formal sources of help

#### **Escape**

#### **Silences**

- Language
- Protection of self

- Protection of others
- Enforced silences
- Voluntary silences
- Speaking out
- Impacts

## Appendix 7

### Application of thematic framework to interview transcripts

I told him that you are a materialistic son of a bitch. The thing was, when I got married to him they were telling me all the time that you got married to him because of his materials - but he has nothing! I was much better over there, I had my own money, I had money on me! It was really horrible. As I threw my card in his face, he calmed down, he was really calmed down. His father told him something and then he came to hit me. I had my mobile in my hand and I said, I'm going to dial 999 now and then I'm going to see how loud you're going to shout at me. Then he was like, I'm sorry, I'm sorry. I said don't touch me, this is over now, our relationship is finished now. Then my sister in law, she said, just wait until the funeral is done, and then I am going to go with you to the airport. I was like, how? Can you imagine? A sister in law was living in the house for the last eight months, she came last year, June, from Pakistan. She was staying in the same house where we were staying. It was an over-crowded house. One lodger in one room, my father in law, mother in law, my sister in law, her two kids, then me, then him. In a four bedroom house. One was already with the lodger so you can say three bedrooms. How can you stay in a house like this? When she told me I'm going to go with you to the airport, I thought she has already planned something for me, so I'm not going to listen to her. Then I called my mum, I was like this has happened and I'm going to leave this place, you just tell me that you have got a place in your house for me [becomes tearful]. So she said, yes, you can come back. Then she called my uncle over here in Scotland, I called him as well, I said this has been happening, so you come and pick me up from here.

He said, OK, I'm going to leave from here but the thing is I'm going to leave the next day, about three in the morning, and then I'm going to be there at ten o'clock in the morning. My mum called my husband and she said while she's staying at your place, don't disturb her. I was in the room for two days without eating and without drinking anything [becomes tearful]. In the meantime, they were coming into my room again and again and they were saying things, but I couldn't remember what they were saying because I was almost fainting. It was a horrible situation. I never thought it was going to happen in my married life. [very upset].

Then on the 21<sup>st</sup> February, my uncle was there in the morning. I think definitely they saw him in the car park when he was parking the car. He was on the door for ten minutes, he was knocking the door, no-one was opening the door. My husband at that time was with me, he was like, don't go, don't go over there, don't leave me, and this and that. You just come with me, we're going to go to our new place, no-one's going to disturb you over there, you just come with me over to the new house. I didn't answer anything, because I was thinking, it happened on the 19<sup>th</sup> February, night-time, and now on 21<sup>st</sup>, after one day, you are coming to me and you're not even saying sorry, you're telling me...I'm not going to listen to you this time. After ten minutes, they were doing the bell and stuff, I said you go down and open the door, there's someone at the door. He said everyone is downstairs so they will open it by



themselves. I was like, no-one has opened the door for the last ten minutes, so go because my uncles are over here.