



OPENING STATEMENT BY AKIDWA TO THE HOUSES OF THE OIREACHTAS JOINT COMMITTEE ON JUSTICE

On the subject of the General Scheme of
the Domestic, Sexual and Gender Based
Violence Agency Bill

18th April 2023



Opening statement by AkiDwa to Justice Committee on the subject of the General Scheme of the Domestic, Sexual and Gender Based Violence Agency Bill (18th of April 2023)

Thank you chair, AkiDwa welcome the opportunity to present to the committee today. My name is Dr. Salome Mbugua, and I am the CEO of AkiDwa. This morning I am joined by Alannah Owens, AkiDwa's Policy Officer. Our organisation welcomes the establishment of this General Scheme of the Domestic, Sexual and Gender Based Violence Agency Bill, and view it as an opportunity to advance gender equality and zero-tolerance of DSGBV in all of Irish society, for all people.

Akina Dada wa Africa, AkiDwa (Swahili for sisterhood) is a national network of migrant women living in Ireland. Established in 2001, AkiDwa's mission is to promote equality and justice for migrant women, of all migration statuses. We have a vision of a just society where there is equal opportunity and access to resources in every aspect of society: social, cultural, economic, civic and political.

Our organisation works on Domestic Sexual and Gender-Based Violence in a way that reflects the intersectionality between migration, gender and gender-based violence. We work with women who have lived experience of *diverse* forms of DSGBV. In your consideration of this Draft General Scheme, it is crucial to note that DSGBV covers not only Domestic Violence but also other forms of SGBV such as Female Genital Mutilation (FGM), Early /Forced marriages and Trafficking which are present in Ireland and from which all women and girls need to be ensured protection and provision of services.

Scenario-Building Case Study:

We have flagged extensively in our written submission the statistics and trends relating to the full spectrum of forms of DSGBV that exist in Ireland. So now before I move further into our recommendations, I would like you to pause for a moment and imagine a specific scenario.

You have moved to Ireland with your partner and two children when your partner got a job here as an engineer. You had been forced into marriage when you were aged 14, and you had had female genital mutilation performed on you when you were 6 years old and your partner has always been aggressive and controlling, but he is well respected in your community and your family hold him in high regard. Not long after moving to Ireland, your partner becomes violent, increasingly so.

Time goes by and things start to become unbearable, and the children are noticing and asking questions about why you sometimes do not leave your room or wrap up in the middle of summer. Then one day, you come to hear about Ireland's DSGBV Agency from a friend. You have been suffering in silence, but want to seek support from this agency, however you have never engaged with a public service before as your partner controls paperwork and finances, moreover, you only speak Arabic and are not at all confident in English.

It is the middle of Ramadan when you make the decision go to the Agency to seek the support of the service providers. When you arrive, the receptionist offers you a glass of water, but you cannot accept because you are fasting. As you wait, you try to use your google translate app to read an information leaflet, but the internet does not work and when you connect to the Wi-Fi and manage to read it, you get more stressed by the phrases appearing in ways that don't make sense.

When time comes to meet the social workers, you dictate through a translator app, and they appear kind, but confused by what you are saying. It was emotional to finally say what you have been experiencing out loud, but you start to doubt your decision with the confused looks that these social workers are giving you. The Agency staff then find an Arabic speaker on the Women's Aid translation line, and you must then repeat your story for the person on the other end. After a few exchanges your stomach drops, as you realise that the translator is a friend of your husband's. The social workers begin to tell you through the translator that for your safety, it is urgent that you must leave your partner immediately and file for a barring order. You recognise that word from the leaflet outside but are not sure what it means, but are too preoccupied with thinking about what your family and community back home will think if you leave your partner – it will bring so much shame to your family, you just can't. You try to explain this, and about your kids, but the two friendly faces opposite you proceed to give you forms to fill out for the barring order, they are in English, you do not want to leave your husband, you just want help.

Saying 'thank you' you get up and leave with the forms, and go home, to your partner. You will not go back to the Agency.

The above is a case study scenario that we have constructed to flag the challenges that are likely to emerge for many migrant women in the current design of the Agency outlined in the Draft General Scheme for the Bill. It is based 100% off the lived experiences of women with whom we work. The background story is one that is common to many migrant women, and each element of this scenario has happened to migrant women in their interactions with existing services in Ireland, and have been reported to our support officers and through focus group research. We ask you to think about this scenario so that you can understand the importance of the recommendations that we have made in our submission, and the key points of which we will flag below.

For such victims/survivors of all the diverse forms of DSGBV listed above, service delivery and information provision needs to be undertaken in an inclusive, trauma-informed, culturally aware and diversity-embracing manner. They must also see people with whom they can relate operating the Agency's structure and functions. For this to happen, the points that we have made in our written submission in Parts 2-5 are paramount and I will briefly highlight some of the key considerations below.

Structure of the Agency - Staff and Board

Looking firstly at the provisions in the Draft General Scheme for personnel who will make up the agency – staff and board – there is a uniting thread which we are adamant about and that is the need to ensure representation of women and ethnic minority groups in these workforces.

This could be achieved through mechanisms such as (nested) quotas for staffing and for the board, as well as sub-groupings within the board who would have consultative status with the Minister, to name a few examples of such temporary special measures for the Agency. Moreover, and even more urgently, ensuring adequate and continuous training both for staff who will engage directly with clients of the Agency, but also board members, will be of crucial importance to avoid unconscious bias in the agency and sufficient attention to diverse concerns, should representation be initially lacking.

Function and Operation of Structure and Services

Looking then at the function and operation of the structure and services of the Agency, we wish to flag some crucial recommendations for the content/substance of the services to be provided by the above staff.

In the provision of services of the Agency, it will be crucial that that client confidentiality is prioritised, no matter the arrangements with service providers. This will be essential for migrant women, vulnerable to alienation, seeking independent status from abusive partners and on less secure migration status footing to engage with the service. Clear terms and conditions and a monitoring body that is external, representative and impartial is needed regulate the relationship between service providers and the Agency. The scope for having community-based champions and peer-support workers should be considered key “persons” for the Agency to draw on to fully implement the functions of the Agency.

Turning lastly, but certainly not least to the functions of the Agency, AkiDWA urges the Committee to ensure that the language reflects the need not only for “appropriate”, but specifically “appropriate *and culturally sensitive* support services”. To further this, there should translation and interpretation of informational materials is needed, publishing information in different languages and in accessible languages and mediums, such as pictures. Community-based distribution and peer-to-peer dissemination should also be factored in as above. To best ensure that the support services are culturally appropriate and attuned to the needs of ethnic minority communities such as migrant women, the reference made **(in Head 14(2))** that in performing its duties the Agency will *consult* with external actors such as civil society organisations should be strengthened. Members of the Committee, it is crucial that such expert and specialist organisations are consulted *consistently* and *throughout* all of the stages of the implementation of the Agency’s functions.

As I draw this speech to a close, Committee, I implore you to see that only with a commitment to ensuring diversity-sensitive standards can meaningful engagement with the Agency be achieved, in its practice and by its agents. An Agency that does not take such an approach does not stand in good stead to meaningfully address the full range of forms of DSGBV present in Ireland.