

DOMESTIC ABUSE CAN KILL

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What is Domestic Abuse?



"Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial and emotional."

This definition, which is not a legal definition, includes 'honour' based violence, female genital mutilation (FGM) and forced marriage. However, these are addressed in separate MWNUK publications.

Anyone can experience domestic violence regardless of race, ethnicity, religion, socio-economic status, disability or lifestyle.

However, women most commonly experience it and most perpetrators are men. Other family members other than the partner or husband can also carry out abuse e.g. extended family members such as in laws.

Types of Domestic Abuse

ABUSE

Physical Violence

Use of physical force such as striking with or without an object, beating, pushing, shaking, slapping, kicking, pinching, burning, pulling hair, strangling etc.

ABUSE

Psychological Abuse

Behaviour, which can be both verbal and non verbal, that causes psychological trauma e.g. depression, anxiety, fear. This can include shouting, swearing, name calling, blaming, threatening, mocking, isolating, ignoring, excluding, humiliating etc.

ABUSE

Coercive Control

Pattern of intimidation, degradation, isolation and control with the use or threat of physical or sexual violence.

ABUSE

Financial Abuse

Control of economic resources which can include: taking away money e.g. wages, benefits and savings, not giving access to money, preventing or making someone give up employment, not allowing necessities such as food, making someone beg for money, taking out loans in victim's name, spending or gambling money needed to maintain home.

Sexual Abuse

ABUSE

Forcing to participate in unwanted, unsafe or degrading sexual activity.

Harassment & Stalking

ABUSE

Harassment is unwanted behaviour, which alarms or distresses another person e.g. malicious phone calls, threatening texts, threatening and insulting language and damage to property. Stalking is a form of harassment and includes following a person, monitoring or spying and forcing contact through various means including social media. The effect of such behaviour is to cause distress and curtail a victim's freedom,

Revenge Porn

ABUSE

When sexually explicit images or film is publicly shared online without the consent of the pictured individual with the intention to shame or embarrass.

Spiritual Abuse

ABUSE

Causing harm when trying to get rid of an evil force, spirit or 'jinn' that is believed to have possessed the victim. This can also include using religious texts or beliefs to minimise or rationalise abusive behaviors and control the victim.

Statistics

On average there are



2 women murdered each week

by their partner or ex-partner

1 in 4 women in **England and Wales**



will experience domestic abuse in their lifetimes

16-24 year-old females

are at greatest risk of domestic abuse

Domestic abuse accounts for

of all recorded sexual offences

On average the police receive an emergency call relating to domestic abuse every

seconds

Domestic abuse accounts for

all recorded assault with injury crime

Domestic abuse ⁴ accounts for

of all recorded crime

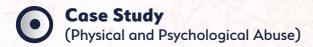
Domestic abuse 4 accounts for

of all recorded harassment crimes

On average there are

before a victim assaults calls the police

1 Office for National Statistics citing Homicide Index (2015); 2 Crime Survey of England and Wales, 2013/14; 3 Office for National Statistics, Violent Crime and Sexual Offences, 2011/12 (2013); 4 HMIC, Everyone's business: Improving the police response to domestic abuse (2014); 5 Unverified although one source guotes Jaffe 1982



Nazia's husband would hit her and regularly threatened to take a second wife if 'she didn't do as she was told.'

She begged him not to. Eventually he did take on another wife and moved out of the marital home. However, when Nazia tried to obtain her Islamic divorce, her husband deliberately tried to obstruct her from obtaining this.

He wanted to prevent Nazia from moving forward with her life because he wanted to have access to her as he pleased and would turn up shouting and trying to break the door down.

Effects of Domestic Abuse

In addition to injuries and the emotional trauma, domestic abuse victims can also experience:

ABUSE				
Living in fear	Becoming isolated from friends and family	Losing self esteem over time	Start blaming self for abuse	
Feelings of powerlessness	Feeling shame	Feelings of depression and anxiety	Self harm (including eating disorders)	
Feeling	Turning to drugs and			

Children who witness domestic violence can also suffer these consequences.

alcohol

suicidal



Shamim's husband
would beat her
and also kept
initiating the Islamic
divorce verbally and
would then take her back
during the waiting period.
He would blame her for his
actions. She lived in fear constantly
worrying if he was going to divorce
her. He did this so often that Shamim
no longer knew whether she was
married to her husband or not;
this severely impacted her
mental health.



"I am married and my husband came over from Pakistan recently.

He forces me to have sex even when I don't want to. I feel very upset and

when I tell him to stop he says that it is my duty as a wife to please him and that it is in Islam that a husband can do what he wants. I told my family about the abuse. My mother said that your husband is right and there is no such thing as rape in Islam. If you don't do as he says, 'the angels will curse you all night.' I am so confused and hurt but they won't help me in any way. They keep insisting that I take him back and let him do as he pleases."

Barriers to Seeking Help

Violence against women continues to remain under reported. Women find it difficult to come forward and report abuse and the reasons can vary such as:

- Fear of consequences
- Blaming themselves
- Not realizing they are victims
- Not being aware of the help available and their rights
- Being isolated from family and friends and not being able to reach help
- Worried about finances
- Hoping the partner may change.
- Not being able to speak English
- Not having the confidence

Additional Cultural Barriers

Asian / Muslim women face additional cultural barriers that prevent them from seeking help such as:

- Fear of dishonoring family
- Shame, stigma, taboo
- Being rejected by family / community.

HELP IS AVAILABLE - YOU DON'T HAVE TO SUFFER IN SILENCE

You can be found safe accommodation or have the perpetrator removed from the home and prevented from contacting you.

Personal Safety Advice

There are ways that you can increase your own and your children's safety. The following examples have been taken from the Women's Aid Survivor Handbook:



- 1. Keep with you any important and emergency telephone numbers.
- **2.** Teach your children to call 999 in an emergency, and what they would need to say (for example, their full name, address and telephone number).
- **3.** If you can trust your neighbours tell them to call the police if they hear sounds of a violent attack.
- 4. Pack an emergency bag for you and your children.
- 5. Try to keep a small amount of money on you at all times.
- **5.** Know where the nearest phone is, and if you have a mobile phone, try to keep it with you.
- **7.** If you suspect that your partner is about to attack you, try to go to a lower risk area of the house for example where there is a way out and access to a telephone. Avoid the kitchen or garage where there are likely to be knives or other weapons; and avoid rooms where you might be trapped, such as the bathroom, or where you might be shut into a cupboard or other small space.
- **8.** Try to set aside a small amount of money each week, or even open a separate bank account.
- **9.** Plan an escape route and be prepared to leave the house in an emergency.
- **10** Take important documents relating to yourself and your children e.g. identification, birth certificates, passports, cheque books, credit / debit cards, driving license, child and welfare benefit information, documents relating to house, national insurance number.

- **11.** Take other items such as keys for house, work and car, items of sentimental value, jewellery, photos.
- **12.** Take your children with you, otherwise it may be difficult or impossible to have them living with you in future. If they are at school, make sure that the head teacher and all your children's teachers know what the situation is, and who will be collecting the children in future.
- **13.** As a victim of stalking and domestic violence, you are allowed to join the electoral register anonymously to ensure you are not put at risk.
- **14.** Make sure that your address does not appear on any court papers.
- 15. Avoid using shared credit or debit cards or joint bank accounts.
- **16.** Your mobile phone could be 'tracked' if in doubt, change your phone.
- **17.** Try to choose a safe route, or alter the route you take or the form of transport you use, when approaching or leaving places you cannot avoid such as your place of work, the children's school, or your GP's surgery.
- **18.** If you have any regular appointments that your partner knows about change appointments or location
- **19.** Try not to place yourself in a vulnerable position or isolate yourself
- **20.** Keep a low profile on social media and change your privacy settings

Online Safety Advice

TACTICS USED	ACTION YOU CAN TAKE
Putting Spyware on your computer	Get the computer 'cleaned up' professionally
Knowing your location by putting geo location / spy software on your phone that allows the perpetrator to listen to conversation and read texts	Change your phone. Changing the SIM only will not be sufficient if the phone was bought and registered by the perpetrator or they had access to it. Alternatively disable geo-location services and delete software such as 'find my phone' that you don't recognise
Monitoring you and your friends online	Change social media privacy settings and make your friends aware of potential contact from the perpetrator.
Sending hurtful and threatening text messages	Log all incidents and take screenshots
Trying to hack into your online accounts	Change passwords and choose strong ones
Distributing information, photos and videos about you that are embarrassing	Log incidents, contact the Revenge Porn Helpline and contact the police
Other - impersonating the victim online, trolling e.g saying something online to provoke you and getting others to join in	Do not respond and report to social media organisations, log incidents and contact police



After an arranged marriage, Naila Mumtaz had moved to the UK from Pakistan in 2008. She was killed during attempts to render her unconscious as family members attempted to drive out a harmful "jinn" spirit. Paramedics found her body at the family home in Birmingham on 8th July 2009. She was pregnant at the time of her death. The family claimed her wounds were self-inflicted. Her husband, and both of his parents as well as his brother in law were convicted of her murder.



There are many so-called spiritual healers who use belief and fears of 'Jinns' to exploit families and make claims that they can address spirit possessions in exchange for financial payments. Some will commit both physical and sexual abuse.



the face veil, she decided to ask for help.

Domestic Violence Kills

Women who have been murdered

More than 70 women of South Asian background (Muslim and non-Muslim) and Muslim women of other ethnicities have been murdered in the last 10 years alone by partners or other family members. There are also numerous cases even before this period. Here are a few examples just from 2013-15:

Amal Abdi

(Bristol)



Stabbed

Nazia Akhtar

(Birmingham)



Set on fire

Raheela Imran

(Slough)



Throat Cut

Nadia Khan

(Bradford)



Stabbed

Tahira Ahmed

(West London)



Stabbed and head severed from body

Sara Al Shourefi

(West London)



270 injuries, using electric drill, metal bars and screwdriver left embedded in eye socket

Amina Bibi

(Eest London)



Killed by a hitman

Varkha Rani

(Wolverhampton)



Strangled and body burned in incinerator

Shivani Kapoor

(London)



Strangled

Rania Alayed

(Manchester)



Body not found

Legal Protection

You must always call 999 when in immediate danger



Criminal Law

There is no specific offence of 'domestic violence' under criminal law. However, many forms of domestic violence are crimes; for example, offences such as assault, false imprisonment, harassment, rape, criminal damage, and attempted murder / murder may be applied. Initially other forms of domestic violence - such as some forms of emotional abuse, were not crimes. However, the law was changed and coercive control became a criminal offence in 2015. Other forms of abuse such as harassment and stalking can also amount to criminal offences.

a) Coercive Control

Section 76 of the Serious Crime Act 2015 created a new offence of Controlling or Coercive Behaviour in an Intimate or Family Relationship. The new offence came into force on 29 December 2015 and carries a maximum of 5 years imprisonment, a fine or both.

b) Harassment and Stalking

Protection from Harassment Act 1997 was introduced on 16 June 1997 and was amended in 2012 by Protection of Freedoms Act 2012 to also include offences of stalking.



The offence of harassment carries a maximum of 6 months imprisonment and or fine. Upon conviction, a magistrates' court can make a restraining order, breach of which carries a maximum sentence of 5 years' imprisonment. The offence of stalking carries a prison sentence of up to 5 years and or a fine.

LAW Civil Law

Victims can get protection from abuse under civil law through a court order (called an injunction or protection order). These orders can help prevent further abuse to the survivor and her children, remove the abuser from the home and keep them away. The three most common kinds of emergency injunction that provide protection against domestic violence are listed below:

Non-Molestation	Occupation	Prohibited Steps
Order	Order	Order
 Stops abuser from threatening or using violence, harassing, communicating with you Typically granted for 12 months If breached – abuser can be arrested You can apply if there has been a recent threat or use of violence usually within last 5-7 days 	 Suspend rights to occupy or visit family home Evicts abuser from home and prevents abuser from returning 100m protection around home Can be granted for 6-12 months Power of arrest can be attached You can apply if there has been a recent threat or use of violence 	 Forbids someone from taking your child away from your care and control No power of arrest attached though police may assist informally Enforceable in the County Court as contempt of court This can be used if a recent threat has been made to take away your child



Duty of local authority to provide accommodation

Under Part VII of the Housing Act 1996 and the Homelessness Act 2002 your local council have a duty to provide you with accommodation if you have been made homeless due to domestic violence provided they think your are a priority case. To be considered a priority, you must meet the following criteria: be pregnant, have dependent children with, or have vulnerability (e.g. old age, mental illness, disability etc). After providing emergency accommodation they can provide you with permanent accommodation.

Domestic Violence Rule for Spouses from Abroad

People who come to the UK on a 'partner or spousal visa' so they can live with a British citizen or a person settled in the UK, cannot apply for permanent settlement e.g. Indefinite Leave to Remain (ILR) until after a 5 year probationary period. During this time they have 'no recourse to public funds,' which means no entitlement to public housing or welfare benefits, which also means not being able to access refuge spaces (as these are maintained through rental income mainly funded by housing benefit). Once the ILR has been obtained, public funds can be accessed.

Domestic abuse victims with an insecure immigration status often remain in abusive relationships because they think they cannot access financial support. However, if the relationship breaks down due to domestic violence (even within the probationary period), the victim can access public funds. An application can be made for a 'Destitution Domestic Violence' (DDV) concession. Successful applications are given three months limited leave to stay in the UK and access to public housing and welfare benefits. The victim can also apply for the ILR. However, this application must be made under the Domestic Violence Rule and should be done within those three months during which the DDV concession applies. Those who are deemed to be destitute do not need to pay an application fee for the ILR application, providing satisfactory evidence of destitution is sent with the application. It is strongly advised that advice is sought from an immigration solicitor when applying ILR.

Victims must prove they are suffering from domestic abuse and evidence can include:

- A letter or other document showing that a Multi-Agency Risk
- Assessment Conference (MARAC) has been convened on your behalf
- A Non-Molestation Order or other protection order against the person(s) who committed the violence.
- A medical report from a hospital doctor or GP confirming injuries are due to domestic violence
- A police report confirming that a domestic violence incident took place
- A letter from a social services helping victim
- A letter from domestic violence support organisation / refuge supporting victim



Razia was working part-time and also received tax credits. Her husband was unemployed. However, he controlled all the finances and Razia was not even allowed access to her own money. All of the benefits e.q. child benefit, housing benefit, tax credits and her wages would go straight into her husband's bank account. She was not allowed to have a bank account. He would give her very little spending money, only sufficient for food. She was unable to buy anything for herself and had to constantly beg for money to buy her children things they needed.



Saba was a spouse from abroad.

Legal Aid for Victims of Domestic Abuse

Victims of domestic violence who are divorcing or separating from an abusive partner can get legal aid. This can help with the divorce or things such as child contact or how to share money or property. To get legal aid, victims must be able to give the solicitor some evidence that they have been a victim of domestic abuse or coercive control.



Types of evidence can include:

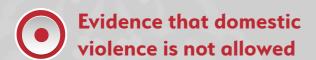
- Criminal conviction
- An undertaking (where someone promises the court to stop doing certain things e.g. not to harass or threaten you, and the court accepts this instead of making a protective injunction).
- Police caution
- Ongoing criminal proceedings
- Protective injunction
- Letter from a Multi Agency Risk Assessment Conference
- Finding of fact, by a court
- Letter from social services
- Letter from a GP, doctor, nurse, midwife or healthcare professional
- Letter from a domestic violence refuge

Note: Victims applying for legal aid had to produce evidence of domestic violence within the previous two years. However, this was successfully challenged in 2016 by a women's rights group and this stiplulation is no longer applicable.

Eligibility to legal aid also depends on the victim's financial circumstances. According to the Citizen's Advice Bureau (based on information from 2016), to be considered, the gross monthly income must be $\pounds 2,657$ or less. This is the income before tax and national insurance are taken off. From this figure, the 'disposable income' must be calculated after deductions such as national insurance, tax, maintenance, housing costs etc. To qualify for legal aid, the disposable monthly income can't be more than $\pounds 733$.



What does Islam say about Domestic Violence?



In Islam, domestic violence is not allowed. For example, the Prophet (pbuh) never beat any of his wives.

"And among His Signs is this, that He created for you mates from among yourselves, that ye may dwell in tranquility with them, and He has put love and mercy between your (hearts): verily in that are Signs for those who reflect." (Quran 30: 21)

"O you who believe! You are forbidden to inherit women against their will. Nor should you treat them with harshness, that you may take away part of the dowry you have given them - except when they have become guilty of open lewdness. On the contrary live with them on a footing of kindness and equity. If you take a dislike to them, it may be that you dislike something and Allah will bring about through it a great deal of good." (Quran 4:19)

"O mankind! Reverence your Guardian-Lord, who created you from a single person, created, of like nature, his mate, and from this pair scattered (like seeds) countless men and women. Reverence Allah, through Whom you demand your mutual (rights), and reverence the wombs (that bore you); for Allah ever watches over you." (Quran 4:1)

"They (your wives) are your garment and you are a garment for them." (Quran 2:187)

Narrated Mu'awiyah al-Qushayri: "I went to the Apostle of Allah (pbuh) and asked him: What do you say (command) about our wives? He replied: Give them food what you have for yourself, and clothe them by which you clothe yourself, and do not beat them, and do not revile them." (Sunan Abu-Dawud, Book 11, Marriage (Kitab Al-Nikah), Number 2139)

The Prophet Muhammad (pbuh) has said: "The most perfect believer is one who is the best in courtesy and amiable manners, and the best among you people is one who is most kind and courteous to his wives" (Tirmidhi).





How religious texts are deliberately misinterpreted to justify domestic abuse

Although Islam is against domestic violence, unfortunately some men do try and justify their abusive behaviour using their faith. They wrongly use a particular verse in the Quran (4:34) to say that God has allowed husbands to beat their wives:

Men are the protectors and maintainers of women, because Allah has given the one more than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient, and guard in (the husband's) absence what Allah would have them guard. As to those women on whose part ye fear disloyalty and ill-conduct (nushuz), admonish them (first), (Next), refuse to share their beds, (And last) beat them (lightly); but if they return to obedience, seek not against them Means (of annoyance): For Allah is Most High, great (above you all) (Quran 4:34).

This results in:

- Some scholars saying wife beating is allowed in Islam.
- Some scholars saying beating is acceptable as long as it is light and does not inflict serious injury and does not leave marks on your face.
- Some scholars saying beating is symbolic in that you have to use a miswak
 (a small thin stick /twig used to brush teeth) which does not cause harm
 due to its size.

Scholars who dilute the verse are not doing women any favours because symbolic or not it is the idea that a man can discipline his wife that is at the heart of their various interpretations.



How to challenge misinterpretation of religious texts

Beating a wife, whether severe, light or symbolic is not the right interpretation of verse 4:34 because in contradicts the Quran's spirit of mercy and justice. Also an analysis of 4:34 and other texts reveals the following:

1. Hadith About Not Striking Face

Some scholars use the following hadith to justify wife beating. However, it does not prove the interpretation that wife beating is allowed because the hadith is a general and not aimed at nor mentions wives.

Narrated AbuHurayrah: "The Prophet (pbuh) said: When one of you inflicts a beating, he should avoid striking the face." (Sunan Abu-Dawud, Book 38, Prescribed Punishments (Kitab Al-Hudud), Number 4478).

2. Use of Miswak saying

This is used to justify that beating is only symbolic as it should be done with a miswak (toothpick). However, this saying actually belongs to Imam Shafie, and not to Prophet Muhammad, who was around a couple of hundred years after Prophet Muhammad (pbuh).

3. Daraba means beat in Verse 4:34

Some scholars tell us that they men are allowed to hit their wives because of the Arabic word adribu from the root word 'daraba' which is mentioned in verse 4:34 which they say means 'beat.'

However, 'Daraba' actually has up to 26 meanings. Despite this, men choose the harshest meaning, which is 'beat.' Patriarchal societies play a part in influencing the scholars to choose the most negative meaning. It is not surprising they chose a meaning that fitted with their context in which women were heavily discriminated against. However, the Quran tells us to pick the best meaning in his words:

"Those who listen to the word, And follow the best (meaning) in it: Those are the ones whom God has guided, And those are the ones endued with Understanding." (Quran 39:18).

A key rule to understanding the words of the Quran is to go to other places in the Quran where the word daraba or the work beat / strike is used.

"Words are used elsewhere in the Quran to imply the meaning of 'beat, strike or hit.' However, daraba is not used."

Some examples where verses talk about beating but Arabic word 'daraba' is not used:

a. The words for (beat) as in [to hit] found in Surah Baqarah 2:275 ... *kama yaqoomu allathee yatakhabbatuhu ash-shaytanu mina almassi...*

"..like the standing of someone beaten by the devil (Satan) leading him to insanity."

b. And in Surah Ta Ha 20:18 Allah Says, "Qala hiya Aasaya atawakkao Aalayha waahushshu biha Aala ghanamee waliya feeha maaribu okhra."

"This is my stick, whereon I lean, and wherewith I beat down branches for my sheep and wherein I find other uses."



"When daraba is used elsewhere in Quran, it is not used to mean beat."

When daraba is used elsewhere it is not translated into beat / strike but translated to one of the other meanings such as: "set forth" as follows:

- **a.** Surah Ar-Ra'd (13:17) yadribu Allahu al-amthala "*Thus Allah sets forth a parable"* [here the word "yadirbu" is from the exact same root da-ra-ba
- **b.** Surah Ibrahim (14:24): Alam tara kayfa daraba Allahu mathalan.. "*Don't you* see how Allah sets forth a parable?.."
- c. Surah An-Nur (24:35) wa yadribu Allahu al-amthala li-naasi "..and Allah sets forth parables for mankind.."



"The scholars also don't tell us that 'daraba' has many different meanings which include: to separate, to part, to throw, to dispatch, to raise etc."

If the intention of verse 4:34 was to beat the wives, then this contravenes the next verse (4:35) which talks about a reconciliation procedure and getting arbitrators involved. Now if the man had beaten his wife, she is unlikely to want a reconciliation. However, if the daraboo is translated as to leave or depart then the next verse makes sense i.e. after time apart, they are more likely to want to reconcile.

"If ye fear a breach between them twain, appoint (two) arbiters, one from his family, and the other from hers; if they wish for peace, Allah will cause their reconciliation: For Allah hath full knowledge, and is acquainted with all things." (Quran 4:35)



Where to get help



Call 999 if it's an emergency or you're in immediate danger.

Muslim Women's Network Helpline	
www.mwnhelpline.co.uk	
T: 0800 999 5786 / 0303 999 5786	
National Domestic Violence Helpline	U
www.nationaldomesticviolencehelpline.org.uk	
0808 2000 247 (24 hrs)	
	•
National Centre for Domestic Violence	
www.ncdv.org.uk	
T: 0800 970 2070	
Provides free emergency injunction service for	
survivors of domestic abuse	
National Stalking Helpline	O
www.stalkinghelpline.org	
T: 0808 802 0300	
	(
Rape Crisis	
www.rapecrisis.org.uk	
T: 0808 802 9999	
Payanas Dava Halalina	(
Revenge Porn Helpline	
www.revengepornhelpline.org.uk	
T: 0345 6000 459	
Samaritans	
www.samaritans.org	
T: 116 123 (free phone 24hrs)	
1. Ho 123 (Hee phone 24ths)	





Muslim Women's Network UK

www.mwnuk.co.uk





