



**Committee on the Elimination of Racial Discrimination
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**Parallel Report of Muslim Women's Network UK
regarding the United Kingdom**

Muslim Women's Network UK' Parallel Report:
Written submission to the Committee of the International Convention on the Elimination of All
Forms of Racial Discrimination regarding the United Kingdom

July 2024

Introduction

1. Muslim Women's Network UK (MWNUK) is a national Muslim women's organisation (www.mwnuk.co.uk) that has been advancing equality, promoting women's empowerment and connecting voices for change for over 21 years. We are a small national charity (reg. no. 1155092) that works to improve social justice and equality for Muslim women and girls. We find out about the experiences of Muslim women and girls through research and our helpline enquiries. We identify policy and practice gaps and use this information to inform decision makers in government as well as informing our community campaigns at a grassroots level.
2. We also develop resources and train women so they are better aware of their rights. We have a separate website for our national helpline (www.mwnhelpline.co.uk) that provides advice and support on a range of issues including: hate crimes, discrimination; mental health; employment issues; housing; financial issues; domestic abuse, etc. Additionally, we run the MWN Hub (www.mwnhub.com) which is an online platform by which members can read articles, watch videos and listen to podcasts focused on pertinent issues such as Muslim women's health and domestic abuse, can share their own content, respond to surveys, participate in research and also forum discussions. It is a safe space for all to have honest conversations in a safe space, free from abuse and judgment. The forum chats are robustly monitored by us to ensure that there are no racist, sexist or any other discriminatory comments made by service users.
3. The impact of our work is particularly felt in reducing the vulnerability of Muslim women and girls, reducing the prejudice they face, and giving them greater access to rights and services – all of which allow them to contribute to society like any other citizen. We are also creating a critical mass of voices to influence change with more women being confident to challenge discriminatory practices within their communities and in society, and to influence policy makers.
4. The support we provide to our beneficiaries ranges from providing practical and emotional support, liaising with police officers, refugees, social workers and other key stakeholders, providing case work support, providing counselling services, and providing assistance through emergency funds. Informed by our service users' experiences, we also raise awareness of the issues so that victims and potential victims of abuse and discrimination are better aware of their rights and the support available to them (such as through resource production, workshops and outreach activities). We also campaign for change.
5. As the only national charity working with and providing a frontline service to Muslim women and girls in the UK, it is perhaps no surprise that we regularly deal with calls and cases involving racial discrimination and disparities, including those arising in education, in the workplace or when accessing services. Further details and statistics relating to these issues can be found on our MWN Helpline Data Dashboard: <http://www.mwnuk.co.uk/muslim-women-helpline-dashboard.php>
6. As we work predominantly with Muslim women and girls, and women and girls from ethnic minority backgrounds, our comments and evidence within this report will primarily focus on the experiences of Muslim women and girls. However, we wish to make the point that this does not

mean the points raised or measures sought are not also relevant to other ethnic minority groups. Indeed, we hope that by sharing insights into the experiences of Muslim women and girls, and Muslim communities in the UK, we will be able to plug any gaps in evidence so that a clear and complete picture can be provided of the lived realities of ethnic minority groups in UK.

7. We have reviewed the list of themes for the 113th session and would like to begin by thanking the Committee for putting together a robust list of themes, all of which are of great importance to individuals from ethnic minority groups in UK. We are grateful that the issues faced by, and the needs of, ethnic minority groups are being brought to the attention of the UK government in a robust manner. Whilst we are able to share our views and experiences on all the themes listed, we have chosen to focus on those themes that are top priorities for our beneficiaries, in the hope that this leads to tangible changes that positively transform their lives.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1 and 2)

Measures taken to strengthen the systematic and consistent collection, analysis and use of statistics

8. A key theme that is consistently uncovered by our research is that not having detailed, clear and disaggregated data available on issues affecting ethnic minorities has a very real and very adverse effect on ethnic minority groups because not having such data:
 - a. allows ethnic minority groups to become invisible, as highlighted by our maternity health research which we mention below;
 - b. makes it difficult to uncover key themes, patterns and processes which may be causing systematic hurdles and barriers;
 - c. makes it difficult to put forward tangible solutions and/or mitigations;
 - d. enables decision makers to evade the need to take responsibility and action.
9. A real concern for us is the lack of data disaggregation in the following key areas, though this is not an exhaustive list:
 - a. recording of hate crimes – if we could have a detailed breakdown of hate crimes which took into account faith and ethnicity of victims and perpetrators, as well as other factors such as age and location, we believe we would be able to draw out patterns and highlight those at most risk. This could in turn shed light on the reasons why a particular ethnic minority group, or sub-group, may for example, be targeted in a particular city and would allow measures to be implemented to protect ethnic minority groups from hate crimes;
 - b. other crimes, including homicide – similar to the above, it would help to see if there are any patterns and in turn, any causes for the prevalence of such crimes, which could then be addressed if we could understand the potential causal factors. For example, if the domestic homicide rates of ethnic minority groups within the authority of a particular police command is incredibly high and further data shows that a high percentage of such cases involved individuals who had previously had contact with the police, it could help uncover procedural failings which could then be addressed, ultimately saving lives;
 - c. health – the pandemic very clearly highlighted the importance of having disaggregated data so that those at most risk can be given the information and support needed to keep them as safe as possible;
 - d. employment and workplace statistics, that go beyond pay and look at entry into the workplace, promotions and leavers – such figures may allow us to better understand the extent of the issues faced by ethnic minority groups within workplaces/professions

and encourage employers to take ownership and responsibility, which they are more likely to do if clear patterns can be shown, even if they are sector-specific.

10. In addition to the above, we feel there needs to be a more systematic process by which to record instances of anti-Muslim sentiments, prejudices and behaviours which may not legally amount to a hate crime but which could nevertheless shed light on the prevalence of Islamophobia in the UK.

Measures to taken to adopt comprehensive anti-discrimination legislation

11. It is disappointing that despite years of campaigning by civil society organisations, including Muslim Women's Network UK, and the fact that the legislation is already in place and simply needs to be enacted, section 14 of the Equality Act 2010 is still not in force. In our experience, this has a very real impact on Muslim women in particular who we believe are the main group that would benefit from having the ability to pursue multiple discrimination claims. The stereotypes around Muslim women continue to have a stronghold in the UK and little has been done to combat this. Muslim women, especially those who are visibly Muslim, are often seen as weak and submissive, and yet simultaneously as difficult and aggressive. In 2016, the Women Equalities Committee found that Muslim women were at risk of triple discrimination due to the combination of their faith, ethnicity and gender¹.
12. In our experience, this continues to be the case but the true extent and prevalence of direct and indirect discrimination suffered by Muslim women is not known because (a) Muslim women do not feel able to report such instances as they are worried that they will face even worse consequences by raising the issues e.g. being labelled a trouble maker, which will make it even harder for them in the workplace; (b) when they do wish to take this further then hurdles are placed in being able to pursue a claim; and (c) there is no systematic way of recording any such data. To expand on limb (b) further, the cost of taking a matter to court can be daunting and Muslim women may not satisfy the legislative requirements either. One Muslim woman, who worked in a company that was otherwise diverse in terms of its employees, felt that she was regularly being overlooked for work opportunities that would have enabled her to seek a promotion and she felt that the reason for this was her manager's biases around what Muslim women can do e.g. assuming that she would not be able to travel as her family would have an issue or wouldn't be comfortable working with men, when in fact she did not have any issues. However, the same manager was supportive of her female colleague who was not from an ethnic minority background and similarly, supportive of a Muslim male colleague. The issue was therefore the combination of her being a Muslim woman from an ethnic minority background. Her two immediate comparators, if we were to look at the protected characteristic of sex only or religion only, is unlikely to have helped her but had section 14 been enacted then she would have been more confident in pursuing a claim. We continue to urge the UK government to enact section 14 of the Equality Act 2010.
13. In 2019, the Department for Business, Energy & Industrial Strategy and Race Disparity Unit launched an inquiry on ethnicity pay reporting which Muslim Women's Network UK had responded to, highlighting the benefits of reporting and considering reasonable exemptions

¹ Women and Equalities Committee (2016) Employment opportunities for Muslims in the UK, Available online: <https://committees.parliament.uk/committee/328/women-and-equalities-committee/news/102141/government-must-tackle-inequalities-faced-by-muslim-people-in-employment/>

(Last accessed: 5 July 2024)

from mandatory reporting². It is disappointing however that this continues to be a voluntary requirement only. We strongly urge that ethnic pay reporting is made mandatory in line with the recommendations of the McGregor-Smith review in the first instance. Not only will this help to achieve pay parity for ethnic minority groups, which in turn will aid their financial wellbeing and ability to e.g. access housing, but the reporting will also be a strong indicator of whether there are other forms of discrimination prevalent within an organisation and will ultimately lead to organisations having to take action to reduce and remove barriers to equality in the workplace.

14. We also feel that it would be useful for the purposes of ensuring that we at least have comprehensive statutory guidance in place, to consider the term and definition to be used to describe anti-Muslim prejudice, sentiments, biases, abuse and crimes. Whilst Islamophobia is the generally accepted term to be used (and we do not have an objection to its use), there tends to be a debate as to what it means, with arguments often made that it encompasses any criticism of Islam (which is not the case). Runnymede Trust use the term 'anti-Muslim racism' which we also feel is an appropriate term to use³ but again, there have been debates over using the term racism to describe the afore-mentioned. The reason we raise this is because we feel that it is important for the UK government to come to a consensus so that legislation and statutory guidance can then be robustly reviewed to ensure that they are truly capturing the discriminatory behaviours being experienced by Muslims in UK. It would also help with better recording hate crimes and similar.

Engagement with civil society organisations and implementation of public sector duties

15. Although the UK government does engage with civil society organisations from time to time, including ourselves, it does feel that the UK government has chosen to engage with only certain organisations when it comes to tackling racial discrimination, even when knowledge and insight of some of these organisations regarding the issues appear to be limited. This is especially the case when it comes to having discussions on matters which affect Muslims, such as the impact of Islamophobia, where we have noticed that the government engages only with a select number of organisations, often those who they have funded. This is especially concerning because, when questioned about the funding given to some charities with little to no results in the face of increasing levels of hate being directed towards Muslim communities, the response has been that such information cannot be disclosed. This is despite questions being raised about how the funds are being used and the lack of evidence available that the funds are being used efficiently to combat anti-Muslim hate.
16. We feel that engaging with a wide range of civil society organisations during the design, implementation and monitoring of legislative and policy measures on racial discrimination is essential to ensure that measures are in fact fit for purpose and are not inadvertently having the opposite effect of creating harms for the communities the measures are supposed to help.

Racist hate speech and hate crimes (arts. 2, 4, 6 and 7)

² Akthar, N (2019), Written evidence to the Department For Business, Energy & Industrial Strategy's Consultation on Ethnic Pay Reporting, Muslim Women's Network UK, Available online: <https://www.mwnuk.co.uk/resourcesDetail.php?id=210> (Last accessed: 5 July 2024)

³ MWNUK media statement (2018), MWNUK is in favour of the propose definition of Islamophobia by the APPG on British Muslims: <https://www.mwnuk.co.uk/mediaStatmentDetail.php?id=209> (Last accessed: 5 July 2024)

Measures taken to prohibit and criminalize racist hate crimes, prohibit dissemination of ideas based on racial superiority, and prohibit racial discrimination

17. It is with great sadness and concern that we make the point that it feels that, rather than taking measures to prohibit and criminalise racial hate crimes and make sure that all reported cases are investigated, prosecuted and punished, in our opinion the UK government has through its inaction, indirectly normalised the sharing of slurs, stereotypes and prejudicial comments . Indeed it has been disheartening to hear politicians themselves making such comments, without any consequence⁴. When politicians themselves perpetuate such behaviours, is it any surprise when members of the public act in the same way?
18. We also have real concerns around the regulation of online comments on social media platforms. Whilst there was a time in recent years where it seemed that there was a real commitment across all stakeholders to address and reduce online harms and promote online safety, it does not feel like this is a priority anymore. This is despite the fact that the Online Safety Act 2023 was passed only recently. We have noticed ourselves how difficult it has become to have racist and Islamophobic comments removed and this appears to be the case for a number of social media apps. We urge the UK government to make online safety a key priority and take robust action to remove online harms, including racist content and the dissemination of false information.
19. We have had the opportunity to review the evidence submitted by the North East Race, Crime and Justice Regional Research Network on behalf of the North East Race Equality Forum (NEREF) to this Committee in 2021 in response to the call from the Campaign for the Elimination of Racial Discrimination for evidence regarding progress made by the UK government in confronting racial discrimination. In turn, we would like to thank the Network for highlighting the prevalence of rural racism, racist bullying in schools, and inflammatory media coverage of minority issues. Indeed it was a sad reminder that very little change has taken place since 2016 and if anything, the racist rhetoric seems to be increasing. We would like to echo the Network's comments regarding the failure of many organisations, including public bodies, to update their equality and diversity policies appropriately and failures of organisations to act in a non-discriminatory manner, which extend even to banks and their discriminatory lending policies.

Situation of national or ethnic minorities (arts. 2–7)

Measures taken to increase the participation and representation of persons from ethnic minority groups in political and public affairs

20. We at MWNUK have recently conducted research looking at the representation of women from ethnic minority groups in local politics in the UK⁵. Whilst the focus of our research has been on councillors, the learnings from our report are relevant to all aspects of the political space and a reoccurring theme are the number of barriers faced by women from ethnic minority groups, in particular Muslim women, when they seek to enter the political area and also when they are in.

⁴ Please see MWNUK media statement, Divisive politics is endangering Muslim communities in Britain: <https://www.mwnuk.co.uk/mediaStatementDetail.php?id=289> (Last accessed: 5 July 2024)

⁵ Wadia, K. (2024), Increasing the representation of women from racially minoritized communities in UK local politics, Muslim Women's Network UK (not published as at the date of this report)

Although our final report has not yet been published, we wanted to share some key findings in the hope that this can lead to the UK government committing to making changes:

- a. whilst there is general understanding of the importance of increasing women's representation in UK elected assemblies, including women from ethnic minority groups, that recognition has not always successfully translated to local party level;
- b. local parties can yield to pressures from national party leaderships, which means that if women from minority groups are selected, it is often to run as paper candidates for unwinnable seats and they also tend to serve long political apprenticeships before being considered for marginal or winnable seats;
- c. women from ethnic minority groups tend to be recruited through personal contacts, or chance conversations with party activists or officials or, more recently, via contacts in party-affiliated organisations or organisations supporting the increased representation of women in elected assemblies. Very few apply for selection as a result of having served lengthily as a party activist;
- d. the presence of male kinship or *biradari* networks in Muslim communities acts as a barrier to the selection of Muslim women – to expand further, there is evidence that an effort is made to recruit only those women who are seen as docile and unlikely to challenge the power of local elites. This kind of recruitment has been common in areas where large communities with roots in Pakistan, Kashmir region and to a lesser extent Bangladesh have formed since early South Asian labour migrations in the 1950s. These communities' aspirations, concerns and needs have been funnelled through male 'elders' who acquired 'community leader' status by means of their connections with religious, cultural, business and political actors in their country of origin and also new links with interest groups in the UK. These leadership networks are also referred to as *baradari*. This is an issue we at Muslim Women's Network UK have consistently raised as a concern since 2015/2016 and we would urge consideration on whether such practices could be deemed caste discrimination if section 9 of the Equality Act 2010 was enacted;
- e. within selection processes, gendered and anti-Muslim racism results either in Muslim women being openly passed over in favour of less suitable or deserving White candidates parachuted from outside the area; or in women being "othered" because of their race and/or religion and being made to feel like outsiders tolerated due to diversity imperatives and women with additional protected characteristics, such as a disability, face even more barriers.

21. Our key recommendations from our research report are as follows:

- a. legally oblige the LGA, Welsh Local Government Association, Convention of Scottish Local Authorities/Improvement Service and Northern Ireland Local Government Association, through an amendment of Section 106 of the Equality Act 2010, to undertake census-type audits of local authority councillors in England, Wales, Scotland and Northern Ireland respectively so that a comprehensive UK picture is available to interested stakeholders. These audits must adopt an intersectional approach to data disaggregation, supported by appropriate data collection tools;
- b. legally oblige political parties, through an amendment of Section 106 of the Equality Act 2010, to provide annual data on party membership, applicants for candidate selection, selected candidates and holders of elected office, disaggregated by gender, ethnicity and other protected characteristics;
- c. initial and regular refresher training on fair and equitable interview processes (including application of the 2010 Equality Act) should be mandatory for all selection panel members;
- d. every UK local authority should be legally required to adopt a code of conduct with clear reference to the Equality Act 2010 and clear definitions of (sexist and racist)

- bullying, harassment and misconduct. Council codes of conduct should also refer to online bullying and harassment;
- e. in order to break down the gendered division of duties within local councils, council leaders should be encouraged through annual target-setting, to involve more women from ethnic minority groups into chairing council committees, and build their skills and knowledge to the level required for cabinet posts. Target-setting models should be provided by political parties at national level while monitoring should be delegated to political parties at regional level;
 - f. political parties should establish transparent and accessible complaints systems including an offline structure to receive complaints. The ultimate sanction of deselection should be imposed on any councillor found guilty of sexist and racist behaviour and discrimination, following an investigation in the council.
22. Furthermore, in the lead up to and during the latest general elections in the UK (which took place on 4 July 2024), women running for MP positions faced significant online and offline intimidation. No doubt such scary experiences would dissuade other women, particularly from ethnic minority groups, from putting themselves forward as candidates in the future. It has highlighted the need for steps to be taken to improve the safety and well-being of women during election campaigns, ensuring they can participate fully and freely in the democratic process. These measures should include educating the public on respectful discourse and strengthening laws against harassment of political candidates⁶.

Measures taken to address institutional racism and over-representation in the criminal justice system

23. In 2019, we at Muslim Women's Network UK published our research report, Muslim women's experiences of the criminal justice system⁷. The key findings were as follows:
- a. poor standards of investigation, whereby complaints of victims were not taken seriously or were dismissed, key evidence was not followed up or adequately investigated – indeed our experiences show that victims from ethnic minority groups can end up being treated or even charged as perpetrators, particularly if the alleged abuser is White;
 - b. victims were not kept informed of the progress of their case and any decision making, as well as mis-information being provided around the processes;
 - c. limitations in the Victims' right to review, which only allows a right to request a review in certain circumstances, meant that victims could not find out reasons for decisions made and ultimately whether any unconscious biases were involved in the decision making process;
 - d. sometimes police officers were missing risks associated with honour-based violence, forced marriage and revenge porn due to a lack of understanding. When victims were not correctly identified as high risk (i.e. being at high risk due to cultural factors stemming from their ethnic backgrounds), they were then not offered the appropriate safeguarding services. The research found that police were not using existing powers to effectively protect women. There were also failures in spotting signs of domestic

⁶ Please see MWNUK media statement on the issue, Congratulations to the Labour party on winning the General Election: <https://www.mwnuk.co.uk/mediaStatmentDetail.php?id=301> (Last accessed: 5 July 2024)

⁷ Gohir, S. (2019) Muslim women's experiences of the criminal justice system, Muslim Women's Network UK, Available online: https://www.mwnuk.co.uk/go_files/resources/Muslim_Women_and_Criminal_Justice_FINAL.pdf (Last accessed: 5 July 2024)

abuse when dealing with incidents where the perpetrator may have called the police to report the victim as the main aggressor even though she had been defending herself against violence and abuse;

- e. we found that sometimes police were not alert to the fact that Muslim women may face additional barriers to reporting abuse. Police were sometimes inflexible and did not adapt their approach. For example, in one case they insisted a victim report a sexual assault herself even though she wanted to first make contact via a third party such as the helpline. In another case, a white male police officer was sent to the victim's home to take her statement even though the police had been informed she could not speak English and was living with the perpetrator. It is important that police have local strategies that meet the needs of different communities to make it easier for women to report abuse and also ensure their actions do not put them at increased risk.

24. We would also like to share the following MWN Helpline case study, which has been anonymised and the name used below is a pseudonym:

Laila was in an abusive relationship and the forms of abuse she suffered included sexual, emotional, physical and psychological abuse. Laila had a longstanding history of abuse and mental health issues. During one argument, her partner called the police and kicked her out of his property making her homeless. When the police arrived, Laila had severe visible bruising on her face and body. However, because her partner had called the police she was the one arrested and kept in custody overnight. As Laila had a criminal record e.g. for theft, she was viewed by police as a 'troublemaker' and not questioned about how she had sustained her bruises. Upon her arrest the police also confiscated Laila's medication for her mental health condition. When she was released the next morning, the police told her they could not find her medication and said that there was nothing they could do about it. Laila was unable to get a new prescription immediately, which led to her mental health deteriorating over the next week or so. Laila contacted the MWN Helpline because she was sleeping in her car and had nowhere to go.

25. Both our research and MWN Helpline cases highlight that, ethnic minority groups are facing difficulties at all stages of the criminal justice system, regardless of whether they are coming into contact with the criminal justice system as a victim or as a defendant/perpetrator. Although we acknowledge that in many instances the reason for the inadequate handling of matters could simply be due to lack of resources, incompetence or lack of knowledge, we nevertheless assert that unconscious biases, and institutional racism, also play a factor in the treatment of ethnic minority groups. Even if that is not the case, steps clearly need to be taken to better serve and protect individuals from ethnic minority groups. It is not acceptable for example, as our research report highlighted, that police ignored the instructions of a charity that they should not go to the victim's house to speak to her as it will alert her husband, especially when the charity had said they would help will arrange an alternative way for the police to safely speak to her. The police in those circumstances placed the victim under great risk of further abuse and also broke her trust and confidence so that she no longer felt able to seek support from the criminal justice system. This is especially concerning given the over-representation of women from ethnic minority groups in domestic homicide rates⁸. A recent example of such inadequate services is where a Muslim woman sought the help of police after an ex-boyfriend threatened to share intimate images. She felt that they were not taking seriously the impact the release of any such

⁸ Please see MWNUK statement on the issue, Inquiry needed on over-representation of minority women in domestic homicide rates: <https://www.mwnuk.co.uk/mediaStatementDetail.php?id=292> (Last accessed: 5 July 2024)

images would have on her, with comments being made that since she is an educated woman with a degree, she should rise above thinking about what the community might think of her.

26. We would urge that the professional development of judges should include ongoing training on unconscious bias to minimise and eventually eliminate discrimination based on gender, race/ethnicity and faith and to promote fairness. Similar training should be required of legal professionals and all other professionals involved in the criminal justice system, to remove unconscious bias.
27. We are also admittedly concerned by the use of artificial intelligence within the criminal justice system. Whilst we of course completely agree that AI can be used to assist with efficiency, we are also too aware that the creation of AI, whether in the form of apps or software, are ultimately dependent on human input. This means that any unconscious biases which exist will find its way into the system. Even if we ignore the risks associated with unconscious biases, the point remains that without having a diverse team that is involved throughout, including in the design, creation, testing, delivery and evaluation, the needs and realities of our diverse communities will not be catered for which we strongly believe will create gaps and discrepancies. It is imperative therefore that, before introducing any artificial intelligence into the criminal justice system processes, that it is ensured that thorough testing is conducted taking into account intersectionality of experiences and further that, the use of any such artificial intelligence is kept under rigorous and constant review.

Measures taken to address disproportionate levels of poverty, occupational segregation and homelessness

28. The Covid19 pandemic held up a mirror for all of us, including the UK government, and highlighted in no unclear terms that health, housing, employment and equality are all inter-related. It is simply not possible to address the disproportionate levels of poverty in ethnic minority households without addressing these factors in tandem, using a joined up approach.
29. Public Health England had highlighted how the Bangladeshi community in the UK had around twice the risk of death due to Covid than their White British counterparts⁹. Furthermore, when looking at the working age population (between 20 and 64 years old), people of Bangladeshi ethnicity had an 80% higher risk of death than those of White British ethnicity¹⁰. This increased risk has little to do with race or genetics and was very much to do with pre-existing inequalities, which continue to have an impact today. This included: pre-existing health conditions; mental health issues; living conditions such as overcrowding and living in intergenerational households; and job roles. Those from the Bangladeshi community (and from ethnic minority groups generally) are more likely to work in occupations with a higher risk of Covid19 exposure, and at the same time, they work in the lowest paid roles which means that they are unlikely to have the financial stability to have the option to avoid work. Some have argued that the reasons are cultural, in that individuals from ethnic minority backgrounds are choosing to live with their parents and grandparents, and it is their choice to work in for example, service roles. However, such suggestions ignore the fact that it is not a choice if these are the only options available to you. At the MWN Helpline, we regularly receive phone calls from Muslim women who are struggling in shared accommodation or not having enough living space which is affecting their

9 Akthar, N. (2021) Bangladeshi communities at higher risk of Covid-19, MWN Hub, Available online: <https://mwnhub.com/read-detail.php?id=74> (Last accessed: 5 July 2024)

¹⁰ Ibid

physical and mental wellbeing and that of their families. Our experience suggests very much that such living conditions are often out of helplessness, than active choice.

30. The lack of safe, secure, affordable and habitable housing is a real concern in the UK generally and this is exacerbated for ethnic minority communities because they are likely to be in the lower paid jobs (and facing discrimination in their places of work) so they are already on a backfoot when they start looking for housing as most housing options are unaffordable to them. It goes without saying therefore that measures urgently need to be taken to address inequalities in employment at the same time as inequalities in housing, as well as looking at state welfare provision to assess whether it is truly fair and proportionate to supporting those in need during a cost of living crisis. As well as looking at enacting section 14 of the Equality Act 2010 and introducing mandatory ethnic reporting (as discussed above), we need measures that will help increase earning capacities and financial stability, including but not limited to:
- a. reviewing childcare provisions and costs;
 - b. reviewing support available for carers, including day time care opportunities for those who look after their parents (for example) and the associated costs;
 - c. reviewing and reducing university fees and making available opportunities for financial support, ensuring in particular that support can be obtained by those studying part time and those who are working but are nevertheless not financially capable of funding their own fees;
 - d. encouraging the creation and participation of employee networks focused on promoting diversity, equality and inclusion;
 - e. promoting mandatory training that addresses discriminatory behaviours and for such training to be given the same level of importance as for example, health and safety training – we are also conscious that there could be a cost burden on small organisations and we would therefore ask that the UK government consider what support it can provide in this respect;
 - f. role-modelling initiatives, which could be in the form of master classes;
 - g. mentorship programmes;
 - h. providing means by which anonymous feedback can be provided regarding concerns in the workplace, albeit we appreciate that this is difficult to achieve in small workplaces with fewer employees;
 - i. spot checks on appraisals.
31. Housing issues regularly appear in the list of key issues which concern Muslim women in the UK. In addition, we recently conducted research to find out what matters to Muslim women, with a view to understanding how Muslim women are likely to vote in the general elections¹¹. When asked which issues were most important to the UK which they wished the new government to address, cost of living and housing were in the list of top five issues, with 94% of respondents concerned by the cost of living crisis and 49% concerned about housing. This is unsurprising given the disproportionate levels of poverty that ethnic minority groups, including Muslim households find themselves in. Moreover, Muslims are more likely to reside in social rented homes, such as those provided by councils or housing associations; according to the Office for National Statistics, 26.6% of Muslim household are living in social rented

¹¹ Gohir, S. (2024) How will Muslim women be voting in the 2024 general elections and what issues matter to them? Muslim Women's Network UK, page 11, Available online: <https://www.mwnuk.co.uk/resourcesDetail.php?id=300> (Last accessed: 5 July 2024)

accommodation, compared to 16.6% of the overall population that lives in such accommodation.¹²

32. As mentioned above, there is a general shortage of housing in the UK which needs to be urgently addressed. We urge the UK government to review the reasons for the shortage and take steps to remove the bottlenecks which are slowing down the delivery of new homes, but without compromising on the quality of housing. For example, this could be addressed by providing funding to smaller developers to enable them to support the delivery of homes. However, the issue is not simply about land availability or construction costs. Indeed, this is yet another area where the lack of input from a diverse set of voices in the planning, implementation and delivery stages, can adversely affect people from ethnic minority groups, and unconscious biases can also seep in. We are often informed that proposals for new developments do not consider the needs of ethnic minority groups, particularly women. One ethnic minority woman recounts for example that when she starting looking for their first home as a family, they went to look at new developments and whilst the sales advisors mentioned various amenities such as gyms and open spaces, all she could think about was how far the bus stops were on the development and how dark it would be to walk through the park in the winter. As a Muslim woman, her first thought was considering whether she can safety walk around on her own, especially as she had already experienced racism and Islamophobia. Other examples include: housing design that does not consider air circulation or open spaces; developments designed without realising there are potential blind spots where children playing outside might not be noticed by someone driving into the estate; not including spaces in the home that could be used as a home-office (and if included, then the costs are increased almost to the same level as if it was another bedroom; inadequate number of visitor parking spaces for family members to visit (which could even be to provide caring or childcare support). There is a real case for encouraging individuals from ethnic minority groups to pursue careers in the property, construction, planning, and utilities sectors so that the intersectional needs of all communities can be taken into account and housing provision can be truly fit for purpose. We hope strategies can be introduced to encourage the entry of ethnic minority groups into such sectors. We also feel more of an effort should be made to seek the opinions of communities when planning applications are being considered.
33. Moreover, when considering availability of social housing, many individuals recount how they are offered places that are not suitable for their needs and would create new hurdles, but saying so leads to accusations of self-centredness. One woman highlighted how she was belittled for raising the point that the accommodation offered would be too far from her children's schools and would also mean that she would need to take two buses to visit her elderly mother, and was essentially told to continue living with her mother if that was such a concern. Others have also raised concerns around having to move their children to schools known for racism and bullying if they moved to a particular area, and the concerns being dismissed. The physical and mental impact of such changes are regularly not considered and those highlighting their valid concerns are seen as entitled or trouble makers.
34. Recent research by Heriot-Watts University also found that local authorities rarely recognise additional locational requirements that are vitally important to some communities, such as places of worship and community centre, or the need for larger housing units due to multi-generational living¹³. The research also found that individuals from ethnic minority groups

¹² Office for National Statistics, Religion by housing, health, employment, and education, England and Wales: Census 2021, (24 Mar 2023).

¹³ Rashbass, H. (2024) Ethnic minority groups face significant barriers to accessing homelessness assistance, new study finds, Inside Housing, Available online: <https://www.insidehousing.co.uk/news/ethnic-minority->

frequently experience culturally insensitive policies and practices when seeking housing and homelessness support¹⁴. To address such concerns, we would ask the UK government to consider regeneration schemes as part of their housing delivery strategies so that existing communities can be revived. It is most important however to address behaviours shown by housing and homelessness services as that in itself can create inequalities, particularly if individuals feel pressurised to accept accommodation that they know will actually make their life more difficult.

35. As mentioned above, it is imperative that quality of housing is not compromised and focus should not only be on the quantity of housing delivered, but also the quality. Housing in need of constant repairs for example is a financial burden of its own, whilst the tragic deaths of Awaab Ishaak and all the victims of the Grenfell fire are of course a constant reminder of the consequences of unsafe housing. We urge the UK government to consider law reforms that will help ensure the safety in housing, such as introducing Awaab's law, but also look to introduce guidance for landlords, tenants, housebuilders and home owners alike so that all involved are clear on the rights and responsibilities alike. We are aware for example that the Building Safety Act 2022, whilst very important, has created confusion and ambiguity across the board and it would be helpful to seek input on areas of uncertainty in relation to this legislation and share clarifying guidance.

Measures taken to ensure the accessibility and availability of quality health-care services, and to address the persistence of higher infant and maternal mortality rates among ethnic minority groups

36. In 2022, we published "Invisible", our research report looking at the maternity experiences of Muslim women in UK, which was produced as a result of an inquiry carried out by the APPG on Muslim women, for which MWNUK is secretariat¹⁵. The key findings from our research are as follows:

- a. maternity services were not equally accessible and even being able to choose how they wish to give birth (e.g. elective caesarean, home birth etc) can be a lottery for women from ethnic minority groups – one participant stated the following:

"The consultant was White female doctor. The way she spoke to me was nothing less than bullying, she was very condescending, belittling, and she said 'I see five of you lot per day.' She tried to say we don't have slots to book you in, saying they were busy and booked up. I came out wanting to cry. I felt bullied, belittled and patronised. She even said 'it's not your choice whether you get a c-section.' However, when I saw a female doctor of Pakistani origin she told me that I did have a choice."

- b. many participants felt that decisions were forced upon them and felt immense pressure to agree to the medical professional with very little information provided, meaning that it is simply not possible that an informed decision could be made:

[groups-face-significant-barriers-to-accessing-homelessness-assistance-new-study-finds-86555](#) (Last accessed 5 July 2024)

¹⁴ Ibid

¹⁵ Gohir, S (2022), Invisible: Maternity experiences of Muslim women from racialised minority communities, Muslim Women's Network UK, Available online:

https://www.mwnuk.co.uk/go_files/resources/maternity_report_120722.pdf (Last accessed: 5 July 2024)

"The midwives and doctors at the hospital who saw me tried to push me into accepting birth interventions and tried to repeatedly scare me by saying my baby would be stillborn before I had even been diagnosed with anything. They tried to make me accept a pre-term induction without any justification."

- c. adequate and appropriate antenatal information was not provided and in particular, they were not given information specific to the needs of ethnic minority women;
- d. ethnic minority women were not listened to and were not provided adequate opportunities to ask questions;
- e. lack of compassion, respect and dignity from medical professionals, together with a lack of understanding of cultural and faith needs;
- f. substandard support at all stages including when seeking breastfeeding support and perinatal mental health support;
- g. some of the women interviewed provided examples of how their abnormal vital signs were missed because they were not listened to about feeling very unwell which caused delays in their care. A worrying trend noted in the survey results was that 7% said they were diagnosed with an infection or sepsis within the first few days or weeks of giving birth. It was not clear from the data how many had sepsis. A deeper analysis of the data showed that Bangladeshi women were most likely to experience an infection / sepsis. Women recounted not being believed by midwives and sent home and then having to return to the hospital including to the Emergency Department and being diagnosed with sepsis;
- h. racist comments and attitudes – the following are some examples of comments made towards women:
 - i. "The midwife called my name and said very loudly 'hope this one can speak English'."
 - ii. "Women from 'your communities', should know how to breastfeed."
 - iii. "All you people do is make babies."
 - iv. "I see five of you lot per day."
- i. Antenatal classes which are a vital source of information, were not always available locally. Women reported relying on finding information themselves online via websites and mobile phone applications. A few women resorted to paying for antenatal classes. Such alternative options would not be accessible to all women depending on socio-economic backgrounds. The lack of antenatal information made first time mothers the most anxious. If this gap in antenatal education is not addressed, it will put mothers and babies at risk of harm.
- j. Some ethnic minority women, who are having the poorest experiences (such as Arab, Asian Other, Bangladeshi, and Black African women) are invisible because ethnic groups are not disaggregated during data analysis, which means policies and practices that can improve their outcomes are not being identified. Using broad categories in analysis and thus making broad assumptions about a group is a form of unconscious racial bias and an example of systemic discrimination.

37. We hope that the findings from our maternal health research highlight the extent of the issues faced by women from ethnic minority communities. Please note that we acknowledge ourselves that our report was limited in terms of the participants we could not reach as for example, Muslim women who lacked proficiency in English or who did not have access to the internet, may have not been aware of or felt able to approach us to consider whether they can participate. This means that the problems are likely to be even worse. It is imperative that urgent action is taken including better data collection; providing better training and ensuring scrutiny of all processes, improving clinical, interpersonal and cultural staff competence; ensuring women are provided with all relevant information and opportunities to ask questions so that informed

choices can be made (including providing adequate time so they do not feel pressured). For example, mechanisms must be introduced to ensure women are provided with options for managing their miscarriage and that they are the ones who take the decisions on how to manage their miscarriage.

38. The above issues are not specific to maternal health matters and our experience, through MWN Helpline calls and other sources of evidence, suggests that health inequalities are wide-spread which have a debilitating impact on the accessibility and availability of quality health-care services for ethnic minority groups. One persistent complaint is that those from ethnic minority groups are not taken seriously and it often becomes the case that access to healthcare is only obtained once the health issues have exacerbated, with many feeling that had there been early intervention then their health wouldn't have worsened to this level. One comment shared with us was that it felt like ethnic minority groups, especially women, are left to their own devices and are expected to fend for themselves until the matter becomes very serious:

"I felt like I was being selfish by asking for strong pain medication to manage my pain and I feel it was only given after I explained that I would not be able to go back to work with constant pain. It made me feel that my employer's inconvenience was more important than my actual pain and had I been someone on welfare benefits then I wouldn't have deserved pain relief".

39. In our opinion, unconscious biases play a key factor and this is perhaps most striking when it comes to mental health provision. These unconscious biases exist at all levels and job responsibilities, including Associate Hospital Managers who in fact have a decision making role to play when it comes to mental health provision. We have heard from doctors, nurses, paramedics and other medical professionals from ethnic minority groups who state that prejudicial comments are shared openly with little challenge and rather than ensuring accountability, senior management try to place a positive spin by stating that it is good for people to share opinions across the spectrum. Whilst we agree that different viewpoints should be shared, it is concerning that clearly racist attitudes are brushed aside as differences of opinion, especially when the racist views are being shared by those with direct decision-making authority and responsibility and can have a life-changing impact on patients. It has been persistently shown that the provisions of the Mental Health Act in UK are not fit for purpose and need urgent reform, not least because of the racist disparities; Mind for example have shared that Black people are 4 times more likely to be detained under the Act than white people and are 11 times more likely to be subject to a community treatment order¹⁶. Mind have also shared that people from deprived areas are more than 3.5 times more likely to be detained¹⁷; it is our assertion that ethnic minority groups are largely found in such deprived areas.

40. We would also like to bring to attention the prevalence of stigma that continues to exist around mental health issues, autism and learning disabilities, in particular in ethnic minority communities. Families can be at risk of being ostracized where it has become known that a member has mental health issues, and those with mental health issues are also more likely to be at risk of abuse and discrimination. For example, a teenage child was diagnosed with bipolar disorder; once this became known people stopped visiting the family or inviting them to events. By their account they were treated as if the individual was suffering from a contagious disease and comments were made about their families that this all happened because their

¹⁶ Please see Mind's website: <https://www.mind.org.uk/about-us/our-policy-work/mental-health-act-review/#:~:text=This%20is%20the%20first%20step,complicated%20and%20difficult%20to%20understand>.

(Last accessed: 5 July 2024)

¹⁷ Please see Mind's comments, as above

religious conviction was lacking. Those from ethnic minority groups therefore have a number of hurdles to overcome when it comes to mental health wellbeing and are at most need of a supportive and inclusive support plan. Legislative change, or focusing on healthcare provision, will not be enough on its own to support the mental wellbeing of ethnic minority groups and we urge the UK government to commit to providing holistic support to those with mental health needs.

Measures taken to ensure the availability, accessibility and quality of education for children

41. One particular issue that we feel is affecting the quality of education for children of ethnic minority groups is the inability to identify in a timely manner, or at least timely in comparison to children from White groups, any special educational needs that the children may have. This can in part be due to a lack of awareness on the part of parents or due to language barriers but it nevertheless appears to be the case that teaching and support professionals in schools are missing diagnosis opportunities in some cases due to lack of understanding. For example, it has been assumed that a child from an ethnic minority group does not engage in group play because of religious reasons (i.e. thought the child's family told the child not to play in mixed groups and to only stay with girls) when there were underlying reasons for the same. At the same time, the opposite has also been known because of a lack of faith and cultural understanding; for example, not realising that a child eats the same lunch because these are the only options that are aligned to their faith, or not realising that the child struggles to correctly use pronouns because the language they speak at home does not have gendered words and thus it is naturally taking the child longer to understand and apply pronouns when using the English language. The lack of awareness is concerning because each child is different and will have different support needs; we are concerned that Education, Health & Care Plans (EHCP) for children are not reflecting the true needs of children and as a result their provision is lacking.
42. Concerns have also been raised that when children are identified to have special educational needs, it feels as if they are no longer seen as a priority as it is assumed that they will have a limited educational experience and opportunities. One parent, who is a Muslim woman, shared the following: *"I feel like my daughter has been written off by them as someone who will not do much in life so why bother wasting time on her. She is only 6 years old, how can they decide now whether she will have a career when she is older?"*. This parent felt like the school is setting the child up for failure as if the child is not being given the support they require to obtain good quality education, then naturally this will affect the child's future. Other parents have also raised concerns that there seems to be a push to move children with special educational needs, particularly those from ethnic minority groups, into other schools that are in largely deprived areas to protect the numbers of the high-performing schools, which are incidentally in the economically stronger areas. The argument used to justify the transfers is that the alternative schools being recommended have better provision for SEN children but in reality, such schools are not adequately resourced either which means that they cannot provide the support each child deserves; it would have been better to keep the child in the school they are in so that they are not uprooted from their friends, and provide them with support in the school they are already in.
43. We also feel that more needs to be done to raise awareness and understanding of special educational needs amongst parents and carers. To provide an MWN Helpline case study, a mother called us to discuss concerns about her daughter's mental health; her daughter has ADHD and was also suffering from depression which had been diagnosed by a doctor. The mother spoke very limited English and struggled to find someone to speak to, even after approaching her GP. The mother felt as if she kept getting passed on to different groups and services and no one was available to assist. Eventually she called the MWN Helpline and we

were able to provide her with a call handler that could speak her language, was able to discuss matters with her, and provide counselling and support.

44. Other issues affecting access to education is the declining nursery numbers in the poorest areas in greatest numbers which disproportionately impact ethnic minority groups. Early education through nursery is a very important stepping stone for young children and it is concerning that children are already placed on a backfoot and are having to play catch up. Another issue is the closure of public libraries, which again tend to be in the most deprived areas, which means children from these communities are unable to have a safe and secure space to read, learn and have access to resources such as computers which they may need for their studies but they cannot afford to have at home.
45. Our experience suggests that there also continues to be an ongoing issue around career choices provided to children from ethnic minority groups, especially young girls. We feel that more needs to be done to highlight and encourage access to different professions, particularly STEM options. It is especially important for young girls from ethnic minority groups to see role models that they can identify with as our experience suggests that feeling that they can have a space in a respective field and it is not closed to them, has real psychological benefits.

Access to justice (arts. 5 and 6)

Measures taken to ensure effective access to justice and to guarantee the provision of adequate legal aid in most affected areas

46. As you are of course aware, Article 5 of CERD requires that States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law. There are very real concerns around access to legal aid which is hindering access to justice, which has gotten to a point that, led by the Attorney General's Pro Bono Committee, there is a real push to encourage lawyers to provide pro bono support and advice where legal aid is not an option. However, pro bono support should not be the only solution to enabling access to justice because it relies on the goodwill of lawyers. Access to justice should be a guarantee, not dependent on uncontrolled circumstances which can ultimately be a lottery. The issue is not just around who can access legal aid but also for what and how much; more and more legal aid lawyers are leaving or changing their practices because the amount that can be claimed (and the process to claim it and seek payment) means it is not sustainable for them to continue.
47. Additionally, our research into Muslim women's experiences within the criminal justice system highlighted that when criminal cases proceeded to court, the quality of publicly funded barristers i.e. prosecution barristers and legal aid funded defence barristers (e.g. for women from ethnic minority groups who were also victims of abuse) were variable. Poor handling of cases resulted in victims of abuse not obtaining justice¹⁸. There was also a lack of understanding by judges about the impacts of different types of abuse on victims, ultimately meaning that victims are being denied effective access to justice.
48. We would also like to put forward a legal provision which we feel may fall foul of Article 5 of CERD; the Divorce (Religious Marriages) Act 2002. To demonstrate our concerns, we would

¹⁸ Gohir, S. (2019) Muslim women's experiences of the criminal justice system, Muslim Women's Network UK, page 6, Available online:

https://www.mwnuk.co.uk//go_files/resources/Muslim_Women_and_Criminal_Justice_FINAL.pdf (Last accessed: 5 July 2024)

like to share the following case study, which has been anonymised and was also shared previously with the Ministry of Justice in 2019 when we raised the issue with them too¹⁹:

Aaliyah's husband walked out on her with no explanation. When she applied for an Islamic divorce, the Shariah Council contacted her husband who said he would only agree to the divorce if she returned mahr gifts he had given her worth £25,000 which was not even true. The religious scholar agreed with the husband and told Aaliyah that she could not have her Islamic divorce (khullah) until she agreed to her husband's demands. She was not believed that she did not owe him any mahr. In the meantime her husband also initiated civil divorce proceedings, which actually made his demands for the mahr invalid from an Islamic perspective. Despite this, this was not taken into account by the Shariah Council which continued to place pressure on Aaliyah to pay the £25,000 worth of mahr in exchange for the Islamic divorce. She felt this was a form of blackmail e.g. she had to pay a ransom to be set free, while he continued with his life. After visiting a further two Shariah Councils and an individual scholar with regard to her case, she eventually obtained an Islamic divorce as it was recognised finally that as her husband had initiated a civil divorce, it amounted to talaq and he had no right to make any demands.

49. Like Muslim women, Jewish women in legally recognised marriages, can be pressurised by their husbands into agreeing to unfair custodial and financial demands during the civil divorce in return for the husband giving the wife a religious divorce. To remedy the unbalanced bargaining power of the husband, the UK passed the Divorce (Religious Marriages) Act in 2002. This means that a judge can withhold finalising the civil divorce until the woman receives her religious divorce from the husband. The Divorce (Religious Marriages) Act has been successful within the Jewish community and it could also be utilised to help Muslim women who are in similar situations. If the Muslim husband wanted his civil divorce, he would have no choice but to give the religious divorce, which he could do so without involvement of a Shariah Council. A signed written statement would suffice and be given to the court. However, currently the Act does not apply to Muslim communities. It explicitly mentions the “usages of the Jews,” and “any other prescribed religious usages.” Although, any other religious group e.g. Muslims may also subject itself to the Act, it can only do so by asking the Lord Chancellor to prescribe the religious group for that purpose. We have raised this many times with previous Lord Chancellors and also the Ministry of Justice but the law still does not apply to Muslims. We would welcome guidance as to whether this may contravene the provisions of Article 5 of CERD, and if so, request that the UK government is urged to take action so that Muslim women can use the provisions of the Divorce (Religious Marriages) Act to remove the inequalities they face at the hands of Shariah councils.

Training, education and other measures to combat prejudice and promote understanding (arts. 5 and 7)

Measures taken to prevent and combat the dissemination of stereotypes, racial prejudice and xenophobia

50. Whilst from time to time the UK government has launched and supported measures to prevent and combat the dissemination of stereotypes, racial prejudice and xenophobia, including in-kind support for our #AndMuslim campaign, it is currently difficult to commend the previous initiatives given the ever increasing levels of anti-Muslim hate in the UK. As such, and in light of the

¹⁹ MWNUK's letter to Ministry of Justice in respect of its consultation on reforming the legal requirements of divorce, 21 January 2019, Available online: https://www.mwnuk.co.uk/go_files/resources/499782-Letter%20-%20Ministry%20of%20Justice%20Divorce%20Consultation.pdf (Last accessed: 5 July 2024)

changing government as of the date of this report, we would certainly urge the UK government to do the following:

- a. pledge a commitment to tackling anti-Muslim behaviours;
- b. pledge to take robust action against any politicians found to be perpetuating stereotypes or sharing misinformation regarding an ethnic minority group;
- c. launch new social media and other campaigns to promote messages of diversity, equality and inclusion;
- d. support initiatives of civil society organisations; for example, Muslim Heritage Month which was launched by Muslim Women's Network UK in March 2024, or South Asian Heritage Month which takes place every summer;
- e. urge social media providers and other online platforms to take robust action against racist and prejudiced comments;
- f. support community events, including sports events, to encourage communities to come together;
- g. support awareness raising initiatives and training in employment and education.

Final Comments

51. We would like to thank the Committee for providing us with the opportunity to share this Parallel Report. We hope it proves to be useful in your review of the UK and look forward to reading your Concluding Observations.

**On behalf of Muslim Women's Network UK,
Nazmin Akthar
Co-Chair**

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