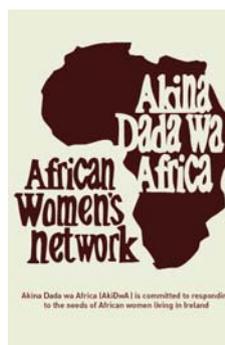


Addressing the Needs of Black and Minority Ethnic Women Experiencing Male Violence

A Seminar Hosted by AkiDwA, The Immigrant Council of Ireland and Women's Aid

REPORT



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1.0 INTRODUCTION

1.1 Forum on Black and Minority Ethnic Women Experiencing Male Violence

AkiDWA, Women's Aid and the Immigrant Council of Ireland (ICI) (see Appendix 1 for a profile of each organisation) applied for and obtained funding to facilitate a forum with key organisations to consider the challenges facing Black and Minority Ethnic (BME)⁽¹⁾ women who experience male violence, the challenges facing service providers providing support to them and to discuss possible actions that might assist the service providers in providing this support.

The actions undertaken by the forum to date include:

- Exploratory meetings to discuss the issues facing BME women experiencing gender based violence as arising in the three member organisations.
- Survey of service providers working specifically with women experiencing violence by a male intimate i.e. women's refuges and support services.
- Survey of organisations offering other supports to BME women, e.g., organisations offering information on immigration/asylum related matters.
- Seminar on '*Addressing the Needs of Black and Minority Ethnic Women Experiencing Male Violence*' targeting agencies offering support to BME women experiencing violence. The following report relates to this seminar.

1.2 Seminar

A seminar entitled '*Addressing The Needs Of Black and Minority Ethnic Women Experiencing Male Violence*' was held on 5th July 2006. This seminar was targeted at both service providers supporting women and children who experience male violence as well as organisations addressing the needs of minority ethnic communities. The purpose of the seminar was to explore the issues and challenges involved and to identify actions to support service providers and BME women.

1.3 Background

Since the 1990s, Ireland has moved from being a country of emigration to becoming a country of immigration. Recent estimates suggest that about 1 in 10 people (approximately 400,000) living in Ireland were born outside the State. As a result service providers from many statutory, community and voluntary agencies have seen a dramatic increase in the number of migrants accessing their services. The experience of services offering support to BME women and children experiencing gender based violence is a case in point. Women's refuges and

support services across the country are increasingly responding to the needs of BME women. However, many service providers feel ill equipped to respond to the diverse needs of the women using their services. Another phenomenon is that of migrant women who access support services regarding their immigration status or other matters and who are disclosing experiences of violence to staff who are often unable to provide them with the service or support they need.

2.0 SEMINAR PROCEEDINGS

2.1 Introduction

The seminar was held in the Park Inn Hotel, Dublin on July 5th 2006 (**see Appendix 2 for list of attendees**). It was attended by staff from service providers supporting women and children who experience male violence as well as staff from organisations and agencies addressing the broader needs of BME women.

The seminar was opened by Sr. Stanislaus Kennedy, founder and board member of the ICI and was chaired by Salome Mbugua, National Director of AkiDwA. The seminar included a number of presentations, a workshop session and a number of plenary discussions.

2.2 Opening remarks by Sr. Stanislaus Kennedy

The opening remarks included the following key points:

- The importance of AkiDwA, ICI and Women's Aid working together.
- The reality of male violence against women in Ireland generally as highlighted by the following statistics:
 - In the years between 1996 and 2005, 109 women were murdered. 72 of these were murdered in their own homes.
 - The specific difficulties facing migrant women whose residency is dependant on their husband's status. Leaving a relationship as a result of violence may put their residency in Ireland in jeopardy.
 - Women in the asylum process may have difficulty in accessing services if they are living with their husband or partner in an accommodation centre for asylum seekers.
 - The difficulties for refugees and support services such as a lack of resources which can prevent them from developing appropriate responses to BME women.
 - The need for all service providers to recognise the diversity that exists amongst BME women and to develop responses which recognise this diversity.

These issues were to be re-emphasised during the seminar.

2.3 Findings from surveys

2.3.1. Survey of frontline service providers responding to women experiencing violence by male intimates

Rachel Mullen, Policy and Research Manager in Women's Aid presented the findings as follows:

38 organisations were surveyed and 24 responded.

Table 1: Percentage estimate of clients who were BME women contacting services in 2005

Minority ethnic group- ing	Percentage range contacting services	Average percentage
Traveller Women	0-53%	19%
European Union Women	0-52%	9%
Eastern European	0-8%	1.3%
Asian women	0-13%	0.9%
African women	0-5%	3%
Other	Not stated	Not stated

- 23 of 24 services were able to give an estimate
- Estimates ranged from <5% to 68%(average 26%)
- One respondent noted '*at any one time, at least 60% of our residents are women from minority ethnic groups*'.

Table 2: Types of abuse disclosed to services

Type of abuse	Ireland	Country of origin
Abuse by male partner	24	11
Abuse by someone other than partner	9	6
Female genital mutilation		3
Rape as weapon of war		4
Dowry related abuse		6
Trafficked	4	
Forced marriage	2	6

**Table 3: Barriers for BME women accessing services
(ranked in order of most significant:1 = most significant)**

Rating	Barrier for women
1	Isolation
2	Cultural issues
3	Language barriers
4	Issues relating to immigration/residency status
5	Habitual Residency Condition (HRC)
6	Financial issues
7	Racism (from statutory agencies)
8	Racism (from staff and/or residents) ⁽²⁾

Table 4: Barriers for agencies in responding to women

Barriers for agencies	Not an issue	Somewhat an issue	Very much an issue
Language barriers	0	12	12
Issues relating to the HRC	3	6	13
Lack of understanding of intercultural issues	3	11	9
Lack of information on migrant women's rights and entitlements	6	11	5
Racism from residents	10	8	1

2.3.2. Results of survey of organisations offering services to BME women

Nusha Yonkova, Information Officer with ICI presented the findings of this survey.

Background to the survey

Nusha explained that many migrant women who were experiencing male violence had accessed the Immigrant Council's information service in relation to their immigration status. ICI is also aware that other similar organisations such as the Migrant Rights Centre Ireland and The Refugee Information Service are dealing with similar queries in their services.

It was agreed that in addition to surveying organisations like refuges and support services that it would be beneficial to survey organisations offering other services to ethnic minorities. This would indicate the extent to which women are disclosing experiences of violence while accessing services for other reasons e.g. immigration related issues or health issues.

21 questionnaires were distributed among organisations offering services to BME women and 12 responses were received.

Types of services provided by the respondents include:

Adult education and training, translation services, anti-racism training, information and advice, legal advice, meeting room and office space, internet access, use of phone and referrals.

Specific services offered to women include:

Counselling, education, awareness programmes, women's sub-groups, monthly clinics, individual/group support, home/hospital visitation, accompanying of women to hospitals/other services, specific programmes and training courses.

Table 5: Types of abuse disclosed by women

Types of abuse disclosed by women	Ireland	Country of origin
Abuse by intimate partner	9	7
Abuse by someone else	4	7
Female Genital Mutilation		5
Rape as a weapon of war		4
Dowry related abuse	1	3
Trafficking for sexual exploitation	4	2
Forced marriage	1	2

Policies or guidelines for staff responding to disclosures of Gender Based Violence:

Organisations were asked if they had policies or guidelines for staff in responding to disclosures of male violence:

The responses were as follows:

- Three organisations do not have policies to deal with disclosures of abuse.
- Three organisations stated that they had unwritten policies or guidelines.
- Six organisations provided information on their guidelines and/or policy.

Referral systems:

Organisations were asked if they were aware of organisations they could refer women to if they disclosed experiences of violence.

The responses were as follows:

- All but one organisation confirmed that they are aware of local services for victims of gender based violence.
- All organisations confirmed that they are referring women to relevant services.
- Typical places of referral:
 - Local Women’s Refuges and Support Services:
 - Rape Crisis Centres

- Counselling Centres
- Lone Parent groups
- Women's Groups

Table 6: Barriers for women accessing support

Barriers for women accessing support	Yes	No	Don't know
Issues related to immigration	8		
Habitual Residency Condition (HRC)	4	1	1
Financial issues (e.g. dependency)	9		1
Isolation	9		
Racism from statutory bodies	6	1	1
Language barriers	8	1	
Cultural issues			
a) Religious beliefs	6		
b) Shame/stigma/ Fear of rejection from family	8		
c) Beliefs re role of women	8		1

Other barriers identified:

- General health
- Education/training
- Job seeking
- Childcare
- Housing
- Family reunification
- Not being believed
- Don't know services or where to start
- Lack of culturally appropriate services
- Lack of interpretation in Rape Crisis Centre
- Fear

It was acknowledged by the speaker that many of these barriers also relate to Irish women generally.

Table 7: Barriers for organisations providing support

Barriers for organisations	Not an issue	Somewhat an issue	Very much an issue
Lack of information re the rights and entitlements of BME women	7	2	3
Lack of understanding of gender based violence	5	5	2
Lack of knowledge of agencies offering support to women	7	4	1
Lack of resources	1	5	6

The following are key issues which need to be addressed according to the organisations surveyed:

- How to respond appropriately to cultural differences.
- Lack of support.
- Lack of funding.
- Establishment of specific services for BME women experiencing gender based violence.
- Specific training for people handling disclosures of gender based violence.
- Health inequalities among ethnic minority communities.
- Lack of resources for ethnic minority organisations.
- Immigration related issues.
- Availability of information in various languages.
- Difficulty for Traveller women accessing services.
- Recognition of Travellers as an ethnic minority in Ireland.
- Lack of counselling services for women with limited English.
- Awareness training for statutory/non-statutory bodies.

2.4 Keynote presentations

The following is a brief outline of the three presentations which formed the next section of the seminar.

2.4.1 AkiDwA

This presentation was given by Nobhule Nduka of AkiDwA and included a brief background to the work of the organisation. The presentation, which drew on the work of AkiDwA, reconfirmed many of the issues identified in the survey findings outlined above. Therefore, only brief reference to them is made here. These particularly relate to barriers for BME women disclosing male violence and accessing services.

Key points addressed:

- It was emphasised that violence against women is a reality faced by most communities worldwide affecting women from diverse backgrounds.
- The root cause of domestic violence has nothing to do with alcohol, class, race or the behaviour of a woman.
- It is a widespread and serious social problem which is influenced by social and cultural attitudes to women and their place in society.

Barriers for BME women disclosing male violence include:

- Immigration policy including lack of entitlement to work.
- Lack of economic independence/poverty.
- Mental health issues.
- Lack of entitlement to services if an asylum seeker.
- Lack of information particularly outside Dublin.
- Lack of culturally aware services.
- Language issues.
- Fear of speaking out based on not knowing who to trust; of being exposed to immigration authorities; fear of not being believed and also fear of own community.
- Beliefs about gender roles in many cultures e.g. 'men in charge'.

Issues which need to be addressed include:

- Training in diversity for service providers.
- Resourcing of organisations such as AkidwA.
- Government policies with regards to immigration and asylum
- Consultation and involvement of BME women in developing solutions
- Development of meaningful partnerships with statutory agencies

2.4.2. Pavee Point

This presentation was given by Rosaleen McDonagh, Co-ordinator of the Violence

Against Women Programme in Pavee Point.

Rosaleen discussed the experience of Traveller women who are experiencing male violence. She focused on three themes: solidarity; a woman's journey to a support service and internal issues within the Traveller community.

Solidarity:

- The importance of building alliances with individuals and groups working on relevant issues was stressed.
- The need to guard against constructing hierarchies amongst different ethnic groups as this was divisive.
- The difficulty in building solidarity in a context where funding is very limited and so many organisations are competing for this limited pool.

A woman's journey to a support service:

Rosaleen identified the following barriers which prevent Traveller women from accessing services in relation to domestic violence:

- Strong familial relations amongst Travellers and living in close proximity to family members can make it difficult for Traveller women to report experiences of male violence. If they decide to leave their husband it can mean leaving their entire family. This can make women even more vulnerable than they already are.
- The racism that Traveller women experience from state agencies, voluntary and community groups and individuals can prevent them from trying to access help for the violence.
- Restrictions imposed by refuges e.g. some refuges will not accept male children over a certain age and/or women with addictions.

Internal issues within the Traveller community:

- The experience of racism is the main focus of concern for the Traveller community and this makes it very difficult for other issues to be placed on the agenda.
- State policy and practice regarding education of Travellers means that many Traveller women have had little or no access to formal education.
- Lack of education can often result in a lack of confidence and knowledge amongst Traveller women.
- The issue of male violence is generally not spoken about within the community. There is a slowness on the part of Traveller men to tackle this issue.

2.4.3 Southhall Black Sisters

This presentation was given by Meena Patel, Joint Co-ordinator and Mental Health Worker with Southhall Black Sisters, based in London

The presentation included background information to the work of Southhall Black Sisters including the evolution of the term BME women.

Key points included:

Meena stated that the issues that were coming up for BME women experiencing violence in Ireland were very similar to those in the UK. Some of those issues have been addressed and various policy changes have come about as a result of campaigning by Southhall Black Sisters and other groups.

Some policy changes have been:

- Women whose status was dependant on their spouse can now get independent residency if they had left the relationship due to violence and were able to produce evidence of this⁽³⁾. Initially the types of evidence permitted had been quite limited e.g. police report, medical evidence but this has broadened in recent years to include reports from women's refuges.
- Women who got permission to remain were able to work but were not entitled to any state supports. Some success had been achieved of late in gaining some access to services for women.
- The legal definition of domestic violence had been changed to include forced marriage.

Many of the other difficulties faced by Southhall Black Sisters and similar agencies are very similar to those faced by agencies in Ireland such as:

- Inadequate funding.
- Lack of training for state agencies.
- Cuts in legal aid.
- Increasingly negative climate with regards to immigration policies.
- Increase in trafficking of women.
- High levels of suicide amongst Asian women and increasing mental health problems as a result of domestic violence.
- Internal community issues e.g. male community leaders silencing debate on the issue of male violence, forced marriage.
- Complexity of forced marriage issue as girls don't want their parents criminalised.
- Internal racism between older and newer groups of migrants and

increasing religious differences amongst different groups.

Meena concluded her presentation by emphasising the need for solidarity amongst groups working against domestic violence and the importance of organising protests and demonstrations as in the case of Kiranjit Ahluwalia⁽⁴⁾.

2.4.4. Comments and questions

The following is a brief outline of the issues raised in the plenary session following the presentations above.

Difficulties facing women with disabilities who experience domestic violence:

The issue of violence and abuse of BME women with disabilities was raised. It was acknowledged that this is very serious issue as sometimes such women are viewed as a 'family shame'. Abuse of BME women with disabilities can include being forced to be 'domestic slaves', forced sterilisation and sexual abuse.

How to effect change:

A question was asked as to how useful using the legal system (in the UK experience) to effect change had been; Meena Patel observed that court campaigns are useful but that demonstrations can also be very effective. She also observed that lobbying through making submissions was useful. As not all organisations had the resources to do submissions, it was possible for one organisation to take the lead and for other groups to endorse the submissions.

Involving men:

A question was raised as to whether Southall had engaged with men in relation to the issue of male violence and it was clarified that this was not part of their approach. The questioner make the observation that it was necessary to challenge (non abusing) men to get involved and to challenge male violence against women.

Immigration policy:

It was mentioned that an Immigration and Residence Bill was likely to be published in the near future. The Immigrant Council and Women's Aid made submissions to the 'Framework Proposals for an Immigration and Residence Bill' published by the Department of Justice, Equality and Law Reform in April 2005 and included in this was a specific section referring to the situation of women who are resident here as dependant spouses and who are experiencing male violence.

The submission stated that women in this situation should be able to get temporary leave to remain in the State independently of their husband and that they should be able to access state supports.

It was agreed that ICI would notify the organisations when the Bill was published so that they could make similar submissions.

Recognition and representation:

The lack of state recognition of Travellers as an ethnic minority was highlighted and the implications this has for funding for Traveller organisations was also noted.

It was suggested that AkiDwA should sit on the National Steering Committee on violence against women in order that BME women had a voice at this forum and to assist AkidwA in accessing funding.

2.5 Case study

This presentation was given by Gill Kennedy, Education and Training Officer with ICI. Gill presented a case study (see below) of a woman who had sought help from ICI's information service. The case study illustrates the specific difficulties facing women who are in Ireland as dependant spouses and who experience domestic violence.

Case study

Natalia came here from Russia to join her husband who is working as an IT professional with a company in Galway. He has been physically, sexually and emotionally abusive to Natalia since they were married in 2003. Natalia's husband left Russia to come to Ireland in 2004 and a few months later, Natalia came to join him.

Her husband continued to be violent to her in Ireland. One night he threatened to kill her and she ran from the house and went to a friend's house where she stayed for a while. She made a report to the Gardai in the town at this time also. She decided to come to Dublin as she had a cousin there who said she could stay for a while.

She sought help from Women's Aid and was offered support in relation to the violence and family law issues such as maintenance and barring orders. They referred her to ICI for support regarding her immigration status. As she was no longer living with her husband her right to reside in the country was in jeopardy and was required to inform the Department of Justice, Equality and Law Reform about the change in her situation and ask them to give her temporary residency in her own right. Her current 'Green Card' was not due to expire until the end of August so she was still legally in the country.

ICI made contact with the CWO in Natalia's area to see if they could offer her help. Because of the Habitual Residence Condition we were unsure if the CWO would be able to offer support considering that Natalia was not in the country for two years. However, the CWO awarded Supplementary Welfare Allowance to her.

Natalia also made a decision to go to a women's refuge at this time and stayed there for a couple of weeks. She then found a room to rent in a house and was awarded rent allowance by the CWO.

Women's Aid supported Natalia to make an application for maintenance and safety orders in Dolphin House. They also helped her make contact with the Legal Aid Board in order to get a solicitor to represent her in court.

ICI also made contact with the Garda National Immigration Bureau and explained Natalia's case to them. They confirmed that there would not be a problem with her getting a 3-month extension on her 'Green Card'.

ICI then made a submission to the Department of Justice, Equality and Law Reform explaining Natalia's situation and asking them to grant her residency in her own right. They are currently awaiting a decision in respect of this application.

Gill then did a presentation on the issues arising from the case study as follows:

Immigration issues:

- In Natalia's case her residency in Ireland is based on her relationship with the principal migrant which is her husband. This means that if she were to leave the relationship her right to reside in the country could be in jeopardy. Also dependant spouses of migrant workers have no absolute entitlement to work.⁽⁵⁾
- The Department of Justice currently has no policy in respect of dependant spouses who separate because of violence (as in UK)⁽⁶⁾ and applications for independent status are subject to ministerial discretion.
- The ICI submission on the Immigration and Residency proposals called for women in this situation to be granted independent residency as in the case of the 'Domestic Violence Immigration Rule' which was introduced in the UK.
- The Garda National Immigration Bureau may extend a persons Certificate of Registration (Green Card) for 3 months while an application for residency is made to the Department of Justice, Equality and Law Reform.
- Applications for residency should be made to the Irish Naturalisation and Immigration Service, Department of Justice, Equality and Law Reform, 13-14 Burgh Quay, Dublin 2.

- All necessary documentation should be submitted with the application e.g., copy of passport, copy of Certificate of Registration, proof of address, any evidence of violence such as court orders, GP/hospital report.

The presenter added that it is important for services to build relationship with their local immigration officer in the main Garda station in the area. This would enable services to make contact with the immigration officer in relation to an individual woman's case if necessary.

What happens then?

Once an application for residency has been made there are a few possible outcomes from this:

- Temporary permission to remain may be granted - the Department of Justice, Equality and Law Reform has been sympathetic in some cases and has granted women temporary leave to remain in the State.
- The Minister for Justice, Equality and Law Reform may issue a 'proposal to deport' letter which offers people 3 options:
 1. Voluntary return to the applicant's country of origin. If a person wishes to pursue this option they can make contact with the International Organisation Migration which offers a voluntary return programme.⁽⁷⁾
 2. Consent to deportation.
 3. Make submissions to the Minister for 'Leave to Remain' (to be made within 15 days of receipt of the letter). If a person makes a submission and it is not successful then a deportation order will be issued.

An additional point raised here is that there are a limited number of solicitors dealing with immigration law and although the Legal Aid Board are not prevented from dealing with immigration issues, in practice people are generally not able to access it for representation. This can mean that it is very difficult, or impossible for people to get representation in immigration cases which may impact on the outcome of their case.

Habitual Residence Condition (HRC):

- The HRC was introduced by the Department of Social and Family Affairs in 2004 after EU accession. It restricted access to all means-tested social welfare payments, Health Board payments AND child Benefit to all new applicants who had not been resident in the Common Travel Area (Ireland

and the UK) for the previous two years and/or who could not prove that their normal place of residence was Ireland.

- The HRC does impact on a woman's ability to access support from a community welfare officer if she leaves her relationship due to domestic violence. Women's refuges have reported that they find it difficult to offer places to women who may not get state support. However as is clear from the above case study, CWOs can and do make positive decisions in respect of women in these situations. Unfortunately there is very little consistency in decisions made in these cases and the HRC is removing the safety net from women in very vulnerable positions. The ICI in its submission to the Immigration and Residency proposals has asked that all women who leave relationships due to domestic violence should be able to access state supports
- The ICI have raised the inconsistencies in the application of the HRC with the Department of Social and Family Affairs.

The presenter also raised the issue of good referrals between different agencies and organisations, making the point that the case study illustrated how important it was for organisations to refer women appropriately if they did not have expertise in a particular area e.g. if a migrant women presents to the ICI as a result of domestic violence then her immigration issues can be dealt with there but she should be referred to agencies which offer services in relation to experiences of violence for appropriate support and information. The presenter made the point that good referrals were essential in providing comprehensive support for women and also ensured that an individual organisation just deals with the issue it has expertise in. In the case study Natalia had to engage with 9 agencies and organisations in relation to her situation which indicates how important it is to make informed and appropriate referrals.

A seminar such as today's offered organisations the opportunity to network and make contact and to become aware of the different supports and services that a woman can access.

A handout was distributed (**see Appendix 3**). It outlined the different residency types that a migrant woman can have and the implications this would have should she leave a relationship due to domestic violence.

2.6 Workshops

The large group divided into three groups for the purpose of addressing the following three questions:

1. Do you have any comments on the seminar today and what you have heard

in the presentations?

2. Identify initiatives in your organisation which were developed as a direct response to the needs of BME women experiencing male violence?
3. What should your next steps be? Identify 3 possible actions.

The following summarises responses from the three workshops.

Question 1: General comments on issues raised during the rest of the seminar.

These included:

- Very useful to learn from the UK experience; Meena Patel's input excellent in outlining the challenges faced in the UK and providing insights into how similar responses can be developed in Ireland.
- Networking with other groups was really useful, particularly to get a sense of initiatives/responses that other organisations are developing
- The lack of and cost of interpreter services and the issue of children acting as interpreters for women.
- Lack of access to social welfare.
- Lack of housing and ineligibility for rent allowance.
- Community Welfare Officer discretion.
- Lack of funding and associated potential for competition between NGOs for limited funds available.

Question 2: Some initiatives developed in organisations.

Language:

- Literature produced in a range of languages.
- Development of alternative leaflets/literature using visuals using words e.g. one service had developed a poster with the contact details for the Gardai using pictures
- Women's Aid is currently developing a set of information leaflets in 7 languages and is also launching a language interpretation service for their National Freephone Helpline.
- Producing an inter-active CD that will provide women basic information in their own language which will also have a facility to ask the woman specific details of her situation and assist the service to respond appropriately.

Training:

- A number of services were providing training for agencies/groups e.g. Galway Rape Crisis Centre – developed an asylum seekers support

service and provide training for agencies/groups on responding to migrants who have experienced sexual violence.

- Many staff in organisations had arranged training for their own staff on relevant issues such as intercultural awareness, experiences of traveller women. Training was a major concern for all organisations and all felt that they would benefit from more training from specialist organizations and that this would help frontline staff in dealing with issues in relation to BME women.

Needs Assessment And Response:

- Mayo Women's Support Services made their services more accessible to Traveller women by contacting Traveller training centres directly to assess their needs. The organisation provided both training on gender based violence and training specifically on Traveller women's experiences of violence to the centres. An outreach service was provided within the training centre following research and feedback on the needs of the Traveller women. Also, Traveller women took up employment in the refuge and positions on its board. The service is taking the same initiative with minority ethnic women, through directly liaising with these communities to examine their specific needs.
- Other services were also carrying out research as to the needs of BME women experiencing violence and were beginning to develop appropriate responses.

Linking and partnerships:

- A number of representatives mentioned the value of linking to the ICI as experts in immigration policy.
- Others highlighted the importance of developing relationships with CWOs in their communities.
- The value of partnership approaches was emphasised.

Advocacy:

- Women's Aid made a submission to the Immigration and Residency Framework proposals in relation to the position of women with insecure immigration status who are experiencing male violence.
- Lobbying politicians on specific cases.
- Holding agencies accountable, e.g., Gardai, judges.

Other:

- Developing a 'culturally appropriate' service – Women's Aid Dundalk have embarked on this process – introducing small changes initially but

- recognise a lot more to do and that it is a slow process.
- Development of best practice guidelines for service providers (Southall Black Sisters).

Question 3: Next steps

Demonstrating/awareness – raising/lobbying:

- Include this issue in the 16 days of action against violence against women
- A white ribbon day as part of 16 days.
- Draw on example from one region in Spain where when a woman is murdered all flags in the region are lowered with a black ribbon attached and 5 minutes silence is observed.
- Recent TV ad about domestic violence gave the Women's Aid helpline number and resulted in a huge increase in women contacting the service, especially first time callers.
- Educational programmes in schools - sensitivity needed as some children will be in households where male violence is a reality.
- Use the lead in to the 2007 General Election as a way of lobbying politicians.
- Lobby for Immigration and Residency Bill to include provision for women with dependant status to be given their own residency if they have left their relationship because of violence

Networking:

- It was suggested that a networking mechanism was needed to keep groups informed and in contact as this would lead to greater learning, understanding and information sharing. The idea of the 'Gold Book'⁽⁸⁾ on the lines of the one produced by Women's Aid Federation England was flagged. It was also suggested this could be a role taken on by the NNWRSS.

Challenging men:

- Draw on the approach developed in Nicaragua where a group of men set up an organisation to challenge machismo within society. This challenge should apply to politicians also.
- Challenge the idea that violence against women is part of the 'culture' of a particular group.

Training:

- Provide training on cultural issues for own staff

Other:

- Maternity pack -it was suggested that 'maternity packs' were a great way to disseminate information to women about support services. It was suggested that a small card with relevant information and contact numbers could be included along with reading material about other issues.
- Develop appropriate organisational policies and ensure BME women are represented on boards, etc.
- Keep connections with organisations involved in research and policy and service provision across all groups of women experiencing male violence in order to avoid creating divisions.

2.7 Closing remarks

The chairperson closed the seminar by thanking all for their attendance and participation and expressed the hope that everyone was taking something home from the day. She also emphasised that the seminar was a first step in a process of developing an appropriate response to the needs of BME women experiencing male violence.

The key issues which she identified from the day were:

- The importance of solidarity, alliances and partnerships.
- The usefulness of protest and demonstration.

3.0 KEY THEMES FROM THE SEMINAR

The following briefly outlines the themes which ran through the seminar.

3.1 Resources

The need for and the inadequacy of funding available to develop the required responses to address the needs arising from male violence against BME women, was a recurring theme. It was highlighted that resources are required for the following:

- accessing interpreters.
- provision of information materials in a number of languages.
- development of a specialised helpline service for migrant women.

- provide training and capacity building for staff.
- provide training to other agencies.
- develop innovative initiatives, e.g., CD being developed by Longford Women's Link, maternity pack, guidelines for all agencies.
- implement other actions to develop services in an culturally appropriate way.

The need for funding to develop and implement other activities such as representation, research and policy initiatives was also noted.

The under-funding of organisations working with migrant and BME women generally, limiting their ability to develop work in the area of male violence, was also highlighted.

Finally, because of overall limited funding there was danger of territoriality between groups and it was stressed that this would need to be avoided. There are particular problems for Traveller groups in accessing certain lines of funding i.e. those targeted at minority ethnic groups, as the Government has not officially recognised them as an ethnic group.

3.2 Solidarity, networking and partnership

The value of these approaches was emphasised throughout the seminar. In particular it was stressed that BME women and the organisations which represent them must be involved at all stages in the development of services and in strategies to address the issue. The role of AkiDwA in particular was highlighted and it was emphasised that they be represented on regional committees and on the National Steering Committee on Violence against Women.

Solidarity:

The issue of solidarity was also raised and the importance of this between groups comprised of/working with different ethnic groups as well as between these groups and those working with the general Irish population was highlighted. It was pointed out that the issue of male violence against women cuts across all divides including class, race, ethnicity, ability/disability, etc., and that a shared analysis is important whilst still acknowledging the diversity of experience and the need for specific responses.

Networking:

The value of networking was stressed and the seminar offered the opportunity to do this. It was hoped that other opportunities would also present themselves. The importance of using existing networks was suggested e.g. NNWRSS. It was also

acknowledged that it was important to learn from agencies in the UK that have been developing responses to meet the needs of BME women for a number of decades.

Partnership:

The seminar itself was seen as good practice in terms of partnership. It was also stressed that because of the complexity of the issue that interagency approaches are essential. This was particularly highlighted by the case study in the afternoon session.

3.3 Immigration policies and practice

Current immigration policy and practice was highlighted as problematic in relation to the position of BME women experiencing male violence. This is particularly the case when a woman's residency status depends on a male partner or if she is an asylum seeker or an undocumented migrant.

The Habitual Residence Condition was identified as also causing particular difficulties, i.e., entitlement to welfare payments and services is very limited unless someone is resident in the state for two years. The discretionary role of community welfare officers is seen as problematic. Whilst many are sympathetic and building relationships with individual CWOs is felt to be useful, the fact that there is considerable discretion results in inconsistencies in decisions made.

The forthcoming Immigration and Residency Bill, to be presented in the Dáil in September was highlighted as vital in terms of lobbying. The ICI flagged that they would contact groups regarding the timing and when submissions/actions would be needed.

It was stressed that frontline services should inform themselves of the rights and entitlements of migrants under current immigration policy and participants were encouraged to view ICI as a resource in this regard. It was also emphasised that it is useful to develop relationship with local immigration officers as well as organisations working with migrants and asylum seekers.

3.4 Intercultural understanding and training

The need to understand and take account of the many different cultural backgrounds of BME women was stressed. It was felt that training was key here and this was necessary for all frontline staff and for all statutory agencies. However, it was highlighted that it is important to challenge the idea that violence against women is somehow part of particular cultures and that it be left to these

communities to deal with. The experience in the UK of male community leaders colluding with the state in an attempt to keep silent about violence against women was emphasised. There was a call at the seminar for men (non abusing) including male politicians, to challenge male violence against women.

3.5 Definitions and terminology

In the UK it has become necessary to broaden the definition of domestic violence to include other forms of abuse such as forced marriage and 'honour' killings. The criminalisation of forced marriage has posed particular challenges as many women who are exposed to this may not want to take cases against their parents.

3.6 Protest, demonstration and action

A call for a protest/demonstration/day of action came through many times during the day. It was felt that the issue of male violence against BME women had to be highlighted both to raise awareness amongst the public and key opinion formers and also to make demands for the responses required to tackle the problem. It would also alert BME women to what services are available to them and also to highlight the support amongst the wider public for their situation.

4.0 Recommendations identified by seminar participants

1. Plan a day of action as a part of the 16 days Campaign or a separate event.
2. Continue networking regarding the issue of BME women's experience of gender based violence and explore the role of NNWRSS in this regard.
3. ICI to advise regarding the publication of the Immigration and Residency Bill and what steps can be taken to influence the debate with respect to provision for migrant women who are victims of domestic violence.
4. Campaign for AkiDwa to be represented on National Steering Committee on Violence against Women.
5. Campaign for recognition of Travellers as an ethnic minority group.
6. Lobby for adequate resourcing of frontline services and organisations working with migrants and asylum seekers.
7. Support the development of a range of approaches to meeting the need of services for interpreters, e.g., a panel of bi-lingual or multi-lingual volunteers, dedicated helpline, interactive CD.
8. Encourage the development of 'whole organisation approaches' to the development of culturally appropriate services e.g. including policy development, needs assessment, representation on boards, training for all staff.
9. Consider specific actions such as Maternity Pack and the development of guidelines for all relevant statutory and voluntary agencies.

Appendix 1: Profile of organisations involved

The Immigrant Council Of Ireland (ICI) is a national, independent nongovernmental organisation that promotes the rights of immigrants through information, legal advice, advocacy, lobbying, research and training work. The ICI was set up in 2002 and believes that immigration is a permanent and positive reality in Ireland. The ICI calls on the Government to put in place an integrated, transparent, rights based policy on immigration and integration.

Women's Aid is a feminist service based organisation committed to the elimination of violence and oppression against all women through effecting political, cultural and social change. Women's Aid offers information and support to women experiencing male violence.

AkiDwA is a national network of African women living in Ireland. It was established in 2001 with an aim of responding to existing and changing needs of African women in Ireland. AkiDwA provides culturally appropriate support, information and services and works as a representative body for all African and migrant women living in Ireland.

Appendix 2: List of Attendees

NAME	ORGANISATION	EMAIL
1. Salome Mbuga	AkiDWA	akidwa@eircom.net
2. Nobhule Nduka	AkiDWA	akidwa@eircom.net
3. Tendai Madondo	AkiDWA	akidwa@eircom.net
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5. Valerie Gilna	Bray Women's Refuge	bwr@eircom.net
6. Lillian Doyle	Bray Women's Refuge	bwr@eircom.net
7. Irene Doyle	Bray Women's Refuge	bwr@eircom.net
8. Audrey Stenton	Bray Women's Refuge	bwr@eircom.net
9. Joanna Fortune	Bray Women's Refuge	bwr@eircom.net
10. Rosaleen McDonagh	Pavee Point	
11. Anca Lupa	Cairde	wha@cairde.ie
12. Marguerite Burke	LYCS	womenasleaders@cairde.ie
13. Bridget Haven	Clare Haven Services	chaven@eircom.net
14. Ann Lynch	Clare Haven Services	chaven@eircom.net
15. Erika Ward	Cuan Saor—Clonmel	cuansaor@eircom.net
16. Angela Spellman	Domestic Violence Response	dvr@indigo.ie
17. Brenda Harvey	Domestic Violence Response	dvr@indigo.ie
18. Siobhan Fearon	Dundalk Women's Refuge	Siobhan@womensaidlk.net
19. Lisa Marmion	Dundalk Women's Refuge	Siobhan@womensaidlk.net
20. Aoibheann McCann	Galway Rape Crisis Centre	administrator@galwayrcc.org
21. Triona Nic GiollaChoille	Galway Refugee Support Group	Refugee.galway@ireland.com
22. Gillian Kennedy	The Immigrant Council of Ireland	Gillian@immigrantcouncil.ie
23. Sr Stan Kennedy	The Immigrant Council of Ireland	Info@immigrantcouncil.ie
24. Denise Charlton	The Immigrant Council of Ireland	denise@immigrantcouncil.ie

**Addressing the Needs of Black and Minority Ethnic Women Experiencing Male Violence
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27. Nusha Yonkova	The Immigrant Council of Ireland	nusha@immigrantcouncil.ie
28. Anita Koppenhofer	Inchicore Women's Outreach	
29. Kate Lambert	Inchicore Women's Outreach	
30. Monica O'Connor	Independent	oconnormonica@eircom.net
31. Patrick Nevin	Irish Traveller Movement	itmembership@gmail.com
32. Annamaria Foley	Kerry Women's Refuge	kerryrefuge@eircom.net
33. Angela Keaveney	Longford Women's Link	angela@longfordlink.org
34. Bernadette Byrne	Mayo Women's Support Services	mwss@eircom.net
35. Deirdre Murphy	Meath Women's Refuge	mwrefuge@eircom.net
36. Gertrude Cotter	NASC	Gertrude@nascireland.org
37. Brenda Behan	NCBI	
38. Hazel Murphy	Pavee Point	ce@pavee.iol
39. Eimear Cuddy	Rathmines Women's Refuge	
40. Mairead Kelly	Rathmines Women's Refuge	
41. Lorraine Harrison	SATU Waterford	Lorraine.harrison@mailc.hse.ie
42. Mary Kelly	SATU Waterford	Lorraine.harrison@mailc.hse.ie
43. Meena Patel	Southall Black Sisters	
44. Phil Keane	St. Michael's Estate	
45. Rita Fagan	St. Michael's Estate	
46. Zuzana Tesarova	Tallaght Partnership	
47. Anne Croarkin	Tearmainn Domestic Violence Service	
48. Ronit Lentin	Trinity College Dublin	rlentin@tcd.ie
49. Elaine Mahon	UNHCR	mahon@unhcr.org
50. Jackie Carroll	Waterside House	waterside@cope.ie
51. Laurie Allen	Waterside House	waterside@cope.ie
52. Helen Cousins	Waterside House	waterside@cope.ie

**Addressing the Needs of Black and Minority Ethnic Women Experiencing Male Violence
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Appendix 3 - Handout

Women migrants in Ireland

If a migrant woman who is experiencing domestic violence presents to your service, her immigration status will most likely fit one of the following categories:

A. She will be legally resident in Ireland in her own right, generally through one of the following mechanisms. If this is the case then she will generally not have any immigration issues if she separates from her partner due to domestic violence. However, she may experience problems if her right to remain in the State is based on being a migrant worker and she is no longer able to work as a result of domestic violence or separation etc. She may also have difficulties accessing social welfare and housing if she does not satisfy the Habitual Residence Condition.⁽¹⁰⁾

*1. She is an EEA or Swiss national⁽¹¹⁾, living and working in Ireland. She has the right to live and work in Ireland without a permit (with the exception of Romanian and Bulgarian Nationals who may still require a work permit to work in Ireland). Her ability to access social welfare will depend on her satisfying the Habitual Residency Condition. She will not be required to register with her local immigration office. **Note: The freedom of movement for EU nationals is the freedom of movement to work only. Only Ireland, the UK and Sweden have allowed immediate access to the labour market for the nationals of the 10 new states that joined the EU in May 2004.***

2. She is a non-EEA migrant worker on a work permit which her employer holds and which lasts for a maximum of one year. She will need to register with her local immigration office where she will receive a Certificate of Registration⁽¹²⁾ with Stamp No. 1. The permit needs to be renewed every two years. She has a right to live and work in Ireland so long as her employer has a valid employment permit and as long as she renews her Certificate of Registration when she is required to. Her ability to access state funds will be determined by whether or not she satisfies the HRC.

3. She is a non-EEA migrant worker on a green card which is held by herself and allows her to work for any employer. It is granted for two years and is renewable. She will need to register with the local immigration office where she will get a Certificate of Registration with Stamp No. 4. She will need to renew this on a yearly basis. Her ability to access social welfare will depend on her satisfying the HRC.

4. She is a non-EEA self-employed person in Ireland. She requires a business permission from the Minister for Justice, Equality and Law Reform. She will

need to register with her local immigration office and she will get Stamp No. 1 in her Certificate of Registration. Her ability to access social welfare will depend on her satisfying the HRC.

5. *She is a non-EEA student here on a student visa on a course which is lasting at least a year.* She will be studying at a 3rd level institution and will have the right to work 20 hours a week during term-time and full-time in the holidays. She will be required to renew this visa with her local immigration office on a yearly basis and will need to have confirmation from the relevant educational establishment that she is registered for the following academic year. They will also need to confirm that she has an 80% attendance record for the previous year and has passed her exams. She will also need to demonstrate that she has adequate funds to support herself for the duration of her course of study and will not have access to public funds. Generally students will not have any access to public funds but in any case would need to satisfy the HRC. She will have Stamp No. 2 in her Certificate of Registration.
6. *She is a non-EEA student here on a student visa on a course which is lasting less than a year.* She will generally be attending a language school for a short period of time and will not be allowed to work during this time. Generally students will not have any access to public funds but in any case would need to satisfy the HRC. She will have Stamp No. 2A in her Certificate of Registration.
7. *She is a recognised refugee which means she has been granted refugee status under the Geneva convention 1951.* This means that she has the right to live and work in Ireland and to access social welfare/housing on the same basis as an Irish national. She will still need to be registered with the local immigration authorities and will have Stamp No. 4 in her Certificate of Registration.
8. *She is an asylum seeker who is applying for refugee status.* She will most likely be living in one of the direct provision centres for asylum seekers and will be receiving the direct provision allowance of €19.10 for an adult and approximately 9 euro for a child. She will not be entitled to any other social welfare (including child benefit) or housing from the state.
10. *She has leave to remain in the state on the grounds of having an Irish child.* This means she will have the right to live and work in Ireland. She will have a Certificate of Registration with Stamp No. 4. She will be entitled to full social welfare and housing benefits. *She has humanitarian leave to remain.* This may be granted if a person has been refused asylum on appeal. They are offered the opportunity to apply for leave to remain on humanitarian grounds and if granted will have the same rights as those granted leave to remain on the basis of an Irish born child. (See above)

B. She is legally resident in Ireland but her status is dependent on that of her husband. This will generally mean that she will have to establish her own right of residency in the State if the marriage ends for whatever reason e.g. domestic violence. Her immigration status will generally fit one of the following categories.

1. *She is awaiting the determination of an application for leave to remain on the basis of her marriage to an Irish or an EU national.*

She will not have the right to work and she will be required to register yearly with her local immigration office until leave to remain is granted. She will have a Certificate of Registration with Stamp No. 3. If the marriage ends before she is granted leave to remain she will need to establish her own right to remain in the State by making an application for leave to remain to the Immigration and Citizenship Division, Department of Justice, Equality and Law Reform, 13/14 Burgh Quay, Dublin 2. A letter requesting leave to remain and explaining the circumstances that led to the current application, i.e., separation due to domestic violence, should be sent along with the following documentation

- Copy of passport (all pages)
- Copy of current Certificate of Registration
- Copy of marriage certificate
- Any supporting evidence e.g. copy of any court orders with respect to the domestic violence including any legal agreements regarding access of the abuser to the children of the marriage
- Any other evidence to support application e.g. humanitarian considerations in country of origin

It should be noted that if the marriage ends before the woman has been granted leave to remain, it may be quite difficult for her to establish her own right to residency in the State irrespective of whether she has experienced domestic violence or not. Her ability to access public funds will be determined by whether or not she satisfies the Habitual Residency

2. *She has leave to remain on the basis of her marriage to an Irish national.*

This means that she has the right to live and work in Ireland as long as her marriage to the Irish national is subsisting. She will need to register with her local immigration officer and will receive a Certificate of Registration with Stamp No 4. If the marriage ends for whatever reason, i.e., domestic violence, bereavement, then she no longer has the right to remain in the State. She needs to establish her own right to stay in the

country. The woman should go to her local immigration office and inform them of what has happened, preferably some time in advance of the expiration of her current Certificate of Registration. She should tell them that she has informed the Department of Justice, Equality and Law Reform of her change in circumstances. They may take her Certificate of Registration and issue her with a new one with Stamp No 3 which will allow her to remain in the state but not to work until a direction regarding her case has come from the Department of Justice, Equality and Law Reform. Her ability to access public funds will be determined by whether or not she satisfies the HRC.

3. *She has leave to remain on the basis of her marriage to an EU national.* Spouses of EU nationals have a statutory right under EU law to reside in the same country as their EU spouse. If this marriage ends due to domestic violence the woman will still have the right to remain in the State under EU Treaty rights. Her ability to access public funds will be determined by whether or not she satisfies the HRC.
4. *She has leave to remain on the basis of her marriage to a migrant worker who holds a work visa/authorisation.* If she is the spouse of a work visa/authorisation holder then she will have the right to an employment permit in her own right if she can find an employer willing to employ her. However, this right is dependent on her marriage to the visa/authorisation holder. If they separate she will still need to establish her own right of residency in the country through the means described in Section 1. Her ability to access public funds will be determined by whether or not she satisfies the HRC.
5. *She has leave to remain on the basis of her marriage to a work permit holder.* She does not have an independent right to work. The Department of Enterprise, Trade and Employment has announced that the scheme for spouses of working visa holders will be extended to cover all spouses of migrant workers which will mean that women who are dependant spouses will be able to enter employment if they can find an employer to apply for a work permit on their behalf. She will have a Certificate of Registration with Stamp No. 3. If they separate she will still need to establish her own right of residency in the country through the means described in Section A.
6. *She has leave to remain in the country on the basis of her marriage to a recognised refugee.* She has the right to live and work in the country and will need to renew her residency every year. She will have a Certificate of Registration with Stamp No. 4. After two years she may be granted leave to remain for 5 years. If the marriage fails she will need to

establish her own right of residency through the means described in Section A.

7. *She has leave to remain in the State on the basis of her marriage to a person with humanitarian leave to remain. As in Scenario 6.*

C. Undocumented migrant women:

1. *She is an undocumented migrant.* This means she has no legal right to reside and/or work in the State and will therefore not be able to access social welfare/housing benefits. It will be difficult for her to regularise her status from within the State. For this reason undocumented women may not feel they are able to access support if they are experiencing violence and may therefore be in a very vulnerable position.

ENDNOTES

1 The term Black and minority ethnic (BME) women used throughout this report, is inclusive of Traveller women.

2 The speaker acknowledged that as workers themselves were answering this question it may be difficult for them to give an objective reflection of such issues.

3 In the UK, dependant spouses who separate from their partners as a result of domestic violence can apply for their own residence permit under the 'Domestic Violence Immigration Rule'. They will need to have some evidence of domestic violence such as police reports, court orders, letter from a woman's refuge or other support agency. They do not have access to public funds but are able to access employment. There is no similar provision in Ireland at this current time.

4 Kiranjit Ahluwalia was an Asian woman who was given a life sentence for the murder of her husband in 1989. She had been subjected to violence by him for 10 years. Southall Black sisters campaigned vigorously for a retrial and eventually the Crown accepted a plea of diminished responsibility as a result of the violence. Kiranjit was released in 1992, 3 years and 3 months after she began her sentence. The campaign was widely supported in the community and received significant media coverage.

5 The Spousal Work Permits scheme was introduced in April 2004 which allowed spouses of high skilled migrant workers to work if they secured an employer who was willing to apply for a work permit for them. The Department of Enterprise has recently widened this scheme to cover all spouses of migrant workers in. For more information on the details of this scheme please see www.entemp.ie which is the Department's website.

6 In the UK, dependant spouses who separate from their partners as a result of domestic violence can apply for their own residence permit under the 'Domestic Violence Immigration Rule'. They will need to have some evidence of domestic violence such as police reports, court orders, letter from a woman's refuge or other support agency.

7 The IOM runs a voluntary return programme in cooperation with the Department of Justice. They offer assistance to people who wish to return to their country of origin, such as the purchasing of airline tickets.

8 The UK gold book: a guide to refuge and domestic abuse services 2004/5 is a guide to refuge and domestic abuse services which provides public contact details for women and children affected by violence in the home. Aims to help individuals and agencies to locate appropriate services by geographical area. The directory also provides information about the range of domestic abuse services, supporting information for women, and referral guidelines.

9 See NPAR (2005) and whole organisation approach as outlined by NCCRI.

10 The Habitual Residency Condition was introduced by the Department of Social and Family Affairs after EU accession in May 2004. Since then all new applicants (including Irish nationals) must satisfy this condition in order to qualify for means tested payments and Child Benefit. Generally new applicants must have been resident in the Common Travel Area (Ireland and the UK) for two years.

11 The 28 member states of the European Economic Area are Ireland, UK, France, Belgium, Luxembourg, Italy, Spain, Portugal, The Netherlands, Greece, Austria, Denmark, Sweden, Finland, Germany, Latvia, Lithuania, Estonia, Czech Republic, Slovakia, Hungary, Slovenia, Malta, Cyprus and Poland, Norway, Iceland and Liechtenstein. Swiss Nationals are also permitted to migrate to Ireland for employment purposes.

12 A Certificate of Registration is a residence permit issued by the Garda National Immigration Bureau. It is issued to non-EEA nationals who are staying in the State for longer than 3 months, e.g. migrant workers, students, persons with leave to remain etc.

For more information contact:

**AkiDwA
9c Lower Abbey Street
Dublin Central Mission
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Tel: 01-8148582
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**The Immigrant Council of Ireland
2 St. Andrew's Street
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