

**Need for adequate consideration of transnational legal context for supporting minority ethnic women suffering economic abuse through marriage, separation and post separation in the UK**

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**Call for Evidence** [Call for Evidence - Committees - UK Parliament](#)

**Written evidence to the inquiry: Tackling Violence against Women and Girls (VAWG)**

**Written Evidence**

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**1. PROFESSIONAL EXPERTISE**

Dr Punita Chowbey's research focuses on women's economic well-being, particularly economic abuse among South Asians in the UK and South Asia. She has led several research projects (e.g. funded by NIHR, GCRF) as PI on economic abuse in the UK and South Asia. Her research as PI investigated women's access to resources and led to the first peer-reviewed paper on economic abuse in the UK (Chowbey, 2017), arguing that policy and practice must consider cultural and structural forms of economic abuse to be inclusive. She is the producer and director of a trilogy: SPENT, EARNED, SAVED: Economic Abuse in India. She actively engages with media on issues of economic abuse (for e.g. Chowbey, 2023b). Her research has informed policy and practice nationally and globally, e.g. Multi-Agency Review (e.g., Thompson 2021), and the Parliament Select Committee (Chowbey, 2023a).

Dr Kaveri Qureshi researches intersectional experiences of health, families and relationships and, as reflected in her monograph, transnational legal pluralism in the UK and South Asia. She authored the first major study on separation and divorce in British South Asian contexts (2016), exploring marital conflict, divorce laws, and post-divorce family dynamics. Her monograph was shortlisted for the Philip Abrams Book Prize (2017). Her research has informed SAGE, the UK Parliament's Women and Equalities Committee among others. She is currently the Vice-Chair of Shakti Women's Aid, serving on its board since 2021.

**2. NEED FOR ADEQUATE CONSIDERATION OF TRANSNATIONAL LEGAL CONTEXT FOR SUPPORTING MINORITY ETHNIC WOMEN SUFFERING**

1 [Call for Evidence - Committees - UK Parliament](#)

## **ECONOMIC ABUSE THROUGH MARRIAGE, SEPARATION AND POST SEPARATION IN THE UK.**

- 2.1 This submission argues that while Tackling VAWG Strategy (2021) and the Tackling Domestic Abuse Plan (2022), provide the foundation for addressing the formidable issues of violence against women and girls (VAWG) and domestic abuse in the UK, experiences of minority ethnic women with both insecure and settled migration status facing economic abuse remain underrepresented. These experiences are particularly conspicuous by their absence in the area of transnational finance, transnational legal complexity and transnational pluralism. The lack of understanding of transnational complexity may lead to severe consequences, exemplified by the tragic case of Simran Kaur, whose suicide was partly due to a lack of understanding of transnational financial investment, as noted by Multi-Agency Review (MAR) (Thompson, 2021). The report observes:

‘Punita Chowbey’s research extends the current conceptualisations of economic abuse, by incorporating perspectives from South Asian women in Britain, India and Pakistan. Through this research, Chowbey identifies two types of economic abuse which are unique to the research – these being “exploiting women’s customary marriage gifts” and “jeopardising women’s long-term finances.” It could be argued that Simran’s experiences fit the second of these abuse types, as Ranjit’s insistence – through violence and coercion – that Simran must relinquish her family’s money for his business ventures, led to his arrest and ultimately to Simran taking her own life.’ (p.34 Thompson, 2021)

Below we provide evidence to support more attention needed to understand and address the specific abusive practices emerging due to transnational complexity, based on our research (Chowbey 2020; Chowbey 2017, Chowbey 2016, Qureshi 2016, Qureshi 2022); twenty years of research and observations with Asian communities via different projects (e.g. Salway et al 2007; Chowbey et al. 2013); and drawing on relevant literature (e.g. Domestic Abuse Commissioner 2021; Chantler et al. 2009; Mirza 2016).

- 2.2 **THE RELATIONSHIP BETWEEN TRANSNATIONAL ASPECTS OF MARITAL LIFE AND ECONOMIC ABUSE NEEDS CONSIDERATION.**

- 2.2.1 With the growing research on economic abuse the trends and patterns are beginning to emerge which points to the diversity and severity of experience based on social class, ethnicity, disability and other axis of disadvantages (Chowbey 2017; Sundari 2019; SEA 2024). Surviving Economic Abuse charity conducted first ever nationally representative survey on economic abuse which revealed that 29% of the UK women from minority ethnic background (equivalent to 1.1 million) suffer from economic abuse this is twice the rate of white women at 13% (SEA 2024). Further, 7% minority women are forced into marriage for financial benefit of the abusers compared to 1% of white women. Existing research often overlooks the specific experiences and needs of migrant and minority women facing economic abuse and post separation economic abuse (Chowbey, 2017; Qureshi 2016; Sundari 2019). There are five areas that need urgent attention to support women from minority ethnic backgrounds:
- 2.2.2 **Exploitative transnational finance:** Transnational financial investments is a common practice, however, exclusion of women from these properties and investments contribute to economic abuse during marriage, separation and post-divorce stages. There is a need to comprehensively examine financial resolutions in separation/divorce in context of complex transnational financial investments but also establishing a mechanism so that these investments and business ventures are not exploitative during any stage of marital relationship. Chowbey's study highlighted several cases where women's earning were spent on household maintenance and men's earning were being invested in business and properties in their countries of origins leaving women with no investment (Chowbey 2020, 2017).
- 2.2.3 **Weaponized national boundaries:** Using national boundaries to abuse women with insecure as well as settled migration statuses financially is a form of economic abuse that has often surfaced in our work (Chowbey 2020; Chowbey 2016; Qureshi 2016, Qureshi and Chowbey under review). It often takes three forms: first, abusers disappearing to their countries of origins and be non-contactable or moving address leading to assumptions that they have left country so as not to be responsible for child-maintenance; second, exploiting women's insecure migration status to deny access to her individual or shared properties. For example, a woman who may be visiting her home country is informed by her partner that she cannot come back to the UK because they have initiated

divorce and refused visa and financial support forcing her to live away from her financial investments and sometimes children. And third; spouses temporarily moving out of the UK leaving women to deal with significant amount of debt that they have accrued in her name. is

- 2.2.4 **Legal pluralism, divorce and financial resolution:** research on legal pluralism has highlighted the potential for women's economic rights within divorce to be compromised by minority legal orders, as with Muslim religious marriages conducted within the UK but not registered, a situation which precludes financial resolution via statutory divorce law (Akhtar 2015). Even those in registered Muslim religious marriages may experience 'jurisdiction creep', where arbitration organisations - specifically sharia councils - are feared to overstep their bounds and rule or advise on questions such as financial resolution, which that are the jurisdiction of statutory law (Grillo 2015). Transnational legal pluralism may also have economic implications, for example, non-disclosure of transnational income/property, or the non-renewal of spousal visas precluding spouses abandoned in South Asia from accessing the UK justice system (Qureshi 2016).
- 2.2.5 **Coerced marriage for abusers' benefits:** New report by SEA, as mentioned above, shows that 7% minority women are forced into marriage for financial benefit of the abusers compared to 1% of white women (SEA 2024). These marriages often take place across the national boundaries. For example, a woman may be forced to marry against her will for financial benefits of the abusers such as visa and better financial prospects (Chowbey 2020; Chowbey 2016; Chantler et al. 2009). Such marriages may then be beginning of a financial exploitative relationship that continues lifetime, often becoming more severe with arrival of children.
- 2.2.6 **State facilitated transnational economic abuse:** Economic abuse and post-separation economic abuse in transnational spaces can be enabled by state and financial institutions. For minoritized women, these inequities and risks are exacerbated by the legal non-recognition of particular forms of economic abuse that are enabled by complex migration statuses, structural and institutional racialisation constraining women's access to legal support and options. For example, a woman with insecure migration and visa status may be fearful in approaching police or social services for the fear of being deported or

children being taken away (Chowbey 2016). While positive steps such as the review of the data-sharing arrangements between police and Immigration Enforcement and identifying appropriate measures provide migrant women greater confidence, other aspects of transnational complexities including transnational finance and weaponization of migration status to abuse women needs consideration (Domestic Abuse Commissioner 2021). The recognition of the above forms of abuse in transitional spaces among policy and practice is far from adequate as identified by the Multi Agency Review mentioned earlier (Thompson 2021).

### **3. HOW COULD THE GOVERNMENT ADDRESS ISSUES OF TRANSNATIONAL COMPLEXITY TO ADDRESS ECONOMIC ABUSE MORE EFFECTIVELY?**

- 3.1.1 **Evidence:** There is a need for rigorous evidence on transnational finance, transnational legal complexity, and transnational pluralism for making informed policy and practice decisions and to understand the full scale of the problem. A comprehensive investigation of financial resolutions in separation/divorce in context of complex transnational legal proceedings and legal pluralism is key to support women experiencing economic abuse through various stages of marital life. An intersectional approach that unveils the specific vulnerabilities associated with religious, caste, geographic, health and other socioeconomic locations, is necessary for this evidence to inform policy for them to be truly equitable and transformative.
- 3.1.2 **Economic independence:** The reason for higher prevalence and financial vulnerability among minority ethnic women are a consequence of cumulative socio economic and labour market disadvantages. The literature suggests high levels of feminised poverty (Nandi and Platt 2010) as well as stark gendered asymmetries in domestic finance during the marriage (Chowbey 2020), enabling situations of economic dependency in marriage and post-separation (Qureshi and Chowbey, under review). Minority ethnic women's economic empowerment through appropriate employment, affordable childcare especially for those with large families and financial inclusion need to be key focus areas to support minority ethnic women thrive in a transnational context.
- 3.1.3 **Appropriate training to identify and address economic abuse across national boundaries:** The above issues including exploiting transnational boundaries in the realm

of household finance, marriage and divorce legalities and marrying for financial gains need to be understood and be made part of the training toolkit to support minority ethnic women. While there is a commitment to improve policing and justice responses to support minority ethnic women (e.g. understandings around no-recourse to public funds), issues of transnational complexity and abuse need more attention. Non-disclosure of transnational income/property, exploiting transnational legal pluralism for controlling assets and also non-payment of child maintenance need attention.

- 3.1.5 **Focus on community-led initiatives:** While the national strategies provide broader guidance and direction to support all women irrespective of their backgrounds, community-led initiatives that are informed by minority ethnic women's specific experiences need to be strengthened. There is a need to recognise the urgency to build capacity, cultural competency and provide resources to support women trapped by weaponization of transnational boundaries through additional and sustained funding to 'by and for' organisations working at the community level.

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