



One woman had not seen her children for more than 10 years, having been lured back to Pakistan under false pretences
ASIM HAFEEZ FOR THE SUNDAY TIMES MAGAZINE

Wives abandoned overseas win right to return to Britain

Victims of domestic abuse separated from their children can now apply from abroad for indefinite leave to remain in this country to start the legal fight to take back their offspring from former partners

[Gabriel Pogrand](#)

Sunday October 23 2022, 12.01am, The Sunday Times

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Hundreds of mothers forcibly taken from their children and abandoned overseas by abusive husbands could return to Britain following a landmark ruling.

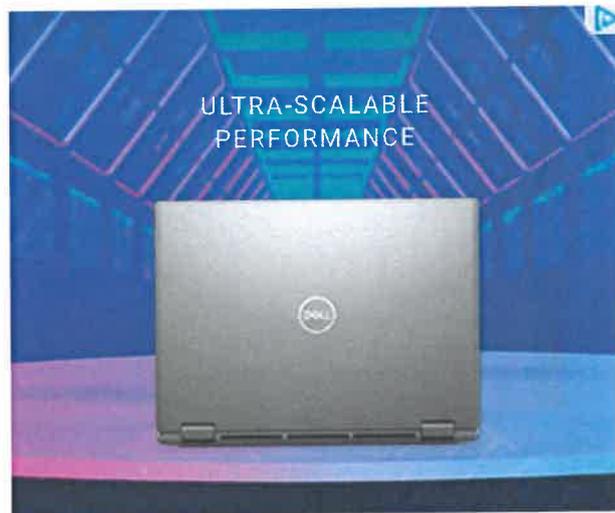
For decades, young women mostly of south Asian descent have been victims of the little-known practice of “transnational marriage abandonment”.

Typically, a victim is brought from a country such as Pakistan to the UK on a spousal visa as part of an arranged marriage to a British husband. Many report severe emotional and sexual abuse, being exploited for the purpose of producing children and acting as domestic servants for their in-laws. They are often incapable of challenging their treatment as they are illiterate, cannot speak English or have had their visas expire or passports confiscated.

After having children, they are deceived into returning to their country of origin and in many instances divorced. The husband will return to Britain and prevent them from seeing or speaking to their children. Without British passports or entry visas, stranded spouses cannot return to fight for the right to see their children.

However, a High Court ruling issued last week will give victims fresh hope.

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The woman in the case, who remains anonymous, married a British citizen in 2017, came to the UK and had a baby girl the following year. She was subjected to violence resulting in permanent internal damage.

In September 2020, she underwent hospital treatment and disclosed her abuse to the authorities, who identified her as a “high-risk” domestic abuse case. But her husband blackmailed her into leaving for Pakistan, telling others they were doing

so to “resolve their marital difficulties”. Within a week of arrival, the husband took her visa and fled back to Britain with their child.





Saba, in Lahore, Pakistan. After having children, women are deceived into returning to their country of origin and in many instances divorced. The husband will return to Britain and prevent visits to their children

Family courts already recognise transnational marriage abandonment as a form of domestic abuse, which should theoretically allow them to apply for the right to remain in Britain. With a long-term visa, women can begin the often years-long process of being reunited with their families.

However, abandoned spouses suffer from an anomaly: they have to be in Britain to apply for indefinite leave to remain. Sulema Jahangir, a British-Pakistani lawyer and human rights activist at the London firm Dawson Cornwell, said previously: “All a husband needs to do is remove his wife from Britain, and the special rights she has as a domestic violence victim vanish.”

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This year, the woman in the High Court case received help from lawyers, including Jahangir, in returning to Britain and reuniting with her child after an eight-month absence. Her visa lasted only six months and she was denied public funds or accommodation.

Nath Gbikpi of the Islington Law Centre and Rebecca Chapman of Garden Court

Chambers argued that this was unlawful and violated the woman's human rights – including her right to a family life enshrined in the Human Rights Act.

Mrs Justice Lieven agreed, saying abandoned women were discriminated against because, as a result of their abuse, they were abroad.

The Home Office is not appealing, which means that victims of transnational abuse will be able to apply from overseas for the right to remain in Britain.

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The verdict is a victory for organisations that have long been campaigning for stranded mothers. In 2019, [The Sunday Times met women](#) in Pakistan who had been brought to cities such as London, Luton and Birmingham before being taken home under false pretences and left in penury and isolation.

One woman, Nadia, 37, lived in a slum in Rawalpindi, more than two decades after being brought to Britain in an arranged marriage aged 16. She had not seen her children for more than 10 years, having been lured back to Pakistan after being told falsely that her father was severely ill, then abandoned.

She still wrote to her sons in English, telling them she loved and missed them and asking about the weather in Luton. But every letter was returned and she later learnt that her husband had poisoned her children against her, saying she was

“crazy”. Her children will be adults soon, and there is no guarantee they will want to see her, meaning there are countless barriers to her benefiting from the ruling.

But women such as her will now have a vital extra layer of legal rights and protections to return to Britain to fight for their children.

For help in the UK, go to southallblacksisters.org.uk or, in Pakistan, visit aghslaw.net