

Victims of domestic violence in Albania: sufficiency of protection and internal relocation

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1. This paper argues that, in many cases, asylum-seekers from Albania who are victims of domestic violence will not be able to avail themselves of a sufficiency of protection or an internal relocation alternative on return. This will be the case, in particular, for victims of domestic violence who are from poor families, who lack a social support network and/or who have physical or mental disabilities. The paper argues that the Home Office Country Policy and Information Note (CPIN) is wrong where it suggests that such claims can properly be certified as “clearly unfounded” under section 94 of the Nationality, Immigration and Asylum Act 2002.
2. The paper highlights evidence that victims of domestic violence face significant hurdles in obtaining domestic violence protection orders; that such orders are often ineffective even where they are granted; and that victims can be traced easily in another part of the country through word of mouth. It argues that poverty and lack of a support network are major barriers to accessing effective protection. It also highlights evidence that, aside from the risk from the original abuser, some victims of domestic violence will be vulnerable to trafficking, even if they have not been trafficked in the past. It suggests that when considering whether a victim of domestic violence will be adequately protected on return to Albania, decision-makers should apply the factors in *TD and AD (Trafficked women) CG* [2016] UKUT 92 (IAC) by analogy.

What is sufficiency of protection?

3. The Home Office often approaches the question of sufficiency of protection on the footing that the existence of a functioning justice system, able and willing to prosecute and punish offenders, is determinative of the question. But this is an oversimplification of the authorities.
4. The case of *AW (sufficiency of protection) Pakistan* [2011] UKUT 31 (IAC) establishes two important propositions. First, the effectiveness of the system provided is to be judged normally by its systemic ability to deter and/or to prevent the form of persecution of which there is a risk, not just punishment of it after the event ([23], citing *Bagdanavicius* [2005] EWCA Civ 1605). Second, notwithstanding systemic

sufficiency of state protection in the receiving state a claimant may still have a well-founded fear of persecution if they can show that its authorities know or ought to know of circumstances particular to their case giving rise to their fear, but are unlikely to provide the additional protection their particular circumstances reasonably require (ibid).

5. In short, protection is to be measured by the ability to provide **prospective** protection, not merely punishment after the fact. The judgment of the Court of Appeal in *Kinuthia* [2001] EWCA Civ 2100 (cited by Auld LJ in *Bagdanavicius*) makes this plain. In that case, the Court of Appeal made clear that the Tribunal had been wrong to direct itself that it was sufficient that the appellant would have subsequent judicial redress for ill-treatment. What matters is protection against ill-treatment.
6. Hence, the fact that the Albanian authorities sometimes prosecute and punish perpetrators of domestic violence, while relevant, is not determinative. The question is whether the state would be able and willing to provide a victim with the **prospective** protection that their particular circumstances reasonably require.

The country guidance case law

7. The elderly country guidance case of *DM (Sufficiency of Protection, PSG, Women, Domestic Violence) Albania CG* [2004] UKIAT 00059 is often cited, including in the CPIN, for the proposition that there is a general sufficiency of protection against domestic violence in Albania.
8. This, however, exaggerates the effect of the case. *DM* is a short determination by the standards of modern country guidance cases. No expert evidence was heard, and the only country evidence appears to have been a Home Office CIPU notice.
9. *DM* is also distinguishable on its facts from most cases of domestic violence. The appellant in *DM* was facing harassment and threats from her ex-boyfriend. In cultural terms, that scenario is wholly distinguishable from a scenario where a person faces violence from a husband or father. Albania has a traditional patriarchal culture based on notions of family honour, as clearly set out in Dr Schwandner-Sievers' evidence in *AM and BM (Trafficked women) Albania CG* [2010] UKUT 80 (IAC) at [59]-[60].
10. In *AM and BM*, one of the issues considered by the Tribunal was the risk to victims of trafficking at the hands of their own families. It was accepted at [171] that "*the family of the victim of trafficking may take action against the victim which amounts to persecution, a factor which might well mean that she would not be able to return to her home area.*" Critically, it was accepted at [182] that "[i]f the victim is at real

risk of persecution from her family or her “husband” then there is little evidence that the State would intervene, particularly in the north of the country.” Although this finding relates to trafficking victims, it is plainly relevant to any person who faces action amounting to persecution at the hands of their own family in their home area, even if they have not been trafficked in the past. In short, *AM and BM* recognises the possibility that there may be violence within the home against which the State would not provide protection, due to cultural factors. This finding was reached after a much fuller consideration of the evidence than occurred in *DM*.

11. Although *AM and BM* refers to a lack of protection “*particularly in the north of the country,*” the finding should not be regarded as limited to the north. As the Tribunal recognised in the later country guidance case of *TD and AD (Trafficked women) CG* [2016] UKUT 92 (IAC) at [111], internal migration from north to south has had the effect of “*transporting conservative Geg social mores into the more liberal south*”.
12. *DM* cannot therefore be taken to exclude the possibility that a victim would not be sufficiently protected against violence from their own family (as opposed to a person external to the family, such as the ex-boyfriend in *DM*). Such cases are distinguishable from *DM* on their facts. And even if they were not, the unequivocal finding in *AM and BM* – which is more recent than *DM* and was reached after a far fuller consideration of the evidence – constitutes the “very strong grounds supported by cogent evidence” required for departing from *DM*.
13. However, it is also necessary to carry out a detailed examination of the evidence – including the evidence contained in the Home Office’s Country Policy and Information Note (CPIN) – to ascertain what mechanisms of protection, in reality, are now available to victims of domestic violence.

Can victims obtain domestic violence protection orders?

14. The CPIN focuses heavily on the domestic violence protection order (PO) as a key mechanism of protection. This focus is appropriate. A protection order is intended to provide prospective protection, rather than merely punishing an offender after the event.
15. However, evidence – not cited in the CPIN – suggests that victims face serious hurdles in obtaining a domestic violence protection order. In 2016-17 the Human Rights in Democracy Center carried out a study of domestic violence protection order applications in the Tirana District Court.¹ The majority (1404 out of 1893, 76%) of applications for protection orders were dismissed, refused or rejected. 588 cases

¹ Human Rights in Democracy Center, “Respect of the rights of victims/survivors of domestic violence in the judicial process,” 2017 https://www.stopvaw.org/uploads/study_hrhc_2016_2017_1.pdf

were dismissed at the request of the petitioner and 553 cases were dismissed due to the non-appearance of the offender. Sometimes courts inappropriately sought to effect reconciliation between the parties, and the proceedings were dismissed, only for the violence to recur in future.² Notably, although the police can request a protection order or an immediate protection order, they did not do this in any case during the 2016-17 monitored period.³ In some cases the effect of a protection order was suspended pending appeal.⁴

16. The poor situation is summarised in a submission to the Universal Periodic Review by The Advocates for Human Rights:

“Courts dismiss an alarming number of protection order cases. Courts have accepted or partially accepted only 24 percent of petitions. Courts suspended, refused, or dismissed 76 percent of petitions for protection orders...

[I]n practice, courts also require conciliation (i.e., mediation) in civil proceedings for protection measures...

There have been violations... of the deadline for scheduling the hearing, and judges have violated the 15-day deadline to decide whether to grant a protection order. Postponing hearings places victims at risk, as their perpetrator can continue to commit acts of violence. In 27 percent of cases, there was at least one postponement of a hearing. In one case, the hearing was postponed six times at the defendant’s request. After the sixth postponement, the petitioner did not show up, and the court dismissed the case...

Monitoring also revealed practices where judges request victims to withdraw requests for protection measures if there are criminal proceedings...

Despite the protection this practice can provide to victims, the police have not requested a protection order for a minor or for an adult in any case from 2015 to 2017...

In approximately 90 percent of domestic violence cases that are dismissed, the victim does not have an attorney, and victims are represented by

² Ibid. at pp 13-20

³ Ibid. at 36

⁴ Ibid. at 42

attorneys in only 43 percent of cases that are not dismissed or rejected by the courts. The lack of free legal aid constitutes an obstacle to the effective trial of victims of violence, who are left alone and without legal protection in 57 percent of cases.”⁵

17. There is, at first blush, a contradiction between this and the CPIN’s assertion at 5.4.2, derived from the Home Office Fact Finding Mission (FFM) report, that *“Tirana court judges added that 90% of protection orders are granted”*.

18. The contradiction, however, is more apparent than real. The same source – Tirana family court judges quoted in the FFM report – goes on to say *“It has two phases: Urgent, to decide whether to have a PO based on the proof that is on the file. Second, further information -phone calls, medico-legal reports, more info from police possibly on perpetrator -then they decide on what to do. 90% accepted at the first stage. Then investigate further.”*⁶ Thus there are two phases of a protection order application. The first is the urgent (referred to in other sources as “emergency” or “immediate”) protection order, and the second is the final protection order. The figure of 90% relates to emergency protection orders, not final protection orders.

19. In another passage (not quoted in the CPIN), the FFM report quotes Different and Equal, an Albanian NGO, as saying *“You can get an Emergency Protection Order easily enough. The challenge is setting the conditions for a more long-term Protection Order. D&E also stated that sometimes the court say there is not enough proof for a Protection Order.”*⁷

20. In another passage, the FFM report quotes the Director of Social Services in the Municipality of Kùkes in saying:

“The head of DV unit has accompanied the women to court. They have to bring a complaint and apply for a Protection Order. In most cases, the police don’t have enough information and capacities to follow-up the cases in court. Because the administrator of the village (appointed by the municipality) doesn’t give enough information, it is mostly based on the victim’s allegations. This means that when the claim goes to court, there isn’t enough

⁵ The Advocates for Human Rights, Stakeholder Report for the United Nations Universal Periodic Review, May 2019 https://www.theadvocatesforhumanrights.org/uploads/albania_report.pdf

⁶ Home Office Country Policy and Information Note, “Albania: Domestic abuse and violence against women” (version 3.0, December 2018), para 5.4.3 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771648/Albania_-_D.A._-_CPIN_-_v3.0_December_2018_.pdf

⁷ Report of a Home Office Fact-Finding Mission: Albania, February 2018 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681071/Home_Office_FFM_Report_-_Albania.pdf at p 95

evidence to issue the PO. The court, most of the time, they tend to work on reconciliation between victim and perpetrator.”⁸

21. In other words, protection orders are liberally granted at the first stage, the “emergency” protection order. However, at the second stage, a protection order is much less likely to be granted. This is wholly consistent with the findings of the Human Rights in Democracy Center, which noted that in 26% of the cases that were dismissed, the victim had been granted an immediate (i.e. emergency) protection order.⁹ Hence, the evidence from multiple sources shows that many final protection order applications do not succeed and that the court often works (inappropriately) to reconcile the victim and the perpetrator.

22. The CPIN also quotes a European Commission report stating that *“During 2017, 3 243 cases [of domestic violence] were reported (against 3 700 in 2016) and 2 593 protection orders were issued (against 2 207 in 2016). For 2017, 129 of these protection orders were not respected (against 119 in 2016).”*¹⁰ The European Commission report, however, does not identify the source of these figures and – critically – does not identify whether its figure for the number of protection orders refers to **emergency** or **final** protection orders. From the other evidence available, it would seem likely that it includes emergency protection orders. It therefore cannot be taken to undercut the findings of the Human Rights in Democracy Center.

23. The lack of free legal aid for victims was one of the major issues identified in the Human Rights in Democracy Center report. Although reference is made to a new law on legal aid that came into force in June 2018, no evidence is provided in the CPIN that this new law has been effective in improving outcomes for protection order applicants. The CPIN indicates that free legal aid is available from some NGOs, but does not offer any evidence to undercut the finding that victims are not benefiting from state legal aid.¹¹

⁸ Ibid. at p 117

⁹ Human Rights in Democracy Center, “Respect of the rights of victims/survivors of domestic violence in the judicial process,” 2017 https://www.stopvaw.org/uploads/study_hrdc_2016_2017_1.pdf at pp 15-16

¹⁰ Home Office Country Policy and Information Note, “Albania: Domestic abuse and violence against women” (version 3.0, December 2018), para 5.7.1

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771648/Albania - D.A. - CPIN - v3.0 December 2018 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771648/Albania_-_D.A._-CPIN_-_v3.0_December_2018_.pdf) citing the European Commission Staff Working Document “Albania 2018 Report” <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-albania-report.pdf> at p 29.

¹¹ Home Office Country Policy and Information Note, “Albania: Domestic abuse and violence against women” (version 3.0, December 2018), para 7.7.1

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771648/Albania - D.A. - CPIN - v3.0 December 2018 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771648/Albania_-_D.A._-CPIN_-_v3.0_December_2018_.pdf)

24. Thus the available evidence shows that victims face formidable hurdles in obtaining long-term protection orders. The protection order cannot, in my view, be said to be an effective mechanism of state protection for a vulnerable victim who does not have access to resources and social capital.

Are domestic violence protection orders effective?

25. The evidence in the CPIN and FFM report paints a decidedly mixed picture of the effectiveness of protection orders. The FFM report states:

“Many sources observed that a challenge in the area of DV is the violation and lack of enforcement of protection orders. Often the courts decide to leave the victim and the offender in the same household for economic reasons which has led to further violence and, occasionally, murder.

Courts blame the police for not enforcing the POs, whereas the police blame the courts for issuing POs that are not enforceable.

The Social Services Department at the Municipality of Tirana commented that POs do work, but effective social services were needed to make that happen. Their opinion was that if a victim doesn't get support (including housing and a job) then it is difficult for a PO to be effective. Tirana has a lot of services, NGOs and international agencies to help people, but it is more difficult for people in the regions outside of Tirana which don't have these resources.

The Tirana Legal Aid Society noted that lawyers are allowed to ask for a Protection Order: 'A Protection Order is free of charge; but the expert is not free. This is why we are involved. We also cover the costs of judicial process. We ask for the most effective actions from the court. In some cases, I have asked for parental custody orders.

'...A problem of execution of Protection Orders. Once a person hasn't respected a Protection Order, it switches from a civil to a criminal matter. But it depends on whether it is reported.

'Don't really think these are effective. They need other things to accompany it. For example, if the person is to stay away from the other person, you need to provide that they can. Or, subsequent meetings should be supervised or monitored. But these don't happen often. And there is a problem with people being encouraged to report breaches of a Protection Order. When the cases are reported, the police are effective and do respond.'

Several sources referred to a case in August 2017 where a judge from Shkoder was murdered by her husband who was subject to a protection order: <http://www.balkan.eu.com/a-judge-gunned-down-in-tirana/>

There are cases of people going to prison for breaching a PO. The minimum sentence is three months.

The Director of the WCSSC in Kukes stated that POs were a big step ahead and were really necessary but the infrastructure to implement them was not fully in place. She said the state is obliged to give women victims food, education, accommodation, employment, but they don't. However, POs were generally reviewed by women judges who have been very considerate."¹²

26. In detail, the FFM report quotes the Director of the Women's Counselling and Social Services Centre (WCSSC) in Kukes:

"There are POs issued and they look good on paper, but there are big problems in implementing them. There is a situation where a woman lives in an apartment with her husband and husband's family. They are all poor, so are her own parents. Either she leaves, or she is sent far away, to the centres for VDV –away from her children, and people who might be able to help her. And she remains the victim. In Albanian family law, when a child is over 12, they are asked who they want to stay with and they very often choose their father. The POs were a big step ahead and were really necessary. But now we are in a place where the infrastructure needs to be in place to implement them, but it's not. For example, the state is obliged to give the women victims food, education, accommodation, employment, but they don't."¹³

27. The CPIN also states, citing the GREVIO report:

"GREVIO has been apprised of a number of difficulties regarding the application of this mechanism [i.e. protection orders], which for the most part do not relate to deficiencies in the law but rather to its ineffective implementation. The major issue is the weakness of protection orders, such as those ordering the perpetrator to live in one part of the family dwelling leaving the victim to live in the other..."

¹² Report of a Home Office Fact-Finding Mission: Albania, February 2018
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681071/Home_Office_FFM_Report_-_Albania.pdf at pp 23-24

¹³ Ibid. at pp 132-133

Other obstacles [besides victim and perpetrator remaining in the same house] standing in the way of an effective implementation of the EBOs/POs mechanism relate mainly to the lack of reactivity of responsible officials. These concern (a) the non-compliance with procedural deadlines, such as the 24 hour deadline to notify the victim, law enforcement, bailiffs and social services of the issuance of EBOs, or the absence of clear deadlines applying in case of appeals against the decision to issue an EBO/PO; (b) the scarce use by law enforcement and prosecution of their power to set in motion the procedure for the issuance of an EBO; (c) the failure of the responsible enforcement agencies, in particular bailiffs, to execute or to ensure the enforced implementation of EBOs/POs. GREVIO is further informed in this respect of cases where bailiffs have required payments from the victims in order to enforce EBOs or POs.”¹⁴

28. It cannot be said, against this factual backdrop, that protection orders consistently provide effective protection. While some sources suggest that the police do respond where breaches of protection orders are reported, the sources appear to be virtually unanimous in saying that victim and abuser are often left in the same household, and that poverty and lack of social support for the victim often undermine the effectiveness of the protection order in practice. Simply put, if a victim does not have the economic means to escape and live separately from their abuser, the protection order is unlikely to be effective.

29. There is also some evidence, from independent NGOs, that judicial corruption undermines the fight against domestic abuse. The FFM report provides the following evidence from Balkan Investigative Reporting Network (BIRN):

“We have looked at repeated cases in Shkoder. Lenient sentences create a situation where it can be repeated... Court system in Albania is quite corrupt. Many don’t see these cases as important –it is unlikely the woman would have the money to influence the outcome. When a wife files a complaint, the man is in a stronger position financially. We haven’t analysed the court cases on their merits specifically. But if you look at the data, they don’t get the same levels of convictions/sentences.”¹⁵

30. And from the Tirana Legal Aid Society:

¹⁴ Home Office Country Policy and Information Note, “Albania: Domestic abuse and violence against women” (version 3.0, December 2018), para 5.7.4 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771648/Albania - D.A. - CPIN - v3.0 December 2018 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/771648/Albania_-_D.A._-_CPIN_-_v3.0_December_2018_.pdf) citing GREVIO, ‘Baseline evaluation report,’ Albania, 24 November 2017 <https://rm.coe.int/grevio-first-baseline-report-on-albania/16807688a7> at p 57.

¹⁵ Ibid. at p 96

“Highlighted an example of one man who killed his wife after throwing her off a balcony; also locked their children in another room. When the case came to court, we asked that he have parental responsibility removed (as he was facing a 35-year sentence). But after the judge said he would, he did not. Corruption is a factor.”¹⁶

Can victims avoid the risk by relocating internally?

31. Victims cannot, in general, avoid their abuser by relocating internally, if their abuser is motivated to pursue them in another part of the country. In this regard, the Country Guidance case of *AM and BM (Trafficked women) Albania* CG [2010] UKUT 80 (IAC) made a critically important finding:

“186. We consider that that test, with its emphasis on the particular characteristics of the individual is particularly apposite when considering the position of victims of trafficking who might face internal relocation at a time when they would be suffering the trauma about which Dr Agnew-Davis spoke in her report and at the hearing. We emphasise the terms of the intervention of UNHCR quoted by Baroness Hale in her paragraph 20 above. Moreover we would emphasise that, as stated above, Albania is a country with a relatively small population. Dr Schwandner-Sievers refers to common socio-cultural conduct in which every person was socially positioned. We note the comment that the Director of the Anti-Government Unit, Ms Irena Targa, made to Dr Schwandner-Sievers that:

“Family relations are that strong in Albania, you have to live here to understand this is no fairy tale, how important family links are. A brother might even have trafficked his sister or killed her because she was trafficked, but the relationship is very strong. This is such a small country; it is not possible to live somewhere without being known. The family is so close. For us it is easier to identify everyone immediately. As soon as someone says their surname we know – the police scan the population. Once the name is mentioned, it depends on the family, but they come here from anywhere they can”.

187. We consider therefore that Albania is a country where there is a real fear that traffickers might well be able to trace those who have escaped from them or indeed those whom they fear might expose them. Whether such persons would be motivated to do so is, of course, another matter, as we

¹⁶ Ibid. at p 77

have discussed above. It is therefore a country where, at least, internal relocation is problematical for the victim of trafficking. To that should be added the difficulties for a single woman to reintegrate into a society where the family is the principal unit for welfare and mutual support as well as, it appears, the channel through which employment is most often obtained. We have therefore concluded that internal relocation is unlikely to be effective for most victims of trafficking who have a well founded fear of persecution in their home area, although once again we consider that it is important to consider each case on an individual basis.”

32. Clearly, the expert evidence which the Tribunal accepted here is relevant not just to trafficking claims, but to any claim where internal relocation is in issue. The nature of Albanian society – where family links are all-important, the country is small and it is easy to identify a person through family/community ties – make it much more difficult to “disappear” than it might be in another country. That is so regardless of the specific reason for the feared persecution.

33. The point is reinforced by the very similar evidence accepted by the Tribunal in *BF (Tirana - gay men) Albania CG* [2019] UKUT 93 (IAC) at [181] in the context of gay men fleeing their families:

“We accept Ms Young's evidence that a person's whereabouts may become known in Tirana by word of mouth. Albania is a relatively small country and we accept as entirely plausible that a person might be traced via family or other connections being made on enquiry in Tirana. Whether that would occur would depend on the family being motivated to make such enquiries (which motivation would probably depend on an awareness that the person may be living there) and the extent of its hostility. That is a question for determination on the evidence in each case.”

34. Hence, a sufficiently motivated abuser is very likely to be able to track down their victim in another part of Albania by word of mouth.

35. There is no reason to think that the availability of protection would be any more effective if a victim relocates internally. The evidence set out in the previous section from the Human Rights and Democracy Center was derived from the family court in Tirana, the capital city. It is unlikely that the level of protection will be better in a provincial/rural area of Albania; if anything, it is likely to be worse.

What other risks might victims face?

36. The risks faced by victims of domestic violence are not necessarily limited to risks from their abuser. Some victims who attempt to relocate away from their abuser may be highly vulnerable to trafficking, even if they have not been trafficked in the past.
37. It is well-established that where a person has been trafficked, factors such as their social and economic status, their level of education, their state of health including their mental health, their age, and the availability of a support network are relevant to whether they face a risk of re-trafficking against which they would not be adequately protected: *TD and AD (Trafficked women) CG* [2016] UKUT 92 (IAC).
38. In 2019 Asylos and ARC published a landmark report on trafficking and re-trafficking of boys and young men in Albania. It identified that boys and young men who are from poor backgrounds (especially in remote and rural parts of Albania), who are victims of domestic abuse and/or come from broken families, and/or who have physical and mental disabilities are all at particular risk of trafficking. Factors such as being LGBT and being from an ethnic minority are also relevant.¹⁷ In short, traffickers prey on those who are vulnerable to exploitation. Being a victim of domestic violence is a major risk factor, especially if the victim is poor, lacks a family support network and needs to find a means of supporting themselves.
39. These risks are relevant not only to those who have already been trafficked, but to those who may be trafficked in the future. A person who is a victim of domestic abuse and comes from a broken family, and who may have additional vulnerabilities such as being poor and having physical or mental disabilities, is likely to be easy prey for traffickers on return – especially if they relocate away from their existing social support network. In my view, the risk factors in *TD and AD* should be applied by analogy to victims of domestic violence.

Conclusions

40. In conclusion, the evidence suggests that:
- a. Victims who apply for protection orders face significant barriers in proving their cases. They may not have access to legal representation and they may face pressure to reconcile with the perpetrator. The majority of protection orders are not granted at a final hearing.

¹⁷ Asylos and ARC, “Albania: Trafficked boys and young men,” May 2019 <https://www.asylos.eu/albania-report> at pp 16, 20-26 and 36. See the detailed analysis by David Neale, “Albanian boys and young men: the risk of trafficking and re-trafficking on return,” 11 June 2019 <https://www.gardencourtchambers.co.uk/news/albanian-boys-and-young-men-the-risk-of-trafficking-and-re-trafficking-on-return>

- b. Even where a protection order is granted, it is unlikely to be effective if the victim, due to poverty and lack of social support, has no option but to continue living with their abuser. The effectiveness of protection orders can also be undercut by judicial corruption.
 - c. Victims can be tracked down in another part of the country by their abuser through word of mouth, if their abuser is sufficiently motivated to do so.
 - d. The risks to a victim are not limited to the risks from their original abuser. Victims who are poor, lack education, lack a social support network and/or are disabled are likely to be at heightened risk of trafficking, even if they have not been trafficked in the past.
41. In my view, this suggests that where a decision-maker is considering sufficiency of protection and internal relocation for a victim of domestic violence (irrespective of the gender of the victim), they should consider, by analogy, the risk factors set out in *TD and AD* as a useful guide. Factors such as the victim's social and economic standing, their level of education, their state of health including their mental health, and the availability of a support network are likely to be highly relevant.