

Domestic Abuse and Homelessness: Introductory Briefing

Domestic abuse is a major cause of homelessness in Scotland. In 2018–19 ‘dispute within household: violent or abusive’ was the main reason given for a homeless application by 4,614 applicants, representing 13% of applications¹. 79% (3,625) of these applications were made by women and 43% (1,975) of the households included children. More female applicants cited domestic abuse as the main reason for their homelessness than any other reason (22%)².

Not all domestic abuse happens between couples. For example, young people can be the victims of abuse and people that identify as LGBT have also been recognised as groups for whom this is an issue. The LGBT youth commission found that 69% of homeless LGBT young people had experienced violence, abuse or rejection from the family home³.

It is widely acknowledged that these figures significantly underestimate the scale of homelessness caused by domestic abuse⁴. People may not disclose that they are experiencing domestic abuse when making a homeless application, giving another factor as their main reason for applying⁵. Also, when forced to leave home people may initially rely on friends or relatives for a place to stay and not make a homelessness application until later, then citing ‘no longer able to live with family and friends’ as the reason for their application⁶. To set the above homeless figures in context, the police recorded 59,541 incidents of domestic abuse in Scotland in 2017-18⁷.

All participants in a 2017 parliamentary inquiry at Westminster agreed that domestic abuse should be seen equally as a criminal justice and housing issue⁸. They also stressed that having to apply as homeless or go down a homelessness pathway made their experiences more challenging.

Domestic abuse is closely linked with repeat homelessness. The ‘Finding the Costs of Freedom’ report found that the vast majority (87 of 100) of participants had moved house to end the abuse: of this group 38 had moved once (44%), 27 had moved twice (31%), 12 had moved three times (14%), five had moved four times (6%), five

¹ There were 36,465 applications in total. Scottish Government (2019) Homelessness in Scotland: 2018 - 19

² Scottish Government (2019) Homelessness in Scotland: 2018 - 19 - Equalities Breakdown

³ <https://www.lgbtyouth.org.uk/national-programmes/youth-activism/youth-commission-housing-and-homelessness/>

⁴ Scottish Government Communities Analytical Services (2010) Domestic abuse, housing and homelessness in Scotland: An evidence review

⁵ Netto, G. Pawson., H. and Sharp, C (2009) ‘Preventing homelessness due to domestic violence: providing a safe space or closing the door to new possibilities?’ *Social Policy and Administration*, 43 (7), 719 – 735

⁶ Edgar., B., Williams, N., McMahon., L (2003) Sustaining Tenancies following Domestic Abuse. Scottish Women’s Aid.

⁷ Scottish Government (2018) Domestic Abuse in Scotland: 2017 - 2018 statistics

⁸ All Party Parliamentary Group for Ending Homelessness (2017) Homelessness Prevention for Care Leavers, Prison Leavers and Survivors of Domestic Violence

had moved five or more times (5%)⁹. Research in Wales found that there was a link between domestic abuse and rent arrears; with tenants who are victims being four times more likely to have arrears related Notice to Seek Possession (NSP) than that of the general population of tenants¹⁰. The negative and far reaching impact of numerous moves are well documented. For anybody fleeing abuse multiple moves can make it hard to establish supportive social networks, maintain work/education and reduce health and wellbeing outcomes. This can lead to increased financial instability and forced reliance on welfare benefits¹¹.

Practice and Provision

People experiencing domestic abuse are well recognised by homelessness professionals as a group at particularly high risk of becoming homeless. The 2009 Homelessness Prevention Guidance¹² sets out that Registered Social Landlords (RSLs) should consider whether their practices unfairly penalise those affected by domestic abuse issues, that homelessness teams should liaise with specialist support agencies and that there should be an emphasis on sensitivity and confidentiality during interviews. Joint multi-agency training for staff on the causes and impacts of domestic abuse is viewed as particularly successful. The 2016 Housing Options Guidance suggests that people experiencing domestic abuse may in certain circumstances be maintained in their own home through the use of enhanced security measures and additional support, but stresses the need for a thorough risk assessment and the need for this to be something chosen by the individual concerned¹³.

Homelessness provision in Scotland for people experiencing domestic abuse has traditionally centred around a network of refuges run by voluntary sector providers in partnership with local authorities. These refuges provide safe accommodation and supportive services for women and their children. The locations of the refuges are not publicised so that perpetrators cannot find them. The role of refuges in homelessness prevention is discussed below.

The nature of domestic abuse means that safety is clearly paramount. If someone has presented to a Housing Options/ homelessness team fleeing domestic abuse then the immediate reduction of risk is necessary. By definition, a person who is unable to occupy their home through fear of violence or threat of violence is statutorily homeless. However, an assumption that the response of a survivor of domestic abuse will be to leave their home has overshadowed the possibility that, in some circumstances, the disruption and distress of being made homeless could be prevented. Losing your home, support networks and community and navigating homelessness systems can be extremely difficult while also dealing with the danger

⁹ Solace (2014) Finding the Costs of Freedom

¹⁰ Jackson, Rebecca (2013) The Role of Registered Social Landlords in tackling domestic abuse in Gwent and the wider implications.

¹¹ Solace (2016) The price of safety: how the housing system is failing women and children fleeing domestic abuse

¹² <https://www.gov.scot/publications/prevention-homelessness-guidance/>

¹³ COSLA and Scottish Government (2016) Housing Options Guidance

and trauma of abuse, and should be avoided where possible¹⁴. To date in Scotland facilitating a woman staying in her home has mainly been through the use of interdicts, non-harassment orders and exclusion orders, which can prevent a perpetrator from entering the property, going to certain places or carrying out specific actions¹⁵. There have also been a couple of examples of schemes in Scotland to secure the property against entry by the perpetrator. Sections below explore these prevention measures in more detail.

In 2015 a community research project was carried out in one local authority area in Scotland into the knowledge and attitudes of local authority staff towards domestic abuse surveyed 96 providers and 45 women with experience of domestic abuse, as well as conducting four in depth interviews¹⁶. They found housing options and homelessness systems to be neither confident nor consistent in providing the housing information and support that women needed. It was especially poor where women wanted information to support them to remain in their own home. In the same study women felt that many service providers did not respond with compassion, dignity and respect towards them, but instead responded in a way that implied the abuse was their fault, exaggerated, made up or that they were to blame¹⁷. Recent guidance for RSLs reiterates the need for housing responses to recognise the inequalities which women experience rather than reinforce these inequalities, or minimise the experiences of survivors¹⁸.

Complex Needs

Analysis of data from the large-scale Adult Psychiatric Morbidity Survey in England showed that women with extensive experience of physical and sexual abuse are likely to experience disadvantage in other areas of their lives. Homelessness is one area of disadvantage, but others include disability and ill health, substance dependence, poverty, debt and discrimination¹⁹. As part of the recent Hard Edges Scotland study, service providers reported that domestic abuse is experienced by almost all women experiencing the most complex forms of Severe and Multiple Disadvantage²⁰. Domestic abuse is associated with depression, self-harm and Post Traumatic Stress Disorder²¹. It is now understood that those with experience of complex trauma will often have trouble maintaining stable relationships, engaging in support and navigating non-clinical services²². In order to successfully support survivors of domestic abuse, all partners should be informed and able to engage with

¹⁴ Safe Lives (2018) Safe at Home: Homelessness and Domestic Abuse

¹⁵ Scottish Women's Aid (2017) Local Government and Communities Committee Homelessness Submission

¹⁶ Scottish Women's Aid (2015) Change, justice, fairness: Why should we have to move everywhere and everything because of him? Edinburgh: Scottish Women's Aid

¹⁷ *ibid*

¹⁸ ALACHO, CIH, SFHA, Shelter Scotland, Scottish Women's Aid (2019) Domestic Abuse: A Good Practice Guide for Social Landlords

¹⁹ Scott, S & McManus, S (2016) Hidden Hurt: Violence, abuse and disadvantage in the lives of women

²⁰ Bramley et al. (2019) Hard Edges Scotland: New conversations about severe and multiple disadvantage

²¹ Trevillion, K., Oram, S., Feder, G., & Howard, L.M. (2012) Experiences of domestic violence and mental disorders: A systematic review and meta-analysis.

²² Homeless Link (2017) Supporting women who are homeless

people in a way that takes into account the trauma they have experienced. Concerningly, the Hard Edges study found that services for survivors of domestic abuse in Scotland, including refuges, are not very often designed to include those with the highest level of complex need²³. It is understandable that refuges place a premium on women feeling safe. In some cases this means excluding women with complex needs whose behaviour might cause anxiety for other residents. However, a solution for those with complex needs is needed.

Preventing homelessness

In 2010 a Scottish Government review of domestic abuse, housing and homelessness policy and research concluded, 'The prevention or cessation of domestic abuse in a family context will almost always require the woman to leave that home'²⁴. Although this may still be the practical experience of the vast majority of women in Scotland, many organisations now strongly advocate the benefits of enabling the survivor to remain in their home²⁵. Women interviewed for the 2015 community research felt that the model of moving the women (and often her children as well) out of their home and into the homelessness system reinforced the perpetrator's control and sense of entitlement to the home. Survivors felt that a focus on them leaving was experienced as questioning the validity of their experiences and compounded the already significant impact of abuse²⁶. Leaving the home can lead to spending time in women's refuges or local authority temporary accommodation. Although they can provide safe and supportive places for households fleeing domestic abuse, women and children can also find living in such accommodation stressful²⁷. Many women do not have a linear or short journey to a new secure tenancy, but experience multiple moves between emergency and temporary accommodation units, which can be unhelpful in the process of recovery from the original trauma which women and children experienced in the family home²⁸.

In many cases empowering survivors to choose to safely remain in their homes would result in the perpetrator having to leave the property, and potentially becoming homeless themselves. To maintain survivors' safety, perpetrators must be adequately supported and appropriately housed²⁹. Putting resources into services for perpetrators can be controversial, especially when services dedicated to survivors are often stretched. However, there are examples of such schemes that have had some success. For example, 'Making Safe' was a multi-agency programme in North Yorkshire. It prioritised the needs of survivors while simultaneously addressing the behaviour of perpetrators. This was achieved through providing accommodation for the perpetrator for up to two years through a partner housing association and a key

²³ Bramley et al. (2019)

²⁴ Scottish Government Communities Analytical Services (2010)

²⁵ E.g. ALACHO et al. (2019), Scottish Women's Aid (2017), Safe Lives (2018)

²⁶ Scottish Women's Aid (2015)

²⁷ Fitzpatrick, S., Lynch, E., Goodlad, R. with Houghton, C. (2003) *Refuges for Women, Children and Young People in Scotland*, Edinburgh: Scottish Executive.

²⁸ Solace (2016)

²⁹ ALACHO et al. (2019)

worker whilst they attended a cognitive behavioural programme. An exploratory study of the programme found it to have had multiple benefits for the survivors: respite from the daily fear and anxiety caused by the controlling presence of the perpetrator, being spared the hardships associated with having to move into temporary accommodation and settle in a new area at a time of crisis, maintaining support networks, and experiencing an increased sense of choice and a measure of control³⁰.

Legal tools

One of the methods for assisting a survivor to stay in their home is the obtaining of an interdict, non-harassment order or exclusion order. These are employed to prevent a perpetrator from entering the property, going to certain places or carrying out specific actions. However, there are several ways in which they can be problematic. A study has found that obtaining exclusion orders with adequate force to protect women while they remain in the family home was difficult because of limited survivor-centred legal processes and professional attitudes³¹. Moreover, some survivors are not willing to pursue legal remedies as many worry that this might anger the perpetrator and make the situation worse, whilst others feel that the perpetrators would simply ignore the interdicts or sanctions³². In addition, getting these measures in place can take time and leave women in an insecure position and vulnerable to further abuse. Scottish Women's Aid also advocate for women to be able to easily access free legal services to support their ability to remain in their home and to obtain relevant protective orders³³. The limitations of the current options have been acknowledged by the Scottish Government and, following a consultation, in October 2019 the First Minister committed to introducing legislation during the current Parliament to introduce a new scheme of protective barring orders for people at risk of domestic abuse³⁴.

Sanctuary schemes

Sanctuary schemes provide practical security measures to enable a woman to remain in her home when the perpetrator no longer lives there. This can be through changing or reinforcing doors, locks and windows or installing safety cameras. In some cases a 'sanctuary room' might be created, from within which someone can call the police and wait in safety. The type of installation depends on the degree of risk, the needs of the household and the type or condition of the property. Sanctuary should be one element in a package of measures to support households at risk of domestic violence, with survivors' needs being fully assessed and re-assessed at regular intervals³⁵. In one London borough, implementing a sanctuary scheme

³⁰ Clarke, A. and Wydall, S. (2013) 'Making Safe': A Coordinated Community Response to Empowering Victims and Tackling Perpetrators of Domestic Violence. In *Social Policy and Society*, February 2013, 1 - 14

³¹ Shelter & Scottish Women's Aid (2005) Practitioner article- Domestic abuse and homelessness legislation.

³² Jones, A., Bretherton, J., and Croucher, K. (2010) *The effectiveness of schemes to enable households at risk of domestic violence to remain in their own homes*, London: Department of Communities and Local Government.

³³ Scottish Women's Aid (2017)

³⁴ <https://consult.gov.scot/justice/people-at-risk-of-domestic-abuse/>

³⁵ Jones et al. (2010)

resulted in a 40% reduction in the number of families in temporary accommodations as a result of domestic abuse, resulting in an estimated saving of over £600,000³⁶ .

There has been national variation in the extent and availability of Sanctuary Schemes across the UK. A 2010 evaluation for the Scottish Government found that the development of such schemes has been notably less in Scotland compared to England³⁷. There is no published or anecdotal evidence to suggest that the position has changed in 2020. However, a scheme in Stirling has been highlighted as good practice in which Stirling Women's Aid has been authorised by the Council to carry out home safety assessments for women they support in the community. This includes additional safety measures which the local authority and housing associations that are members of the scheme then provide³⁸.

The main advantage of a sanctuary scheme is that it can enable a woman and her children to remain in their family home, rather than becoming homeless (see discussion above). Research has indicated that sanctuary schemes have the potential to increase women's sense of safety from physical threat, ensure their continuing access to key services and link them to relevant support services³⁹. Where schemes are available they widen the range of options open to women facing homelessness due to domestic abuse. A large-scale evaluation of sanctuary schemes in England reported positively, finding that agencies and recipients of sanctuary schemes felt that the intervention had been successful in meeting their main aim of providing a safe alternative for households. The evaluation stressed that sanctuary should only be implemented where this is the choice of the survivor⁴⁰. Some have raised a concern that an increased emphasis on staying in the home could make it more difficult for women who might prefer to move⁴¹. Another evaluation, however, found no instances of coercion to accept sanctuary as a deterrent to a survivor applying as homeless or receiving other forms of assistance⁴².

Refuges

Refuges provide an important specialist supported accommodation resource for women and children who leave their home. Refuges provide a safe space for women and children to receive support, as well as being a crucial form of emergency accommodation. Scottish Women's Aid member organisations report that temporary accommodation provided by local authorities or in hotels and bed and breakfasts often do not feel safe for women fleeing domestic abuse⁴³.

³⁶ Department for Communities and Local Government (2006) Options for setting up a Sanctuary Scheme

³⁷ Scottish Government Communities Analytical Services (2010)

³⁸ ALACHO et al. (2019)

³⁹ Netto et al. (2009)

⁴⁰ Jones et al. (2010)

⁴¹ Netto et al. (2009)

⁴² Jones et al (2010)

⁴³ Scottish Women's Aid (2017)

Following their last survey at the end of 2018, Scottish Women's Aid reported there to be 477 refuge spaces in Scotland. The limitations of the level of provision in Scotland was highlighted by Scottish Women's Aid survey carried out in 2016, which found that 46% of women and their children needing refuge were unable to be accommodated due to lack of safe or suitable space⁴⁴. Research by Women's Aid in England highlighted the increased challenges in securing a refuge space faced by women with additional factors to consider such as language barriers, mental health issues or larger numbers of children. It also demonstrated the risks caused by the right refuges spaces not being available: while searching for a refuge space 17% of women had to call the police to respond to a further incident and 8% were physically injured by the perpetrator⁴⁵. The Hard Edges research in Scotland recently noted that refuge provision here is rarely designed to meet the needs of those who present with the most complex needs⁴⁶.

Research into the outcomes for 121 women leaving refuges in London found that after staying in a refuge they were unlikely to move on to sustainable housing. The report found that 87% of the women left refuges for continued temporary accommodation. Also, while 22% of women entered refuge with a secure tenancy, only 13% managed to retain it. Social housing shortages, inconsistent allocations processes and difficulties in removing a perpetrator from a property were all found to be contributing factors⁴⁷. Survivors effectively lost their home while seeking safety in refuge. Although it cannot be assumed that these findings would be replicated in the Scottish context, they do indicate that there can be opportunities while someone is in a refuge to work on preventing homelessness in the longer term. Refuges can play a role as an important partner agency in the wider prevention picture.

In light of the challenges highlighted above around retaining secure tenancies, the Housing First model has been identified as an appropriate resource to meet the needs of domestic abuse survivors. A Housing First model for domestic abuse survivors would ensure they are in safe and secure accommodation quickly and then their other needs could be addressed, including mental health treatment and other specific trauma induced issues⁴⁸. Jigsaw Support (formerly Threshold) provides a Housing First service in northwest England specifically focusing on supporting the needs of women and currently testing the Housing First model as an alternative to refuge provision for households experiencing domestic violence⁴⁹.

Role of social landlords and other services

Social landlords can play an important role in preventing homelessness for survivors of domestic abuse. Examples of measures they can put in place include awareness of financial abuse and coercive control in rent arrears situations, having specific

⁴⁴ Scottish Women's Aid Census Day Survey (2016)

⁴⁵ Women's Aid (2017) Nowhere to Turn: Findings from the first year of the 'No woman turned away' project

⁴⁶ Bramley et al. (2019)

⁴⁷ Solace (2016)

⁴⁸ All Party Parliamentary Group for Ending Homelessness (2017)

⁴⁹ <https://support.jigsawhomes.org.uk/information-article/housing-first/>

policies and allocations procedures in place for both survivors and perpetrators of domestic abuse, increasing the security for a property, and facilitating access to legal advice. Good practice guidance was issued last year to help RSLs respond appropriately to domestic abuse towards their tenants, including in the prevention of homelessness. The guidance outlines a specific domestic abuse approach to housing options, which recommends enabling women and children to remain safely in their home if possible⁵⁰. It highlights the case of a council tenant who was given a managed transfer to a housing association property. The moving process sensitively took into account the fears and concerns of the woman and her daughter, including the temporary storage of belongings and enabling flexibility around tenancy rules that would have otherwise been prohibitive⁵¹. The Pan London Reciprocal is a similar scheme, administered by Safer London and involving 30 local authorities and 28 housing providers⁵². The Domestic Abuse Housing Alliance in England aims to change the culture of the housing sector's response to domestic abuse. They have established a set of standards and an accreditation process for Housing Associations and other providers⁵³.

Domestic Abuse services can be instrumental in the prevention of homelessness. They might actively involve housing providers in their work, recognise the intrinsic link between homelessness and domestic abuse, and be willing to raise the issue of housing at an early stage with women they are in contact with⁵⁴. The police also have a crucial role to play in recognising the risk of homelessness at an early stage when they become aware of domestic abuse, for example when they are called out to a property and perceive that it is not safe for all residents to remain in the same household.

Joint Working

Housing options teams, refuges, housing providers, the police, domestic abuse agencies and social work all have important contributions to make in protecting survivors of domestic abuse and preventing homelessness where it is possible and desired. None of these agencies hold the solutions alone. As with most areas of homelessness prevention - and indeed, wider work with vulnerable groups - agencies working together is often most effective in protecting survivors and sustaining secure housing. The crucial role of effective joint working in cases of domestic abuse is facilitated by the use of the Multi Agency Risk Assessment Conference (MARAC) model. A MARAC is a survivor-focused information sharing and risk management meeting attended by all key agencies, where high risk cases are discussed. The role of the MARAC is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety. It is intended to combine up to date risk information with an assessment of a survivor's needs and links those directly to the provision of appropriate services for all those involved in a

⁵⁰ ALACHO et al. (2019)

⁵¹ *ibid*

⁵² All Party Parliamentary Group for Ending Homelessness (2017)

⁵³ <https://www.dahalliance.org.uk/>

⁵⁴ Safe Lives (2018) Safe at Home: Homelessness and Domestic Abuse

domestic abuse case: survivor, children and perpetrator⁵⁵. Safe Lives, a domestic abuse charity, believes it is particularly important that housing officials are always represented at MARAC and recommends that the engagement of housing representatives within the MARAC process should be monitored as a required core agency⁵⁶. This is important not only to ensure that the housing needs of a survivor are considered and given due attention, but also in recognition of the vital role that accommodation can play in keeping a woman in or returning to an abusive relationship, or freeing her to move away from it⁵⁷.

Issues for discussion section

This briefing has outlined many of the disadvantages for survivors of leaving their home and becoming homeless. It may be appropriate to give consideration to what a local authority '**Domestic Abuse Prevention Pathway**' could include, and whether authorities should be required to develop one if there is not one in place already.

The **MARAC** framework is acknowledged as being effective in reducing risk and addressing the needs of survivors. Currently MARACs are a non-statutory response, meaning that representation by agencies at the meetings is not mandatory. Given the significant role that accommodation plays in the options available to survivors, it could be helpful to discuss whether MARACs should be given a statutory basis, with named representatives including housing being required to attend.

The role of the **police** is central in responding to and protecting survivors of domestic abuse. Often they are the first public authority to become aware of the risk. Therefore, they could also be the first to raise the issue of housing with the survivor and to potentially play a role in the prevention of homelessness. If a duty parallel to the 'duty to refer' in England were to be introduced in Scotland, consideration could be given as to what would enable the police to respond most appropriately in these situations.

Awareness of **social landlords** of issues around domestic abuse, and willingness to implement dedicated approaches for survivors is a key part of the prevention picture for this group, for example through the facilitation of managed transfers. RSLs (registered social landlords) are included in the Welsh duty to co-operate, but are not included in the English duty to refer. It may be appropriate to consider the Welsh approach to the inclusion of RSLs in prevention legislation.

Author:
Emma Dore (Adair Richards Associates), February 2019
emma.dore@adairrichards.com

⁵⁵ <https://www.reducingtherisk.org.uk/cms/content/marac>

⁵⁶ Safe Lives (2018)

⁵⁷ Clarke and Wydall (2013)