

Domestic violence – assistance for adults without
dependent children

Final report

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Key terms and definitions

ADVICE AND ASSISTANCE

A local authority has a duty to ensure that advice and assistance is provided to all housing applicants found to be homeless and eligible for assistance, but not owed the main homelessness duty, i.e. those who are intentionally homeless and/or not in priority need.

ADVICE AND INFORMATION

A local authority has a general duty to ensure that advice and information about homelessness and the prevention of homelessness are available free of charge to everyone in their district, including people who may not be eligible for assistance.

BOND SCHEME

Another term for a Rent Deposit Scheme

CODE OF GUIDANCE

The *Homelessness Code of Guidance for Local Authorities* (Communities and Local Government 2006a) provides statutory guidance which local housing authorities and social services authorities must have regard to by law in exercising their statutory functions relating to homelessness and the prevention of homelessness.

CONSIDERED UNDER THE LEGISLATION

A local authority must give proper consideration to all applications for housing assistance, and if they have reason to believe that an applicant may be homeless or likely to become homeless within 28 days, they must make inquiries to determine whether they owe the applicant any duty under Part 7 of the Housing Act 1996 (the homelessness legislation).

DEPENDENT CHILD

A dependent child is generally a child under 16, or under 18 and in full time education, who resides with the applicant. The code of guidance does however suggest that local authorities should consider whether children over 16 who are in employment are in fact sufficiently mature to live independently. In cases where a child divides their time between both parents, the authority will need to decide on the facts of the case whether or not the child resides with the applicant.

DOMESTIC VIOLENCE

Domestic violence is defined by government as *"Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality"*¹.

ELIGIBLE FOR ASSISTANCE

Some groups of persons from abroad are not eligible for housing assistance, for example, nationals of countries outside the European Economic Area who have short term leave to enter the UK on condition they do not have recourse to public

¹ Home office (www.crimereduction.homeoffice.gov.uk/dv/dv01.htm)

funds. The rules on eligibility for housing assistance broadly align with the rules on eligibility for housing benefit.

FLOATING SUPPORT SERVICES

Support services not tied to specific accommodation.

HOMELESSNESS ACT, 2002

The 2002 Act amended Part 6 (housing allocation) and Part 7 (homelessness) of the Housing Act 1996. It also placed a new duty on local authorities to publish a homelessness strategy, based on a review of homelessness in their district, at least every 5 years. These are strategies for preventing homelessness and ensuring that sufficient accommodation and support will be available for people in the district who are homeless or at risk of homelessness.

HOUSING ACT, 1996

Part 7 of the 1996 Act gives local housing authorities in England and Wales a range of homelessness functions. It includes the legal definition of “homeless”.

HOUSING OPTIONS

“Housing Options” is a term used to describe a general, non-statutory, service which many local authorities provide to assist people seeking help with accommodation. In many local authorities, this service is also used to discharge their statutory obligation to ensure that individuals accepted as homeless are provided with advice and assistance. Housing options services will often include services to prevent homelessness.

INTENTIONALLY HOMELESS

Under the homelessness legislation, an applicant becomes intentionally homeless if they deliberately did (or did not do) something that caused them to leave accommodation, in circumstances where the accommodation was available for them and it would have been reasonable for them to continue to occupy it.

INTERIM ACCOMMODATION

This is temporary accommodation which a local authority must secure for an applicant if the authority has reason to believe an applicant may be homeless, eligible for assistance and in priority need. The accommodation is provided while the local authority makes inquiries to determine whether any substantive duty is owed.

LOCAL AUTHORITY

This term has been used throughout this report to refer to a local housing authority.

LOCAL CONNECTION

Under the homelessness legislation, a local authority can seek to refer a case to another local authority only once it is satisfied that the applicant is eligible for assistance, unintentionally homeless and has a priority need for accommodation (ie meets the criteria for the main homelessness duty). If the authority consider that the applicant does not have a local connection with their district, does have one elsewhere in Great Britain, and would not be at risk of violence in the other district, the authority can seek to refer the case to the authority in that other district. The authority has a temporary duty to secure accommodation until the question of

referral is agreed.

Under the legislation, a person may establish a local connection with a district because he is, or was previously, resident there by choice; because he is employed there; because of family associations, or because of special circumstances. The local authority associations have published procedures for referral of homeless applicants which suggest the following non-statutory working guidelines for establishing a local connection:

- Normal residence of at least six months during the previous 12 months.
- Normal residence of at least three out of the last five years.
- Current employment in the borough (not of a casual nature).
- A close relative has lived in the borough for the last five years.

MAIN HOMELESSNESS DUTY

A local authority owes the main homelessness duty to applicants who are eligible for assistance, homeless through no fault of their own, and fall within a priority need group. Under the duty the local authority must secure suitable temporary accommodation until a suitable settled home can be offered. In most cases, the offer of settled accommodation that ends the homelessness duty is an offer of social housing.

MULTI-AGENCY RISK ASSESSMENT CONFERENCE

Part of a coordinated community response to domestic abuse, incorporating representatives from statutory, community and voluntary agencies.

PRIORITY NEED

Broadly speaking, under the homelessness legislation, a person has a priority need for accommodation if, they are pregnant, have dependent children, are vulnerable for some reason (for example, because of old age, mental illness, disability or other special reason or having to cease to occupy accommodation by reason of violence or threats of violence which are likely to be carried out) or are homeless as a result of an emergency (such as a fire or flood). In some cases, a person is also in priority need if they are a person with whom a vulnerable person resides or might reasonably be expected to reside². Housing applicants in priority need will be owed the main homelessness duty if they are eligible for assistance and unintentionally homeless.

PRIVATE RENTED SECTOR

Any residential accommodation provided, usually at a market rent, by a private landlord (individual or organisation).

RENT DEPOSIT SCHEME

Scheme under which a local authority or other agency provides a private landlord with a bond guarantee in lieu of the traditional advance cash payment that provides a security deposit. This can assist households into private rented accommodation.

² Housing Act 1996, s.189 (1) and see also SI 2002/2051

REGISTERED SOCIAL LANDLORD

Registered Social Landlord, a housing association registered with, and regulated by, the Tenant Services Authority as a provider of social housing³.

SANCTUARY SCHEMES

These provide security measures to allow those experiencing domestic violence to remain in their own accommodation where it is safe for them to do so, where it is their choice and where the perpetrator no longer lives within the accommodation. The measures can include improvements to doors and windows and/or the provision of a sanctuary room (sometimes known as a “panic room”) where occupants may flee to whilst they await police assistance if they are in danger.

SETTLED ACCOMMODATION

This term is used generally to distinguish accommodation from that which is temporary or short term. It may include social housing, a tenancy with a private landlord or owner occupation. It is sometimes referred to as permanent accommodation. The term is also used to define accommodation that is capable of ending the main homelessness duty from temporary or interim accommodation (which does not end the main duty). This can include social housing or a tenancy in the private rented sector.

SOCIAL HOUSING

Publicly subsidised housing provided at sub-market rent levels under e.g. a secure tenancy provided by a local authority or an assured tenancy provided by a registered social landlord.

STATUTORY HOMELESSNESS

This term is commonly used to refer to people owed the main homelessness duty. However, its broader meaning is everyone who receives homelessness assistance as a result of being considered under the legislation. To avoid confusion, this term has been avoided where possible in this report.

STATUTORY SECTOR SERVICES

Services delivered by an organisation because they have a duty in law to do so.

SUBSTANTIVE DUTY

A duty (other than an interim duty pending inquiries) to secure accommodation or ensure that advice and assistance is provided. The question of whether, and if so which, substantive duty is owed will depend on the applicant's circumstances (e.g. whether unintentionally homeless, in priority need etc).

SUFFICIENT ASSISTANCE

Assistance provided by a local authority which ensures that a person does not have to return to accommodation where he or she would be at risk of violence

TEMPORARY ACCOMMODATION

This term is often used to refer to accommodation provided under the homelessness legislation which is not settled accommodation. Settled accommodation ends a

³ From 1 April 2010 all existing registered social landlords in England and any newly registered landlords are now known as registered providers of social housing (RPs)

homelessness duty; temporary accommodation does not. Temporary accommodation includes interim accommodation secured by a local authority. The term 'temporary accommodation' can also have a more general meaning, for example, it can include accommodation that homeless people secure for themselves on a temporary basis whilst they look for settled accommodation. It can include women's refuges, bed and breakfast accommodation, hostels or other forms of accommodation intended to be temporary or short term.

VOLUNTARY/NON-STATUTORY SECTOR SERVICES

Services provided by organisations that carry out activities on a not for profit basis (other than public bodies or local authorities).

VULNERABILITY ASSESSMENT

For the purposes of this report, a vulnerability assessment is an assessment made by a local authority to determine whether an applicant is in priority need because he or she is vulnerable for some reason.

VULNERABLE

Under the homelessness legislation, a person is in *priority need* if, among other things, they are vulnerable for some reason. For example, the legislation provides that a person may be vulnerable as a result of old age, mental illness or handicap or physical disability or any other special reason. A person will also be in priority need if he or she is vulnerable due to domestic violence. Case law has established that an applicant will be vulnerable for the purpose of the legislation if, when homeless, he or she would be *"less able to fend for himself than an ordinary homeless person, so that he or she would suffer injury or detriment in circumstances where a less vulnerable person would be able to cope without harmful effects"*⁴.

VULNERABLE DUE TO DOMESTIC VIOLENCE

A person who is vulnerable (for the purpose of the homelessness legislation) as a result of ceasing to occupy accommodation by reason of violence from another person or threats of violence from another person which are likely to be carried out.

WOMAN'S REFUGE

These are safe houses for women, with or without children. A network of refuges exists around the country but many are run independently. Their location is kept secret.

⁴ The leading case on vulnerability is R v Camden LBC Ex. p Pereira (1999) 31 HLR 317, CA

Introduction

This report focuses on adults who are neither pregnant nor have any dependent children living with them and who have to leave their homes because they are fleeing domestic violence. It was commissioned in autumn 2008, following an amendment tabled during the Commons Committee stage of the Housing and Regeneration bill which sought to extend the priority need groups in the homelessness legislation to include *“a person without dependent children who has been subject to domestic violence or is at risk of such violence, or if he or she returns home is at risk of violence”*.

Aims and objectives

Anecdotal evidence has suggested that adults who are fleeing domestic violence are often not accepted as being vulnerable and having priority need, and consequently the help they get from a local authority may be limited to advice and assistance to help them secure accommodation for themselves. Concern has been expressed that such a response may put these people at risk of having to return to a violent situation.

This study aimed to gather firm evidence on the extent to which adults without dependent children who have to leave their homes as a result of domestic violence, and who seek housing assistance from a local authority, receive sufficient assistance to ensure they do not have to return to accommodation where they would be at risk of violence. The study sought to consider and provide evidence on the provision of both statutory and non-statutory assistance, provided directly by local authorities and partner providers.

Where adults without dependent children do not receive a response that ensures they do not have to return to accommodation where they would be at risk of violence, this study aimed to establish why this is the case, and to identify the consequences for these adults. It gathered evidence to establish whether there are any particular groups of adults who are more likely to receive appropriate help to ensure they do not have to return to accommodation where they would be at risk of violence, and whether there are particular groups who may be at greater risk of not getting the assistance they need.

The four key objectives of this study were to establish:

1. Estimates of the number and circumstances of adults who have to leave their home because of a risk of violence, who seek housing assistance from a local authority and who receive sufficient assistance to ensure they do not need to return to accommodation where they would be at risk of violence.
2. Estimates of the number and circumstances of adults who have to leave their home because of a risk of violence, who seek housing assistance from a local authority and who do not receive sufficient assistance to ensure they do not need to return to accommodation where they would be at risk of violence.

3. The types of housing assistance being provided to such adults, both statutory and non statutory.
4. Where such adults are not getting the assistance they need to ensure they do not need to return to accommodation where they are at risk of violence, what are the reasons for this, and the implications? Do they, for example, return to a violent situation, or do they make alternative arrangements?

Methodology

The research was conducted over a period of one year from November 2008 to October 2009. A mixture of research methods were used to address the aims and objectives and fill in gaps in existing knowledge.

LITERATURE REVIEW

Research reports, academic papers and the relevant legislation were reviewed to provide a context to considering domestic violence, homelessness, adults without dependent children, the law and the assistance provided by local authorities to this group.

NATIONAL STAKEHOLDER INTERVIEWS

Stakeholders from a range of national organisations connected with domestic violence and/or housing provision were interviewed by telephone. They were interviewed about their knowledge of the circumstances in which adults without children are threatened with homelessness as a result of domestic violence and approach their local authority for help with housing.

The stakeholders were a mixture of service providers and pressure and lobbying groups, active in the housing and domestic violence sectors. A solicitor specialising in family law was also interviewed. A specialist adviser, seconded to Communities and Local Government to work with local authorities on tackling homelessness was also interviewed.

The list of stakeholders consulted and questions asked are in Annexes 1 and 2.

SECONDARY DATA

A number of different sources of quantitative secondary data sources were analysed. These sources included:

- CORE data – data submitted by housing associations and local authorities on the profile of tenants receiving new registered social landlord or local authority lettings⁵
- P1E data – submitted by local authorities about their activity under the homelessness legislation, including decisions on applications and the number of households in temporary accommodation⁶

⁵ CORE data used were for 2008/9. All registered social landlords with a stock of over 250 are required to complete CORE, and 92 per cent of local authorities participated in CORE in 2008/09.

⁶ P1E statistics are published by Communities and Local Government, at: <http://www.communities.gov.uk/housing/housingresearch/housingstatistics/housingstatisticsby/homelessnessstatistics/livatables/>

- Supporting People client records – data compiled from projects (such as women's refuges) in receipt of Supporting People funding, about clients accessing their services

All of these datasets cover the whole of England. The key data from these sources are in Annex 4.

LOCAL AUTHORITY EMAIL SURVEY

An email survey was sent to all local authorities in England in December 2008 asking them about their policy and practice in determining the assistance they provide to adults without children who seek help with housing as a result of domestic violence. The survey also asked about any data collected on the number and circumstances of applicants.

A reminder email was sent out to local authorities that did not respond to the first email and a third email was sent to local authorities in Yorkshire and Humberside because of the initial low response rate there in comparison to other regions. The majority of respondents answered all the questions but a few were only able to answer some questions. The overall response rate was 36 per cent. The survey questions are in Annex 5 and the key findings in Annex 6.

LOCAL AUTHORITY CASE STUDIES

Four local authorities were selected as case studies in order to explore in depth the nature of assistance provided to adults without children fleeing domestic violence. These included:

1. One district in a rural part of England.
2. One district in the south of England, with high housing pressure.
3. One inner-London borough.
4. One urban area in a part of England with relatively low housing pressure.

They were chosen to reflect a range of different housing pressures, a rural-urban dimension, and a geographical spread. They also varied considerably in size and in the different types of housing and support available to people fleeing domestic violence. Care was taken to ensure co-operation from all four case studies selected, to avoid the possible bias of studying only areas which were keen to participate.

The case study authorities were offered anonymity in order to encourage staff to speak frankly and in order not to disclose the location of local refuges.

In each case study six to eight face to face interviews were conducted with the relevant local authority officers and with other relevant service providers in the local area including women's refuges, the police, local hostels, victim support and independent domestic violence advocates. Each interview had between one and four participants.

The case studies were used to determine the different kinds of assistance people made use of after they sought help, both from the local authority and from other agencies.

WOMEN'S AID SURVEYS

Women's Aid conducts an annual survey of domestic violence service providers in England (most of which are their members). As part of this survey, Women's Aid asks all those who take part to collect detailed information about the women and children who use their services on one specific day (the Day to Count) or – in the case of non-refuge based services – during the course of a week.

For the purposes of this research, some additional questions were added to these elements of the 2009 survey, which was run in June 2009. These questions asked about the extent to which women had approached local housing authorities for assistance prior to and after seeking help from refuge services, and about the sorts of responses they had received, including decisions made under the homelessness legislation. Information was collected in relation to:

- Women and children who were resident in refuge accommodation provided by the responding organisations on one specific day, Thursday 11 June 2009.
- Women who used non-refuge-based services run by responding organisations during the week beginning 8 June 2009.

A one in four sample of service users was selected by responding service providers. In total this produced a sample of 155 women without dependent children resident in refuge accommodation on the specified date, and 237 women who were known not to have dependent children who had used non-refuge-based services during the week.

The questions added to the survey are in Annex 7, and the full results in Annex 8.

DEVELOPING A MODEL

A model was developed to show the different ways in which assistance was provided to adults without dependent children who approach their local authority housing department for assistance as a result of domestic violence. The different data sources were then used to give indications of the numerical size of the flows between different stages of the model. In order to refine and validate the model, the project Reference Group were also involved in its development.

Whilst every effort was made to verify sources and to triangulate from different sources, the numbers are necessarily estimated and data was used from several different sources to make these estimates. All numbers should therefore be interpreted with caution and regarded as indicative, not conclusive.

The structure of this report

CHAPTER 1: DOMESTIC VIOLENCE, ADULTS WITHOUT DEPENDENT CHILDREN AND HOMELESSNESS

This chapter explores the context and issues surrounding domestic violence and homelessness. It also sets out the legal and policy framework. A model is introduced to demonstrate the various ways, both statutory and non-statutory, that assistance may be provided by local authorities to adults without dependent children.

CHAPTER 2: POLICY AND PRACTICE

This chapter draws on the case study work as well as the email survey and other data sources in order to illustrate the different ways in which the assistance was provided in different local authorities. It builds upon the different stages identified in the model in order to explore the factors that influence outcomes at each stage.

CHAPTER 3: NUMERICAL ESTIMATES

This chapter builds on the model introduced in Chapter 1 illustrating the process of assistance. It draws on all the data sources in order to estimate the number of adults without dependent children who receive different types of responses and outcomes following their approach to local authorities.

CHAPTER 4: CONCLUSIONS

This draws out the conclusions from the previous chapters in order to address the key research questions.

Chapter 1: Domestic violence, adults without dependent children, and homelessness

This chapter explores what is known about domestic violence, who it affects, and the impacts it has upon the lives and housing needs of adults without dependent children who experience it. It also sets out the legal and policy framework for local authorities providing assistance to this client group. It explores the different ways in which help can be provided and introduces a model which illustrates the different routes and means by which households seeking help can be assisted by local authorities.

Key points

- Domestic violence can affect anyone, but is most commonly experienced by women in younger age groups.
- People who have to leave their home as a result of domestic violence may require housing related support and/or assistance to secure temporary and/or settled accommodation.
- Local authorities have an interim duty to accommodate people, including those fleeing domestic violence, whilst they make inquiries to determine whether any substantive duty is owed, if they have reason to believe that the applicant may be eligible for assistance, may be homeless, and may have a priority need for accommodation.
- A local authority only owes the main homelessness duty to an applicant fleeing domestic violence if satisfied that the applicant is homeless, eligible for assistance, in priority need and not intentionally homeless. Such applicants must be secured accommodation until an offer of settled accommodation can be made.
- A person who is not pregnant and does not have a dependent child will generally have priority need only if they are vulnerable for some reason, including as a result of fleeing violence (or threats of violence).
- Many local authorities offer a Housing Options service to provide housing advice, prevent homelessness and assist with housing applications.
- Anecdotal reports had raised concerns that single adults without dependent children who are fleeing domestic violence are not always offered sufficient assistance when they approach a local authority for assistance. There are concerns over the initial response from local authorities and over the issue of assessing vulnerability appropriately.

1.1 What is domestic violence and whom does it affect?

Domestic violence is defined across government as *“any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality”*⁷. It is defined by the Housing Act 1996 as: *“violence from a person with whom he is associated, or threats or violence from such a person which are likely to be carried out”*⁸.

⁷ Home office (www.crimereduction.homeoffice.gov.uk/dv/dv01.htm)

⁸ Housing Act 1996, section 177

The *Homelessness Code of Guidance for Local Authorities* (Communities and Local Government 2006a) also cites the cross-government definition, adding that domestic violence can take place outside, as well as inside, the home.

Domestic violence can affect anybody, regardless of their gender, gender identity, age, wealth, location, disability, ethnicity, religion or sexuality. Victims of domestic violence suffer on many levels - health, housing, education - and lose the freedom to live their lives how they want and without fear (Home Office, 2008).

Evidence shows that women are more likely than men to experience domestic violence, and are more likely to suffer from repeat incidents, serious physical injury and emotional harm (Westmarland and Hester 2007; Hester et al, 2006; Hester and Westmarland 2005; Walby and Allen, 2004). Domestic violence can occur between parents and children, or other family members. However most of the literature has been largely concentrated on the most common form, violence perpetrated against women by male partners or former partners.

BARRIERS TO LEAVING VIOLENT RELATIONSHIPS

There are many reasons why someone experiencing domestic violence may not be ready to leave a violent relationship and may not seek help to do so (Enander, 2010). These include feelings of shame, isolation, fears about the future, low self esteem, worries about money, exhaustion and fears about where to go (Ibid; Anderson et al , 2003). Some sufferers of domestic violence are anxious about seeking help, because of factors such as individual perceptions of the seriousness of the violence or a perceived requirement to end the relationship (Fugate et al, 2005). Victims may be restricted in their movements, and physically or socially isolated, which can make accessing services difficult. To avoid the perpetrator they may need to move to accommodation some distance away from their current home, though this may risk losing established social links. Victims may be frightened about the repercussions of leaving. In their analysis of the British Crime Survey, Walby and Allen (2004) found that many people did not report even severe incidents of domestic violence to the police and that women were particularly likely to state that this was due to fear of reprisals. Many reasons were given for not seeking help, such as it being a private family matter or fearing more violence or that the situation would get worse as a result of police involvement (Walby and Allen, 2004).

If a victim approaches an agency, such as the police or a local authority, for assistance, the nature of the response is important in supporting a successful, safe move away from a violent relationship (Robinson, 2006; Anderson et al, 2003; Buzawa, 2003; Shepard and Pence, 1999). Sometimes victims will make several attempts to leave before they actually leave permanently and safely⁹.

Relationships between perpetrators and victims are complex (Enander, 2010) and some people may return to a violent relationship regardless of the assistance and support provided by agencies.

⁹ Women's Aid <http://www.womensaid.org.uk/domestic-violence-articles.asp?section=00010001002200410001&itemid=1277&itemTitle=Why+doesn%27t+she+leave>

1.2 The housing needs of adults without dependent children who are at risk of domestic violence

In order to consider what kinds of support are needed by victims seeking assistance as a result of domestic violence, it is necessary first to outline the main housing needs of adults without dependent children who are at risk of domestic violence. The availability of safe, affordable and stable housing has been shown to make a difference to the ability to escape an abusive partnership and remain safe and independent (Menard, 2001; Morley, 2000).

There is a range of possible accommodation needs and housing related support that, if provided, can help ensure a successful and safe end to a violent relationship. It should be noted that there are also often other (non-housing related) kinds of support that help victims to stay safe and prevent them from returning to a violent relationship, such as counselling and assertiveness training.

REMAINING AT HOME

Many people who suffer domestic violence are able to remain safely in their own homes, provided the perpetrator is not living at the property or can be evicted or otherwise kept away. There is a role here for of Sanctuary Schemes (Jones et al, 2010), as well as for legal measures to prevent the keep the victim safe.

However, for some people, the only way in which they can be safe from further violence is if they leave their home and find somewhere else to live (Morley, 2000). Typically, they will need immediate access to safe temporary housing, which they may need to access in emergency situations, such as a women's refuge. In most cases they will also need to move to settled accommodation after a period of time.

FINDING EMERGENCY ACCOMMODATION

People who need to leave their homes because of domestic violence need to access some form of accommodation as an emergency measure until they are able to move on to more settled housing. It is recognised that a sensitive, sympathetic response is needed from service providers, including local authority officers and/or voluntary sector agency staff. In many cases involving violence, the applicant may be in considerable distress and an officer trained in dealing with the particular circumstances should conduct the interview (Communities and Local Government, 2006a).

Some people may be ashamed or embarrassed to talk about the violence, and in studies on women seeking help, embarrassment and shame are often mentioned as impediments or barriers (Enander, 2010; Chatzifotiou and Dobash, 2001; Fugate et al, 2005; Hathaway et al, 2002) and victims need to have the opportunity to ask for help from well-trained staff and the opportunity to speak to a same-sex housing officer (Communities and Local Government, 2006a) in a private space so that sensitive issues can be discussed.

Some may need accommodation that is some distance away from where they were previously living (Morley, 2000), in a location that it is hard for the perpetrator to find. Whilst in temporary accommodation they may need support such as help with finances and budgeting (Bell and Kober, 2008), or counselling, to meet wider support

needs (Charles, 1994), as outlined below. Some will want help to secure legal remedies (Rubens, 2008) such as injunctions to ensure they can return home safely.

Research remains inconclusive about the nature or frequency with which men experience domestic abuse (Robinson and Rolands, 2006). Men's experiences of domestic violence are not thoroughly researched (Ibid; West, 1998) and in particular, the experiences of bisexual, intersex and transgender people are rarely addressed in research (Turell and Cornell-Swanson, 2005). An assessment by the Home Affairs Committee on 'Domestic Violence, Forced Marriage and "Honour"-Based Violence' (Home Affairs Committee, 2008) found that there are conflicting views on the need for male-only refuges but concluded that whilst it is clear that there is a need for some emergency housing, perhaps particularly for victims of forced marriage, who can be younger and more isolated, it would seem that the need for bed spaces for men is not of the same order of magnitude as for women.

SETTLED HOUSING

Once the immediate safety of fleeing domestic violence is assured, many people will need advice on their housing options for accessing settled accommodation. Access to settled housing for those who have left their homes because of domestic violence has been shown to be key to their recovery (Menard, 2001; Morley, 2000). Studies of women's experiences of domestic violence have consistently shown, a major reason why women stay in, or return to, violent relationships is lack of safe, affordable, independent accommodation (Morley, 2000). Different options may suit different people and the availability of a range of options may enable them to find accommodation that best meets their needs. Some people will need on-going support to deal with the consequences of domestic violence once in settled housing. For some groups supported housing may be an appropriate option for the longer-term, such as those who may need continuing support to deal with mental or physical health problems, substance misuse problems, or other support needs.

This research has uncovered no clear evidence that any particular type or tenure of settled housing is more or less likely to prevent future violence for most people. The need is for access to a settled, safe housing solution that is appropriate to their needs. Issues of particular concern to some people who have suffered domestic violence that may affect the type of housing they need include:

- Security – Some people will need their property made safe if a violent person might try to gain entry. Some types of property are easier to make safe than others (Communities and Local Government, 2006c).
- Location – The only way to be safe and secure for some women may be to leave home and some may need to move to a distant and/or unknown location (Morley, 2000).
- Social support - This may be especially important for people who have suffered emotionally and socially from the abuse, and for those who have had to locate to a new area where they lack friends or family (Baker et al, 2003).
- Affordability – Many have had to give up employment and some may have debts incurred from financial abuse within the past relationship (Sharp, 2008; Bell and Kober, 2008).

WIDER SUPPORT NEEDS

As well as the physical housing needs, many people who have suffered domestic violence have additional support needs, at least for the short-term. These needs impact upon their housing needs.

Domestic violence for many people has a negative effect on their physical and mental health and overall wellbeing (Astbury et al, 2000; Rubens, 2008; Goodman et al, 1993). Many of those who suffer domestic violence become isolated from family, friends, the community, colleagues and the workplace, and lack support networks.

The support required by survivors to rebuild their lives includes longer-term housing, physical and mental health services, financial support, and outreach services (Charles, 1994). Many victims of domestic violence suffer long-term physical and mental ill health following abuse, including substance misuse, self harm and suicide (Goodman et al, 1993) and so may need help in coping with mental health problems that have arisen as a result of the abuse. They may need help in dealing with substance misuse problems. Those in or leaving violent relationships may require medical treatment in the immediate and/or over the longer term. They may need legal advice and support with dealing with the police and legal system. Some people may only require support temporarily but many may require support over a longer period as the impacts of domestic violence can be long lasting (Astbury et al, 2000).

On leaving a violent relationship, many people also need support with financial matters. Some victims have experienced financial abuse, whereby they may have been pressured to incur debts by their abuser, lack financial independence and control over resources (Bell and Kober, 2008). As a result, they may have rent arrears, a poor credit rating or be left with debts at the end of the relationship (Sharp, 2008; Bell and Kober, 2008). Recent research found that while the act of leaving the relationship meant that the victims were no longer experiencing the violence, leaving their home or expelling their partner from it, re-establishing their family situation and furnishing a new home, placed substantial strain on their often limited financial resources (Bell and Kober, 2008). Many victims had been forced to leave essentials behind when they had decided to leave the family home, and had been left with very little when moving into new accommodation (ibid).

Outreach and resettlement support has been shown to play an important role in preventing recurrent homelessness for this client group (Pawson et al, 2007). This can take the form of financial and legal advice, support with claiming welfare benefits, and help with accessing educational courses or entry into employment (ibid).

The post-separation period — once the victim has left the abusive relationship — has been identified as one of particular danger and vulnerability for victims and many victims suffer post-separation violence (Humphreys and Thiara, 2003). Several studies of survivors' experiences show that up to a third of women who leave violent men suffer abuse after separation (Lees, 2000) and there is evidence to suggest that for some women the level of danger may actually increase for some time after leaving an abusive relationship (Kendall-Tackett, 2005). Evidence shows that ending a relationship with a violent man places a woman at particular risk for her life (Lees, 2000).

The support needed by those who have suffered domestic violence is wide-ranging and may be provided by a number of different agencies. Housing assistance provided by a local authority is only one aspect of the support that may be needed. It often requires a coordinated multi-agency approach (Communities and Local Government, 2006b). This is often organised at local level through a domestic violence forum involving key agencies such as the police, housing departments, social services, education services, health services, domestic violence projects, and the courts (ibid). Such forums have an important role to play in developing plans for these agencies to work together to improve policies and procedures, and working practice, to achieve more consistent and coordinated responses, and therefore better outcomes, for those affected by domestic violence (ibid).

1.3 The housing and accommodation options available to those fleeing domestic violence

As the above section indicates, adults without dependent children who have to leave their home as a result of domestic violence will generally require both short term (temporary) accommodation and long term (settled) housing. Some will be able to find this for themselves, but others will need assistance from either the voluntary sector or from local authorities¹⁰. There are also other kinds of housing-related support offered, some of which may be provided by the organisation that runs the accommodation and some of which may be provided separately (floating support) (see Quilgars, 2010). This section outlines the main types of provision available.

TEMPORARY ACCOMMODATION

Refuges

Some women who have to leave home as a result of domestic violence go to a women's refuge. A women's refuge is a safe house for women, with or without children, providing emergency accommodation and associated support, information and advocacy. UKRefugesOnline provides a web-based directory of available spaces which is accessible by specialist domestic violence providers only. Otherwise, women can refer themselves to a refuge, for example, by calling the National Domestic Violence Helpline (run in partnership between Women's Aid and Refuge), or by getting contact details for their local service from another organisation or by consulting the Women's Aid Domestic Abuse Directory¹¹. Women may also be referred to refuges by local authorities.

Some refuges have self-contained flats but most women have just their own bedroom which they share with any children they have, and have use of shared areas like the living room, kitchen and bathroom¹². Refuges also have trained staff who provide emotional and practical support. Women's Aid co-ordinates a network of domestic and sexual violence service providers in England, many of which are specialist non-profit organisations (such as Refuge) providing emergency

¹⁰ The legal framework for providing assistance is discussed in Section 1.4, below.

¹¹ See

www.womensaid.org.uk/azrefuges.asp?section=00010001000800060002®ion_code=&x=8&y=6

¹² www.refuge.org.uk/forwomen.html#q22

accommodation and associated support and information services for women and children escaping domestic abuse.

There are some refuges for particular ethnic minorities or cultural groups, and there are a minority of refuges that accept women with substance abuse issues or other high support needs, and there are a few specifically for men (Robinson and Rolands, 2006; Home Affairs Committee, 2008).

Hostels and generic homeless provision in the voluntary sector

There are other voluntary sector options such as hostels which may be suitable for households at risk of domestic violence. There are also some specialist housing projects such as those for under 25s, or people with high support needs that may be appropriate to some people fleeing domestic violence.

Bed and breakfast accommodation

This is sometimes used by local authorities to accommodate homeless households (usually those without children). It is generally provided by the private sector but paid for by local authorities.

Local authority run hostels

Some local authorities run hostels to accommodate homeless households which may be used for households at risk of domestic violence who approach local authorities for assistance (see below).

Other council-managed temporary accommodation

This includes accommodation leased from the private sector, or from within the local authority's own housing stock, which is used to provide accommodation to homeless households on a temporary basis.

SETTLED ACCOMMODATION

The main available options for settled accommodation are social housing, owner occupation, private rented housing and supported housing. Some people may be able to return safely to their old home. Others will leave temporary accommodation to go to live with family, friends or a new partner.

Social housing

Social housing is accessed via an application to the local authority, and is allocated in accordance with s167 of the Housing Act 1996 and the local authority's allocation scheme. Those owed the main homelessness duty must be given "reasonable preference" in the allocation of social housing (along with other categories of applicants in housing need). Other applicants may be able to access the sector, depending on their circumstances, overall demand for the sector and the priorities of their local authority.

Private rented housing

Private rented housing may be accessed by anyone who can pay for it. Housing Benefit can help to pay rents for those without sufficient incomes, though they will usually still need a deposit. Many local authorities assist access by running rent deposit schemes, or by having lists of approved landlords to help people enter the private rented sector.

Owner-occupied housing

Owner-occupation is generally accessible only to people moving who have incomes sufficient to obtain mortgages and sufficient equity for a deposit.

Returning home

Some people who flee domestic violence are able to return safely to their previous home after a period in temporary accommodation – for instance once the perpetrator of the violence has been evicted or imprisoned. Sanctuary Schemes offer those at risk of domestic violence a range of options to make them safer in their own home, provided the violent perpetrator is not living there. This can include improved doors and windows, or, less often, a sanctuary room (sometimes known as a “panic room”) to which occupants may flee if they are at risk/in danger, whilst they await police assistance. There may also be support offered to the victim. Sanctuary Schemes are used as a form of homelessness prevention and may in some cases prevent a household needing to be rehoused, or allow them to return home after a period in temporary accommodation. They are also used in some high risk cases after someone fleeing domestic violence has secured alternative settled accommodation, in order to reduce the risk of future violence.

1.4. The legal and policy framework

People who have to leave their homes because of domestic violence often seek support from local authority housing departments. Local authorities owe a range of duties to such people and this section sets out what these are. It also covers the recent developments in terms of homelessness prevention and the way in which these impact upon the type of assistance offered.

Local authorities must give proper consideration to all applications for housing assistance, and if they have reason to believe that an applicant may be homeless or likely to become homeless within 28 days, they must make inquiries to see whether they owe them any duty under Part 7 of the homelessness legislation (Communities and Local Government, 2006a¹³). This will include all adults who have had to leave their home as a result of domestic violence and who approach them for assistance with housing. Authorities are also encouraged to try to prevent the applicant becoming homeless (either by ensuring they can remain in their existing home or obtaining alternative accommodation). If it is not possible to resolve the applicant's housing circumstances before the inquiries are completed, the local authority will need to decide whether any duty is owed to the applicant under the homelessness legislation.

If the local authority has reason to believe that the applicant may be eligible for assistance, may be homeless and may have ‘priority need’, the authority has an immediate duty to secure suitable interim accommodation until it completes its inquiries and decides whether any substantive duty is owed. If the authority is not satisfied that an applicant has ‘priority need’, the duty owed is generally limited to

¹³ *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para. 14, p.9.

ensuring that advice and assistance is provided, rather than securing accommodation.

A local authority will only be under a substantive duty to secure accommodation for an applicant fleeing domestic violence, if it is satisfied that the applicant is homeless, eligible for assistance, in priority need and is not intentionally homeless¹⁴.

A person who is pregnant or has a dependent child automatically has priority need, whether or not they are fleeing domestic violence¹⁵.

A person who is not pregnant and does not have a dependent child has priority need in most cases only if they are vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason. Further guidance is then provided on what constitutes another special reason.

A person who is not pregnant and does not have a dependent child also has priority need if they are vulnerable as a result of ceasing to occupy accommodation because of violence from another person or threats of violence from another person which are likely to be carried out.

A person may be vulnerable as a result of a combination of factors.

VULNERABILITY

The code of guidance, among other things, sets out factors that authorities may wish to take into account in considering whether an applicant is vulnerable as a result of leaving accommodation because of violence. Case law has established what authorities need to consider when deciding whether an applicant is “vulnerable” for the purpose of the homelessness legislation. These two aspects are discussed further below.

The code of guidance

In exercising their homelessness functions, local authorities must have regard to the *Homelessness Code of Guidance for Local Authorities*¹⁶. In considering whether applicants are vulnerable as a result of leaving accommodation because of violence or threats of violence, the code of guidance states that a local authority may wish to take into account the following factors:

1. The nature of the violence or threats of violence (there may have been a single significant incident or a number of incidents over an extended period of time which have had a cumulative effect).
2. The impact and likely effects of the violence or threats of violence on the applicant's physical and mental health and well being.

¹⁴ Housing Act 1996, Part 7

¹⁵ They will be owed a duty to have accommodation secured if they are unintentionally homeless and eligible for assistance

¹⁶ Housing Act 1996, s182

3. Whether the applicant has any existing support networks, particularly by way of family or friends. (Communities and Local Government, 2006a¹⁷)

The guidance states that an assessment of the likelihood of a threat of violence being carried out should not be based on whether there has been actual violence in the past¹⁸. An assessment must be based on the facts of the case and devoid of any value judgements about what an applicant should or should not do, or should or should not have done, to mitigate the risk of any violence (e.g. seek police help or apply for an injunction against the perpetrator). Inquiries into cases where violence is alleged will need careful handling.

In cases involving violence, local authorities may wish to inform applicants of the option of seeking an injunction, but should make clear that there is no obligation on the applicant to do so¹⁹.

The code of guidance also states that in some cases, corroborative evidence of actual or threatened violence may not be available, for example, because there may be no adult witnesses and/or the applicant may be too frightened or ashamed to report incidents to family, friends or the police. In many cases involving domestic violence, the applicant may be in considerable distress and need to speak to someone who understands their situation. The Code states that applicants should be given the option of being interviewed by an officer of the same sex if they so wish.

Case law on vulnerability

In addition to having regard to the *Code of Guidance* authorities must ensure they take account of case law when determining vulnerability for the purpose of the homelessness legislation.

The leading case on vulnerability is *R v Camden LBC Ex p Pereira*²⁰ where the Court of Appeal held that when determining whether an applicant is vulnerable, the local authority should consider whether, when homeless, the applicant would be less able to fend for himself/herself than an ordinary homeless person so that he/she would suffer injury or detriment in circumstances where a less vulnerable person would be able to cope without harmful effects.

The starting point for decision-making is that if an applicant provides his/her own evidence and the local authority has no basis for refuting it then it must be accepted (see *R v Bath C C, ex p Sagermano* (1984) 17 HLR 94, a case of learning impairment). This is not to say that an applicant will be accepted as vulnerable, however. In some circumstances authorities can accept a medical diagnosis, but can reach their own conclusion about the level of risk, and may decide that the level of risk is not high enough to make the individual vulnerable.

¹⁷ *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para.10.29

¹⁸ *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para. 8.22

¹⁹ *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para. 8.23

²⁰ *R. v Camden LB Ex. p. Pereira* (1999) 31 HLR 317

For example, in *Osmani v Camden LBC* (2004) whilst accepting Mr Osmani's diagnosis of depression and post traumatic stress disorder, he was found no less able to fend for himself when homeless than his peers so that injury or detriment would not result. Within the legislative framework these medical issues were found not sufficient to make an applicant vulnerable, as they are normal in the homeless and a risk to be borne by the homeless without assistance from the state (Hunter, 2007).

Case law has also established that the decision on vulnerability is one for the local authority and is a necessarily imprecise exercise of comparison between different applicants. The courts have sought to discourage appeals against such decisions (Hunter, 2007:18).

LOCAL CONNECTION

If they wish, local authorities can also consider whether applicants have a local connection with the local district, or with another district. Where applicants are found to be eligible for assistance, unintentionally homeless and in priority need (ie they meet the criteria for the main homelessness duty) and the authority considers that the applicant does not have a local connection with the district but does have one somewhere else, the local authority dealing with the application can ask the local authority in that other district to take responsibility for the case. However, applicants cannot be referred to another local authority if they, or any member of their household, would be at risk of violence in the district of the other authority or the authority applied to is considering whether the main homelessness duty is owed before referral. A notifying authority may seek to refer an applicant to whom s.193 (the main homelessness duty) applies to another housing authority if all of the following conditions are met:

1. neither the applicant nor any person who might reasonably be expected to live with him or her has a local connection with its district; and
2. at least one member of the applicant's household has a local connection with the district of the authority to be notified; and
3. no member of the applicant's household will be at risk of domestic or non-domestic violence, or threat of domestic or non-domestic violence which is likely to be carried out, in the district of the authority to be notified (Communities and Local Government, 2006a²¹)

A housing authority cannot refer an applicant to another housing authority if that person or any person who might reasonably be expected to reside with him or her would be at risk of violence (Communities and Local Government, 2006a²²). The housing authority is under a positive duty (requiring something actively to be done) to inquire whether the applicant would be at such a risk and, if he or she would, it should not be assumed that the applicant will take steps to deal with the threat.

Housing authorities should be alert to the deliberate distinction which is made in s.198(3) between actual violence and threatened violence. A high standard of proof

²¹ *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para. 18.7

²² *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para. 18.23

of actual violence in the past should not be imposed (Communities and Local Government, 2006a²³). The threshold is that there must be:

- no risk of domestic violence (actual or threatened) in the other district; and
- no risk of non-domestic violence (actual or threatened) in the other district

HOUSING OPTIONS AND HOMELESSNESS PREVENTION

Local authorities also have general duties to have a strategy for preventing homelessness and ensuring that accommodation and support will be available for people in their district who need it, and to ensure that advice and information about the prevention of homelessness is available free of charge to everyone in their district.

In exercising their homelessness functions, local authorities must have regard to any guidance issued by the Secretary of State under section 182 of the 1996 Act.

Local authorities have a duty to ensure that advice and information about homelessness and the prevention of homelessness is available free to everyone in their district²⁴. In many local authorities, the Housing Options service is essentially the forum through which advice and information about homelessness is delivered.

The code of guidance states that the prevention of homelessness should be a key strategic aim which local authorities and other partners pursue through their homelessness strategies (Communities and Local Government, 2006a). As part of their homelessness prevention strategy, local authorities are encouraged to establish a standard Housing Options interview procedure to focus initial attention on preventing homelessness, rather than only acting once it has already occurred (Communities and Local Government, 2006b). The aim is to discuss, in detail, the feasibility of securing the applicant's existing accommodation or, failing that, to examine the full range of possible routes to accessing new housing.

Where the local authority has reason to believe that an applicant may be homeless or likely to become homeless within 28 days, it has a duty to consider the applicant under the legislation and make inquiries to decide whether any duty is owed. In these cases Housing Options work can proceed in parallel with consideration under the legislation but the decision as to whether any duty is owed cannot be deferred.

Where the local authority does not have reason to believe an applicant may be homeless or likely to become homeless within 28 days, Housing Options work and efforts to prevent homelessness may take place, with consideration under the legislation only becoming necessary if efforts to prevent homelessness should fail and the applicant becomes at risk of homelessness within 28 days.

²³ *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para. 18.25

²⁴ The free advice and information about homelessness is available to all, including people who are ineligible for more substantive assistance under Part 7 of the 1996 Act.

The code of guidance reminds local authorities that they must not avoid their obligations under Part 7 of the 1996 Act (including the duty to make inquiries under s.184, if they have reason to believe that an applicant may be homeless or threatened with homelessness), but it is open to them to suggest alternative solutions in cases of potential homelessness where these would be appropriate and acceptable to the applicant (Communities and Local Government, 2006a). They should ensure that a requirement to participate in a Housing Options interview does not act as a barrier preventing or discouraging homeless people from seeking help – and does not prevent or delay necessary inquiries if there is reason to believe they are homeless (ibid).

The code of guidance states that the provision of advice and information about the prevention of homelessness will need to be wide-ranging so that it offers advice and information about not only housing options but also the broad range of factors that can contribute to homelessness. This might include, for example, advice on social security benefits, household budgeting, tenancy support services and family mediation services. It may also involve referral to other, more specialist advice such as debt management, health care, and coping with drug and alcohol misuse, where this is needed.

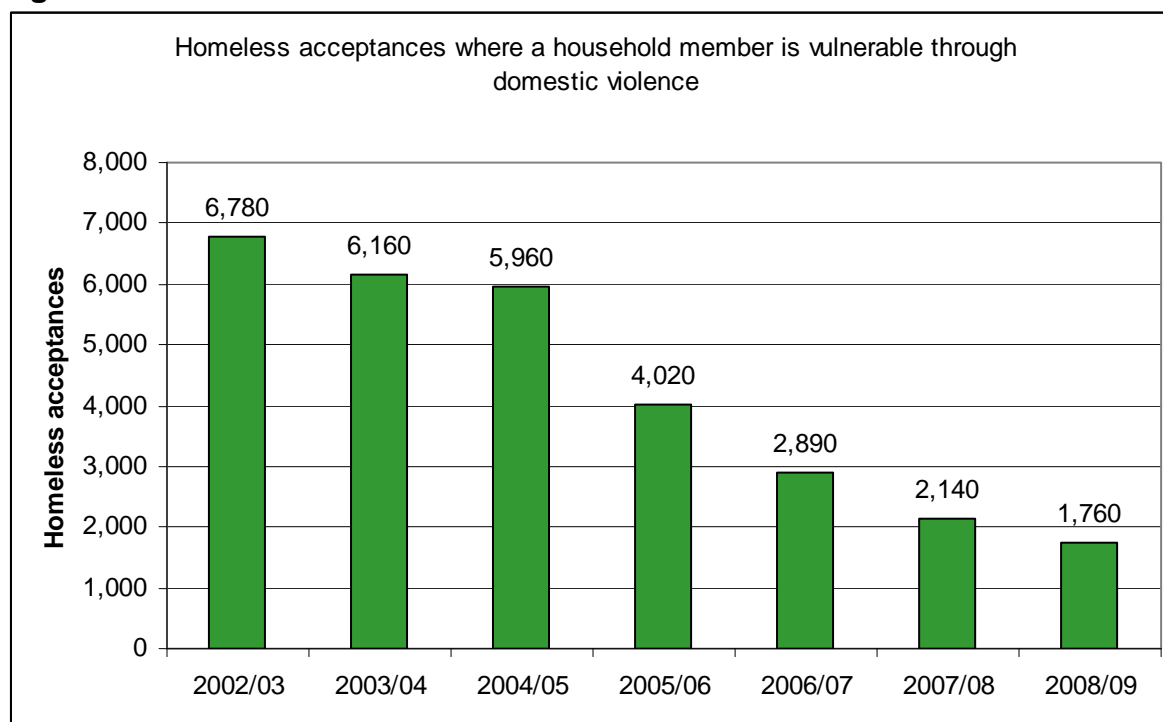
Housing Options can be used as a form of homelessness prevention for those who are at risk of domestic violence. Sanctuary Schemes are the main form of assistance used in this context which allows a victim to remain in their own home, whilst reducing the risk of violence. Housing Options services can also help victims who do lose their home to access private rented accommodation, for instance via rent deposit schemes.

The impact of homelessness prevention

There has been a sharp reduction over the past six years in the number of households accepted as homeless whose primary reason for priority need was being vulnerable as a result of fleeing domestic violence, as shown in Figure 1.1²⁵. The fall coincides with an overall reduction in homeless acceptances, following increased efforts to prevent homelessness, including the use of Sanctuary Schemes for those at risk of domestic violence, alongside other prevention measures. However, the proportion of homeless acceptances whose primary reason for priority need was being vulnerable as a result of fleeing domestic violence also fell during this period from five per cent to three per cent of all acceptances.

²⁵ Containing children or a pregnant woman takes precedence over any other priority need category. The figures therefore exclude households with children or a pregnant woman.

Figure 1.1



Source: P1E data

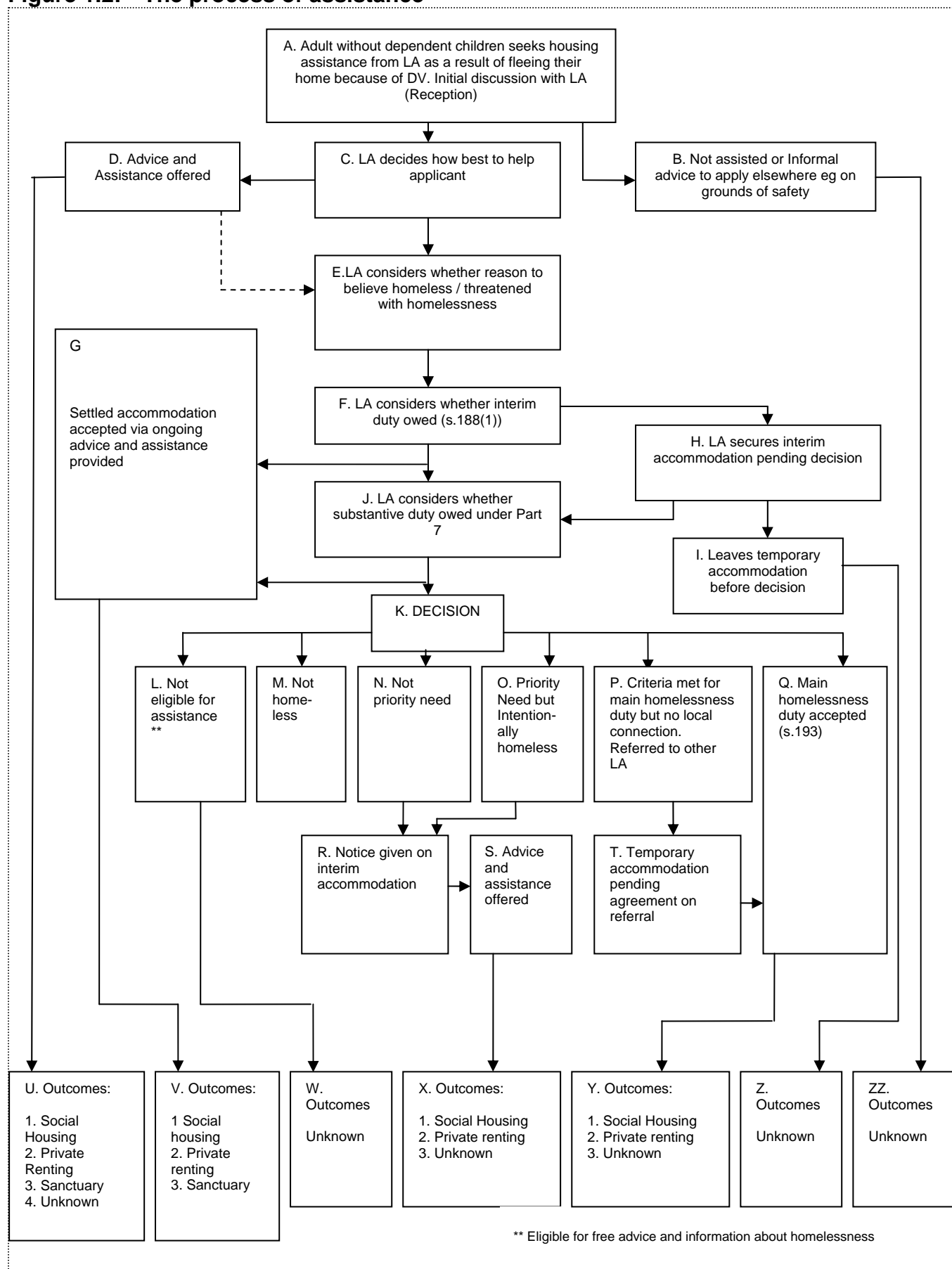
Prior to 2002, this number had remained broadly steady with between 6000 and 7000 acceptances each year between 1997 and 2002. Data on homelessness prevention records 5,200 households receiving assistance in 2009-10 from Sanctuary measures²⁶.

1.5 Modelling the process of assistance

A model has been developed to show the different routes that a single adult without dependent children who has to leave their home as a result of domestic violence and who approaches a local authority for assistance with housing may take, and the duties that are owed to them by local authorities at different stages (Figure 1.2). The model was developed after the first phase of the research, interviewing national stakeholders. It was developed in consultation with DCLG and steering group members.

²⁶ www.communities.gov.uk/publications/corporate/statistics/homelessnessprevention2009/10

Figure 1.2: The process of assistance



EXPLANATION OF THE MODEL

A) *Adult without dependent children seeks housing assistance from local authority as a result of fleeing their home because of domestic violence. Initial discussion with local authority (Reception)*

This is the first point of contact with the local authority, when a single adult who has to leave their home as a result of domestic violence goes to a local authority to request assistance with housing. This first contact may be with a receptionist at the front desk who can then refer them to a housing officer/case worker.

B) *Informal decision: Advised to apply elsewhere on grounds of safety.*

The research found that several authorities advised some applicants who approached them for assistance to apply to a different local authority, for instance because the local authority officers believed the applicant would be safer there, away from where the perpetrator of the violence lived²⁷. This approach does not fall within statutory requirements.

C) *Local authority decides how best to help applicant*

The local authority decides whether the applicant's homelessness can be prevented or whether it needs to consider the applicant under the homelessness legislation.

D) *Advice and assistance offered (Housing Options)*

The research showed that not all adults without dependent children who have to leave their home as a result of domestic violence and go to a local authority to request assistance with housing are considered under the legislation. In many cases, authorities reported that they try to prevent homelessness through the provision of advice and assistance.

No consideration under the legislation is required in cases where the local authority does not have any reason to believe the person is homeless or at risk of becoming homeless within the next 28 days. However, some local authorities in this research reported that they used Housing Options services as a 'first line of defence', including for people who had already had to leave their homes, and only considered duties owed under the legislation if Housing Options failed to find a solution. This approach does not fall within statutory requirements.

E) *Local authority considers whether reason to believe homeless / threatened with homelessness*

At this stage the local authority makes a decision as to whether there is reason to believe an applicant may be homeless or threatened with homelessness

F) *Local authority considers whether interim duty owed (S188(1))*

If a local authority has reason to believe that an applicant may be eligible for assistance, homeless and in priority need, it has an interim duty to accommodate the applicant whilst it makes inquiries to establish whether any substantive duty is

²⁷ This was reported by one case study area, as well as several who replied to the local authority survey, and also two women surveyed in the Women's Aid survey.

owed. This duty arises irrespective of any possibility of referring the applicant to another local authority (on grounds of a local connection).

G) Settled accommodation accepted via ongoing advice and assistance provided

Many local authorities continue to provide a Housing Options service to all housing applicants, including those who are being considered under the homelessness legislation. At any stage while the local authority is considering whether any duty is owed, an applicant may accept an offer of settled accommodation arranged via on-going advice and assistance provided.

H) Local authority secures interim accommodation pending decision

A local authority must provide interim accommodation to those whom it has reason to believe are homeless, eligible for assistance and have a priority need whilst it carries out its investigations in order to ascertain whether further duties are owed.

I) Leaves temporary accommodation before decision is made

In some cases, applicants voluntarily leave interim accommodation, for example, because they find a housing solution themselves or otherwise cease contact before the local authority has reached its decision as to whether any duty is owed. Consequently, local authorities do not always reach decisions on those considered under the homelessness legislation.

J) Local authority considers whether substantive duty owed under Part 7

The local authority must consider what substantive duty, if any, may be owed to the applicant.

K) Decision

Having completed its inquiries, the local authority reaches a decision as to what duty, if any, is owed. If the applicant is eligible and unintentionally homeless the local authority will decide whether they are also vulnerable and therefore in priority need for housing.

DECISIONS MADE UNDER THE HOMELESSNESS LEGISLATION:

L) Not eligible for assistance

The local authority may find some applicants not to be eligible for assistance and therefore not owed any duty. Certain persons from abroad are ineligible for housing assistance.

M) Not homeless

The local authority may find some applicants 'not homeless' and therefore not owed any duty. This would also be the decision, for example, in cases where accommodation had been arranged for the applicant through the provision of advice and assistance before the local authority has completed its inquiries.

N) Not in priority need

The local authority may find some applicants 'not vulnerable' and so 'not in priority need' and therefore not owed the main duty.

O) Priority need but intentionally homeless

The local authority may find some applicants in priority need but also 'intentionally homeless' and therefore not owed the main duty.

P) Criteria met for main homelessness duty but no local connection. Referred to other local authority

Under the legislation, a person has a local connection with a district if he/she has a connection with it because of residence, employment or family associations in the district or because of special circumstances²⁸. Most local authorities consider a person has a local connection with a district through residence if he or she has lived in the district for at least six months. Where a local authority is satisfied that an applicant meets the criteria for the main homelessness duty but considers the applicant does not have a local connection with the district and does have one somewhere else in Great Britain, the authority can, subject to certain conditions, refer the case to the local authority in that other district. One condition is that the applicant would not be at risk of violence in the other district. Pending agreement between the two authorities the referring authority has a duty to secure temporary accommodation. Depending on how the question of referral is resolved, one of the two authorities must accept the main duty to secure accommodation.

Q) Main homelessness duty accepted (S193)

If an adult fleeing domestic violence is found to be vulnerable and in priority need (and unintentionally homeless and eligible for assistance) they will be owed the main homelessness duty (section 193 of the 1996 Act) and the local authority must ensure that suitable accommodation is available for them.

If settled accommodation is not immediately available, accommodation must be made available in the short-term until the applicant can find a settled home, or until some other circumstance brings the duty to an end, for example, where the household voluntarily leaves the temporary accommodation provided by the local authority. The local authority can provide accommodation within their own stock or arrange for it to be provided by another landlord, for example, a housing association or a landlord in the private rented sector (Communities and Local Government, 2006a²⁹).

R) Notice given on interim accommodation

The duty to secure interim accommodation ends when the authority notifies the applicant of their decision. At this point, the authority will give notice to leave the interim accommodation unless they accept that the applicant is owed a further duty to secure accommodation. However, if the applicant requests a review of the

²⁸ Residence in a district must be of a person's choice in order to establish a local connection eg people do not establish local connection by being in prison in a district.

²⁹ *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para. 11.

decision, the authority has the power to continue to secure accommodation pending the review decision³⁰.

For those found intentionally homeless but in priority need, there is also a duty to (continue to) secure accommodation for long enough to give applicants a reasonable opportunity to secure their own accommodation.

S) *Advice and assistance offered/provided*

If applicants are homeless but do not have a priority need, or if they are intentionally homeless, the local authority must ensure that they are provided with advice and assistance to help them find accommodation for themselves – but the authority does not have to ensure that accommodation becomes available for them³¹. The local authority can provide advice and assistance itself or arrange for another agency to do this (ibid). The local authority must ensure that this includes a proper assessment of their housing needs and information about where they are likely to find suitable accommodation (ibid). It is crucial that the advice and assistance is effective and up to date if the local authority's strategic aim of preventing homelessness is to be achieved (ibid).

T) *Temporary accommodation pending agreement on referral*

Pending a referral, the referring authority must (continue to) secure temporary accommodation until it is decided which authority will accept responsibility for the main duty.

OUTCOMES

There are several possible housing outcomes associated with each route through the system. All outcomes may be possible regardless of the initial response from the local authority or means by which a household receives assistance (ie whether statutory or non-statutory). It should not be assumed that accessing a (social) tenancy necessarily removes the risk of future domestic violence; nor does an “unknown” outcome necessarily entail a return to violence. The extent to which these housing outcomes represent situations where there may be a risk of further violence is discussed in Chapter 4 of this report.

Accesses social tenancy

It is not necessary to be owed the main homelessness duty in order to access social housing. Local authorities are under a statutory duty to offer reasonable preference to various categories of homelessness people, one of which is those who are owed the main homelessness duty. Most operate a common housing register by which most of the social housing in the district is allocated (often via a choice-based letting system). People who are not owed the main homelessness duty (as long as they are eligible for assistance) may apply to access social housing via this housing register. An offer of social housing will depend upon their circumstances, the policies of their local authority, and the numbers and circumstances of other applicants.

³⁰ Housing Act 1996, Part 7, section 188.

³¹ *Homelessness Code of Guidance for Local Authorities*: July 2006, Communities and Local Government, 2006a, para. 19

Sanctuary Schemes

Some adults without dependent children who are at risk of having to leave their home because of a threat of violence are referred to Sanctuary Schemes or receive other types of homelessness prevention assistance.

Assistance in obtaining private rented housing

Some adults without dependent children who have to leave their home as a result of domestic violence who go to a local authority to request assistance with housing are assisted to obtain accommodation in the private rented sector, for example, through the use of rent deposit schemes.

Unknown

This includes those who find their own accommodation and also those who return home to a situation where they face a risk of further violence.

1.6 Issues raised by previous research

Previous research has identified a number of potential issues with current legislation and practice and it has been argued that of those people who do seek help there are some who do not receive the support they need in order to end the threat of violence – either from housing departments or other agencies. Levison and Kenny (2002) highlighted that access to available support was not always straightforward for victims of domestic violence. Many did not receive sufficient support, or at least did not receive it soon enough (ibid). Women who had been made homeless due to domestic violence who were interviewed for research conducted by Pawson et al (2007) referred to the difficulty of accessing both housing and other types of support once they had left their abusive partner and the lack of a ‘one stop’ service. Particular concerns have also been raised about the support provided to those with no recourse to public funds^{32 33}.

FAILURE TO CONSIDER CASES UNDER THE HOMELESSNESS LEGISLATION

In research conducted by Crisis, researchers posed as people in need of housing assistance seeking help, and recorded the responses of five different local authorities in London (Crisis, 2009). One researcher posed as a woman in her twenties who had fled domestic violence, was staying with her sister but was under pressure to leave and so was threatened with becoming homeless. In most instances the local authorities were not sympathetic and did not appear to follow the legislation or the code of guidance. In no case was the woman considered under the legislation and in some cases she was offered no other advice or other housing options.

³² See www.wrc.org.uk/what_we_do/campaigns/women_with_no_recourse_to_public_funds/resources_for_womens_organisations_supporting_women_with_no_recourse_to_public_funds.aspx

³³ It should be noted that the help available to those with no recourse to public funds is determined by immigration rules, rather than homelessness legislation or practice.

PROBLEMS IN ASSESSING VULNERABILITY

An article by Rubens (a solicitor) in 2008 considered whether the provisions regarding priority need for people fleeing domestic violence adopted in Wales should be adopted in England. In her experience, some local authorities failed to consider the code of guidance and failed to apply the correct legal test of vulnerability, instead taking a narrowly medical assessment of vulnerability (Rubens, 2008). The legislation provides no statutory definition of vulnerability and therefore it has been left to the courts to give guidance on when an applicant will be deemed vulnerable and therefore eligible for assistance under the Act (Rubens, 2008). There is limited case law in this area and almost no case law on vulnerability in the domestic violence context. It has been pointed out that whilst there are concerns over judgments of vulnerability in all areas, domestic violence may be a particularly difficult area upon which to make robust assessments, as needs may often be hidden and verifiable evidence lacking (O'Hara, 2007; Rubens, 2008).

FAILURE TO FOLLOW THE CODE OF GUIDANCE

Rubens noted that although the code of guidance suggests local authorities should take a subjective, sympathetic and holistic approach to applicants who have had to leave accommodation because of violence or threats of violence likely to be carried out, in her experience many local authorities take a very objective and restrictive approach, in some circumstances completely failing to consider the code of guidance at all. In other cases, they will only consider an applicant vulnerable if the domestic violence suffered has been physical as opposed to emotional or financial (Rubens 2008). Instead of considering the factors listed in the code of guidance, review officers will seek to apply a "medical" model of the Pereira test (ibid), rather than a composite assessment of the applicant's circumstances as per *Osmani v Camden LBC* (ibid).

RELIANCE ON EXTERNAL AGENCIES TO AID DECISION MAKING

Concern has been raised that some local authorities rely on external agencies to both assess medical evidence and to make the decisions as to whether applicants are in priority need. Research carried out by a group of lawyers obtained details of how some local authorities were using an external medical assessor service to determine the duties owed to homeless applicants (Bindman and Partners, 2007). Although some local authorities said that they only obtained *advice* from the external organisation (rather than contracting them to make decisions) other local authorities were able to report the number of times in which an external organisation had assessed a case as 'not vulnerable and not in priority need'.

For example, one London borough reported that they sought advice from an external organisation 888 times between January and April 2007, of which the external organisation stated that 24 of the homeless applicants were in priority need (Bindman and Partners, 2007; see also Nicols, 2007). This report does not identify how many (if any) of these cases involved people who could be vulnerable because of domestic violence. However, it does mirror the concerns raised by the article by Rubens (2008) in that a reliance on a narrowly medical approach to assessing vulnerability can lead to the kinds of vulnerability that victims of domestic violence may experience being overlooked.

1.7 Summary

The support needs of adults without dependent children who have to leave their home as a result of domestic violence can be wide-ranging and may need to be addressed by a number of different agencies. Local authority housing departments are only one such agency and can only provide housing related assistance. This may not always be able to prevent someone from returning to violence as this could also depend on other factors.

The literature shows that adults without dependent children who have to leave their home because of domestic violence will generally have a need for both temporary accommodation on an emergency basis and for longer-term settled accommodation. They will often also have other support needs.

There is a detailed legal and policy framework relating to the provision of assistance for adults without dependent children who have to leave their home as a result of domestic violence.

Generally, where adults without dependent children are considered under the homelessness legislation, they will need to be considered vulnerable for some reason in order to have a priority need for accommodation.

People who approach a local authority for help may be assisted via Housing Options services, which can include homelessness prevention measures (such as Sanctuary Schemes), or referral into the private rented sector. A model was developed by this research project to show the different ways in which assistance is given, which is considered throughout the report.

Chapter 2: Policy and practice

This chapter draws on evidence gathered for this study as outlined earlier in this report, namely, interviews with national stakeholders, the four case studies, an email survey of local authorities, and questions included in the regular Women's Aid surveys (see Annexes 3, 6 and 7 respectively). This evidence is used to illustrate the different ways that local authorities assist households without dependent children who are at risk of domestic violence – both in terms of policy and practice.

The chapter explores in more depth the nature of local authority responses and examines the reasons why some adults may fail to receive a sufficient response from local authorities. It also looks at whether there is any variation in terms of responses to particular groups of individuals, or in terms of relevant local or geographical factors, and looks briefly at non-housing factors that may affect whether someone returns to accommodation where they may be at risk of further violence. This research was commissioned in response to a tabled amendment to the Housing and Regeneration Bill in 2008 which proposed a change to the priority need category relating to homeless applicants who are vulnerable as a result of leaving their home because of violence or threat of violence. Broadly, the amendment proposed to remove the current condition of vulnerability. Therefore the assessment of vulnerability is a particular focus of this chapter.

Key findings

- There was some evidence of people being directed to other local authorities, on the grounds that they were safer if they moved away. This sometimes happened at the front desk without any consideration under the homelessness legislation.
- Many local authorities replying to the email survey, as well as two of the four case studies, made substantial use of their Housing Options service to help resolve the housing issues of this client group without, or before, considering whether any duty was owed under the homelessness legislation.
- Other local authorities generally considered under the homelessness legislation all those who sought housing assistance having experienced domestic violence.
- The use of Housing Options was sometimes an effective and appropriate way to speed up access into settled accommodation. However, many local authorities did not follow cases through so were unsure how many people successfully found settled accommodation.
- There was evidence that the way in which vulnerability (and therefore priority need) was determined varied substantially between local authorities, possibly relating to housing pressure.
- Around a quarter of local authorities accepted all adults without dependent children who had to leave their home as a result of domestic violence as being in priority need and owed the main homelessness duty.
- Others assessed vulnerability on a case-by-case basis. In practice some found virtually all to be vulnerable, whilst others found only a small minority.
- Local authorities reported some difficulties in determining vulnerability and felt it was inherently often difficult to assess.
- A large number of agencies in both the statutory and voluntary sectors were not fully aware of the precise duties that local authorities owed adults without dependent children who had fled domestic violence, and so may have offered incorrect advice.
- There was considerable voluntary sector support available for people experiencing domestic violence, though variation between areas. However, providers and local authorities commonly reported that they were often unable to meet demand.

LOCAL AUTHORITY CASE STUDIES

The process described above in Chapter 1 (Section 1.5) illustrates the possible ways in which assistance is provided to adults without dependent children who seek housing assistance from a local authority. Four local authority case studies were selected in order to explore in depth the nature of assistance provided. These were:

1. Case study one - a district in a rural part of England
2. Case study two - a district in the south of England with high housing pressure
3. Case study three - an inner-London borough
4. Case study four - a city with relatively low housing pressure

The local authority case study findings are fully detailed in Annex 3.

CASE STUDY ONE was a medium sized largely rural authority in the north of England. There was no lack of demand or need for housing, but the pressure on the stock was less severe than in the other case study areas. There was a women's refuge in the district, but very little other voluntary sector provision for homeless people. The local authority made extensive use of Housing Options for all single people who approached them having fled domestic violence. Many found housing in the private rented sector with the use of bond schemes.

Consideration under the homelessness legislation (a 'homeless application') was presented as one option that people could take if they wanted quick access to social housing but were prepared to sacrifice choice of area. Relatively few took this option, but those who did were generally assessed as vulnerable, and accessed settled accommodation in the social rented sector in a matter of weeks.

CASE STUDY TWO was a small district in the south of England with high housing pressure. It is largely urban. There was no women's refuge in the district, but there was one in a neighbouring district to which victims of domestic violence were commonly referred. There was little other voluntary sector provision for homeless households within the district, though there were other urban areas nearby with different types of provision.

The district is tightly bounded by other districts and had high levels of movement across local authority boundaries. People fleeing domestic violence who were from the district were generally advised by the local authority to apply elsewhere on grounds of safety. The case study local authority did not begin a consideration under the legislation in these cases, or offer further support, though they would offer contact details for Women's Aid. The authority was aware however that those they referred elsewhere were not always assisted by other districts. People from other local authorities who approached case study two were however generally considered under the homelessness legislation and usually were found to be vulnerable. Housing Options work was on-going, conducted in parallel alongside consideration under the homelessness legislation. Some people moved into the private rented sector whilst being assessed or after being found vulnerable, with the help of a rent deposit scheme.

CASE STUDY THREE was a London borough with a relatively high black, Asian, minority ethnic and refugee population. There was a variety of providers of accommodation within the borough including three women's refuges and general hostels, both statutory and voluntary sector. There was a very high level of housing pressure across all tenures, and long waiting lists for social housing.

The local authority sought first to use Housing Options services to solve people's housing difficulties, and referred cases to the private rented sector whenever possible. Consideration under the legislation was kept as a "referral only service"³⁴ for those whose housing problems could not be resolved through Housing Options. Single adults fleeing domestic violence who were considered under the legislation were assessed on a case-by-case basis. Some were found to be vulnerable and others not. Those who were considered vulnerable were sometimes referred to women's refuges, and sometimes to general hostels whilst they waited for settled accommodation in the social rented sector, sometimes for several years³⁵. Those not considered vulnerable were also referred to women's refuges or other hostels, usually for some time whilst trying to access the private rented sector.

CASE STUDY FOUR was an urban authority in the Midlands. There was pressure on housing stock, though less so than in case studies two and three. There were two women's refuges in the authority, as well as general homelessness hostels. The local authority sought first to find accommodation for all people fleeing domestic violence in a place of safety (such as a refuge), irrespective of whether they were subsequently assessed. Once they had found temporary accommodation, as in case study one, a homelessness assessment was presented to applicants as one of their housing options. Some people chose not to make homeless applications but instead made use of the other options open to them, which included a rent deposit scheme. Those who were considered under the legislation were assessed on a case-by-case basis. Some were found vulnerable and others not.

Table 2.1 summarises the data from the case studies for a 12-month period (April 2008-April 2009).

Table 2.1: Summary of the ways in which case studies provided assistance

	Case study one	Case study two	Case study three	Case study four
Not considered under the legislation, offered assistance through Housing Options	27	4	14	3
Considered and owed the main homelessness duty (i.e. in priority need)	3	11	13	8
Considered and not owed the main homelessness duty; offered assistance through Housing Options	0	3	19	3
Total single adults who approached local authority for assistance with housing as a result of domestic violence in the past year	30	18	47	14

This chapter also draws on the email survey and Women's Aid surveys. See Methodology section for further details.

³⁴ Homeless Strategy Review, 2008

³⁵ Other forms of temporary accommodation were used only very rarely with this client group.

2.1 Whether people seek assistance

CONTEXT

The focus of this research is on those who approach a local authority for assistance. Interviews with stakeholders and service providers, however, suggested that many adults without dependent children who experience domestic violence do not approach local authorities for assistance with housing. This may be because they are reluctant or afraid to leave their homes or relationships, can find their own housing solutions, and/or do not think that local authorities are able to help them:

“It is very unlikely that a single woman would go to the local authority because she wouldn’t think it was the route for her. Most people think it is hard to get local authority accommodation because of waiting lists, it is known it is hard to get public housing. If you don’t already know about homelessness prevention or temporary or emergency accommodation then you wouldn’t know to go there.” (Women’s Aid spokesperson)

Several interviewees were concerned that the perception of whether these households will be helped may be influenced by the response that local authorities give to those who do seek housing assistance who may report their experiences to friends or agencies.

FINDINGS

Findings from the case studies suggested that in some instances people who have experienced domestic violence do not need to secure alternative accommodation as the perpetrator can be kept away from them safely, allowing them to remain in their home. This was sometimes achieved without involving the local authority, for instance with the assistance of the police.

“Only a small proportion of those we work with have to leave their home. I would guess that in five per cent of total caseload the victim has to leave – where there is a likelihood of serious violence. Most would get the offender to leave.” (Police, case study two)

The total numbers of people who experience domestic violence (see Walby and Allen, 2004) compared with the (much lower) number of people who enter a refuge or are accommodated by a local authority during the course of a year (see Chapter 2) also suggest that it is only a minority of victims of domestic violence who are assisted with housing by voluntary and statutory services.

In the email survey, many local authorities reported that some victims were enabled to remain in their own home through interventions of the local authority such as Sanctuary Schemes. Some local authorities also put efforts into evicting perpetrators, helping victims to obtain injunctions (so that they may remain safe in their home), and perpetrator projects to reduce the likelihood of re-offending.

It was also apparent from many of the agencies interviewed that some people who needed to leave their home and find somewhere else to live did so without the

assistance of the local authority. The interviewees also mentioned some groups, such as owner-occupiers and people in work who were felt unlikely to approach a local authority. This may be because they had their own resources to resolve housing problems in the longer term, and just needed an emergency measure (such as a refuge – to which they could self-refer) until they were able to do this. Interviewees reported such households to be those who were less likely to be familiar with engaging with the local authority than council tenants for example, and who may not have known that they might be able to receive assistance from the local authority:

“Some never go to the local authority, such as home owners. Generally when people aren’t council tenants – eg owner-occupiers – they tend to make their own arrangements eg they rent a property elsewhere. They seem to have resources to sort out their own housing problems. I can’t think of any cases where they’ve gone to the council.” (Police, case study two)

Interviewees also identified a range of other factors that deterred single people (without dependent children) from approaching a council for help:

“There is a ‘stigma’ that single people don’t get rehoused so there is no point in trying. Single people maybe don’t try the council as they think they don’t help single people. This might be a problem with people with jobs, owning a house, paying the mortgage. They think they won’t get help so they don’t try. This group is not aware of the system; they have little contact with it.” (Police, case study one)

In some areas, local authorities had run campaigns to encourage victims of domestic abuse to approach them for help and to make them aware that there is help available. The local authority in case study two, for instance, had recently run a regular slot in their tenant’s newsletter, though this particular form of advertising may have failed to reach the groups least familiar with local authority housing duties.

2.2 Making contact with a local authority

CONTEXT

The national stakeholders interviewed were concerned that some local authorities reacted with hostility and a lack of sympathy to this client group and that there was, effectively, what could be referred to as “gatekeeping” at the front desk:

“People are often turned away without a proper assessment. They approach the duty desk but staff do not always even take an application from them. They are often not sympathetic. They do not believe they have really suffered domestic violence but think they are just saying that to get housing.” (Family Law Solicitor)

“One issue is around what people get told at the point they approach the reception desk, some are told then that they cannot be helped, without any proper exploration or assessment of their circumstances, and without being told of the local authority’s possible obligations. It is

crucial that the local authority gets this initial point of contact right but this varies between local authorities.” (Shelter)

“Local authorities vary enormously – but if a single woman goes to a local authority they are likely to be fobbed off or given lists of B&Bs. Some local authorities do treat people better. However, there is always the issue of privacy, a woman may not want to speak out in front of others, she may be fearful that the perpetrator will appear because he has guessed where she will be, etc.” (Women’s Aid)

FINDINGS

This research found that for some people fleeing domestic violence, the local authority was not necessarily the first service they approached for assistance. Evidence suggests that a number may look first to the refuge sector to find somewhere to stay in an emergency, and that they may only approach local authorities subsequently when looking for settled accommodation. The Woman’s Aid survey asked whether the women residents without dependent children had approached a local authority prior to coming to the refuge. Around two thirds of women in refuges had not done so (though most had done so subsequently). The other third had approached the local authority before coming to the refuge, possibly as the first place they had sought help in leaving an abusive relationship.

Even when they lack a local connection with the district where they decide to seek help, people fleeing violence cannot be referred back to their local area if this would place them at risk of violence. However, this has led to a perception within some local authorities that they needed to be as strict as their neighbours about accepting applicants for assistance or else they would have to take more than their ‘fair share’ of cases. This tension was most apparent in case studies two and three which were both south of England urban districts nearby to several neighbouring districts.

In case study two, the first contact with a local authority was with a receptionist at the One Stop Shop. To contact the housing team the person needed to firstly use a telephone link, though they would then be seen in person once they had explained it was about domestic violence

Despite the concerns raised by national stakeholders, the research did not find widespread concerns amongst local service providers working with victims of domestic violence about negative attitudes of local authority staff towards victims of domestic abuse. Although several of the agencies interviewed had negative experiences of neighbouring authorities, the great majority of local service providers reported good relationships with their local authority, which they found to be sympathetic and helpful and to provide a good service. Local refuges, police and domestic violence advocates were generally positive about local authority case study staff and their level of training and awareness, although they often worked with victims from many different local authorities and some stated that other local authorities they dealt with (including in one case, the local authority in which they were actually located) were not as helpful³⁶.

³⁶ It should be noted here that case studies were not selected according to any known or anticipated level or type of response to households at risk of domestic violence.

Recommending people approach a different local authority

Under the homelessness legislation, a local authority can refer an eligible applicant to another local authority only if it has decided that the applicant is eligible, unintentionally homeless and falls within a priority need group and the authority considers that the applicant does not have a local connection with their district but does have one somewhere else in Great Britain. However, a local authority cannot refer an applicant to another authority if the applicant, or any member of the applicant's household, would be at risk of violence in the district of the other authority.

However, this research found that in some local authorities, people fleeing domestic violence were instead advised to go to a different local authority to request assistance. This practice was found in one of the case studies, was reported by six local authorities in the email survey and by two women who approached local authorities as reported in the Women's Aid surveys. The local authorities posited that the applicant would be safer in a different local authority, further away from the perpetrator. In some cases this advice was given without considering whether any duty was owed under the homelessness legislation:

"We do get people bounced around. The main problem is people getting sent from different councils." (Police, case study two)

The local authority in this case did not generally follow up cases but were aware that some of them failed to get assistance from other local authorities in cases where the person then returned again to them:

"They don't always get a good service. Sometimes they return to us because they haven't been accepted elsewhere." (Local authority, case study two)

In this case study area, local authority officers also said that they were generally sceptical of whether an applicant had really suffered domestic violence if they were reluctant to leave the district and move to a new area.

Despite evidence only indicating that this was standard practice in one case study authority, many service providers interviewed throughout the case studies were very concerned about this practice, which they were aware existed in other authorities:

"In other local authorities such as [neighbouring authority], they refuse women from the area as the council say they cannot really be fleeing domestic violence if she wants to stay in the area. We will house them [here]....we think this is to gatekeep and reduce their homeless applications and push them to be housed somewhere else, not because they are concerned about their safety if they stay." (Floating Support service, case study one)

Local agencies raised the concern that people fleeing domestic violence were in some cases ill-equipped to be travelling between different local authorities, as they may have left their home in a hurry, with few belongings and little money:

"It is difficult for single women who are not given money for travel so they can't go anywhere else. They may have spent their giro before coming to us and literally wouldn't have the money to move to a different area. Women with children are given travel expenses."
(Women's refuge, case study four)

There were conflicting views amongst interview respondents as to what proportion of people who had to leave their home because of domestic violence also needed to leave the area. Some of those interviewed felt that many people at risk of domestic violence would be safe once they were no longer living with the perpetrator and that a move away from the area would not always be necessary:

"Some people want to go far away and we will help, eg if they say they want to go as far away as Plymouth, we will ring a refuge in Plymouth. Mostly, about 80 per cent, they want to stay in the area." (Local authority, case study one)

Particular confusion about which local authority had a duty to assist arose in cases where people had been social housing tenants in one district but needed to leave because of domestic violence. There were cases reported where the local authority in which they had the tenancy thought they should apply elsewhere on grounds of safety, but other local authorities thought that the duty to help should be owed by the local authority where they already lived, for instance via a management transfer.

Overall, there were clearly tensions between local authorities regarding who had duty to assist homeless applicants who were fleeing domestic violence. Whilst there was some reports of co-operative working practices, there were also widespread concerns that vulnerable people could in some cases be 'bounced' between authorities, each of which would prefer them to make a homeless application elsewhere.

The role of advice and advocacy

Local agencies reported that many adults without dependent children went alone to a local authority for assistance but some took support workers from other agencies, such as refuges, Shelter or an independent domestic violence advocate. These agencies reported that their clients were more likely to be assessed as being in priority need by a local authority and were more likely to receive what they regarded as adequate assistance (ie were assisted into settled accommodation) if they approached the local authority with external support:

"If an agency is involved someone is more likely to get help and be housed, they are less likely to do so without agency support. No one is listened to without agency involvement." (Floating support case study one)

"If people go to the local authority supported by an advisor they are much more likely to get housing help and a positive outcome. The advisor points out if what is offered is illegal or does not meet the local authority policy. We've had a number of cases here where women do

not have options regarding housing and Councils have held out until a solicitor has threatened judicial review. It is so frustrating for the women, time consuming for us and in many cases the council's actions are illegal.” (Greater London Domestic Violence Project³⁷)

National agencies often played a role in helping to support people seeking help from a local authority:

“We are often able to persuade the local authority that they have a statutory duty. We make a difference to local authority decisions in the majority of cases. Victims of domestic violence often do not have knowledge of the law which is very complex in this area. Our advisors are experienced in these cases and the law. They also have relationships with local authority officers and can use these to persuade or as leverage. They can say “I know that you know that you should have done X and Y”. Shelter reasons with local authorities. Legal action is a last resort but we are prepared to take it.” (Shelter)

“We would never send a woman alone to a local authority. Our staff always considers the possibility of hostility.... We try to act as a buffer between women and the housing department by doing the work of the local authority for them by gathering any evidence of the domestic violence or of vulnerability so our staff can be effective advocates.” (Refuge).

The Women’s Aid surveys of refuge residents found that just nine of the 44 women who had approached a local authority before coming to the refuge had been considered under the homeless legislation, compared with over 50 per cent of the 155 women who were currently resident. (See Annex 8)

This suggests that adults in the same circumstances may receive different assistance from the same local authority depending on whether or not they have support from an external agency.

However, the research also raises substantial concerns about the accuracy of advice provided by many local agencies. It was evident that many voluntary sector agencies, and also the police, including those dealing specifically with victims of domestic violence, had poor knowledge of the legislation and did not understand the issue of vulnerability and the factors that determine whether an applicant is owed the main homelessness duty.

Some were aware that they did not understand the duty on local authorities to consider whether applicants were vulnerable. Some had never heard of the vulnerability test:

“What is the vulnerability test? Is it to do with mental health?” (Women’s refuge, case study one)

³⁷ Now renamed *Action Against Violence and Abuse*

Others were broadly aware of the test, but were unsure how it operated, or held erroneous ideas about who had a priority need:

“We see all adults fleeing domestic violence as vulnerable but I think there is a tick list for vulnerability so the council can assess, not sure what this is though. If they don’t meet this list they are not classed as vulnerable.” (Women’s refuge, case study four)

“Men especially are not classed as priority need for rehousing.” (Police, case study two)

Some agencies including the police, refuges and voluntary sector hostels relied on support from specialists such as Shelter to advise them on their clients’ rights. Others thought that they understood the duties, but appeared to have incorrect knowledge. Some were unaware that having experienced domestic violence made any difference to the duties owed and believed simply that people without children were not entitled to assistance from their local authority.

Others were under the impression that all domestic violence victims were owed a main homelessness duty, in the same way as people with children received priority need:

“When fleeing domestic violence they are all vulnerable [in law], aren’t they?” (Hostel, case study four)

“Councils don’t always see them as priority need, even though they should because the amendment makes everyone who’s suffered domestic violence vulnerable.” (Women’s refuge, case study three)

For example, a representative from a county-wide domestic violence helpline covering case study two and neighbouring districts was explicit that anyone fleeing domestic violence was entitled to temporary accommodation from their local authority and said that they advised people to this effect.

The agencies mentioned here were key agencies working with domestic violence victims. In many cases they were the agencies that victims were likely to contact first when seeking help. Whilst many of these agencies may do valuable work in offering practical help and emotional support, the accuracy of advice being offered was questionable.

2.3 The use of Housing Options without consideration under the legislation

CONTEXT

Local authorities are making increasing use of Housing Options services as a forum for the provision of housing advice (see Chapter 1). Housing applicants participate in an initial interview to review their housing circumstances and prospects. The aim is to discuss, in detail, the feasibility of securing the applicant’s existing accommodation or, failing that, to examine the full range of possible routes to accessing a new home.

A Homelessness Prevention good practice guide issued to local authorities by Communities and Local Government in 2006 stated that in accordance with the legislation, where the housing officer has reason to believe that an applicant may be homeless or threatened with homelessness, consideration under the homelessness legislation must be initiated. However, it also stated that under the Housing Options approach, the procedure for households likely to be eligible and in priority need for homelessness assistance is now therefore likely to be operated as a two-stage process, with Options and prevention considered first, but with safeguards in place where a person is eligible for and requires assistance under the homelessness legislation. Where a duty to consider someone under the legislation is triggered through a Housing Options interview, for example in cases of threatened homelessness, the Guidance states that all possible measures to prevent actual homelessness should be undertaken in parallel with this.

National stakeholders were concerned that the use of Housing Options services, together with a drive to reduce the number of households in temporary accommodation, meant that there was pressure on local authorities to be restrictive about whom they accepted as being owed the main duty:

“Because local authorities have moved to preventing homelessness then they are much more restricted in terms of who they place in priority need. If someone has a roof there is a tendency to say they are not in priority need; really they are gatekeeping. People are told if they apply they probably won’t be accepted, so they are put off before they apply.” (Shelter)

“There has been a big shift to homelessness prevention strategies, so they now take a narrower view of priority need: basically you might have to be beaten up a bit more before you are priority need....Housing officers need to take a more pro-active approach. There might be alternative options such as the private rented sector.... From our experience the officers stonewall and gatekeep.” (Citizen’s Advice Bureau)

Many felt that the greatest need for assistance was when a single adult first left a violent relationship (when they needed access to safe accommodation and support quickly). Over the longer term many people may be able to secure accommodation for themselves. Some were concerned that the current system discouraged some local authorities from assisting adults without dependent children in the short-term as they were reluctant to accept what would be in effect an obligation to secure settled accommodation for them in the long term:

“Does it have to be all or nothing? Someone who needs temporary support – do they need permanent housing? If you accept someone as vulnerable there is an indefinite duty until the local authority provides permanent housing in the form of a social tenancy – if you could change this and provide practical help then it wouldn’t be necessary.” (Specialist adviser on homelessness seconded to Communities and Local Government)

“People should at least receive temporary accommodation as a chance to get themselves sorted, get an injunction, get a Sanctuary Scheme

fitted etc. The first eight weeks out are the hardest for women and they are at their most vulnerable. After three months things start to move and they are past the worst.” (Greater London Domestic Violence Project)

There were also concerns raised by national stakeholders that councils did not make it clear to applicants what their rights were, sometimes directing them towards Housing Options without making it clear that they had a duty to assess them and, if found to be vulnerable (and eligible and unintentionally homeless), accept a main homelessness duty to secure them suitable accommodation:

“Once things get to the point of deciding whether they are priority need things have to be recorded and can be challenged in court. But there are no checks and balances in the housing options discussions and they are not transparent. Shelter believes housing options should be discussed at the same time as the priority need local authority duties and obligations. At the moment stage one is Housing Options and stage two is the local authority legal duty. They should be both straight away. If the local authority does have a duty they should be clear about it.” (Shelter)

“Councils need to be more truthful about what duties they have towards applicants, not giving them incorrect information so women feel there is no help out there for them to escape the violence.” (Greater London Domestic Violence Project)

FINDINGS

The case studies and email survey found that not all adults without dependent children who approached a local authority having suffered domestic violence were considered under the homelessness legislation, but that homelessness prevention measures were often used instead for this client group.

The email survey and case studies carried out for this research suggested that Sanctuary Schemes were the main form of homelessness prevention used for this client group. Other examples mentioned included referral to legal assistance to gain sole possession of a joint tenancy, press charges or obtain an injunction against a perpetrator. Sanctuary Schemes were also sometimes used in addition to re-housing in cases with a high-risk of the perpetrator finding the victim and trying to gain access to their new accommodation.

In three out of the four case studies local authorities, as well as a large proportion of respondents to the email survey, Housing Options interviews were used not just to prevent homelessness (i.e. enable the person to remain in their own home, for instance with the use of a Sanctuary Scheme) but also to see whether their need for accommodation could be addressed without considering whether any duty was owed under the homelessness legislation.

It was apparent from local authority interviews in two of the case study areas (case studies one and three), as well as in some of the local authorities who replied to the email survey, that it was not made clear to people that the authority had an obligation

to consider whether they may be homeless or threatened with homelessness. Case study three, for instance, described being considered under the legislation as a “referral only service³⁸”. People here, and also in Case study one, were first directed to Housing Options, without any mention of their right to be considered under the legislation, and were only considered under the homelessness legislation if the Housing Options service was unable to solve their housing difficulties:

“Only when clients have had a full Housing Options service but where this has not been successful in preventing homelessness, will clients be formally referred to the homeless service.” (Homeless Strategy Review, 2008, case study three)

It was apparent from the email survey that many local authorities also referred women to women’s refuges without considering them under the legislation, and again, would only consider these women under the legislation if they were unable to access refuge accommodation. The Women’s Aid surveys also identified that some people, once they were at a refuge, were told by the local authority that they were no longer homeless and therefore not owed any duties under the homelessness legislation.

In other cases, a ‘homelessness assessment’ (consideration under the homelessness legislation) was presented to applicants as one of their various options – one that might lead to the securing of accommodation more quickly in the social rented sector, but with less choice of area or property. Local authority officers in case study one, for instance were quite explicit that the greater choice of accommodation was used as an incentive to encourage people to accept this route, rather than ask to be considered under the homelessness legislation. In this case, most people reportedly chose not to be considered under the legislation, but instead accepted assistance via Housing Options.

In some cases housing officers also reported that the Housing Options interview was also used as an opportunity to ensure that the person was given high ranking on the housing register, effectively prioritising them for social rented housing, similar to what would have happened if they had been accepted as owed the main homelessness duty. In the short term, the person may also have been referred to a refuge or other voluntary sector provider, as they might have been if they had been considered under the legislation³⁹.

Housing Options services were also used in most local authorities to help applicants who were considered under the homelessness legislation and found not to be owed the main homelessness duty:

“If a negative decision a housing options interview would be set up – we have a Finder’s Fee scheme – a rent deposit scheme so the client would be given advice on private rented sector. If accepted we would assist with a deposit. They are given properties direct.” (Local authority replying to email survey)

³⁸ Homeless Strategy Review, 2008

³⁹ These cases would be recorded as homelessness preventions, rather than acceptances

The advice and assistance offered by most Housing Options services clearly varied a great deal between local authorities and/or between applicants.

In many cases it went well beyond simple signposting – all the case study areas offered rent deposit schemes, though in the London case study there were reports of insufficient funds to meet demand. Referral to a refuge as a temporary housing solution was also common for both those who were and who were not considered under the legislation.

In some cases, there was on-going support offered, and local authorities followed cases up to ensure they found an appropriate housing solution. In other cases, the Housing Options interview was a single event:

“They have contact with Housing Options and one-off advice. We have no further information about what happens to them.” (Local authority, case study four)

Used in this manner, the local authority were unlikely to know whether the advice offered provided sufficient assistance to prevent a return to a situation where they may be at risk of violence.

This research suggested that, at their best, Housing Options services can provide an effective choice of housing solutions to a wider client group as they do not require authorities to distinguish between priority and non-priority need cases:

“What the process does not currently have is a safety net, a bottom line. If you can’t help them then there is no legislation that ensures they receive help. In some areas the first question is “do they fit the Priority Need group?” If not then go away. It makes less difference to local authorities like us who try to resolve everyone’s housing problem and only use the legislation/ homelessness application if necessary.” (Local authority, case study one)

There was also enthusiasm from local authorities for the way in which Housing Options services empowered clients, as opposed to the traditional system of considering duties owed and (possibly) the allocation of a property:

“This Council strongly believes that individuals should be given the best advice and information so that they can be empowered to make their own decisions, particularly where they have come from circumstances where this right may have been denied them by an abusive or controlling partner, and to help them prevent becoming homeless. I have often felt when working with other professionals that officers and services prejudge the person’s options by assuming what is the best course of action for them, and that the person is almost incidental to this process. I find that this has an irony in perpetuating the person’s role as being someone who is still ‘controlled’.” (Local authority replying to email survey)

Local authority staff were often very positive about the potential of Housing Options to offer help to a wider group of people. In the less pressured areas, such as case study one, it was possible to offer people a real choice of housing in different tenures.

Many local authorities and voluntary sector agencies felt that rent deposit schemes offered a useful option for some clients. They did, however, have concerns that some people who would have been likely to have met the criteria for the main homelessness duty were not considered under the legislation and were not aware that they should have been:

“Women are also being forced into the private rented sector.... This is sold to them as an ‘option’. If a choice is turned down then the housing department would discharge their duty so it is not really a choice.” (Women’s refuge, case study three)

In addition there were particular difficulties in London where all types of housing are difficult to obtain. Applications for the private rented accommodation offered via the local authority (such as through rent deposit schemes) were highly competitive.

“All the options are laid out, it’s very depressing, if clients come back here to phone private landlords and it is surprising how few places are available from the local authority list, we scour the papers with them.” (Women’s refuge, case study three)

Not all Housing Options services, however, offered a range of services or on-going support to all applicants. The Women’s Aid surveys found that only 55 per cent of clients who were not considered under the legislation were given a Housing Options interview. Most of the rest were simply offered telephone numbers of other support services.

Overall, there was a wide variety of types of assistance, and levels of assistance offered within the Housing Options framework. Housing Options can enhance choice and improve access to the private rented sector, but does not offer the same guarantee of providing either temporary or settled accommodation that is provided for those in priority need under the homelessness legislation.

2.4 Consideration of applicants under the legislation

CONTEXT

As discussed in Chapter 1, when homelessness applicants are considered under the legislation, they may be determined to be:

- not eligible for assistance
- eligible, but not homeless
- eligible, homeless, but intentionally so
- eligible, unintentionally homeless but not in priority need or
- eligible, unintentionally homeless and in priority need

Only this last group are owed the main homelessness duty.

This research was commissioned in response to concerns that adults without dependent children who are fleeing domestic violence are often not accepted as being vulnerable and having priority need, and that this may put them at risk of having to return to a violent situation. Assessing vulnerability is therefore a major focus of this section.

Most national stakeholders interviewed were of the opinion that the vulnerability test was too difficult for people to pass and that as a result of not being found in priority need and owed the main homelessness duty, adults without dependent children were more at risk of returning to a situation where they may be at risk of further violence.

There were concerns that local authorities did not give sufficient time and resources to carry out thorough assessments, and that criminal or civil justice systems were seen as an alternative to rehousing to ensure someone did not have to remain in accommodation where they might be at risk of violence:

“Normally people, if they are assessed, just get a five minute assessment. The result is normally that they are told they are not in priority need or that the local authority requires more evidence. For example, they want a police report, tell them to go and see a lawyer and expect them to find redress in family law. Being told to use the law is not an appropriate response. They should be helped with temporary accommodation and then assessed properly. They are dealt with very quickly and with little assessment. Instead they are assessed with just a few questions.” (Family law solicitor)

It was widely believed by the stakeholders interviewed that case law had set the vulnerability test at a high level:

“The test of vulnerability is a tough test to get past because they are being compared to an average rough sleeper. At one point there was a challenge to the courts asking them to describe the average rough sleeper. They have to be more vulnerable than the average rough sleeper to be in priority need on these grounds.” (Specialist adviser seconded to Communities and Local Government)

Some stakeholders expressed concern that adults without dependent children were only likely to be assessed as vulnerable for medical reasons, not because of domestic violence alone:

“Some people get vulnerability due to mental health problems but some local authorities are more stringent than others. Some will only require proof of medication, others will require them to be under the care of a psychiatrist and have a note saying that they will kill themselves. Those that get vulnerability tend to have a disability, HIV, the old community care groups.” (Greater London Domestic Violence Project)

“Normally it is for health reasons that they say they are not vulnerable. People fleeing domestic violence often have to give up jobs at short notice; they may not want to go on anti-depressants but instead see a local counsellor. But unless you can put a name on something - eg a broken leg then the local authority takes an objective view. It is the same for mental health, if they have an attempted suicide attempt it is easier but if they are isolated with no self-esteem it is less tangible. The local authority tends to say she is a healthy 25 year old woman and so does not have a problem.” (Family law solicitor)

“The use of a vulnerability test in this context is not helpful. People fleeing domestic violence are vulnerable by definition; they should not be tested to see if they are more vulnerable than other sufferers of domestic violence.” (Shelter)

Many were concerned that there was no consistency in how this client group were assisted between different local authorities and sometimes even between different staff members of the same local authority:

“Without a clear and unequivocal policy, local authorities provide a differential service to people in similar situations.” (Greater London Domestic Violence Project)

“There is a huge disparity between what both local authorities and agencies say and do and it differs hugely between different parts of the country.” (Women’s Aid)

“It varies across boroughs, between departments and between staff. It is not consistent.” (Greater London Domestic Violence Project)

“There is a lot of variability in decisions across local authorities. Two local authorities might treat two similar cases differently. This is down to the housing department frontline staff.” (Citizen’s Advice Bureau)

The greatest degree of difficulties appeared to be in London:

“Practice varies; many of our services are in London where it is dire. Out of London it is not as bad.” (Refuge)

There were also general concerns raised by stakeholders that people who had fled domestic violence were a highly vulnerable group in need of support:

“Those fleeing domestic violence should be classed as vulnerable. Anything else is too complicated. If someone is in a state, too frightened to go home they should receive help.” (Greater London Domestic Violence Project)

There were general concerns that local authorities were “gatekeeping” and that the vulnerability test was used to keep homelessness acceptances low:

“When local authorities make a decision it is not about the principle but about gatekeeping and supply and demand. They are looking at how they can’t help because local authorities are under pressure.” (Refuge)

“The legal test of vulnerability is very subjective. This is partly the reason why it is applied in very different ways depending on the local authority and who is making the decision. It can be applied in ways that are very resource driven.” (Shelter)

FINDINGS

The email survey conducted for this research asked local authorities how they decided whether applicants were vulnerable and therefore in priority need. The survey asked which of the following statements best fitted the policy and practice of the local authority in deciding whether adults without dependent children fleeing domestic violence were considered vulnerable when considered under the legislation:

- A) Such applicants are always considered vulnerable and in priority need
- B) Such applicants are unlikely to be considered vulnerable and in priority need because of the risk of domestic violence
- C) Such applicants are assessed for vulnerability on a case-by-case basis, based on circumstances

The responses are shown by region in Table 2.2

Table 2.2: Reported policy and practice on deciding whether applicants who are a single adult without children and fleeing domestic violence are ‘vulnerable’

Region	Policy			No response to question	Number of local authorities in region	Total replying
	a) Always in priority need	b) Not in priority need	c) Case by case basis			
East	1	1	16	3	48	21 (44%)
North West	8	0	7	0	43	15 (35%)
North East	1	0	5	0	23	6 (26%)
South East	2	0	26	0	67	28 (42%)
East Midlands	3	0	13	1	40	17 (43%)
Yorkshire and the Humber	1	0	3	1	21	5 (24%)
West Midlands	4	0	5	3	34	12 (35%)
London	0	1	9	0	33	10 (30%)
South West	2	0	11	1	45	14 (31%)
Total	22 (17%)	2 (2%)	95 (74%)	9 (7%)	354	128 (36%)

As can be seen from Table 2.2, response rates varied between regions and we cannot be certain whether those who replied are typical of those who did not.

The most common response was that *“Such applicants are assessed for vulnerability on a case by case basis, based on circumstances.”*

The sample sizes are small but nevertheless, there appeared to be some regional differences in policy and practice. No local authorities responding from London reported that that such applicants were always considered vulnerable and in priority need, but there were local authorities in all of the other regions who did. This was particularly so in the North West region where the majority of local authority respondents said that such applicants were always considered vulnerable and in priority need. This suggests that the practice of assessing vulnerability may be influenced by overall housing pressure or, possibly, a greater familiarity with the homelessness legislation amongst London Boroughs which process higher numbers of homelessness applicants than most other areas.

Some local authorities provided further details on how their policy operated in practice. Twelve cases who reported that they assessed vulnerability on a case-by-case basis noted that they had, in fact, found all cases over the previous year (2008-09) to be in priority need:

“However, as the figures demonstrate the outcome is usually to consider as vulnerable.” (Local authority replying to email survey)

“However, in the last five years we have not found any single adults who are fleeing violence to be non-priority.” (Local authority replying to email survey)

The two local authorities stating that “such applicants are unlikely to be considered vulnerable and in priority need because of the risk of domestic violence” both gave further information suggesting that they did in fact assess applicants on a case-by-case basis and some of the adults without dependent children who had approached

them as a result of domestic violence had in fact been found vulnerable (usually on health grounds), but stated that domestic violence itself would not normally be a reason for finding someone vulnerable.

This was also the case for some of the authorities who said they assessed on a case-by-case basis; whilst they assessed applicants based on circumstances, the experience of domestic violence was not seen as sufficient in itself for someone to be regarded as vulnerable, and there needed to be other additional factors such as health problems for the applicant to be considered vulnerable:

“Of the three accepted cases, two were found to be in priority need because they were mentally vulnerable. The remaining case was found to be in priority need because when she was a child she was placed in the care of a local authority, a health authority, foster parents, a children's home, or a care home and this made her vulnerable.” (Local authority replying to email survey)

Overall, the results suggested that around three quarters of local authorities assessed cases on an individual basis and found some but not all adults without dependent children fleeing domestic violence to be vulnerable and hence in priority need. Around a quarter of local authorities found all adults without dependent children fleeing domestic violence to be vulnerable and in priority need. The proportion of applicants found vulnerable, from the local authorities who were able to provide data, varied from nearly all applicants to hardly any (see Annex 6, Table A6.6).

The four case studies broadly reflected these different approaches; case study one found all cases considered under the legislation to be vulnerable, whereas the other three all considered applicants on a case-by-case basis.

Determining vulnerability

Local authorities in the email survey and case studies were asked how they determined vulnerability. Some described how they took account of a range of factors:

“We might ask about the severity and/or nature of the domestic violence. It impacts on their physical and mental health and on their support networks. We ask if they have reported the violence and if so get a police or GP report. We ask about the nature of the violence, the length of time it has been happening, the effect on you. Then we decide if that whole package makes the individual vulnerable.” (Local authority, case study one)

Some local authorities were sceptical about whether someone had really suffered domestic violence if they did not want to leave the area or go to a refuge. The code of guidance reminds local authorities of the deliberate distinction which is made in s.198(3) between actual violence and threatened violence, and stipulates that a high standard of proof of actual violence should not be imposed. However, local authorities appeared sometimes to find someone not vulnerable in cases where they were inclined not to believe that there had been violence:

“If someone refuses to go to a refuge for no good reason this would raise alarm bells that they might not really be fleeing violence, because a refuge would give them the support they need.” (Local authority, case study two)

The local authority staff in this case reported that they might assess someone as not vulnerable due to domestic violence, because they did not believe the person had suffered violence. They also sometimes looked to discharge their duties in these cases on the grounds that interim accommodation had been refused.

Similar concerns were raised by agencies in case study one:

“We want them to go into a refuge as the council [will then] see the domestic violence as ‘real’, as serious, that they are telling the truth.” (Floating support agency, case study one)

In case study three, voluntary sector agencies and the police reported that adults without dependent children were more likely to be found to be in priority need if they demonstrated that they had taken other steps to prevent the violence, such as they had reported it to the police.

Interviews with non-statutory agencies and one local authority case study found the view that if someone was capable of being in employment, this was an indication that they were able to fend for themselves and hence would not be considered vulnerable within the terms of the homelessness legislation:

“If they have their own income they are seen to be able to rent in the private rented sector, they are not seen as vulnerable.” (Women’s refuge, case study three)

The case study local authorities all shared the concerns raised by the majority of national stakeholders that vulnerability was difficult and subjective to assess, and that this led to uncertainty amongst staff assessing cases:

“In some cases [determining vulnerability is] very difficult. If someone has suffered in silence and there is no line of enquiry that can be taken and the person seems very together and perhaps not presenting in ways you would perceive they would. There is usually something – A&E records that we would follow up but sometimes it is very difficult, particularly when incidents are not reported to anyone.” (Local authority, case study four)

“You can wade through all the Pereira nonsense and tick the box. It is not an easy test. It is unscientific. It boils down to the approach of the local authority and your approach as an individual. It is a judgement, not a matter of the degree of training you have had. The same circumstances of an individual in one local authority may be classed as vulnerable in one local authority and not in another. Before Pereira everyone was doing vulnerability in their own way. At the Pereira Court

of Appeal I sat and listened to the judgement along with colleagues from all the other London boroughs. We all wanted enlightenment about what vulnerability means. But the judgement was not helpful and it is still clear as mud.” (Local authority, case study one)

It was felt by most interviewees that the complexity of the law surrounding vulnerability meant that people were confused about their rights and options:

“A better straight-forward system for getting help would help. It’s all very fragmented at present. Largely things do get solved but it’s all a bit chaotic.” (Victim support, case study two)

Local authorities in the case studies and email survey were also aware that the uncertainty around who would be assessed as vulnerable encouraged some people to accept Housing Options assistance, rather than apply to be considered under the homelessness legislation:

“If the law changed it may switch some people from prevention to make a homelessness application so it may increase the numbers claiming Priority Need and they may be less inclined to go down the prevention route.” (Local authority, case study one)

In some cases, local authorities were quite explicit that their Housing Officers were there to ‘gatekeep’ and to ensure that homeless acceptances were kept to a minimum:

“We train caseworkers to know the legislation – they are there to gatekeep and legal decisions are well planned and thought out. All the information given by the client will be tested and questioned by the case worker. We have specialist officer training who over time and with experience will make decisions.” (Local authority replying to email survey)

“If the local authority wants to not help, if they have correct processes in place, they can use the vulnerability test to keep people out....As long as you could demonstrate that you took all the correct factors into account and your decision letters were good enough then they cannot challenge the decision. The courts will nearly always agree with the local authority’s decision. It is not even about the client but about the processes of the local authority. The test is not difficult; it depends on the result that you want. For example, if you want you can use it to gatekeep, or, as here, you can use it to help. Either way, no one will challenge it.” (Local authority officer, case study one, describing work in a previous location)

Overall, the research found that there is substantial variation between local authorities in how they assess whether victims of domestic violence are vulnerable in terms of the homelessness legislation. Local authorities often struggle with assessing vulnerability in the context of domestic violence. Some avoid having to make distinctions between vulnerable and non-vulnerable domestic violence

victims and instead consider all to be vulnerable. Others do make distinctions, but find it a difficult decision to make and are unsure what evidence to use to support their decisions. The distinction between vulnerable and non-vulnerable applicants is also not something that other agencies fully understand, and nor are they able to predict who will be assessed as vulnerable.

Use of discretionary powers

The email survey asked local authorities about their use of discretionary powers under Section 192(3)⁴⁰.

Twenty-nine (23 per cent) local authorities said their authority would consider using its power under section 192 to secure accommodation for adults without dependent children, who were considered eligible for assistance and homeless because of violence but not in priority need.

A few local authorities did make use of this power on a regular basis, for example, as a way of securing accommodation in the social sector for people without increasing their number of acceptances:

“If we nominated to a registered social landlord then this would be under our powers under S192(3). If the domestic violence has been evidenced then we would use this power. In all honesty I believe that we and many other authorities would probably accept a full duty to such an applicant if we were not under 'pressure' to keep acceptances low especially in relation to one of our three main causes. S192(3) allows us to house a victim of domestic violence without having to accept a full duty.” (Local authority replying to email survey)

However, for most local authorities a shortage of temporary accommodation prevented them from using S192(3) to provide either temporary accommodation or a social tenancy for non-priority applicants:

“There simply is not the capacity for [this district] to use its ‘Power’ under S192(3) to assist ‘non priority’ applicants into anything other than the private rented sector”.

“Due to the demand on temporary accommodation from statutory homeless households this authority has not used its 'power' to accommodate any households. However, it is aware that this is possible and can be considered on a case-by-case basis if accommodation is available and not being utilised by statutory homeless”.

“Direct accommodation very rarely provided (less often than once annually)”. (Local authorities replying to email survey)

⁴⁰ This grants local authorities the power to provide further assistance to applicants who are eligible for assistance, homeless (or threatened with homelessness) unintentionally but do not have a priority need. Under Section 192(3), local authorities may secure that accommodation if available for applicants who are eligible, unintentionally homeless and do not have a priority need.

Many local authorities replying to the email survey stressed that they sought to help non-priority cases in ways other than through consideration under the homelessness legislation. For example, some gave access to bond schemes to enable access to the private rented sector or gave people higher priority on the housing register:

“With the use of Housing Options we do not need to consider this in individual cases as generally options are available through Housing Options.”

“In reality, the prevention and Housing Options service we are able to offer means that we are nearly always able to maintain suitable accommodation or prevent homelessness through assistance otherwise.” (Local authorities replying to email survey)

The responses of some local authorities indicated that they were not familiar with or did not fully understand their discretionary powers. None of the case study authorities made any use of the powers. Overall, it would seem that the number of cases who were assisted into temporary accommodation via the use of discretionary powers were few, but that those who were assisted in this manner were generally offered support and assistance similar in kind to people who were owed the main homelessness duty.

The experience of being assessed for vulnerability

As discussed in Chapter 1, the experience of domestic violence can leave someone with physical, emotional and psychological problems. Leaving a violent relationship can be a very difficult and stressful decision. Victims of domestic violence need sympathetic and understanding responses from any agencies they contact to assist them in leaving a violent relationship.

There were concerns from stakeholders and service providers that being the subject of inquiries to determine whether a duty was owed under the homelessness legislation was sometimes itself a stressful and damaging experience. This was felt to be particularly the case where the outcome of the inquiries was a decision that someone was not vulnerable within the terms of the legislation.

“Our volunteers are involved in this. It focuses on evidence that something had occurred, police evidence, crime ref numbers, etc. There are also cases where they have been asked to provide medical reports – which can become quite ridiculous. We’ve had people being asked to prove they had actually taken their medicine. The implication is that if not they were just pretending to be ill to get housing.” (Victim support, case study two)

“People become quite de-motivated, having to prove everything. They often lack the confidence to fill in forms, sit in front of someone, etc. There is a fear of not being believed.” (Voluntary sector agency, case study two)

There were difficulties relating to the nature of the questions a local authority may have had to ask in order to assess whether the domestic violence had made someone vulnerable, especially if it related to sexual violence. If a victim did not understand the law regarding vulnerability assessments, they may not understand why such questions are necessary:

“One case was asked to prove sexual abuse. She was asked whether she had been to the doctors. It was very difficult being asked for this. Also housing do their own assessment on why a person can’t work, etc. People find this very stressful, especially if the abuse is quite recent.” (Voluntary sector agency, case study two)

There were also concerns about the length of time that inquiries could take and the possible risks of violence against victims whilst sitting in council offices:

“It is hard, some women do not want to go through the city council because it is so long winded – it can take a day or two to get an appointment and it is not nice for a women to sit in the housing department all day and it could be dangerous.” (Women’s refuge, case study four)

Many agencies interviewed were concerned that someone who was already in a fragile physical and/or emotional position may be deterred from pursuing assistance from the local authority if they found the assessment process difficult and, as a result, may be more at risk of returning to accommodation where they would be at risk of violence.

Geographical variation

There appeared to be substantial variation between local authorities in terms of the numbers of people fleeing domestic violence who sought help and for whom the local authority accepted a main homelessness duty.

P1E data is submitted quarterly by all local authorities in England. It records the numbers of households who are considered and assisted under the homelessness legislation, including those found to be in priority need because they are vulnerable as a result of fleeing domestic violence. These numbers varied substantially between authorities. In 2008-09 126 authorities found no households at all vulnerable as a result of fleeing domestic violence, whereas in five authorities, there were over 60 cases⁴¹. The proportion of all households who were owed the main homelessness duty that were found vulnerable as a result of fleeing domestic violence also varied from zero (including some authorities with over 400 acceptances) to over 10 per cent in others.

Altogether, the 13 authorities with the highest numbers of homeless acceptances who were vulnerable as a result of fleeing domestic violence accounted for over 40 per cent, a third of the total. There was evidence of strong regional variation, with for instance, only 60 households found vulnerable as a result of fleeing domestic

⁴¹ It should be noted that these figures exclude households with children, who would be recorded as being in priority need on the grounds of having dependent children, rather than because they are vulnerable because of domestic violence.

violence in London (0.4 per cent of all households owed the main homelessness duty) to 410 in the West Midlands (4.8 per cent of all households owed the main homelessness duty).

This suggests that there was either substantial variations in the incidences of domestic violence between local authorities, or in the victim's tendency to seek help from a local authority, or that there were major differences between local authorities in the way that they have dealt with applications for assistance from those fleeing domestic violence. Data from the British Crime Survey suggest that self-reported levels of domestic violence do vary between regions, but not to the same degree (Kershaw et al 2008).

This suggests that the variation in the numbers accepted as homeless as a result of fleeing domestic violence is likely to be the result of different local authority policies and practices in considering this client group.

2.5 The types of temporary accommodation used

CONTEXT

The type of temporary accommodation used to accommodate people fleeing domestic violence was a concern raised by several national stakeholders. Most interviewed were of the view that women's refuges provided the most specialist support and for the majority of women, the most appropriate form of temporary accommodation. Refuges were, however, reported as possibly difficult to access for those in employment, if they are located far from their place of work or if rents are too expensive for people unable to claim full housing benefit:

"They can be referred to refuges but this depends on available bed spaces or they may have to go to a part of London that is far away. If it is going to take them two hours to get to work they risk losing their job.....Most refuges are also concerned about taking working women from a safety point of view as the partner will know where a woman works and can follow her to the refuge." (Greater London Domestic Violence Project)

There were concerns raised that those who were unable to access refuge accommodation (such as women with high support needs and those who were placed elsewhere by a local authority) could be poorly provided for:

"Other than that you go to a homeless department at the local authority but if you have no other problems apart from domestic violence then it is very tight – the chances are you would be sent to a hostel where you would be amongst offenders/drug users etc. This is at a time when you would be at your most vulnerable and you would be placed in a not very savoury environment." (Victim Support)

There was very little refuge provision for men⁴² who although in a small minority, did sometimes have to leave their home as a result of domestic violence and approach a local authority for help:

“Local authorities tend to give men who present with domestic violence a list of wet and dry hostels but this is completely inappropriate.”
(Respect)

There were also some concerns about the provision of specialist temporary accommodation for black, Asian, minority ethnic and refugee clients as specialist services were in some places being replaced by generic ones:

“Black and minority ethnic women need culturally specific support and these services that had been set up have been eroded, outreach support has been cut, some services have closed, counselling services have been cut mainly because local authority funding has been cut. Mainstream services exist but black, Asian, minority ethnic and refugee women are not getting the service that independent services used to offer.” (Greater London Domestic Violence Project)

FINDINGS

Temporary accommodation for those who are considered to be in priority need

P1E data submitted by local authorities throughout England record the number of households in temporary accommodation and the type of accommodation they are using to fulfil their duties towards homeless households at the end of each quarter. The data were analysed for this project to look at the types of temporary accommodation in use for households under the 1996 Housing Act. The data are not split by reason for homelessness or reason for priority need so the data does not identify the types of accommodation in which those who were homeless as a result of domestic violence are living. It does however identify households with children from those without⁴³.

Analysis of P1E data for this study shows that 64,000 households were living in temporary accommodation secured by a local authority at the end of March 2009. Just under 15,000 of these households did not include a dependent child or pregnant woman (at the time the duty was accepted).

⁴² england.shelter.org.uk/get_advice/families_and_relationships/domestic_violence/same_sex_relationships

⁴³ Households including a pregnant member are included with those with children.

Table 2.3: Accommodation secured for households without dependent children or a pregnant woman⁴⁴.

Type	Number	Proportion
Bed and Breakfast	1850	12.3%
Paid nightly, Privately managed accommodation with shared facilities	130	0.9%
Paid nightly, Privately managed accommodation with self-contained facilities	1520	10.1%
Hostel accommodation	2360	15.8%
Women's Refuge	70	0.4%
Private sector, leased by local authority	3950	26.3%
Private sector, leased by registered social landlord	1450	9.7%
Directly with private sector landlord	260	1.7%
Within local authority's own stock	1860	12.4%
Within registered social landlord stock on assured shorthold tenancies	820	5.5%
Other	720	4.8%
<i>Total</i>	<i>14980</i>	<i>100.0%</i>

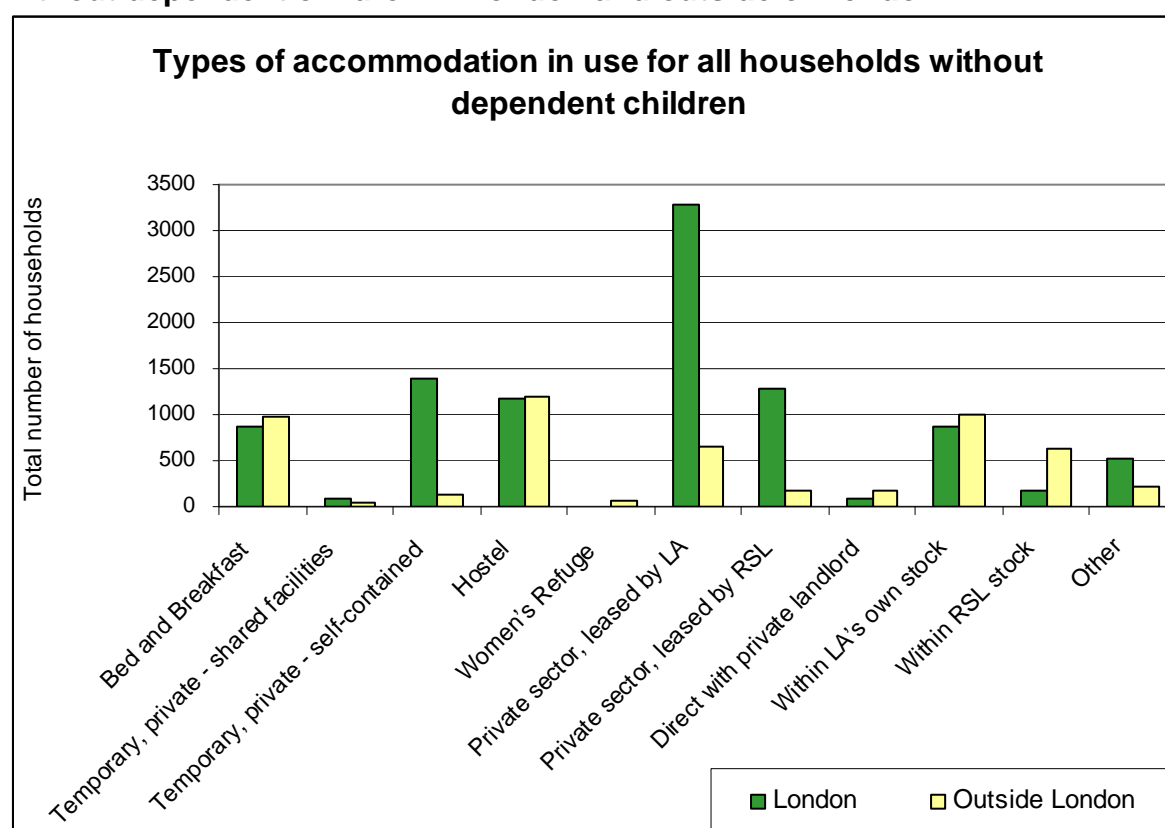
Source P1E data, March 31st 2009

As can be seen from Table 2.3, the majority of households without children were accommodated in private sector accommodation leased by the local authority or a registered social landlord, in hostels, Bed and Breakfasts or within the local authority's own housing stock. At the end of March 2009, only 70 households were living in women's refuges.

The type of accommodation used varied considerably between local authorities with most not making use of all the different options. Overall nearly two-thirds (65 per cent) of the households without dependent children were in London. There were substantial differences between London and the rest of the country, with London local authorities making more use of private sector accommodation (Figure 2.1).

⁴⁴ This includes both those who are being accommodated pending inquiries and those who have been found to be owed the main homelessness duty. This data is unpublished self-reported data by local authorities and has not been fully validated by Communities and Local Government. Figures have been rounded to the nearest 10.

Figure 2.1: Types of temporary accommodation occupied by households without dependent children in London and outside of London



Source: P1E data 31st March 2009⁴⁵

As noted above, the P1E data does not identify which accommodation was being used by those who were fleeing domestic violence. The email survey therefore asked local authorities what kind of accommodation they would generally use for these households when found to be in priority need:

Table 2.4: Types of temporary accommodation used for adults without dependent children fleeing domestic violence who are in priority need

Type of accommodation	Number mentioning this as a likely type of provision ⁴⁶
Refuge	53
Hostel	9
Bed and Breakfast	9
Supported housing	7
Temporary accommodation, as used by other homeless households whom they are accommodating	60
<i>Total number specifying one or more types that they would use</i>	<i>85</i>

⁴⁵ This includes both those who are being accommodated pending inquiries and those who have been found to be owed the main homelessness duty. This data is unpublished self-reported data by local authorities and has not been fully validated by Communities and Local Government.

⁴⁶ Some respondents gave more than one answer. 123 local authorities replied to the survey altogether, but some did not specify what type of accommodation they would provide.

As can be seen from the above table, most local authorities who provided the information indicated that they looked to secure temporary accommodation for an adult without dependent children who was fleeing domestic violence either in a refuge or in the temporary accommodation that they used generally for other homeless households.

Temporary accommodation for those who are not considered to be in priority need

As discussed in Chapter 1, the main form of specialist provision for those fleeing domestic violence is women's refuges. These can be accessed directly, regardless of whether the woman has approached a local authority for assistance. They can also be used as temporary accommodation for those whom the local authority has deemed not to be in priority need.

The email survey asked local authorities about the kinds of assistance they provided to those fleeing domestic violence, who they considered not to be in priority need. Local authorities were less likely to mention offering general support to this group, and also mentioned the use of Sanctuary Schemes less often. The most common type of assistance offered to these client groups was help in accessing the private rented sector through bond/rent deposit schemes. Examples of other assistance identified from the survey included:

- Reasonable notice to vacate any interim accommodation provided.
- Assistance in accessing social housing (e.g. placing in a priority band or awarding extra points to enable people to bid more successfully via choice based lettings schemes).
- Referral to women's refuges.

The impact of the different types of accommodation

The research found variation between local authorities in the types of temporary accommodation used and also in the quality and level of support offered.

Service users were not interviewed about their experiences, so the responses outlined below are from representatives of both statutory and voluntary sector agencies.

Overall, it was widely thought by a range of those interviewed that being in a refuge for a short period of time was beneficial for women who had experienced domestic violence, as it gave them more support than they might get elsewhere:

"A refuge would be the best option in most cases as it provides somewhere to stay but also a keyworker and more support." (Police, case study two)

"Once they are in a refuge the numbers who go back are low as they are safe and have company. If before they are re-housed they go to a B&B, more go back." (Refuge, case study one)

“They need support for a few months while they get themselves together. And women here support each other. In many cases the women think that domestic violence is only happening to them, they think it is normal in their relationship.” (Refuge, case study three)

“We work more with the refuge side of things, they provide more support. If they go to the council this can be even more isolating and could make the victim go back home. A refuge has keyworkers and support from other women.” (Police, case study three)

The main problem interviewees expressed with refuges was the difficulty in finding a refuge with space and in an appropriate location:

“There is always a space somewhere but because of issues of eligibility and choice we are not always successful. People will often refuse a refuge place if it is in the wrong area.” (Refuge, case study one)

Refuges with instant, 24-hour access, were not often available:

“Refuges, we can’t get people in after 4pm as there has to be two staff to accept someone, but most incidents are at night. We need instant access housing, short-term.” (Police, case study one)

Local authorities reported in both the email survey and case study interviews that they would tend to use Bed and Breakfast accommodation when they were unable to access a refuge space.

Women’s refuges could also be reluctant to take women in employment as they could be more at risk of being followed home by the perpetrator if they knew where the victim worked. They were also more likely to be responsible for paying their own rent and hence at risk of generating rent arrears. Some refuges were also concerned that those who had recently experienced domestic violence were not in a fit state to work:

“Some single women do have jobs and want to stay in the area; however, they are not really fit enough to work when they come to us so we would suggest they take time off work.” (Women’s refuge, case study four)

Interviewees suggested that it was the overall quality, level of support and appropriateness for particular needs and preferences that determined how well temporary accommodation was able to meet victims’ needs. Not all adults without dependent children preferred to go to a refuge. In one case study, it was reported that some young single people preferred to go to a hostel rather than a refuge where there were likely to be children. However, the research identified a number of problems with inappropriate or poor quality temporary accommodation. The use of generic hostels was a concern, particularly in London where examples were cited of people being sent to very unsuitable accommodation:

“For some single women who have a social worker, the local authority will put in a hostel or a B&B, but generally these places are mixed sex and they have no support so it is nonsense.” (Refuge, case study three)

“Accommodation offered to single women is appalling – they often have to share with men or other vulnerable people who use drugs or crack, they are frightened to complain because housing departments are judgemental – it is shameful!” (Independent Domestic Violence Advocate, case study three)

Some concerns were also raised about the poor standard of Bed and Breakfast accommodation offered as accommodation to discharge the interim homelessness duty (pending inquiries) or the main homelessness duty:

“If they are high risk they will go into a B&B until they find more permanent accommodation, but the victim does not get a say in the property but is offered an address. Even if it is appalling they can’t turn it down. There are some appalling properties but it is all the local authority has got.”⁴⁷ (Police, case study one)

Under the homelessness legislation, applicants have the right to ask for a review of the suitability of accommodation offered, and, if dissatisfied with the review decision, can appeal to the county court. Nevertheless, the case study interviewees discussed above highlighted many concerns that the provision of poor quality, inappropriate temporary accommodation increased the chance that people might return to accommodation where they would be at risk of violence. There were few reports of appropriate support for victims of domestic violence being available in generic hostels or other forms of temporary accommodation, though some local authorities did use floating support to engage with people in different types of accommodation.

Groups with particular needs

The research identified certain groups who sometimes experienced particular problems in accessing appropriate temporary accommodation.

The most widespread concerns were around the lack of temporary accommodation for those with alcohol and drug problems. Women’s refuges were often unable to take this client group because of their high support needs and when they did, reported problems with challenging behaviour, sometimes resulting in having to ask the client to leave:

“We wouldn’t send people to a refuge if they didn’t want to go there, or if they were alcoholics. Severe alcoholics won’t have many friends anyway so they don’t have many other options. They are a problem as refuges won’t take them.” (Police, case study two)⁴⁸

⁴⁷ A local authority may discharge its homelessness duties if an applicant turns down what could be considered a suitable offer of accommodation.

⁴⁸ There were no refuges catering for women with high support needs in or near to case study two.

“We do have problems finding places for women who are drug users or street working and who do not want to address their issues.” (Local authority replying to email survey)

“Single women tend to fall through the gaps, particularly those women who are vulnerable because of substance misuse etc. These women are really vulnerable and can’t advocate for themselves.” (Independent Domestic Violence Advisor, case study three)

The potential for specific cultural needs of certain black, Asian, minority ethnic and refugee groups to be met was also highlighted as problematic in some areas. In the two case studies with high numbers of black, Asian, minority ethnic and refugee residents, there were several specialist agencies working with particular groups and issues. There were particular difficulties reported in case study three where generic hostels were commonly used as temporary accommodation for those fleeing domestic violence. Some women from black, Asian, minority ethnic and refugee groups found the mixed sex environment particularly difficult:

“Recently the local authority sent a single Muslim woman to a hostel which was dirty and she had to share with men. She went back home, but is now with us; we arranged for police transport.” (Specialist women’s refuge, case study three)

Some faced additional language difficulties:

“Lots of them don’t want to leave their husbands because they are not independent. A lot can’t speak any English. It is frowned upon to leave. A lot suffer for many years and still don’t want to leave because they are afraid of being alone.” (Black and minority ethnic support agency, case study two)

There was widespread concern amongst national stakeholders and local agencies in case studies three and four that people trying to escape forced marriages were often caught in a situation of having no recourse to public funds if they had come to the UK to marry. Serious concerns were raised about the lack of provision for those with no recourse to public funds although, as noted previously, this is determined by immigration rules rather than the homelessness legislation.

One other group who experienced particular difficulties in obtaining temporary accommodation were those in employment, an issue particularly likely to affect adults without dependent children. They faced several different issues which made it hard for them to maintain employment and access appropriate temporary housing. The need to leave their local area could make it difficult to remain in their job. In some cases they may need to leave in order not to be found by the perpetrator; in other cases it was simply in order to access available accommodation.

It was reported that people with rent arrears (owed to a council or housing association) also sometimes experienced difficulties in accessing accommodation through a local authority. Some interviewees reported that this was a particular

difficulty for some victims of domestic violence where there had been a financial aspect to the abuse.

There were also some concerns expressed in both the email survey and case studies over the level of provision for gay men fleeing violence. Whilst lesbians were generally believed to be catered for in women's refuges, several local authorities reported that they were unaware of any local provision for gay men.

Overall, however, the greatest concerns were around provision for those with high support needs such as substance abusers who were felt to be at very high risk of returning to situations where they may be at risk of further violence.

2.6 Time spent in temporary accommodation

CONTEXT

National stakeholders raised concerns over the length of time people were required to spend in temporary accommodation, and reported that spending extensive lengths of time (a year or more) in temporary accommodation could increase the risk of someone returning to a violent situation.

"We had one case recently where she gave up and went back, suffered further violence, then we lost contact with her. Some do give up." (Family law solicitor)

FINDINGS

There was also concern amongst many local agencies that people who had to stay in temporary accommodation for a long period were more likely to return to a situation where they would be at risk of violence. Accommodation providers reported that people could become demotivated after a few months and many found that living in temporary accommodation, often away from family and friends, was stressful and difficult. This was a particular problem in the London case study but less so in the rest of the country. Even in case study three (a high pressured area in the south of England) adults without dependent children who were owed the main homelessness duty were generally offered settled accommodation in just a few weeks.

People owed the main homelessness duty must be given 'reasonable preference' in the allocation of social housing. It was generally reported that such households were able to move on more quickly because of this. In the London case study however refuges and hostels reported that it was common to wait up to two years or more before being offered a tenancy. Those not owed the main homelessness duty reportedly found it particularly difficult to move on in the London case study where pressure on all housing tenures meant that move-on options were limited:

"The local authorities.... won't accept most people [without children]. This silts up refuge places.... We have a predominance of women with no children in refuges. It is inappropriate as they don't necessarily need to be in a refuge the most or the longest. Most just need support to cope with domestic violence and to move on." (Women's refuge, case study three)

There was some evidence of an increased risk of returning to violence when people had to remain in temporary accommodation for long periods of time:

“Housing can be the reason people go back to violence due to the length of time they have to wait to be housed. A woman who has just left a violent relationship and is in a refuge is told she might have to wait 18 months to be rehoused. Some cannot cope with being in a refuge for so long and go back.” (Women’s refuge, case study one, referring to those who are awaiting housing in neighbouring local authorities)

“Some return home, they lose faith, they think they will never get rehoused. They think ‘What’s the point?’ and return.... Women don’t want to be in the refuge for a year. The refuge does limit them, they are limited by the rules once they have gained their confidence but they can’t gain independence if they are in the refuge – it is very frustrating.” (Women’s refuge, case study four)

Some women’s refuges did have a limited amount of self-contained accommodation, though tended to use it mainly for women with children. One factor that caused particular difficulties for victims of domestic violence was that they were often in temporary accommodation at some distance from where they previously lived, and/or where they might subsequently move to, making it difficult for them to move on in their life until settled accommodation had been found. There were some reports of cases where people found it too difficult to remain in a refuge without any future options open to them:

“Those that are accepted know that the council should find them accommodation in an area they want. Whereas those who aren’t [accepted] don’t know where they will end up. They don’t know if the council will offer them anything – this does make it more likely they will go back because they can’t see a way forward.” (Women’s refuge, case study four)

2.7 Different settled housing outcomes

CONTEXT

Settled housing options include accommodation in the social rented, private rented and owner-occupied sectors. Some people may also find settled accommodation by going to live with an existing household (such as a new partner, or back with their parents).

The private rented sector can be accessed with or without assistance from a Housing Options service. Social housing is accessed via local authorities’ allocation schemes, and people who are homeless or owed the main homelessness duty must be given “reasonable preference” in its allocation. However, there are other categories of housing applicants who must also be given reasonable preference, so

it is possible to access social housing without being owed a main homeless duty or whilst living in a refuge (see model in Chapter 3).

Some national stakeholders expressed concerns around people being directed to private rented accommodation rather than social housing. The research sought to explore whether these concerns were valid.

FINDINGS

Owner-occupation was widely reported to be only an option for single adults who have been made homeless by domestic violence who were previously owners, and/or in well-paid jobs. Local agencies interviewed for this study often mentioned that previous owner-occupiers commonly need a period in temporary accommodation whilst their previous (jointly owned) property is sold and whilst they look for somewhere else to buy or rent.

Refuges and other agencies reported that some adults without dependent children with mental or physical health problems or learning disabilities may be in need of supported housing as a longer term option. However, it was clear that the majority of adults without dependent children fleeing domestic violence usually access settled housing in either the social or private rented sectors.

Many people interviewed had strong views on the advantages and disadvantages of different tenures. However, the case study work found little evidence that being accommodated in any particular tenure was likely to increase or decrease the risk of someone returning to a situation where they would be at risk of violence.

Some interview respondents noted the advantages of private renting for this client group. It was reported that it was sometimes easier for a victim to remain anonymous and not allow a perpetrator to know their whereabouts in the private rented sector than, for example, on a council estate where people tended to know one another.

“It is easier to lose themselves in the private rented sector. For example, if the perpetrator wants to find them then they can choose their housing freely in the private sector and are more difficult to find than if they move to a council estate.” (Local authority, case study one)

It was also known that in some areas, the quality of social housing was particularly poor, especially for those who were obliged to take the first property they were offered:

“It does happen that women go back to violence. It is usually because of housing that they go back. Through the homeless route they may be offered a horrible part of [local town]. It is not because it is close to the perpetrator but because all the council houses in nicer areas were bought through the Right to Buy and the ones that come up regularly and quickly are in undesirable areas and are grotty.” (Women's refuge, case study one)

Properties in the private rented sector can be rented fully furnished or at least furnished with white goods, so it is potentially easier to fund setting up home alone, something that many research participants said victims often struggled with.

Some local authorities only made one offer of social housing to those owed the main homelessness duty, restricting the choice of location and property. One of the local authority case studies said that they do this to encourage people to resolve their housing problems through Housing Options (rather than via homelessness duties), for example, by entering the private rented sector and/or receiving extra points on the housing register to enable them to access social housing in the longer term.

This research also identified some advantages of being offered settled accommodation in social rented housing. Some victims require Sanctuary Schemes in their new accommodation to keep them safe. Other research has shown that social landlords are generally sympathetic to the use of Sanctuary Schemes, whereas problems with some private landlords accepting Sanctuary Schemes were sometimes identified (Jones, et al 2010). Interviewees for this research were also of the view that social landlords were generally familiar with the needs of those at risk of domestic violence. Social housing offers security of tenure, which might reduce the risk of future homelessness. However, it was the low rents which were most often cited by agencies as the reason why they felt that people who have fled domestic violence were better off in social housing:

“The private rented sector has no security of tenancy and it is not cheap in [this borough] either....[even] women who work can’t afford the private rented sector - they tend to go to friends and family and some strike up other inappropriate relationships to get a roof over their head and they are expected to give something in return.” (Women’s refuge, case study three)

People who have fled domestic violence may have experienced financial abuse, and Women’s Aid have found that the vast majority who spend time in a refuge are out of work (Barron, 2007), suggesting that affordability may be a critical issue for some, particularly in London. Local agencies in the London and South East case studies reported that their clients were generally very keen to move into social housing because of its greater affordability.

But overall there was no strong evidence that being accommodated in either tenure made a difference to returning to a violent situation. The kinds of support that people may need to prevent a return to violence (floating support, counselling, resettlement support, or group work) can be accessed by people in either tenure.

2.8 Unknown housing outcomes

People who leave interim accommodation of their own accord, along with a great many who are assisted via Housing Options, have housing outcomes that are, currently, unknown to local authorities. Housing Options work does not necessarily involve on-going case work, meaning that many local authorities are not aware of the outcomes of all their activities. Local authorities are obliged to keep records of those

who they assist via the homelessness legislation (via P1E returns), which includes the numbers with whom they lose contact. But no equivalent system exists for the advice and assistance offered under Housing Options. The number of successful cases of homelessness prevention are recorded, but not the number that are unresolved or unknown.

An unknown housing outcome does not necessarily mean a return to a situation where there is a risk of violence. Some people will have found their own sustainable housing solution. However, the available evidence suggests that the resources and hence the options of most domestic violence victims are limited.

It is hard to know what proportion of victims of domestic violence have the financial resources to find housing for themselves. It is known that most women in refuges are not in employment (Barron, 2007). As discussed above, there are particular issues with women in refuges being able to remain in employment. However, analysis of Supporting People data (see Annex 4) also shows that only 8.6 per cent of adults without dependent children in the client group “women at risk of domestic violence” were in full time work. Being without full time work is likely to reduce people’s capacity to afford market housing. There were widespread concerns by local agencies that the accommodation people found for themselves could place them at a high risk of further violence:

“Most go on the waiting list; [Meanwhile] a small number go to the private rented sector, some sofa-surf, most go back [to violence].”
(Women’s refuge, case study one)

“People tend to crash on friends floors – but it doesn’t last long and it is difficult for them to keep up with their work/studies etc. Really it is hard to mouth and the stress levels rise when sleeping on someone else’s floor.” (Victim support)

Local authorities also acknowledged that informal housing solutions could be high-risk for this client group:

“We do explore the possibility of staying with friends and family, however, we do not encourage this as often the perpetrator will find them.” (Local authority replying to email survey)

Agencies working in the field generally felt that the people who approached the local authority for help were those who were least able to resolve their housing problems themselves. Overall, there was widespread concern that when households left accommodation without any known move-on plans, or did not return to follow up offers of further assistance that in many cases they may well have returned to a situation where they are at risk of violence.

2.8 Conclusions

AT FIRST CONTACT

Local agencies were aware that many people did not approach local authorities for help with housing, especially if they had not previously lived in social housing and were unaware of the help on offer. Furthermore, when people did approach a local authority for help, there were concerns that some did not receive any assistance at all. Some local authorities, including at least one of the case study authorities, routinely directed some adults without dependent children who approached them to other local authorities, positing that people fleeing domestic violence would be safer if they moved to a different area. Some did this at the front desk without considering whether any duty was owed under the homelessness legislation.

There was concern in areas where this arose that if the first local authority failed to assist someone and they were faced with the prospect of travelling to a different area to seek assistance, the likelihood of them instead returning to a situation where they are at risk of violence may well increase. This was a major concern for several of the voluntary sector agencies in two of the local authorities interviewed for this research (case studies 2 and 3). There were particular concerns that people were felt to be 'bounced' around several local authorities, each of whom suggests they apply elsewhere.

The extent to which agencies outside of the local authority housing department understood the homelessness legislation was varied. Interviews with individuals with a specific remit for domestic violence, and who may be a victim's first source of support (such as the police) suggested that their knowledge was at times incorrect.

HOUSING OPTIONS

Two of the four case studies (case studies 1 and 3), were making substantial use of their Housing Options service to help resolve the housing issues of this client group without or before considering whether any duty was owed under the homelessness legislation. Details offered by many authorities replying to the email survey suggest that using Housing Options in this way was not uncommon. Other local authorities generally considered all such households under the homelessness legislation. Whether adults without dependent children who are directed to Housing Options without being considered under the homelessness legislation receive sufficient assistance to ensure they do not need to return to accommodation where they would be at risk of violence undoubtedly depends upon the quality of the Housing Options service.

Housing Options services do, however, appear to differ between local authorities. They have no statutory basis and, despite recent additions to the P1E reporting, there is still no comprehensive system for reporting outcomes for all people assisted (equivalent to the reporting arrangements for local authority activity under the homelessness legislation). This meant that it was difficult to ascertain the extent of the support provided, or the number of times when Housing Options services failed to secure someone a suitable housing solution.

The case study local authorities, as well as those replying to the email survey appeared to experience a tension between offering an effective and attractive

Housing Options system, and considering everyone under the homelessness legislation. These tensions were greatest in case studies two and three, suggesting they may be most apparent in areas where the pressure on social housing is the greatest, and the cost of private rented housing high, meaning that social housing is a highly preferable tenure from the point of view of applicants. As described in Annex 3, both statutory and voluntary sector agencies interviewed in case studies two and three reported that many people preferred to wait for social housing in these areas, rather than accept housing in the private rented sector.

The “all or nothing” nature of homelessness duties means that some local authorities appeared reluctant to accept a homelessness duty to secure accommodation as that would require the authority to continue to accommodate the applicant until they could offer a social tenancy. Most local authorities who participated in this research appeared anxious to ensure that people fleeing domestic violence were able to access temporary accommodation, but some preferred to do this via Housing Options rather than accept a duty under the homelessness legislation.

ASSESSING VULNERABILITY

The research found considerable variation in local authority practice in determining vulnerability, both in terms of the numbers who were considered to be vulnerable, and in the factors that may influence who is or is not considered vulnerable. This suggests that two people in very similar circumstances applying to different local authorities may receive different responses and assistance.

Overall, around a quarter of local authorities accepted all adults without dependent children who had to leave their home as a result of domestic violence as being in priority need and owed the main homelessness duty. Almost all other local authorities assessed vulnerability on a case-by-case basis, with just two per cent of those responding to the survey reporting that they did not accept any to be in priority need on the grounds of vulnerability due to domestic violence alone. Assessing cases on a case-by-case basis in practice ranged from virtually all being accepted, to the large majority rejected.

All four of the case studies reported some degree of difficulty in determining vulnerability and felt it was inherently very difficult to assess. There were also widespread concerns from stakeholders and local agencies that the process of being considered under the homelessness legislation in order to determine whether an applicant is vulnerable can be stressful for many applicants.

The Women’s Aid survey suggested that women without dependent children who approached a local authority for assistance were more likely to have been considered under the homelessness legislation and to have been assessed as vulnerable if they approached after having moved to the refuge. The national stakeholder interviews and case study work suggested that people who were accompanied by a voluntary agency such as a women’s refuge were more likely to receive assistance from a local authority. Interviewees raised concerns that people who sought assistance from local authorities alone may not always have received sufficient assistance.

As discussed in Section 2.4, there was evidence from all four case studies, from national stakeholders, from the email survey and from other local agencies suggesting that the legislation around local authority homelessness duties is not well-understood. A large number of local agencies interviewed in both the statutory and voluntary sectors were not fully aware of the precise duties that local authorities owed adults without dependent children who had fled domestic violence. This includes some such as the police and domestic violence helplines who may be the first agency approached after someone has experienced domestic violence.

TEMPORARY ACCOMMODATION

Women's refuges are the main specialist provider of accommodation for this client group. This research found these to be widely considered as the best option for most women without dependent children who were fleeing domestic violence because of the specialist support they were able to provide. People being accommodated by the local authority may also be accommodated in other types of temporary accommodation. As discussed in Section 2.5, there were many concerns about placing vulnerable women in mixed sex hostels or Bed and Breakfast accommodation where they may lack the specialist support they need, or not feel safe.

Being accommodated in hostels or Bed and Breakfast provision was reported to happen when housing officers were unable to find a suitable refuge space. Refuges were reported to be commonly full and providers were often unable to meet demand, especially if women wanted to be accommodated locally. There were also particular difficulties faced by those with high support needs such as alcohol and drug dependency. Most refuges were not able to take these client groups. Those seeking specialist provision (such as black, Asian, minority ethnic and refugee specific refuges, or accommodation for men) were also less likely to be able to find suitable accommodation locally.

The time spent in temporary accommodation was also widely considered to be critical in determining the risk of someone returning to a situation where they may be at risk of violence. It was widely believed that a period of a few months in a refuge could be beneficial for many victims who needed time to adjust and receive support. However, longer stays were associated by refuge staff with people becoming demotivated and at risk of returning home to face a risk of violence or moving on into unsuitable accommodation where they may also face risks of future violence.

SETTLED ACCOMMODATION

The research found no strong evidence that either the social rented or private rented sectors offered substantial advantages to those fleeing domestic violence as a settled tenure. However, concerns were raised that single adults fleeing domestic violence typically lacked the financial resources to access private rented accommodation without assistance.

Chapter 3: Numerical estimates on different routes to assistance

This chapter draws on the model illustrating the process of assistance introduced in Chapter 1. It draws across all the data sources (particularly the email survey, secondary data analysis and the case studies) in order to estimate the number of adults without dependent children who access each type of assistance. Results should be treated with caution and indicative, not conclusive. Final outcomes are subject to the most uncertainty and often unknown.

Key findings

- There is a range of data sources, including data collected for this study, which can be drawn on to estimate numbers of households moving through the homelessness system.
- None of these data sources provide fully comprehensive information to address the aims of this research, meaning that some estimates cannot be regarded as very robust. These key findings have therefore been rounded to the nearest 100, or to the nearest five per cent.
- The number of adults without dependent children seeking housing assistance from local authorities as a result of domestic violence was estimated to be around 8,200 for England in 2008-09, of whom around 7,300 were estimated to have been given some level of assistance.
- Of around 2000 for whom assistance was estimated to have been provided without them having been considered under the homelessness legislation, the housing outcomes were estimated as around:
 - Social housing 20%
 - Private renting 20%
 - Sanctuary Schemes 20%
 - Unknown 40%
- Of the approximately 1100 households who were considered under the legislation and found to be eligible, homeless but not owed the main duty, the housing outcomes were estimated as:
 - Social housing 15%
 - Private renting 15%
 - Unknown 70%
- Of the estimated 3,000 who were accepted as owed the main homelessness duty the housing outcomes were estimated as:
 - Social housing 70%
 - Private renting 5%
 - Unknown 25%

As discussed in previous chapters, the evidence gathered for this research indicates that the ways in which adults without dependent children who have to leave their home as a result of domestic violence are assisted by local housing authorities varies considerably between different local authorities. The numbers presented here are estimated national totals (for England). The proportions are likely to differ in individual local authorities. Numbers in the model refer to 2008-09, since the data used to derive estimates was mostly gathered in this year⁴⁹.

3.1 Data sources

There is a variety of data sources that can be used to help estimate numbers for this model, although as these were developed for separate purposes none fully meet the requirements of the modelling approach. The key data provided by these sources are in Annex 4 and Annex 6. The sources used here are:

- **P1E DATA**

This is data submitted quarterly by local authorities to central government in order to monitor activity under the homelessness legislation. Data from 2008-09 have been used here. P1E data includes figures on the number of households found to be owed the main homelessness duty and:

- who have a priority need because they are vulnerable as a result of having fled their home because of domestic violence
- whose main reason for the loss of their last settled home was the violent breakdown of a relationship with a partner
- whose main reason for the loss of their last settled home was the violent breakdown of a relationship with someone other than a partner

P1E also records the number of households in temporary accommodation, this includes those owed a homelessness duty but where a settled home was not immediately available. These data are aggregate so do not enable analysis by reason for homelessness. However, it does give some indication of housing outcomes for households accepted as owed the main homelessness duty.

This data is presented in Annex 4.

- **CORE (CONTINUOUS RECORDING)**

This is a national information source that records information on the characteristics of tenants receiving new lettings in both housing association and local authority housing. Data from the combined dataset of HA and local authority CORE 2008-09 have been used here. CORE provides information about household characteristics, economic status, ethnicity, primary reason for housing, source of referral and previous tenure. Any registered social landlord with more than 250 units is required to complete CORE. In addition, 92 per cent of local authorities participated in CORE in 2008/09. The data it collects include:

⁴⁹ The secondary data all relate to 2008-9; our own email survey was carried out in early 2009, so responses mostly relate to 2008, and the Women's Aid survey was carried out in July 2009.

- number of children under 18
- whether anyone in the household is pregnant
- whether the household was statutorily homeless and owed the main homelessness duty, statutorily homeless and not owed the main duty, other homeless or not homeless, and
- the main reason the tenant considered he or she left the last settled home, pre-coded into a number of categories, of which 'domestic violence' is one

The data drawn upon is presented in Annex 4.

- **AN EMAIL SURVEY CARRIED OUT ESPECIALLY FOR THIS PROJECT.**

This was sent to every local authority in England in the winter of 2008-09. One hundred and twenty-eight authorities replied (36 per cent). Local authorities were asked if they kept records of how many adults without dependent children sought housing assistance from the authority each year because they had to leave their home because of a risk of domestic violence, and if so, how many were assessed under the legislation as vulnerable⁵⁰. The full questions asked are in Annex 3 and the key findings in Annex 6. Because the data requested by the survey were not routinely collected by local authorities, there was variation between authorities in the type and detail of information provided; much of it had to be compiled from individual client records. Overall 26 local authorities were able to provide very detailed data (usually compiled from going through client records) on the type of assistance given, homelessness decisions and in some cases, outcomes. In total this provided data on 376 adults without dependent children who approached these 26 local authorities for help with housing. The model here draws on the data provided by all 128 local authorities who replied, but makes use of the fuller data provided by these 26 authorities where needed⁵¹.

- **WOMEN'S AID SURVEYS**

Women's Aid carries out annual surveys of refuge and non-refuge provision to women at risk of or experiencing domestic violence. Among other information, these surveys collect information about a one in four sample of clients using services provided by responding organisations. Additional questions were placed in these two surveys during June 2009 asking whether the women had approached a local authority housing department for assistance, whether they had been considered under the homelessness legislation, and what the outcome of that assessment was. The numbers of women reported on were smaller than

⁵⁰ These questions were asked in order to provide additional information not covered by the P1E. The P1E does not report on the total number of households who approach local authorities for assistance, which means there is also no way of gauging the number who seek help but for whom no consideration is made under the legislation. P1E recording also does not distinguish in terms of reason for homelessness between applicants who do and do not have children, though households with children or containing a pregnant woman would generally be recorded as being in priority need for this reason, rather than as a result of domestic violence.

⁵¹ Non-response bias was tested for and none could be found. There appeared to be no correlation between those who replied, or those who provided full data, or self-reported policy on whether households would generally be accepted as vulnerable on the basis of domestic violence alone and the number of dwellings, political control, IMD score, median house prices, numbers on the housing register, homeless acceptances or the self-reported policy on whether households would generally be considered vulnerable solely on the basis of domestic violence.

in the local authority email survey, and not everyone who approaches a local authority will also approach Women's Aid, so the local authority email survey carried out for this study has been used wherever possible. See Annex 8 for more information about the Women's Aid surveys.

- **QUALITATIVE DATA SOURCES**

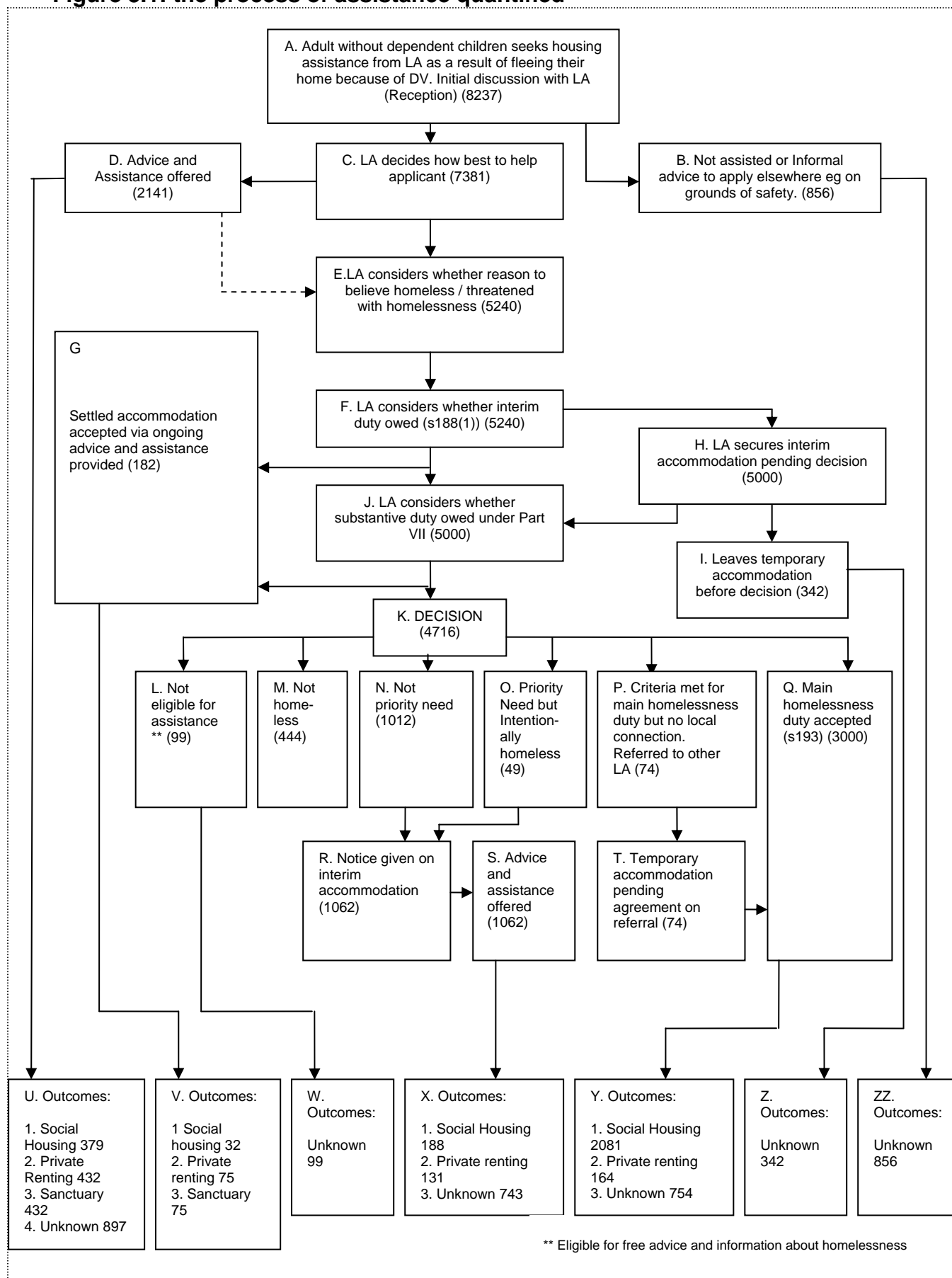
The qualitative data discussed in Chapters 2 and 3 and in Annex 3 have also been drawn on. They provide evidence to help make reasonable estimates for flows where numerical data are absent or weak. They also provide a means of double-checking other data sources – by seeing whether the numbers seem plausible.

None of these data sources are perfect for populating the model. Where possible, national level data sources were used, as long as the figures they suggest did not conflict greatly with other sources (including qualitative sources). The email survey was designed to fill some of the gaps, with the data from this, and where necessary from the 26 local authorities that gave full data being used along with the case study data to provide further detailed figures.

3.2 Putting numbers in the model

Figure 3.1 shows the estimated number of households seeking help and the associated responses and outcomes during one year (2008-09). As noted earlier, results should be treated as indicative, even though precise numbers have been used in the calculations.

Figure 3.1: the process of assistance quantified



NOTES

- 'Outcomes' in terms of this model are essentially housing outcomes.
- Many existing social tenants move within the sector to escape domestic violence via a mutual exchange or a management transfer. These are not included in this model.
- The outcome 'private renting' includes only those who were assisted to access the sector by the actions of the local authority. Those who found their own accommodation without assistance are included as 'unknown'.
- 'Unknown' outcomes are likely to include a range of outcomes, including those who may find their own accommodation, those who may return to violence, and those who may go to live with family or friends.
- Sanctuary Schemes have been included as possible outcomes only in boxes U and V because it has been assumed that they are not a sufficient sole solution once a household has lost their home. People whose homelessness is prevented by the use of a Sanctuary Scheme are not included in this model.
- Where data from the email survey were used, the number of local authorities who replied to the relevant question was used to scale up the answer to make an estimate for the whole country by dividing by the number of authorities replying and multiplying by the number of authorities in the country (355 at the time of the survey). Non-response bias was tested for, but no statistically significant differences could be found between those who did and did not reply (see Annex 6).
- The numbers in the model do not 'add up' precisely. This is due to the fact that numbers are estimates and are derived from different data sources. It is also in some cases due to rounding of numbers and percentages to the nearest integer.

THE FOLLOWING SECTIONS EXPLAIN HOW THE NUMBERS IN THE MODEL WERE DERIVED

A) Adult without dependent children seeks housing assistance from local authority as a result of fleeing their home because of domestic violence.

This is an estimate of the total number who approached a local authority for assistance, derived from both those who were estimated to have been subsequently assisted (B) and those who were estimated not to have been assisted (C). It was therefore estimated as 8237.

B) Informal advice given to apply elsewhere eg on grounds of safety.

The case study work, stakeholder interviews, wider literature and Women's Aid surveys all suggested that some people are given no assistance when they first approach a local authority. Sometimes they are advised to apply instead to a different authority, for instance on grounds of safety and the need to move away from the perpetrator.

Local authorities responding to the email survey reported that they generally only record the numbers of people who they assist in some way (either through Housing Options or consideration under the legislation). Informal enquiries which resulted in no further actions or a suggestion to apply elsewhere tended not to be recorded in the case study authorities.

The Women's Aid surveys found that of a sample of 138 service users who said they had approached a local authority for assistance, 16 (12 per cent) were either given no help or advised to apply for help elsewhere. If this figure were applicable nationally, it would suggest that an additional 12 per cent on top of the numbers assisted (C) were advised to apply elsewhere or were otherwise not assisted by the local authorities they approached. This would give an estimate of 856 people.

C) *Local authority decides how best to help applicant*

The email survey asked local authorities to give details of the number of adults without dependent children who sought housing assistance in the past year because they had to leave their home due to a risk of domestic violence. Discussions with the case study authorities and some of the more detailed answers to the email survey suggested that the records they kept tended to relate to the numbers who were assisted in some way. The number of "approaches" reported from the email survey has therefore been deemed to be the total number offered some kind of assistance.

Some authorities only recorded the number of households that they considered under the homelessness legislation, and those that did keep fuller records did not necessarily record the demographic situation of the household (including, crucially for this project, whether or not they had dependent children). In total, 82 local authorities were able to provide this information (23 per cent of all local authorities), and reported between them 1,705 approaches in the 12 months leading up to the time of survey. This would scale up to 7,381 approaches for England.

D) *Advice and assistance offered (Housing Options)*

This refers to those assisted in ways other than via consideration under the legislation. It is calculated by subtracting the number who were considered under the legislation (E) from the estimated total number of those who were assisted (C), which is 2,141.

E) *local authority considers whether reason to believe homeless/ threatened with homelessness*

Of the estimated 7,381 people assisted, an estimated 4,716 adults without dependent children were considered under the legislation and a decision was made as to whether any duties were owed (see K below). In addition, some adults without dependent children were considered under the legislation but left interim accommodation or ceased contact with the local authority before a decision was made. The 26 local authorities who provided sufficient data in response to the email survey carried out for this study suggested that this happened in 49 out of 239 cases. However, this figure should be treated with caution as 28 of these cases were within just one local authority; case study work and triangulation with other data sources suggested that the number that left before a decision was reached was smaller. We therefore estimated that ten per cent of the total number considered under the legislation did not have a decision made. This gave a total estimated figure of those on whom the local authority began its consideration under the legislation but did not complete it of 5,240 (90 per cent of which is the 4,716 for whom decisions were reached).

F) Local authority considers whether interim duty owed (s 188(1))

Once the local authority considers there is reason to believe that someone may be homeless or threatened with homelessness, it must then decide whether there is an interim duty to accommodate. Since the duty to secure interim accommodation only applies where there is reason to believe they may be eligible for assistance, homeless and in priority need, this figure would be the same as (E), i.e. 5,240.

G) Settled accommodation accepted via on-going advice and assistance provided

Many local authorities continue on-going Housing Options work with people who they are also considering under the legislation. Sometimes this work results in people finding accommodation (for instance via a rent deposit scheme) before a decision has been made on whether further duties are owed. The 26 local authorities who provided full data showed that of those who ceased contact before a decision could be reached, 17 out of 49 adults without dependent children (35 per cent) had been assisted into alternative accommodation (in either the private rented or social sector). The case study work suggested that this figure was about right, both for those who leave at this stage, and for those who leave having been found not to be owed the main homelessness duty; some are known to have been helped into alternative accommodation, though the majority were reported to leave interim temporary accommodation of their own accord, to unknown destinations. This would suggest 35 per cent of the ten per cent who were considered under the legislation but for whom no decision was made, were assisted in this way, which equals 182.

H) Local authority secures interim accommodation pending decision

Both the email survey and case study work showed that people who had fled domestic violence and who were considered under the homelessness legislation, were generally accommodated, whilst the local authority carried out its inquiries to establish whether they were owed any substantive duty. This could for instance be in women's refuges (where they might already be living at the time they applied) or local authority temporary accommodation (such as Bed and Breakfast accommodation or hostels), with the split between the two varying considerably between different parts of the country. The numbers here would be somewhere between those in (E) and (K). We therefore estimated it at around 5,000.

I) Leaves interim temporary accommodation before decision is made

Some households leave temporary accommodation of their own accord, or otherwise cease contact with a local authority before a decision is made on whether any substantive duty is owed to them. This number was calculated as the total number who were considered under the legislation but for whom no decision was reached (see E), minus (G) the 182 who were estimated to have left because they were known to have found alternative accommodation. This would give an estimate of 342.

J) *Local authority considers whether substantive duty owed under Part 7*

Local authorities consider all applicants to whom an interim duty is owed to establish whether any substantive duty is owed (including whether they are owed the main homelessness duty). They would consider all the households they had placed in interim accommodation, i.e. 5,000 (H above).

K) *Decision*

The 57 local authorities in the email survey who provided information on both the number of approaches (i.e. people assisted, see C) and the number of homelessness determinations had found of the 806 approaches, 515 of them (64 per cent) had a decision made on whether any duty was owed under the legislation. Scaling up, this would suggest that 64 per cent of the 7,381 households assisted i.e. 4,716 were considered under the legislation and had a decision made on whether any substantive duty was owed.

DECISIONS MADE UNDER THE HOMELESSNESS LEGISLATION

L) *Not eligible for assistance*

This was an area of considerable concern to stakeholders and some of the local agencies within case studies. The case study work and stakeholder interviews suggested, however, that many of those who belong to this group do not approach local authorities for help in the first instance, and that those who do might be directed elsewhere without being considered under the legislation. Information from the local authorities who supplied full data suggested that of all those who were considered, four out of 191 cases considered were found not to be eligible (two per cent). Scaled up, this would give an estimate of 99 cases nationwide. The Women's Aid surveys suggested a somewhat higher figure of six per cent of all cases considered under the legislation that were found to be ineligible because they had no recourse to public funds.

M) *Not homeless*

The stakeholder interviews and case study work suggested that there were relatively few 'not homeless' decisions made in respect of those fleeing domestic violence. Such a decision may, however, be made when a person's accommodation becomes safe for them to return to (for instance, because the perpetrator is evicted or imprisoned). A few local authorities in the email survey reported small numbers of cases where this was recorded as the case. The 26 authorities that supplied full data suggested that 18 out of 191 cases assessed under the legislation had been found not homeless (nine per cent). Scaled up to apply to the 4,716 decisions made, this would give an estimated 444 cases nationwide. The Women's Aid surveys suggested a slightly lower figure of six per cent, possibly reflecting the profile of their clients.

N) *Not in priority need*

The email survey suggested that around 75 per cent of local authorities found at least some of the applicants who sought housing assistance because of domestic violence to be in this category. The 26 local authorities who provided full data

showed that 41 of the 191 applicants who were considered under the legislation were found to be not in priority need. This represents 22 per cent of all decisions made, which, when scaled up as a proportion of the 4,716 decisions made would give an estimate of 1,012 nationally. The Women's Aid surveys suggested a somewhat lower figure of 12 per cent, again possibly reflecting the profile of their clients. The case study work and email survey, however, both indicated that the proportion found not to be in priority need varies a great deal between local authorities from zero to 100 per cent of all applicants.

A small number of these households may be secured accommodation by the local authority under its discretionary power (S192(3)). Twenty-three per cent of local authorities responding to this question in the email survey stated that they would consider using their discretionary power. However, most had not actually done so, or had done so very rarely. The numbers accommodated in such a manner are therefore likely to be quite small (fewer than 100 per year).

O) *Priority need but intentionally homeless*

The email survey, stakeholder interviews and case studies all suggested that this is not a common decision reached for those fleeing domestic violence. Local authorities that supplied full data suggested that two out of 191 cases considered under the legislation had been found to have priority need but to be intentionally homeless (one per cent). Scaled up, this would give an estimate of 49 cases nationwide each year. This low figure is supported by the stakeholder interviews and case study work, both suggesting that finding someone intentionally homeless was rare in these circumstances. The Women's Aid surveys also suggested a low figure of two per cent. The case study work suggested that this happened where police records indicated that the applicant was in fact the perpetrator of the violence, and also where the victim had been secured accommodation on more than one occasion previously but had left the accommodation provided to return to a violent partner.

P) *Criteria met for main homelessness duty but no local connection. Referred to other local authority*

As discussed in Chapter 2, this is not a common outcome for those who have experienced domestic violence. However, one local authority in the email survey did report finding such applicants to have no local connection with their district. This could arise if someone was homeless because of domestic violence, applied to a local authority where they did not have a local connection and could be referred safely to another district where they had a local connection and would not be at risk of violence. Local authorities that supplied full data suggested that three out of 191 cases where a decision was reached had been referred elsewhere because they had no local connection with the district where they applied and did have one somewhere else. This would equate to 74 cases nationwide each year.

Q) *Main homelessness duty accepted (S193)*

This number can be estimated by subtracting the number found not owed the main homelessness duty (ie categories M to P) from the total for whom decisions were reached (K). This would give a total of 3,111 (66 per cent of all decisions)

There are, however, several other potential sources of information here:

The 67 local authorities in the email survey who were able to provide information on those who were considered under the legislation (as opposed to all approaches for assistance), suggested that 76 per cent of those who were considered under the legislation were subsequently found to be owed a main homelessness duty. This would equate to 3,600 households nationally (76 per cent of all decisions).

The Women's Aid surveys suggested a similar proportion, 71 per cent of cases that had reportedly been considered under the legislation were considered to be in priority need. This would give an estimate of 3,347 (71 per cent of the 4,716 decisions made).

As shown in Annex 4, analysis of P1E data from 2008-08 gave a figure of 1,760 homelessness acceptances, where the primary reason for priority need was because they were vulnerable as a result of fleeing accommodation because of domestic violence. These would all be applicants without dependent children (because in cases where there is a dependent child the guidance states that the presence of a dependent child should be recorded as the primary reason for priority need for housing). There may, however, be additional acceptances where the reason for the loss of the last settled home was domestic violence but the reason for priority need was vulnerability due to some other reason (such as on grounds of health, age or disability). So this figure is likely to be an underestimate of the total number of households without dependent children who lost their home because of domestic violence and were accepted as owed the main homelessness duty.

Also as shown in Annex 4, P1E data for 2008-09 reported a total of 8,110 homeless acceptances where the reason for the loss of last settled home was domestic violence. These households will include households with dependent children as well as those without. CORE data for 2008-09 show that 29 per cent of tenants receiving new lettings who were recorded as being owed the main homelessness duty and as having left their last settled home because of domestic violence did not have a child under the age of 18. Given the above, it seemed reasonable to apply this percentage to the P1E figure on loss of last settled home in order to derive an estimate of the number of acceptances of women without dependent children, and where domestic violence was the reason for their homelessness. Doing so suggested an estimated 2,387 homeless acceptances during 2008-09 where the reason for loss of last settled home was domestic violence and the applicant did not have a child under 18 (62 per cent of all decisions).

All three of these figures are broadly similar. An estimate of 3,000 has therefore been used as a compromise between the different data sources.

R) Notice given on interim accommodation

The 74 people estimated to have been found to have priority need but be intentionally homeless (O) and the 1,012 people found not in priority need (N) would be given notice on their interim accommodation. This gives a total of 1,062.

S) Advice and assistance offered

The legislation requires that the 1,062 people who were estimated to have been given notice to leave their interim accommodation (see R) would have been offered advice and assistance to help them obtain alternative accommodation.

T) Temporary accommodation pending agreement on referral

Whilst local authorities sought to refer the 74 applicants with no local connection until they had reached agreement with another local authority to accept them, they would have had to continue to provide them with interim accommodation.

OUTCOMES

U) Outcomes for those who are offered assistance and advice but not considered under the legislation

U- i) Accesses social tenancy via housing register

CORE data record the number of new lettings in social housing each year. CORE data have been used to estimate the proportion of entrants to social housing in 2008-9 who were recorded as 'homeless' but not owed the main homelessness duty⁵².

CORE data recorded 248 households without children under 18 moving into social housing in 2008-9 who considered the reason for leaving their last settled home was domestic violence and who were not owed the main homelessness duty⁵³. This compared to 862 households who considered the reason for leaving their last settled home was domestic violence and who were owed the main homelessness duty. This means that the proportion of these households who were considered homeless but not in priority need was estimated as 22 per cent. We estimated (see Y below) that the total number of households who were owed the main homelessness duty who entered social housing in 2008-09 was 2,040. If levels of underreporting of domestic violence are similar between different categories of homeless households, this would suggest a figure of 587.

The email survey suggested that in many areas it was uncommon for adults without dependent children who were not owed the main homelessness duty to be offered social housing; fewer than 20 per cent of local authorities responding to our email survey mentioned this option as a likely outcome. The figure of 587 therefore seems plausible.

This group can enter social housing through the following routes:

- Not considered under the legislation (Box D, into Outcome U).
- Considered under the legislation but assisted into accommodation before a decision was made (ie via Box F, into Outcome V).

OR

⁵² This includes those recorded in CORE as statutorily homeless, but not owed the main homelessness duty, and "other homeless".

⁵³ (They were either (a) owed a lesser homelessness duty or (b) had not been found statutorily homeless by a housing authority, but were considered 'homeless' by the social housing provider.)

- Considered under the legislation but not accepted as owed the main homelessness duty (ie via Box S into Outcome X).

The 587 entering social housing represents 17 per cent of the 3,385 people coming from these three routes. Assuming that these three groups are similarly likely to enter social housing, this would give an estimate of 379 households who were not considered under the legislation who access social housing⁵⁴.

U-ii) Assisted into private rented housing

The 26 local authorities who gave a full response to the email survey recorded 79 out of 136 cases (58 per cent) where they had prevented homelessness. In the remaining 57 cases, they had provided advice and assistance but did not know the outcomes. Many local authorities include facilitating access into the private rented sector as a homelessness “prevention” option, so an estimate of 862 cases either into Sanctuary Schemes or the private rented sector was made (58 per cent of the total of 2,141 cases in box D, minus the 379 who accessed social rented housing). Case study work and existing literature on homelessness prevention suggested that both Sanctuary Schemes and assistance into the private rented sector with the help of bond schemes are common types of preventative activity. It was therefore assumed that for those who were not considered under the legislation, these two outcomes were equally likely. This gave an estimate of 432 people accessing the private rented sector without having been considered under the legislation.

U-iii) Sanctuary Schemes

The email survey and case study work both suggested that Sanctuary Schemes were the main form of homelessness prevention that would be used with this client group, though some also undertook work with, or made referrals to, legal advice services and sought to evict the perpetrator.

As above, (U – ii) it was estimated that 50 per cent of the 862 people who had their homelessness prevented without being considered under the legislation, were assisted through a Sanctuary Scheme. This gave an estimate of 432 per year. The total number of Sanctuary Schemes in use is known to be much higher than this (Communities and Local Government, 2009). However, we know that the majority of domestic violence victims have children, and also that wanting to remain in the family home and near to children’s schools and social lives was an important motivation for using a Sanctuary Scheme (Jones et al 2010), so the figure of 432 for single adults without dependent children seems plausible.

U-iv) Unknown outcomes

Outcomes are not known for a number of those households offered advice and assistance only. Some of those for whom outcomes are not known will have found their own accommodation in the private (rented) sector, gone to live with family or friends, or returned to their former home where they may have been at

⁵⁴ This figure includes those who move directly from temporary accommodation (such as refuges) into social housing. Many who move first into private rented housing will subsequently go on to access social housing via housing registers. Nationally, over 70 per cent of new lets go to households who for reasons other than homelessness; people who are made homeless by domestic violence may in the future access social housing.

risk of further violence. The total number of people who were owed the main homelessness duty and whose outcome was unknown was estimated by subtracting the previous three totals from the total number owed the main homelessness duty (2,141), to give an estimate of 897.

V) Outcomes for those who find settled housing via ongoing advice and assistance

V-i) Accesses social tenancy via housing register

As discussed above (U-i), an estimated 16 per cent of all those seeking housing without being considered under the homelessness legislation accessed social rented housing. This would give an estimate of 32 households accepting an offer of social housing whilst being considered under the legislation, but before a decision was reached.

V-ii) Assisted into private rented housing

As above (U-ii), it was assumed that households who have their homelessness prevented are equally likely to benefit from Sanctuary Schemes as from assistance to access the private rented sector. The number accessing private rented housing, whilst being considered under the legislation but before a decision was reached, is therefore estimated as 75 (182 who were assisted minus 32 who moved into social rented housing, divided by two equals 75).

V-iii) Sanctuary Schemes

The number who benefit from Sanctuary Schemes is calculated the same as above (V-ii) and is therefore estimated as 75.

W) Outcomes for those who are not eligible for assistance

W- i) Unknown

The estimated 99 households who were not eligible for assistance would generally have unknown outcomes. They will have been entitled to free advice and information, but not assistance such as rent deposit schemes, social housing or Housing Benefit.

X) Outcomes for those considered intentionally homeless and/or not in priority need

X-i) Accesses social housing via housing register

As discussed above at (U), it was estimated that 17 per cent of homeless households not owed the main duty access social housing each year. This suggests that approximately 188 of the 1,062 people who were not owed the main homelessness duty because they had been found intentionally homeless or (more often) not in priority need, entered social housing.

X-ii) Assistance into private rented housing

Of those adults without dependent children not accepted as owed the main homelessness duty, there is a high degree of uncertainty as to how many will have been helped to access private rented housing. Most local authorities in the email survey mentioned that they would offer this group assistance into private rented housing, but were unable to provide numbers. DCLG has collected data

on the total numbers of homeless preventions (Communities and Local Government, 2009), but this does not identify different client groups, or include the number of people who they were not able to assist. As discussed in Chapter 2, this research found that many local authorities provide one-off advice and information about different forms of assistance, but do not follow cases through to establish the numbers who successfully obtained accommodation.

Local authorities reported in the email survey that those who are provided with temporary accommodation pending inquiries and subsequently found not to be owed the main homelessness duty, were generally given one week's notice to leave (though longer in some cases). Those in refuges or other voluntary sector accommodation were generally able to remain in this temporary accommodation. Women's refuges in the case studies generally reported that clients found not in priority need were generally given little further assistance from the local authority. Drawing on the qualitative evidence from the case studies and email survey, we therefore estimated that 30 per cent of all applicants not accepted as owed the main duty were helped to access some form of housing (either social or private rented). Given our estimate (X-i, above) that 188 accessed social rented housing at this stage, this would give an estimated total for accessing the private rented sector of 131.

X- iii) Unknown outcomes

Again, a number of those households who were considered not in priority need, or intentionally homeless were estimated to have unknown outcomes. This was calculated by subtracting estimates of those entering either social or private rented sector housing (X-i and X-ii above) from the total estimated number of those with this decision (1,062). This 'unknown outcomes' group includes those who may have found their own accommodation, who may have gone to live with family or friends, or who may have returned home to a situation where they faced a risk of further violence. The total number of people whose outcome was estimated as unknown, having been found to be not owed the main homelessness duty, was thus calculated as 743 (1,062 minus 188 minus 131).

Y) Outcomes for those accepted as owed the main homelessness duty

Y- i) Accesses social tenancy via the main homelessness duty

CORE data suggest that an average of 862 households without dependent children who were owed the main homelessness duty and who considered the reason for leaving their last settled home was domestic violence received a new let of social housing in 2008-09. However, P1E data and the email survey both suggest that there is substantial under-reporting of such households by CORE here. This may be due to new tenants' reluctance to disclose experiences of domestic violence.

A better estimate of numbers entering social housing can be made by drawing on P1E data (see Annex 4). This suggests that, overall, 68 per cent of those accepted as owed the main homelessness duty subsequently accepted a social tenancy. Assuming that homeless acceptances, where the reason for loss of last settled home was domestic violence, had the same likelihood of being allocated social housing as other homeless acceptances, this would mean that 68 per cent

of the 3,000 households without dependent children estimated to have been accommodated temporarily would subsequently have accepted an offer of accommodation in the social rented sector. This gave an estimated figure of 2,040.

Y-ii) Assistance into private rented housing

Some local authorities continue Housing Options work with clients after accepting the main homelessness duty, and some clients may decide to accept an offer of private rented housing where the offer includes assistance with a rent deposit or an incentive of extra points on the housing register. Analysis of P1E data suggested that overall, 4 per cent of those accepted as being owed the main homelessness duty in 2008-09 subsequently accepted an assured shorthold tenancy in the private rented sector⁵⁵. Assuming that households fleeing domestic violence who are accepted as owed the main homelessness duty had the same likelihood as other homeless acceptances of being made such an offer (and the same propensity to accept such offers) this would mean that 4 per cent of the 3,000 households accepted as owed main duty would have subsequently accepted an offer of accommodation in the private rented sector. This would give an estimated figure of 120.

Y-iii) Unknown outcome, having been accepted as owed the main homelessness duty

Analysis of P1E data for 2008-09 suggested that, overall, 27 per cent of all households accepted as owed the main homelessness duty, subsequently left the temporary accommodation provided for them before an offer of social housing was made, or refused an offer of social housing that was made. In both scenarios, the homelessness duty would have ended. Assuming there was the same likelihood of these outcomes for adults without dependent children who had fled domestic violence and who were accepted as owed the main homelessness duty, this would mean that 27 per cent of the 3,000 households estimated as having been accepted as owed the main homelessness duty would have either left temporary accommodation before an offer of social housing was made, or would have refused an offer of social housing. This would give an estimated 743 households.

Z) Outcomes for those who leave interim accommodation of their own accord

The estimated 342 households who left temporary accommodation of their own accord, before a decision was reached about any substantive duty owed by the local authority, would have unknown outcomes.

ZZ) Outcomes for those not assisted, or offered informal advice to apply elsewhere

The 856 households estimated to be not assisted or advised informally to apply elsewhere have unknown outcomes. (NB – those who are formally referred elsewhere are included in box P instead).

⁵⁵ Where such offers are “qualifying offers” for the purpose of the legislation, homeless acceptances may refuse the offer without jeopardising the homelessness duty; they may refuse as many offers of accommodation in the private rented sector as they wish and the local authority has a continuing duty to secure accommodation until it can make an offer of accommodation in the social sector.

3.3 Summary

This chapter has drawn on the various data sources to make national estimates of the number of adults without children who in 2008-09 had to leave their home because of a risk of violence, who sought housing assistance from a local authority, and the different housing solutions found. Given the challenges encountered with the modelling aspect of this project, and the data sources and assumptions used, results should be treated with caution and as indicative, not conclusive.

As discussed in the previous chapter, the ways in which local authorities assisted adults without dependent children who approached them varied considerably. The numbers presented here represent national estimates; the proportions helped in the various ways reportedly varied considerably between local authorities.

The data for adults without dependent children who fled domestic violence and approached a local authority for housing assistance can be summarised as follows:

Table 3.1: Summary of responses to adults without dependent children who approach a local authority for assistance: estimated figures for 2008-09

	Number	Proportion
No assistance/advised to go to different local authority (B)	856	10%
Advice and assistance (not considered under the legislation) (D)	2141	26%
Considered under the legislation, but applicant secured accommodation or ceased contact before decision made (G + I)	524	6%
Decision made on whether duties owed under the legislation	4716	57%
TOTAL	8237	100%

Table 3.2: Decisions made under the homelessness legislation on adults without dependent children: estimated figures for 2008-09

	Number	Proportion
Not eligible for assistance	99	2%
Not homeless	444	9%
Not in priority need	1012	22%
Intentionally homeless	49	1%
No local connection	74	2%
Owed the main homelessness duty	3000	64%
TOTAL	4679	100%

Table 3.3: Housing outcomes for adults without dependent children who approach a local authority for assistance, by type of assistance provided: estimated figures for 2008-09

	Not assisted	Assisted without consideration under the legislation	Left whilst being considered	Decision made			All approaches
				Not eligible	Not priority need or intentionally homeless	Main duty owed	
Social housing	0 (0%)	379 (18%)	32 (6%)	0 (0%)	188 (18%)	2040 (69%)	2639 (34%)
Assisted into private renting	0 (0%)	432 (20%)	75 (14%)	0 (0%)	131 (12%)	120 (4%)	758 (10%)
Sanctuary Schemes	0 (0%)	432 (20%)	75 (14%)	0 (0%)	0 (0%)	0 (0%)	507 (7%)
Unknown	856 (100%)	897 (42%)	342 (65%)	99 100%	743 (70%)	810 (27%)	3747 (49%)
TOTAL	856 (100%)	2140 (100%)	524 (100%)	99 (100%)	1061 (100%)	2970 (100%)	7651 (100%)

Whilst there is a degree of uncertainty around these figures, it was reassuring to note that when more than one data source was available, there were (with the exception of levels of domestic violence reported in CORE), no significant discrepancies between data sources.

Overall, the data suggested that those who were assisted via Housing Options without being considered under the legislation had lower levels of unknown outcomes than those who were considered and not accepted as owed the main homelessness duty. This may be because many local authorities used Housing Options as their first form of assistance so many of the cases who were easiest to help (for instance because they had a tenancy in their own name and were suitable for a Sanctuary Scheme) were in this category; the group who were considered under the homelessness legislation may have contained a higher proportion of cases who were more difficult to assist.

Of those who were considered under the legislation, people who were accepted as owed the main homelessness duty had a substantially greater likelihood of a known housing outcome, and were particularly more likely to access social rented housing than those not owed the full duty. Some of those who were considered under the legislation but not accepted as owed the main homelessness duty did nevertheless access social rented housing, but overall this group had the highest chance of an unknown housing outcome.

The implications of these outcomes are now discussed in Chapter 4.

Chapter 4: Conclusions

4.1 Introduction

This study aimed to gather firm evidence on the extent to which adults without dependent children who have to leave their homes as a result of domestic violence, and who seek housing assistance from a local authority, receive sufficient assistance to ensure they do not have to return to accommodation where they would be at risk of violence.

This chapter contains the conclusions drawn from the data presented in the preceding three chapters and in the Annexes to this report. Many different data sources were drawn on, and none were without difficulties. In many cases it was necessary to make estimates based on small numbers. The numerical estimates presented throughout the report, should therefore be interpreted with caution and as indicative rather than conclusive.

It is also important to recognise that housing solutions alone cannot prevent recurrence of all domestic violence. As this report has discussed, some victims remain at risk even after being assisted into alternative accommodation. However, this study has shown that housing and housing related support can play a vital role in increasing the chance of someone being able to leave accommodation where they are at risk of violence and not having to return to it.

SUFFICIENT ASSISTANCE

Sufficient assistance must be understood in the context of what it would be reasonable for the local housing authority to provide. Some people who are assisted into suitable alternative accommodation may still remain at risk of violence for reasons which are beyond the role of a local authority housing department to address.

Effective responses from other agencies, such as the police, prevention programmes, and education, and from effective joined up working, as has been developed, and continues to be developed in many areas under Multi-Agency Risk Assessment Conferences, are also vital in preventing domestic violence.

Within a housing context, the objective for local authorities is to ensure that victims who have sought help do not have to return to accommodation where they may be at risk of further violence because of a lack of suitable housing.

KNOWN AND UNKNOWN OUTCOMES

Chapter 3 of this report made numerical estimates about the different routes to settled housing outcomes for those fleeing domestic violence who seek assistance from local authorities. Whilst there is a reasonable degree of certainty over the broad magnitude of the estimates, and considerable agreement between most of the data sources used, there is still a degree of uncertainty over some of the figures.

The other main difficulty with this approach is that it estimated known and unknown housing outcomes, which is all that is possible with the information available. The data do not make it possible to say that people either did or did not return to accommodation where they faced a risk of further violence. The fact that outcomes may be unknown to local authority housing staff does not necessarily mean that someone has been forced to return to a situation where they may be at risk of violence. Some people will have been able to find their own housing solution. The conclusions of the report, which depend upon numerical estimates, relate to whether outcomes are known or unknown.

There are important issues around the monitoring of outcomes, in particular for people assisted via Housing Options work rather than through consideration under the homelessness legislation. This research suggested that most local authorities keep only limited records on the clients they assist through Housing Options work. Some offer on-going support, with Housing Officers following cases through until, whenever possible, they have found a housing solution. In other areas, advice is given, but the local authority staff are not aware whether or not the advice was sufficient to enable someone to obtain accommodation and the outcomes are therefore unknown.

Unknown housing outcomes are problematic for this research, in that we do not know which of these people may have returned to a situation where they were at risk of violence. However, unknown housing outcomes are generally the outcome of cases where the local authority staff are unaware whether the individual has found a safe housing solution. It is hard to be sure that the housing support was sufficient to prevent someone having to return to a situation where they may be at risk of violence if the local authority has lost contact or is unaware what the outcome has been.

The qualitative evidence collected did strongly suggest that known housing outcomes were related to a reduced likelihood of people returning to accommodation where they would be at risk of violence. There were very few reports of people returning to accommodation where they would be at risk, once they had moved into settled housing.

4.2 Issues for policy and practice

There are two key messages from this research, one relates to the process by which assistance is offered, and the other to overall levels of provision of accommodation and support:

- The way in which people are assisted under the homelessness legislation and Housing Options varies between local authorities, and this appears to have an impact on housing outcomes. In turn, this may affect the likelihood of single adults having to return to a situation where they are at risk of violence.
- The overall level of appropriate temporary accommodation, support and assistance to find settled housing that is provided, is important in determining

whether victims of domestic violence are given sufficient assistance, regardless of how people are considered under the legislation.

THE PROCESS BY WHICH ASSISTANCE IS OFFERED

First response from local authorities

The qualitative work carried out for this study suggested that when an adult without dependent children approaches a local authority for help, a sympathetic response and the opportunity to discuss their needs and preferences in private appears to improve the chances of them not having to return to a situation where they may be at risk of further violence. This may include having a same-sex housing officer to speak to, face to face. Most will need to have their rights and options explained clearly to them.

This research identified concerns that people are sometimes passed between local authorities. The fact that a person cannot be referred back to the authority they have come from if they would be at risk of violence causes tension between some authorities and sometimes disputes over where the application should be made and therefore who has the responsibility to assist.

As discussed in Section 2.2, the varied degree of understanding of the legislation and the inconsistency with which it appears to be applied, by different local authorities and by different officers within the same authority, may make it difficult for an adult without dependent children fleeing domestic violence to know what assistance they should receive. This research has found that many agencies working in the field are not fully aware of the rights of their clients, and that some local authorities do not make all clients aware of their rights. For instance, one practice identified through the research was local authorities encouraging people to accept assistance into the private rented sector, without making them aware that they were entitled to be considered under the homelessness legislation, and if found eligible, unintentionally homeless and in priority need, would be entitled to be provided with temporary accommodation until they were offered settled accommodation. This raises concerns that the strong legislative protection may not assist as many as it could because people are unaware of the help to which they may be entitled.

Assessing vulnerability

The evidence collected for this study showed that there was significant variation between local authorities, both in the proportion of people who were considered under the legislation, and in the proportion of these found to be vulnerable and hence owed the main homelessness duty. This suggests that it is the policy and practice of the local authority to which a person applies for help that is the main factor that determines what assistance is offered.

The research explored local authority decision-making under the homelessness legislation. The email survey found that around a quarter of local authorities did not make distinctions between domestic violence victims and instead operated a blanket policy whereby all applicants who had fled domestic violence were considered to be vulnerable. Both the email survey and case study work suggested that those who did aim to distinguish between those who were and were not vulnerable found this to be

a subjective decision and the test of vulnerability difficult to apply in this context. The factors reported as determining whether someone might be found vulnerable were wide-ranging: from whether they had a job; to whether they had evidence from a GP; to whether they had support from other agencies; or were prepared to move to another area.

The role of advice and advocacy

The local authority housing department is not always the first agency approached after someone has experienced domestic violence. Often it will be the police, a helpline or Women's Aid.

The research found strong support for the role of the voluntary sector and for independent domestic violence advocates in supporting and advocating for victims of domestic violence including accompanying them to local authorities, and other accommodation providers and providing ongoing support. The Women's Aid survey suggested that women without dependent children who approached a local authority for assistance were more likely to have been considered under the homelessness legislation and to have been assessed as vulnerable if they approached after having moved to the refuge. The national stakeholder interviews and case study work suggested that people who were accompanied by a voluntary agency such as a women's refuge were more likely to receive assistance from a local authority. Interviewees raised concerns that people who sought assistance from local authorities alone may not always have received sufficient assistance.

The responses from local agencies interviewed for the research also suggested some misunderstood the duties that single adults without dependent children are owed by local authorities and hence potentially offered incorrect advice. If people are given inappropriate advice, it may cause stress and confusion when they seek housing assistance from the local authority and are not helped in the way they expect. Those who are advised that they will not be helped are very unlikely to approach a local authority. Conversely, those who are advised that the local authority has to accommodate them may be upset and confused if they are subsequently told that no such duty exists.

Housing Options

As discussed in Section 2.3, the email survey and case study work both revealed considerable variation in the types of support provided by Housing Options services in different local authorities. As discussed in Chapter 2, some Housing Options services could be described as 'robust' in that they offer ongoing work with clients, following cases up and ensuring that clients successfully find suitable housing. However, some people may be offered only a one-off interview. It is very hard to know whether offering advice and assistance in a one-off interview and relying on the client to come back if they fail to access any accommodation suggested, will result in a positive outcome. If people do not return to the local authority or if cases are not followed up, the local authority does not know whether they have found a solution, gone to try a different local authority, or given up and returned to accommodation where they may be at risk of violence.

Different routes to settled housing

For those who approach a local authority for help, sufficient assistance to obtain settled accommodation to ensure there is no need to return to violence, may be delivered in the following ways:

- a) The individual is considered under the homelessness legislation and accepted as owed the main homelessness duty. They would then be provided with appropriate interim accommodation and subsequently with settled accommodation in the form of a social tenancy or private rented housing.
- b) The individual is considered under the homelessness legislation, but not accepted as owed the main homelessness duty but provided with interim accommodation in which they may remain until settled accommodation is found. Assistance is provided through the Housing Options service to help them secure accommodation in the private rented sector and/or priority given on the housing register to enable a quicker offer of a social tenancy.
- c) The individual is not considered under the homelessness legislation but is assisted to access appropriate temporary accommodation. Continued assistance is then provided through the Housing Options service to help secure accommodation in the private rented sector, to enable them to return home with the use of a Sanctuary Scheme and/or priority given on the housing register to enable a quicker offer of a social tenancy.

Route a) is the only one where there is a statutory duty on the local authority to ensure people are offered accommodation (other than in the very short term). This research suggests that the main risk factors associated with returning to violence for this group are inappropriate accommodation (see Section 2.5) and spending extended lengths of time in temporary accommodation (see Section 2.6). This latter factor was mainly an issue in London where the pressure on social housing is such that even those in priority need may have to wait in temporary accommodation for two years or more.

The suitability of temporary accommodation and time spent in, were important in determining the possible risk of returning to violence for routes b) and c) (assisting people via Housing Options either after or without being considered under the legislation). However, being able to access some form of settled housing was reportedly difficult for some people assisted in this way, especially in London. Available data on employment status of those in temporary accommodation suggests that only very small numbers are in full time employment (see Section 2.8). This lack of income could limit their ability to find housing for themselves in the private sector. Their ability to access private rented housing may therefore depend on the availability of rent bonds or guarantees to assist access to the private sector). The case study work revealed concerns that in some areas those who were considered not in priority need could face substantial difficulties in moving on from refuges or hostels, increasing their risk of returning to accommodation where they are at risk of violence. The email survey found that many local authorities do give additional priority on the housing register to specific groups of people such as those in refuges, or those who have suffered domestic violence, though the extent to which

this results in them being offered a social tenancy will depend on the overall level of pressure on social housing.

Whilst routes b) and c) above can both result in good outcomes, especially if the Housing Options service is robust, this research suggested that the process involved in route b) (considering people under the legislation but finding them not in priority need) can be distressing for victims of domestic violence. The types of vulnerability that may result from experiencing domestic violence are not generally simple to assess, and requests to provide evidence and discuss upsetting issues together with the uncertainty of the process may create additional stress for victims. Stakeholders reported this to be particularly difficult for applicants who were provided with interim accommodation directly by a local authority pending inquiries, found not to be owed the main duty, and only given short notice (as little as one week) to vacate their temporary accommodation.

People considered under the legislation and found to be eligible, unintentionally homeless and in priority need may often be accommodated in the same accommodation as they may have accessed anyway, but also have a safety net in that the local authority has a duty to secure temporary accommodation for them. Local agencies interviewed in the case study work often believed that those considered and found not in priority need were more likely to feel they had no option but to return to accommodation where they were at risk of violence.

PROVISION OF ACCOMMODATION AND SUPPORT

Immediate access to appropriate temporary accommodation is critical for most people who need to leave their home because of domestic violence. For many, leaving home may be unplanned, and they may therefore need urgent access to accommodation.

Women's refuges can be accessed directly, though some people approach a local authority first and can then be referred to refuges. In some local authorities, referral to a refuge fulfilled part of a local authority's duties whilst considering applicants under the homelessness legislation, whereas in other authorities it formed part of their Housing Options work. People whose needs cannot be met by a refuge, as well as those who cannot access refuges due to lack of capacity, are particularly in need of assistance to access other forms of temporary accommodation, such as that used by the local authority to accommodate homeless households.

This research has suggested that there are some difficulties with general hostel-type and Bed and Breakfast provision if they do not offer the specialist support and sense of safety that victims may need. Women's refuges offer specialist support and a safe location which this research found to be generally regarded as highly appropriate for many victims of domestic violence. However, refuges may not always be appropriate for some groups, including people with very high support needs and those in employment.

Accommodation that is near to the perpetrator of the violence is also unsuitable for some victims; however, moving to a new area in itself brings challenges and very often a need for initial support. Many victims of domestic violence will also be in need

of support and help in dealing with the consequences - practical, physical and emotional - of the violence, which will need to be provided either by the housing provider, or other agencies.

This research found no evidence that the quality of, or level of support provided in temporary accommodation was better for those who are considered under the homelessness legislation than for those who manage to access accommodation directly. The concerns expressed by some local agencies about unsuitable temporary accommodation related mainly to that used by local authorities to accommodate those who were owed a main homelessness duty. The Women's Aid survey showed that most women in refuges had accessed the accommodation directly, rather than been referred to it by a local authority.

Overall, the research identified a need both for refuge places and also a need for other suitable accommodation to be available for those whose needs cannot be best met by refuges.

Length of time in temporary accommodation

The time spent in temporary accommodation was also widely considered to be critical in determining the risk of someone returning to a situation where they may be at risk of violence. It was widely believed that a period of a few months in a refuge could be beneficial for many victims who needed time to adjust and receive support. However, longer stays were associated by refuge staff with people becoming demotivated and at risk of returning home to face a risk of violence or moving on into unsuitable accommodation where they may also face risks of future violence.

This was particularly a problem in London, where there was great pressure on both social and private rented housing and people had to spend longer in temporary accommodation.

4.3 Is sufficient assistance provided?

It was clear throughout this research that the factors that determine whether or not someone returns to accommodation where they may be at risk of violence depends on a complex mixture of factors, of which housing availability is only one. For some people, no amount of housing provision and housing-related support is sufficient to prevent them returning. Others may endure years of housing difficulties and remain determined not to return.

Overall, the evidence presented in this report suggests that the way in which support was offered impacted on whether the local authority was able to ensure that its response was sufficient:

- The most widespread concern was raised around those who were not eligible for assistance and those who were neither considered under the legislation nor assisted through a robust Housing Options service. Some of these would have solved their own housing difficulties. However, it could not be shown that the support provided was sufficient to ensure that this was the case where there was no follow up to establish whether one-off advice was sufficient.

- People who were not considered under the legislation were offered sufficient assistance where there was a robust Housing Options service, where cases were followed through to ensure they found suitable settled housing. Overall, it was estimated that just over half of this group had a known outcome and accessed settled accommodation.
- Similarly, people who were considered under the legislation but not accepted as owed the main homelessness duty were offered sufficient assistance where there was a robust Housing Options service, where cases were followed through to ensure they found suitable settled housing. Overall, it was estimated that around a third of this group had a known outcome and accessed settled accommodation.
- Those owed the main homelessness duty were guaranteed eventual access to settled accommodation. As long as they were provided with suitable temporary accommodation with appropriate levels of support, and access to settled housing within a reasonable time period, this assistance could be considered sufficient. Overall, it was estimated that around three-quarters of this group had a known outcome, and accessed settled accommodation, meaning that the housing support provided was sufficient in these cases.

Overall the research suggests that the availability of suitable temporary accommodation, support where needed and opportunities to move on to settled accommodation after a period of time reduce the risk of victims of domestic violence returning to accommodation where they might be at risk.

Annex 1: National stakeholder interviews

Stakeholders were interviewed from a range of national organisations connected with domestic violence and/or housing provision. The stakeholders were interviewed to explore their knowledge of the circumstances in which adults without children are threatened with homelessness as a result of domestic violence and approach their local authority for help with housing.

The stakeholders were a mixture of service providers to the housing and domestic violence sectors, but some also act as pressure and lobby groups around issues related to domestic violence and housing. In order to get the views of the legal profession a solicitor specialising in family law was also interviewed. A Specialist Adviser, seconded to Communities and Local Government to work with local authorities on tackling homelessness was also interviewed.

The stakeholders interviewed were representatives from:

Stakeholder	Description of organisation
Shelter	National housing and homelessness charity. Shelter gives advice, information and advocacy to people in housing need, and campaign for political change.
Refuge	Refuge is a national charity for women and children experiencing domestic violence. Services provided include a 24-hour National Domestic Violence Freephone Helpline, run in partnership with Women's Aid, a network of refuges offering women emergency accommodation and outreach services to support women within their home and when they move from a refuge into a new community. Refuge also engages in lobbying MPs, ministers and policymakers. Refuge provides training and runs campaigns to raise awareness of domestic violence, as well as community outreach, national independent domestic violence advocate team, children's services and psychological services.
Women's Aid	Women's Aid is a key national charity working to end domestic violence against women and children with a network of over 500 domestic and sexual violence services across the UK. Women's Aid focuses on influencing laws, policy and practice. The organisation works on awareness raising and provides services for abused women and children.
Respect	Respect is the UK membership association for domestic violence perpetrator programmes and associated support services. Their key focus is on increasing the safety of those experiencing domestic violence through promoting effective interventions with perpetrators.
The Association of Chief Police Officers (ACPO)	The Association of Chief Police Officers (ACPO) is an independent, professionally led strategic body. In the public interest and, in equal and active partnership with

	Government and the Association of Police Authorities, ACPO leads and coordinates the direction and development of the police service in England, Wales and Northern Ireland.
Imkaan	Imkaan is a second tier national charity, specialising in domestic violence - especially Asian Women's Refuges, who support Asian women and children experiencing domestic violence.
Victim Support	Victim Support is an independent charity which helps people to cope with the effects of crime.
The Citizen's Advice Bureau (CAB)	The Citizens Advice service helps people resolve their legal, money and other problems by providing free, independent and confidential advice, and by influencing policymakers.
Family law solicitor	Solicitor with a particular focus on domestic violence and homelessness.
Greater London Domestic Violence Project (GLDVP) ⁵⁶	Greater London Domestic Violence Project (now Against Violence and Abuse) is a second tier service for the London domestic violence sector. Greater London Domestic Violence Project works to strengthen the sector by identifying common goals, promoting joint planning and minimum standards between agencies, ensuring that good practice in domestic violence work is transferred across London. Greater London Domestic Violence Project aims to bring together key agencies to develop London-wide policies, raising awareness about domestic violence and increasing the effectiveness of inter-agency work.
The Department for Communities and Local Government (DCLG)	DCLG commissioned this research. A specialist adviser, seconded to DCLG to work with local authorities on tackling homelessness, was interviewed for this study.

⁵⁶ Now AVA: see www.avaproject.org.uk

Annex 2: National stakeholder interview schedule

The Cambridge Centre for Housing and Planning Research at the University of Cambridge has been commissioned by DCLG to do some research looking at the assistance adults without dependent children who leave home because of domestic violence, receive when they approach local authority Housing Departments.

(The main purpose of this study will be to provide DCLG with firm evidence on the extent to which adults who are neither pregnant nor have any dependent children and who have to leave their homes because they are fleeing domestic violence, are getting the help they need from local authorities to ensure they do not have to return to accommodation where they would be at risk of violence.)

1. What is the nature of your organisation? (help you provide, work you do, funding, do you deal directly with people experiencing domestic violence). And what is your role within it?
2. Are you involved in helping people who are fleeing domestic violence to find accommodation?
3. In what ways?
4. What types of housing assistance are being provided to such people more broadly (both statutory and non statutory)?
5. Any particular problems with this provision?
6. What help do adults without children suffering domestic violence believe they can get from their local authority with housing (do they expect to be sent to a refuge, to get social housing, simply to get advice etc)?
7. What issues or problems do adults face in approaching their local authority?
8. Is this likely to be their first option? Or do they seek advice or assistance elsewhere first?
9. Are you familiar with the local authority homelessness system / homelessness legislation? (If not explain: the need to be accepted as priority need, adults without children and not pregnant needing to be 'vulnerable')
10. Do you know how do local authorities decide if an adult without children is vulnerable? How should they be making this assessment?

Anecdotal evidence suggests that adults without children who are fleeing domestic violence may not be accepted as being vulnerable and thus in priority need for accommodation, and consequently the help they get from a local authority may be limited to advice and assistance to help them secure accommodation for themselves. Concern has been expressed that such a response may put these households at risk of having to return to a violent situation.

11. Have you any experience of people fleeing domestic violence getting assessed as non-priority on the grounds that they are not “vulnerable”? (IF NOT do you know where these anecdotes have come from? Then GO TO QUESTION 20)
12. What do you think are the reasons why they are not accepted as vulnerable? (characteristics of the household – age, gender, tenure, income, housing pressures, type of authority, frontline staff)
13. What do you think the scale of the problem is – how many cases do you know of first-hand?
14. Do you have any particular evidence?
15. What are the consequences? Do people make other arrangements, find other help or do they have to return to accommodation where they are at risk?
16. (If interviewee believes there to be times when people return to accommodation when at risk of violence) What needs to change to prevent this happening?
17. If an adult without children is accepted as being in priority need, is the help they receive sufficient to ensure they do not need to return to accommodation where they would be at risk of violence?
18. If not, why not? Any examples?
19. If help is limited to advice and assistance to help them secure accommodation for themselves, is this sufficient to ensure they do not need to return to accommodation where they would be at risk of violence? Which kinds of people is this kind of help sufficient for? And if not sufficient, what would be the appropriate response?
20. We have a list of national stakeholders to speak to. Is there anyone else you know of that we might not have thought of?

Annex 3: Local authority case studies

This annex illustrates in detail the different ways in which the process of assistance was found to operate by looking in detail at practice in each of the four case study local authorities.

The research findings presented below are based on interviews with local authority housing officers and other service providers in each case study area. The detail of the process of assistance in each case study is largely based on interviews with local authority officers. Most other service providers did not have detailed knowledge of the assistance provided by local authorities.

In each case study the research explored what typically happened at the first point of contact when an adult without dependent children who had left their home as a result of domestic violence, approached the local authority. Each case study describes if and how applicants were considered under the legislation and what use was made of Housing Options. The views of non-local authority agencies in each area about the assistance provided to this client group by the local authority were also explored. Other types of support offered to this client group are also described.

Local authority case study one

Case study one was a medium sized authority in the north of England with one major industrial town and a largely rural hinterland.

FIRST CONTACT WITH THE LOCAL AUTHORITY

On first approaching the housing team an adult without children who had to leave their home as a result of domestic violence, or who was considering doing so, typically spoke to a receptionist. The local authority officer said that applicants would then go to either a drop-in session to talk to a case worker or have an appointment made for an interview.

The local authority officer reported that all people approaching them would have an interview with a case worker to discuss their options. The local authority officer said that they offered people various choices, one of which was to make a formal homelessness application.

The local authority officer reported that the majority of single adults without children who approached the local authority because they were at risk of homelessness as a result of domestic violence, were not considered under the legislation but that most had their housing problem solved in other ways through the Housing Options service. The interviewee said that their main objective was to find out what the client wanted and what assistance would be of most help. They said that most people were not aware of their different housing options and that their role was to explain these options and the advantages and disadvantages of each.

The local authority officer interviewed said that people who approached them for help with housing because they wanted to leave a violent relationship typically had four options:

One option was to stay where they were and take legal sanction against the perpetrator, if it would be safe to do so. The local authority could arrange 'target hardening' (sanctuary) work on their property, or strengthening work (extra locks etc) and could arrange floating support, for example, to help them with financial budgeting.

A second option for some was to stay with friends or family and put their name on the housing register. The main benefit was that there would be no penalty if they turned down the first housing they were offered and so had a greater choice of social housing than if they were owed the main homelessness duty, when they would only be offered one property.

The third option was assistance to access the private rented sector. The local authority officer said that this was the "number one option" for this group and the local authority could help with the money required for a deposit through a rent deposit scheme. The interviewee reported that about twelve people a year on average, in this client group, entered the private rented sector. The interviewee said that one negative factor was that private renting was a less secure tenure, but the local authority officer felt that the main advantage was that people had more choice about property location and found it easier to avoid the perpetrator, both because they could choose a location well away from where the perpetrator lived or worked, and because the private rented sector could be more anonymous than some council estates where people tended to know one another.

The local authority officer said that they could also give people, who were fleeing domestic violence but who had not been considered under the legislation, extra points on the housing register so that they could access social housing more quickly. These people could temporarily rent privately or stay with family or friends or in a refuge whilst waiting for social housing.

The fourth option was to consider the applicant under the legislation. The local authority's data showed that three people in the year 2007-08 in this client group were considered under the legislation and all were found to be owed the main homelessness duty.

The local authority officer reported that they explained how the application process worked to all those who approached them for assistance, and informed them that if they were found not to be vulnerable, they would still be assisted in other ways, such as through help to enter the private rented sector. The local authority reported that they generally accommodated those being considered under the legislation in temporary accommodation until they were offered social housing. The local authority officer said that the main disadvantage for the client in choosing this option was that they would have less choice of housing as they would only be offered one choice of property. There would be no choice of location or type. The advantage for the client was that they would access social housing so would have a secure tenancy.

The local authority officer said that they also told people about other agencies such as the police, refuge and floating support services. They said that for most single adults their housing issues were best resolved in ways other than through "pressing the homelessness button". The local authority officer reported that most applicants

normally had somewhere to stay on a temporary basis (such as with friends or family). If not, they reported that they always managed to find someone a place in either a refuge or a Bed and Breakfast.

The local authority officer also reported that some applicants were considered under the legislation because they felt that this would produce the best solution for them.

HOUSING OPTIONS

The local authority officer was confident that the extensive use they currently made of Housing Options was overall a good system. The officer said that a few years ago they had no Housing Options service and no dedicated housing team.

The local authority officer was confident that they helped anyone who approached them, and pursued their contact with the council beyond a brief, informal enquiry about their options. The other agencies in the area supported this view and said they felt that this local authority did all it could to help single adults fleeing domestic violence with their housing problems. The refuge staff and those who provided floating support said that the local authority always provided a housing solution for single adults:

"[The local authority] never only offer advice; they always offer a housing solution. The advice they give is good, how to apply, how to get on the waiting list. They run a drop in centre twice a week which is good. The local authority is using Housing Options now. This system works well here." (Floating support service)

"In [this local authority] their housing problems get sorted so it has no impact on whether they go back to violence. All here get a housing solution." (Police)

A full Sanctuary Scheme was not available but assistance was provided to enable people to remain safely in their home. This included 'target hardening' such as locks on the windows and extra security.

CONSIDERATION UNDER THE LEGISLATION

In cases considered under the legislation, the local authority officer reported that they would need some form of 'evidence' of domestic violence but normally just an account from the client sufficed. The local authority officer said that they were not overly concerned about the need for evidence of the violence as they believed that most people told the truth:

"[We] take people's word for it; it is too big a lie to tell. We have only had one case where someone tried it on. People cannot cry to order and make such stories up; there are easier ways to cheat." (Local authority officer)

When an applicant was considered under the legislation, case workers made the decision individually, although there was a team leader to provide advice if necessary. The local authority officer interviewed reported that in the case of domestic violence, the homelessness test was "easy", because someone was certain to be homeless if they had fled violence.

In almost all cases the local authority officer said that they decided such applicants were also vulnerable. It was their view that if someone had experienced domestic violence and had been unable to resolve their difficulties through informal support or Housing Options, then they were clearly vulnerable:

“The few that get this far are found vulnerable....In the majority of cases they decide they are vulnerable. Why wouldn’t they in these circumstances?” (Local authority officer)

The interviewee said that if owed the main homelessness duty an applicant was offered settled housing within the social rented sector. It was normally very quick for applicants to access social rented housing through this route, spending less than six weeks on average in temporary accommodation, reflecting relatively low pressure on the social rented housing stock.

The local authority officer reported that the overwhelming majority of local people who approached the local authority wanted to remain in their local area, something which the local women’s refuge agreed with. The local authority officer said that they helped all those who sought assistance, rather than referred them to other authorities. There were no reports of this being an issue in this area from any of the voluntary sector agencies who were interviewed.

The local authority officer reported that there were about 12 people a year who approached the receptionist and made an initial enquiry about the options available to people who had to leave their home as a result of domestic violence. Some of these talked informally to a case worker about the different options, but they never returned to the local authority or formally pursued any option with the local authority. The local authority officer and local refuge said that for some people the prospect of actually leaving their home was too difficult to cope with and they chose to stay rather than to move:

“It is hard for some people, they may be thinking of leaving but once they have heard their options they change their mind. They have a nicely decorated house that is just how they like it, near friends and family, they have pets. And when they see their options they worry about what the property they might end up in will be like or where Spot the dog will go. They decide not to leave.” (Local authority officer)

RETURNING TO VIOLENCE

The concerns of other local agencies were that victims of domestic violence found it hard to leave their home, or still remained at risk after securing settled accommodation, rather than any specific concerns about the way in which the local authority assisted people.

The local women’s refuge, police and floating support service providers reported that there were always some adults who would not accept any assistance and who returned to a situation of violence, regardless of the housing support offered to them:

“It is common that people make one visit to the local authority, make one call to a refuge, they hear their options but then they disappear. It is often too difficult to make those steps. Even though the local authority may re-house them it is not enough to stop them going back to violence. These are adults with no children so when they move they are often lonely, perhaps living in a strange area with no support or family so they go back. Or they go to a B&B and it is poor and lonely etc so they go back.” (Women’s refuge)

The police also supported this view:

“Some do go back. We thought of two single people and both went back. It is not a simple housing issue but more complex. In these cases housing would not have made a difference, they would have gone back regardless. In this local authority, their housing problems get sorted so it has no impact on whether they go back to violence. All here get a housing solution.” (Police)

There were also concerns about high-risk individuals who may remain at risk even after securing accommodation:

“Re-housing can make no difference. Some women may be moved two or three times to different houses but the perpetrators find out where they are and this puts them at risk. But most commonly it is the women themselves who tell the perpetrator where they are. It is a pattern of behaviour that is hard to change.” (Women’s refuge)

Overall, this local authority showed a strong will to assist people fleeing domestic violence and, with lower housing pressure than some areas, particularly on the private rented stock, had the resources to do so. Housing support was largely provided by the local authority through Housing Options services, with consideration under the homelessness legislation reserved for cases that were particularly hard to help through other measures. It was generally felt that victims of domestic violence could safely be re-housed within the authority and this was the preference of most applicants. Other local agencies were generally positive about the level and type of support offered by the local authority to this client group and felt that all were assisted into housing, regardless of whether they were considered under the legislation or not.

Local authority case study two

Case study two was a small, largely urban district in a high pressured part of the south of England.

FIRST CONTACT WITH THE LOCAL AUTHORITY

When a single adult first approached the local authority seeking assistance with housing having fled domestic violence they first approached the receptionist of the One Stop Shop where they were directed to a telephone link to speak to someone on the Housing Options team. The local authority officer said that most cases of domestic violence at this point were referred to a homelessness prevention officer.

The research found that in this local authority some applicants were not considered under the legislation but were instead advised to apply to a different local authority. The housing staff at the local authority explained that they felt that someone who was under threat from a violent ex-partner would be best to leave the local authority, as it was a small authority with only one shopping centre and the perpetrator would be likely to find out their new address.

They reported that they were also cautious about accepting people as homeless who said they had no need to leave the area and wished to be rehoused locally, as they said that this made them suspect the applicant was not really at risk of domestic violence, but was just trying to secure a social tenancy. As a result, the local authority officer said that people from the district were generally recommended to make a homelessness application to another council, and no consideration under the legislation was made by the case study authority.

Local authority officers reported that they often experienced other councils refusing to take these people on the grounds that they were not vulnerable, or sometimes because they still had a tenancy elsewhere.

Conversely, the local authority officer reported that they took homelessness applications from people who approached them who had come from other local authorities. They were willing to house those from elsewhere as they believed they were generally safe in their district. However, they felt that their local authority had a “soft” reputation in the area and so took more than its “fair share” of cases:

“We also get a reputation as being easier to get housed by so we get a lot of people from [neighbouring districts]. This is usually because they get found non-vulnerable [elsewhere].” (Local authority officer)

The local authority reported that in most cases these applicants were referred on to a refuge at this stage, or if this was not possible they used the general homeless provision which was leased from the private sector or within the local authority’s own stock.

Applicants would then be considered under the legislation at a later date when they were regarded as ready to move into settled accommodation as, in their view, making the consideration at the point of first contact meant offering settled accommodation “too soon”, when people may not yet be ready to move on from the refuge. The refuge agreed that it could be beneficial for a woman to have a few months in a refuge to recover from what had happened before moving on, although they would prefer this to be after the consideration under the legislation had taken place in order to reduce uncertainty. The refuge were concerned that some women were referred to them by other local authorities in the vicinity but never considered under the legislation, but did not have particular concerns about this practice within the case study authority.

The local authority reported that they would not send certain groups of people to refuges including men, women with alcohol misuse problems or women who did not

want to go to a refuge. These were instead accommodated in council-owned temporary housing and were considered under the legislation immediately.

CONSIDERATION UNDER THE LEGISLATION

Once an applicant had been considered under the legislation the local authority officer said that they made their inquiries within 33 days and usually offered accommodation within a few weeks. They reported that it was easier to find suitable accommodation for single adults than for those with children because there was a higher turnover of their one bedroom stock. The refuge agreed that it was easier to find accommodation for single women, both within refuges and when looking to move out.

The local authority reported that they made determinations of vulnerability on a case-by-case basis but also said that in practice they generally considered applicants who had to leave their home because of domestic violence to be vulnerable and hence a priority need group:

“Victims of domestic abuse are acknowledged as vulnerable households..... Under section 10 (of the Homelessness Act 2002) domestic abuse victims are considered priority need for the allocation of properties.” (Local Authority Housing Strategy)

“To me, anyone who is fleeing domestic violence is vulnerable. I don’t think we’re able to sit here and say “No, you’re not vulnerable as a result of this”. If you’re having to leave your home because of this [violence], you’re vulnerable, because you haven’t got a home. To me that is the test of vulnerability, so it’s just a case of whether you believe that they are fleeing violence.” (Local Authority Housing officer)

The research found that the vulnerability test and local authority responsibilities were very poorly understood by local agencies. It appeared that only the women’s refuge staff were correct in their understanding. Those running the local domestic violence telephone helpline were quite emphatic that there was an automatic duty upon local authorities to rehouse those fleeing domestic violence, citing literature stating that local authorities had a “legal duty to provide [such households]...with temporary accommodation”.

Several agency staff interviewed said that they were involved in cases where people were asked for evidence to support housing applications, but were unclear as to whether the evidence they were asked to provide was to prove that there had been violence, or to prove vulnerability.

HOUSING OPTIONS

Housing Options work continued alongside consideration under the legislation for most applicants in this local authority, and encouraged people to consider the private rented sector as an alternative to social housing. The local authority’s data showed that overall 90 per cent of those owed the main homelessness duty were eventually offered a tenancy in the social rented sector, but the other 10 per cent accepted tenancies in the private rented sector and an offer of high points on the housing register if they wished to continue to wait for social housing. The local authority

officers considered that the proportion of domestic violence victims accepting housing in the private rented sector was generally around the same as other homeless applicants. They reported that it was unusual for anyone not to take the housing offered. The refuge reported similarly that the vast majority of their residents expected to move out into social housing and that few other options were open to them. The refuge staff said that it was rare for people to be able to afford to buy, or to rent privately, though a few did so with the help of the rent deposit scheme that the council ran. There was also a Sanctuary Scheme which was the main Housing Options assistance used for those who were not considered under the legislation.

SUPPORT FROM OTHER LOCAL AGENCIES

The research found that housing was one part of the support offered to victims of domestic violence in the case study local authority. The police officers interviewed said that only around five per cent of the domestic violence cases they dealt with had a housing problem. The police said that in the majority of cases the emphasis was on removing the perpetrator of violence, rather than the victim. Other agencies agreed that the work they did was not largely focused on securing accommodation.

The level of support offered by the police depended in part on the level of risk they identified. A Multi-agency risk assessment conference had recently been formed to deal with the most serious cases and this included addressing housing needs if necessary. However, the focus on child protection meant that relatively few of the Multi-agency risk assessment conference's caseload were adults without dependent children.

There was also a local voluntary sector organisation offering counselling services and confidence-building courses which were attended mainly by victims of domestic abuse.

When a client had housing problems, interviewees from most local agencies said that they referred women to a refuge in the first instance, rather than to the local council. They said that some women never needed to go to the local council for assistance as they were able to make their own arrangements once the immediate crisis had been dealt with.

In terms of housing provision, there were not many other temporary housing options within the local authority. There was a small young people's accommodation project that offered housing and support to under 25s but no general homelessness hostels. The women's refuge was not actually in the local authority, but ten miles outside it.

RETURNING TO VIOLENCE

The local authority officer said that as far as they were aware, once in settled accommodation, most adults without children remained in this accommodation. They said that there were small numbers of cases where the violence reoccurred and as a result the victim became homeless again. The officer said that the council sometimes rehoused such cases but eventually found some 'intentionally homeless' if they allowed the perpetrator to move back in.

All of the interviewees said that when people returned to a situation where they were at risk of violence, this was chiefly because of the dynamics of the relationship, rather than a lack of alternative accommodation:

“I can’t think of any of the top of my head who have returned to violence [because of having nowhere to go] – someone has always helped them – Women’s Aid, or a hostel or somewhere.” (Victim Support)

Most of the non-local authority agency staff interviewed were concerned about the local authority’s practice of recommending people to approach different local authorities. They were concerned that people were passed around different local authorities before any consideration was made under the legislation and as a result were more likely to return to a situation where they were at risk of violence.

The refuge said that their emphasis was on ensuring that their residents were considered under the legislation and prioritised for social housing. They said that they had supported people in appealing if they were judged non-priority (though not at the case study local authority in recent years). In every case they knew of, the relevant council had reversed their decision before the case had gone to court, but they were concerned that much delay and stress had been caused to the woman by this time. They said that they were aware of cases where women had left the refuge with no accommodation arranged because their housing applications had been turned down by the local authority that considered her under the legislation (though not the case study local authority). They said that they did not know what the individual outcomes were in these cases, but feared that they may have returned to face a risk of violence.

Staff of the non-local authority agencies interviewed were also concerned that several key client groups did not get the help they needed. They said that those of most concern were people with alcohol problems who were often found unsuitable for refuges. Those with no recourse to public funds were also widely reported to be a particularly difficult group to help, and cases were known where people with no recourse to public funds had returned to a violent situation because of the lack of alternative accommodation.

Overall, this local authority appeared to offer reasonable support to those who they accepted who applied to their authority; most were offered temporary accommodation at a refuge, or within the local authority’s own stock and were offered settled housing in the social rented sector within a matter of weeks. There were also several other sources of support and advice available to victims from the voluntary sector. However, there were concerns that because they suggested that some people should apply to other local authorities on the grounds of safety, some people who approached the local authority were passed between authorities and failed to get the help they needed. There was a shortage of voluntary sector housing provision in the authority, as both women’s refuges and general hostels were not located within the district.

Local authority case study three

Local authority case study three was an inner London borough with a high proportion of black, Asian, minority ethnic and refugee residents.

FIRST CONTACT WITH THE LOCAL AUTHORITY

The local authority officers interviewed believed that a large proportion of people who approached them for help came from other parts of London or elsewhere in the UK. The voluntary sector agencies were often working with clients who were seeking housing in several different boroughs, and experienced tensions between them over who should take responsibility for individuals.

“Other housing officers [in neighbouring boroughs] say they don’t have a duty and send people to another borough – arguments ensue around financing between boroughs, who has the duty of care and who pays.” (Independent Domestic Violence Advocate)

When people first approached the local authority for assistance, they would first be directed to reception and then for a general chat where a housing adviser would talk through their options. Those in need would then be given a Housing Options interview. The local authority reported that they tried to resolve housing problems for this entire client group (including those with children) through Housing Options first, before deciding who to consider under the legislation.

The local authority reported that applicants got an automatic referral immediately after interview to the domestic violence coordinator who completed a hate crime reporting form and carried out a risk assessment. If they found that domestic violence was the issue (as opposed to non-violent relationship breakdown) the practice was then that the person would be offered a place of safety either in a refuge or hostel. This could be in or outside the borough.

In some cases the local authority felt that it could be difficult to establish whether the person seeking housing assistance had suffered domestic violence or a non-violent relationship breakdown, particularly if there was no evidence available, such as police reports or reports from a doctor. Concerns over whether this distinction was always made correctly were highlighted by a local domestic violence advocacy service:

“I have seen cases thrown out because it was considered a relationship breakdown rather than domestic violence.” (Advocacy project manager)

CONSIDERATION UNDER THE LEGISLATION

If cases could not be resolved via Housing Options work, and the local authority had reason to believe the person was homeless or threatened with homelessness they would then consider the applicant under the legislation. The domestic violence caseworker would assess the evidence of vulnerability and place the person in temporary accommodation whilst the local authority carried out its inquiries. Adults without dependent children at risk of domestic violence were not necessarily considered to be vulnerable. Housing Officers said that when they determined

vulnerability they took factors into account such as if the person was able to carry out normal activities such as remaining in employment. They said that those not found to be owed the main homelessness duty were directed back to Housing Options for further assistance.

There was concern from many interviewees that a lack of resources and overall pressure on housing led to this group of applicants to be found not to be owed the main homelessness duty:

“Vulnerability can be difficult to assess, you have to put your faith in the client even though it may be a scam. Local authorities have to act in a gate keeping role and they have limited resources.” (Local authority domestic violence coordinator)

“Just not having children – this is the reason given but of course the real reason is housing pressures. If they haven’t got mental health issues etc it is hard.” (Independent domestic violence advocate)

Some agencies interviewed were critical of the local authority’s methods of assessing vulnerability:

“A woman does not have to report to the police but it helps – we have women that finally report to the police where domestic violence has been going on for years. Somebody shouldn’t be judged on not reporting.” (Police)

There was also concern that if an applicant had taken steps to prevent the violence from re-occurring, this was sometimes used by the local authority to suggest that the applicant was no longer at risk:

“Basically if you don’t have a non-molestation order then you are not seen as vulnerable because you are not taking the right steps, but if you do have a non-molestation order then they will not take you because you are safe and therefore not vulnerable – you are damned if you do and damned if you don’t.” (Independent domestic violence advocate)

Non-local authority agency staff interviewed were also concerned about the general hostel accommodation used by the local authority to temporarily accommodate this client group. They were concerned that unsuitable accommodation, particularly with a very mixed clientele, put people at risk of returning to a situation where they were at risk of violence:

“Some single women who have a social worker, the local authority will put in a hostel or a B&B, but generally these places are mixed sex and they have no support so it is nonsense. Recently a woman with alcohol problems fleeing domestic violence was put in a hostel and was abused in the hostel, after three weeks there she tried to kill herself..... The local authority would put any woman in a hostel, if they don’t like it then they say they can’t help....Recently the local authority sent a

single Muslim woman to a hostel which was dirty and she had to share with men. She went back home, but is now with us; we arranged for police transport.” (Specialist women’s refuge)

“They would go to temporary accommodation in the first instance, the problem is this is often grubby and unsuitable and they then return home.” (Independent domestic violence advocate)

“Some people expect immediate housing but we always explain the process before they go there. They may end up in a hostel with men, there are only so many women only hostels – some may refuse this at the first hurdle. Some women come from comfortable homes to a hostel.” (Police)

This local authority was unusual in that it had a refuge that was open and staffed 24 hours, seven days a week and was able to take women fleeing domestic violence who had high support needs such as drug or alcohol dependency. However, they only took people from the borough and who also had a referral from the local authority.

Domestic violence victims who were accommodated by the local authority after they were found to be owed the main homelessness duty tended to stay in this type of accommodation from twelve weeks to up to two years or longer. There was concern from several of those interviewed that these long periods in temporary accommodation increased the risk of returning to violence. For example, the Independent Domestic Violence Advisor knew of cases where women had left temporary accommodation, returned to the place where they were at risk of domestic violence and then returned to ask for help again. It was generally felt that once victims had moved into settled housing this would be less likely to occur.

HOUSING OPTIONS

The local authority officers interviewed were conscious of the pressure on social rented housing and so promoted the private rented sector as an option for adults without dependent children fleeing domestic violence. However, they said that the majority of people owed the main homelessness duty preferred to wait for social housing, even though this may be a long wait. Only a few applicants accepted offers of settled accommodation in the private rented sector.

The local authority officers and other local agency staff interviewed said that the private rented sector was the main route to settled accommodation for those who were not owed the main homelessness duty:

“Women without children always go into the private rented sector. We allow them one approach to the local authority but know they will be refused. They never get priority need unless for medical reasons.” (Women’s refuge)

The local authority ran a rent deposit scheme which many of the local agencies encouraged their clients to make use of if they were not owed the main homelessness duty. Applicants had to be on the housing register with a local

connection to the borough, but did not need to be in priority need. However, there were some reports that it was sometimes over-subscribed and unable to provide assistance to all applicants.

NON-LOCAL AUTHORITY PROVISION

This case study area was well served by organisations set up specifically to help those fleeing domestic violence. A local advocacy project offered emotional support, advocacy, and referrals to the Multi-agency risk assessment conference. There was a specialist nine bed refuge offering accommodation to women with higher support needs, such as those with drug and or alcohol problems. This was partly funded by Supporting People and partly local authority funded. There was an independent domestic violence advisory service based within the NHS funded by a Primary Care Trust with referrals coming via health care staff, midwives, sexual health clinics and the HIV clinic. There was also Refuge, part of the national charity, a supported hostel, and general homeless hostels.

This was clearly an area with intense pressure on all types of housing, both temporary and settled. There were difficulties reported with the overall quantity of temporary accommodation and lack of capacity, compared with levels of need:

“If we couldn’t find anything out of borough we would try in borough, but places go very quickly. The refuge database is not always updated quickly. If we can’t find a refuge quickly then we keep ringing... Usually if all refuges are full the person will have a friend she could stay with for a night and we would try again in the morning. However, we have to risk assess so if the offender knows of the friend then that address would not be a good option.” (Police)

There were also particular concerns about accommodating high-need groups, such as substance users:

“Single women tend to fall through the gaps, particularly those women who are vulnerable because of substance misuse etc. These women are really vulnerable and can’t advocate for themselves.” (Independent Domestic Violence Advisor)

RETURNING TO VIOLENCE

As in the other case studies, many local agencies emphasised that returning to violence was not primarily related to whether or not someone was owed the main homelessness duty. Both refuges and domestic violence advisers acknowledged that some women return home because of an emotional attachment they have to the perpetrator:

“Women who are not found to be in priority need do not go back to violence for that reason. It is not for housing reasons if they do.” (Women’s refuge)

There were also concerns that keeping someone safe cannot always be achieved through moving them to alternative accommodation alone:

“It is only sufficient to keep them safe if they do not tell anyone where they are. The perpetrator can get hold of friends and family or stalk and harass etc.” (Independent Domestic Violence Advisor)

As discussed above, there were concerns about the length of time people spent in temporary accommodation, both when owed the main homelessness duty and when not. However, the refuges reported more difficulties in moving on women who were not owed the main duty, because of difficulties in accessing either private or social rented housing.

They were concerned that women would be at risk of returning to violence if their difficulties in securing settled housing meant they remained in refuges for long periods.

Overall, this case study was clearly the one where there was most pressure on housing, both temporary and settled. This affected all people who needed to leave their home because of domestic violence, whether or not they were subsequently found to be owed a main homelessness duty by their local authority. The main problems that arose concerned accessing suitable temporary housing, and moving on to settled housing. There was, however, a greater range of provision for victims of domestic violence in this authority, including for those with high support needs, something not found elsewhere.

Local authority case study four

Local authority case study four was an urban authority in the midlands.

FIRST CONTACT WITH THE LOCAL AUTHORITY

When an adult without dependent children fleeing domestic violence first approached the local authority, officers at reception first had an informal discussion with them and then decided whether to consider them under the legislation or whether instead to use Housing Options.

The local authority found that some people preferred not to make a homeless application but preferred to use the assistance provided through the Housing Options service instead:

“We assess the risk to see if the person needs a place of safety and then if this is not the case we take them down the Housing Options route to facilitate. It is very much client led; what is it they want?... Once they have all the information about Housing Options – they don’t always go down the homeless route.” (Local authority officer)

Their data, however, showed that most applicants were considered under the legislation.

CONSIDERATION UNDER THE LEGISLATION

The Housing Options officer made decisions on vulnerability in-house along with the duty team leader and supervisors of any temporary accommodation. The local authority did not have a formal policy on how to determine vulnerability but instead made subjective judgements, with each case assessed on its own merits:

“We are careful not to have a blanket policy – it is based on individual merits of the case. You tend to be able to assess and explore and probe the relevant information; there is not a checklist. We would be worried about that sort of assessment process.” (Local authority officer)

One factor that would be taken into account as indicating someone was not vulnerable would be if they were “able to fend for themselves” and particularly if they were in employment. It was also felt that if the applicant had managed to accommodate themselves in some way before they made an application to the local authority, this would indicate that they were unlikely to be considered to be vulnerable:

“We might see people who have fled domestic violence but sustained their situation elsewhere, such as living with relatives, so we may not find them vulnerable, particularly if they have coped for the past six months. If this were the case we would look at other housing options and we would not be thinking ‘vulnerability’.” (Local authority officer)

Housing officers sometimes asked for evidence of vulnerability from medical, police or other supporting agencies or by asking at interview themselves.

Local agencies were sometimes unclear whether it was domestic violence people were being asked for evidence of, or vulnerability. Some were concerned about applicants being asked to provide evidence of the domestic violence such as police reports:

“People also have to prove their experience of domestic violence and evidence can be difficult to get particularly for those who have been isolated and have not reported it to the police. The local authority doesn’t take responsibility for those people.” (Domestic Violence Integrated Response Project)

The local authority generally referred those being considered under the legislation to a hostel or refuge whilst investigations were carried out. Housing officers said that help and support was offered if required and that most people accepted the accommodation offered. For those subsequently found to be owed the main homelessness duty the local authority officers had a ‘one offer’ only policy for offering social housing, but stated that they would be sensitive about the area offered.

The local women’s refuge staff interviewed were critical of the assistance provided by the local authority, but it was apparent during discussions, whilst aware that there was a distinction between vulnerable and non-vulnerable applicants, they were not fully conversant with the legislation. The refuge staff were concerned that there was a lack of consistency between the responses given to single women without dependent children by the local authority and were concerned that the assistance offered to a person fleeing domestic violence depended on which particular housing officer the applicant saw.

HOUSING OPTIONS

The local authority officers interviewed said that those not owed the main homelessness duty were initially referred to a hostel and the local authority conducted a full Housing Options interview in order to maximise their points on the housing register, increasing the speed at which they might access social housing. The local authority also promoted the private rented sector as a long term option for those who had not been accepted under the main homelessness duty.

The local women's refuge staff were concerned about an increase they saw in the number of single adults fleeing domestic violence who were not owed the main homelessness duty and who were therefore encouraged to try and secure accommodation in the private rented sector. They said that this was problematic as it did not offer the initial support women needed and also that it was sometimes difficult to find a landlord willing to accept them:

"There is rising use of the private rented sector which is awful for vulnerable women as there is no support. They are given the bond scheme but again it is not easy to find a landlord that accepts Housing Benefit and a lot are not keen on taking single women who are fleeing domestic violence – one bed places are hard to find." (Women's refuge)

The local authority did, however, have a floating support service which provided one-to-one support around housing and related issues for between three months and two years. This service was available to all within the local authority. Although the local authority did not offer a full Sanctuary Scheme they did provide extra security such as having alarms and new locks fitted.

NON-LOCAL AUTHORITY PROVISION

There were two women's refuges in the authority, both open to women over the age of 16. Both used Refuge On-line, a web based service which lists vacancies, which was the most common way for people to contact and access their services.

There was also the Domestic Violence Integrated Response Project. This project took self-referrals as a result of a widely publicised helpline number. A team of independent domestic violence advocates worked with high risk cases on a face to face basis on a range of issues, which could include housing.

The local police reported a good relationship with the housing department, but occasionally assisted someone into accommodation directly:

"We may contact the housing manager direct or Housing Options but the main emphasis would be to get them a Housing Options appointment or we would contact a refuge. If help were not immediately available for someone of high risk we would get them a B&B." (Police).

As in the other areas, there was concern that there was a lack of support for high-need client groups:

“Certain groups get less support, for example those with drug and alcohol issues, its more difficult for them. And people who are disabled, there is not enough sufficient housing in place for them.” (Domestic Violence Integrated Response Project)

There was no specialist refuge provision in the city for such women; they would need to go out of the county.

RETURNING TO VIOLENCE

As in the other case studies, there was a general understanding that returning to violence depended on a range of factors, which went well beyond housing support.

There was concern from some agencies, however, that people who were assessed under the legislation but found not to be owed the main homelessness duty became demoralised and were at risk of returning to violence. The refuge promoted the private rented sector to these people but found that in some cases women returned home:

“Some return home, they lose faith, they think they will never get re-housed. They think ‘What’s the point?’ and return.” (Women’s Aid refuge)

Overall, the majority of single adults who approached this local authority were considered under the homelessness legislation, though this was not automatic and the authority first considered whether they could be assisted through the Housing Options service. The local authority decided vulnerability on a case by case basis and took into account a range of factors. They found that the decision was a difficult one to make but their records showed that they found most people to be vulnerable.

Annex 4: Key secondary data used in the report

P1E data

The P1E data submitted quarterly by local authorities includes some information of specific interest to this study. The data used here is published by DCLG and is for 2008-09⁵⁷.

Table A4.1: Numbers of homeless acceptances by local authorities in England by reason for priority need status

	Total	Proportion of all homeless acceptances
Acceptances who have priority need because they are vulnerable as a result of having fled their home because of domestic violence	1760	3%

Table A4.2 Number of homeless acceptances by local authorities in England by reason for loss of last settled accommodation

	Total
Acceptances where the reason for the loss of their last settled home was the violent breakdown of a relationship with a partner	6820
Acceptances where the reason for the loss of their last settled home was the violent breakdown of a relationship with someone other than a partner.	1290
Total homeless acceptances due to violent breakdown of a relationship	8,110

Source: P1E data April 2008 – March 2009

There are also data collected on outcomes for homeless acceptances.

There are two aspects to this: the initial outcome when a household is accepted as being owed the main homelessness duty, and (if they are placed in temporary accommodation) the eventual outcome when they leave temporary accommodation. This does not break down the data by reason for homelessness or priority need status but does give an overall picture of the process.

For those who are placed in temporary accommodation after having been accepted as owed the main duty, the eventual outcome is also recorded. Again, this does not identify the reason for the loss of the last settled home but does give an overall picture of what happens to households when the homelessness duty comes to an end.

⁵⁷

Table A4.3: Outcomes for homeless acceptances leaving temporary accommodation or no longer recorded as duty owed no accommodation secured

	Total number	Proportion no longer owed a duty
Accepted offer of settled local authority or registered social landlord accommodation	38350	66%
Accepted assured tenancy ⁵⁸	1280	2%
Accepted assured shorthold tenancy ⁵⁹	2470	4%
Sub-total outcomes for those provided with settled home	42110	72%
Ceased to be eligible	1260	2%
Refused offer of settled local authority or registered social landlord accommodation	4840	8%
Became homeless intentionally	1580	3%
Voluntarily ceased to occupy	8120	14%
Sub-total outcomes for those not provided with settled home via offers detailed above	15790	27%
Total no longer owed a duty	57900	100%

Source: P1E data April 2008-March 2009

CORE DATA

The newly produced combined dataset for HA and local authority CORE was analysed for 2008-09.

Table A4.4: Homeless Category for households entering social housing whose main reason for leaving their last settled home was domestic violence

	Number of dependent children	Percentage with no children	1 or more dependent child	Percentage with 1 or more child
Not homeless	1237	37%	2106	63%
Statutorily homeless – owed main duty	862	29%	2067	71%
Statutorily homeless – not owed main duty	80	46%	93	54%
Other homeless	168	45%	206	55%
Total	2347	34%	4472	66%

Source: HA and local authority CORE data April 2008-March 2009

⁵⁸ This would generally be social housing

⁵⁹ This would generally be with a private landlord

Table A4.5: Gender and household type of households entering social housing whose main reason for leaving their last settled home was domestic violence

Gender ⁶⁰	Female		Male		All households	
	Number	Percentage of all households	Number	Percentage of all households	Number	Percentage of all households
Single adult	1877	27.7%	209	3.1%	2086	30.8%
2 adults	32	0.5%	10	0.1%	42	0.6%
Single adult with children	4023	59.4%	49	0.7%	4072	60.1%
2+ adults with children	87	1.3%	22	0.3%	109	1.6%
Other	450	6.6%	16	0.2%	466	6.9%
Total	6469	95.5%	306	4.5%	6775	100.0%

Source: HA and local authority CORE data April 2008-March 2009

SUPPORTING PEOPLE DATA

Tables A4.6 to A4.8 show the profile of clients in the domestic violence client group accessing services funded by Supporting People during the period April 2008-March 2009.

Table A4.6: Age group of Supporting People clients, by age group and presence of children under 18 in the household^{61 62}

	Under 18	18-24	25-34	35-44	45-64	65 and over	Total
Domestic Violence client group without Under 18s⁶³	0 (0.0%)	3043 (28.2%)	2984 (27.6%)	2544 (23.5%)	2105 (19.5%)	132 (1.2%)	11272 (100%)
Domestic Violence client group with Under 18s ⁶⁴	532	3481	5448	3240	551	1	13263
<i>Domestic Violence client group total</i>	532	6524	8432	5784	2656	133	24535

Source: Supporting People client records April 2008-March 2009

⁶⁰ This is the gender of "person one", which can be any adult tenant.

⁶¹ "Domestic Violence client group" refers to those whose primary client group (as assessed by the housing-related support service provider) was recorded as "Women at risk of domestic violence"

⁶² Supporting People data only captures other members of the client's household under the same support plan. If members of the same household have different support plans then separate forms will have been completed, similarly if the client is part of someone else's household only their details will be recorded.

⁶³ Per centPer centPercentages are given exclude missing data

⁶⁴ Households headed by someone aged under 18 have been included in this group.

Table A4.7: Economic Status of Supporting People clients, by client group and presence of children under 18 in the household⁶⁵

	Domestic Violence client group without Under 18s⁶⁶		Domestic Violence client group with Under 18s	<i>Domestic Violence client group total</i>
	Number	Percentage	Number	Number
Full-time work (24hrs or more per week)	933	8.6%	658	1591
Part-time work (less than 24hrs per week)	722	6.7%	876	1598
Govt training /New Deal	28	0.3%	20	48
Job seeker	2152	19.9%	630	2782
Retired	282	2.6%	8	290
Not seeking work	4758	44.0%	10121	14879
Full time student ⁶⁷	166	1.5%	215	381
Unable to work because of long term sickness or disability	1391	12.9%	383	1774
Other	378	2.5%	339	717
Total ⁶⁸	10810	100%	13250	24060

Source: Supporting People client records April 2008-March 2009

⁶⁵ "Domestic Violence client group" refers to those whose primary client group (as assessed by the housing-related support service provider) was recorded as "Women at risk of domestic violence"

⁶⁶ Percentages given exclude missing data

⁶⁷ Includes "Child under 16". Although Supporting People services are not aimed at under 16 year olds, some of this group may be in receipt of housing-related support services.

⁶⁸ The totals given here exclude those for whom this data was missing

Table A4.8: Ethnicity of Supporting People clients, by client group and presence of children under 18 in the household⁶⁹

	Domestic Violence client group without Under 18s[1]	Proportion	Domestic Violence client group with Under 18s	<i>Domestic Violence client group total⁷⁰</i>
White – British	8002	72.6%	9009	17011
White – Irish	129	1.2%	172	301
White – Other	325	3.0%	559	884
Mixed – White & black Caribbean	150	1.4%	264	414
Mixed – White & black African	34	0.3%	92	126
Mixed – White & Asian	58	0.5%	71	129
Mixed – Other	92	0.8%	135	227
Asian or Asian British – Indian	310	2.8%	383	693
Asian or Asian British – Pakistani	686	6.2%	734	1420
Asian or Asian British – Bangladeshi	163	1.5%	216	379
Asian or Asian British – Other	130	1.2%	201	331
Black or black British – Caribbean	228	2.1%	408	636
Black or black British – African	333	3.0%	568	901
Black or black British – Other	85	0.8%	133	218
Chinese	33	0.3%	43	76
Other ethnic group	94	0.9%	176	270
Refused to be classified	163	1.5%	92	255
Total	11015	100.0%	13256	24271

Source: Supporting People client records April 2008-March 2009

⁶⁹ “Domestic Violence client group” refers to those whose primary client group (as assessed by the housing-related support service provider) was recorded as “Women at risk of domestic violence”

⁷⁰ Total given here exclude missing data

Annex 5: Local authority email survey

DCLG commissioned Cambridge University to carry out research to establish the extent to which adults who have to leave their homes because of a risk of domestic violence, and who are neither pregnant nor have any dependent children are getting the help they need from local authorities to ensure they do not have to return to accommodation where they would be at risk of violence. We are contacting all local authorities in England and would really appreciate your input into this research by completing this short email survey. Answers will be anonymised in any report.

1. Does your authority keep records of how many single adults (without children) seek housing assistance from the authority each year because they have had to leave their home due to a risk of domestic violence? If so:
 - a. How many did so in the last year?
 - b. And how many of these were judged to be vulnerable?
2. If you do not keep records of the number of single adults who have to leave their homes because of a risk of domestic violence and approach the local authority each year for housing assistance etc, please give your best estimate of the numbers who approach you within a given period? (Eg 3 months or 6 months - please state period and dates covered).
3. Which of these statements best fits the policy and practice in your authority?
 - a. Such applicants are always considered vulnerable and in priority need
 - b. Such applicants are unlikely to be considered vulnerable and in priority need because of the risk of domestic violence
 - c. Such applicants are assessed for vulnerability on a case-by-case basis, based on the circumstances
4. What type of assistance would typically be offered to a single adult considered to be eligible for assistance, homeless because of violence and vulnerable (and hence in priority need)?
5. What type of assistance would typically be offered to a single adult considered to be eligible for assistance, homeless because of violence but not vulnerable (and hence not in priority need)? Please include any assistance provided through a housing options service or homelessness prevention programme.
6. If not mentioned in response to Q5, does your authority ever consider using its power under S192(3) of the Housing Act 1996 to secure accommodation for single adults considered to be eligible for assistance, homeless because of violence but not in priority need?
 - 6a) If yes to 6: How does the authority reach a decision as to whether to use that power?
7. Any other comments?

FOLLOW UP QUESTIONS

Dear XXXX

I wrote to you in XXXX in relation to research we are currently carrying out for Communities and Local Government to establish the extent to which adults who have to leave their homes because of a risk of domestic violence, and who are neither pregnant nor have any dependent children are getting the help they need from local authorities to ensure they do not have to return to accommodation where they would be at risk of violence.

Thank you very much for replying to our survey with details on your figures for the numbers you assist with rehousing.

I'm writing to you again as there are some small further details arising from your response that we would like to clarify.

You stated that XX single adults (without dependent children) had approached the local authority in the last year for housing assistance because they have left their home due to risk of violence. We'd be grateful if you could clarify whether this number represents:

- a) The total number who approached you for assistance, including those for whom a formal homeless assessment was not carried out, or not completed
- b) The total for whom a formal homeless assessment was completed.

You also stated that XX of these were found to be vulnerable. If possible, can you provide any further details on why the remaining XX were not found to be vulnerable?

How many:

- a) Were not formally assessed, as dealt with under homelessness prevention/housing advice instead
- b) Left before assessment was completed
- c) Were found to be not homeless
- d) Were found to be not eligible for assistance
- e) Were found to be intentionally homeless
- f) Were found to be non-priority homeless
- g) Were found to have no local connection, so referred elsewhere
- h) Other – please state

Thank you very much for your assistance in this research. Once again, I can assure you that answers will be anonymised in any report.

Annex 6: Email survey results

Table A6.1, below, shows the response to the email survey by region.

Table A6.1: Response rate to email survey

Region	No. of local authorities	No. of responses	response rate
East	48	21	44%
North West	43	15	35%
North East	23	6	26%
South East	67	28	42%
East Midlands	40	17	43%
Yorkshire and the Humber	21	5	24%
West Midlands	34	12	35%
London	33	10	30%
South West	45	14	31%
Total	354	128	36%

The survey was tested for non-response bias and no statistically significant correlation was found between response to the survey and any of the following factors:

- size of local authority
- region
- indicators of housing pressure (size of waiting list, house prices)
- political control
- the proportion of households rehoused as a result of domestic violence
- the proportion of eligible households found to be vulnerable

We therefore concluded that there was no discernable non-response bias.

The email survey asked local authorities how they decide whether an applicant is vulnerable and therefore in priority need. The email survey asked which of the following statements best fits the policy and practice of their local authority in deciding whether they owed a duty to an adult without children fleeing domestic violence:

- A) Such applicants are always considered vulnerable and in priority need
- B) Such applicants are unlikely to be considered vulnerable and in priority need because of the risk of domestic violence
- C) Such applicants are assessed for vulnerability on a case by case basis, based on circumstances

The responses are shown by region in Table A5.2.

Table A6.2: Local authority statement on whether adults without dependent children are found vulnerable

Region	Policy			No response	Total
	a) Always in priority need	b) Not in priority need	c) Case by case basis		
East	1	1	16	3	21
North West	8	0	7	0	15
North East	1	0	5	0	6
South East	2	0	26	0	28
East Midlands	3	0	13	1	17
Yorkshire and the Humber	1	0	3	1	5
West Midlands	4	0	5	3	12
London	0	1	9	0	10
South West	2	0	11	1	14
Total	22 (17%)	2 (2%)	95 (74%)	9 (7%)	128

Local authorities were asked if they kept records of how many adults without dependent children sought housing assistance from the authority each year because they had to leave their home due to a risk of domestic violence, and if so, how many were judged to be vulnerable⁷¹. They were asked to provide their best estimate if unable to give precise numbers. However, it was apparent from the fuller answers that some gave that the number of approaches was not the same as the number who were considered under the legislation. Some authorities stated that the number they had given us was in fact the number of cases considered under the legislation (rather than approaches), whilst others were unclear.

The local authorities whose answers were ambiguous were re-contacted to ask them for clarification. Using only those whose answers were now clear produced the results shown in tables A6.3-A6.5.

Table A6.3: Of those who kept records of the number of approaches and the number of acceptances (n=67)

Number of approaches	1546
Number of acceptances	757
Proportion of approaches that result in acceptance of main homeless duty	49%

Table A6.4: Of those who kept records of the number of completed assessments and the number of acceptances (n=82)

Number of assessments	621
Number of acceptances	474
Proportion of assessments that result in acceptance of main homeless duty	76%

⁷¹ These questions were asked in order to provide information not covered by the P1E data. The P1E data given in Annex 4 does not distinguish between those who do and do not have children. It also does not record the number of households who approach local authorities for assistance but who are at risk of domestic violence and are not considered under the legislation. Nor does it identify the proportion of applicants who were found homeless but not owed the main homelessness duty where the reason for loss of last settled home was domestic violence.

Table A6.5: Of those who kept records of the number of approaches and the number of assessments (n=57)

Number of approaches	806
Number of assessments	515
Proportion of assessments that result in acceptance of main homeless duty	64%

Table A6.6: Results from the 26 local authorities who were able to provide a detailed breakdown of outcomes in the email survey

Stage	Outcome	Local Authority																										Total	
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26		
No consideration under the legislation (136 cases)	Homelessness prevented or delayed		1			7	1			13		1	6	7	1								15	2	14		11	79	21%
	Provided with advice and information	5	6	5							2	1	1		1				15				12	1				49	13%
	Referred to refuge/hostel	2	2									2															2	8	2%
Considered under the legislation but no decision reached (49 cases)	Found alternative housing whilst being assessed		3	1	2		3	1				1				4								1			1	17	5%
	Applicant ceased contact before assessment completed			4				1	3			1	2			21												32	8%
Considered under the legislation and decision reached (191 cases)	Not priority need		6		1		2						2		1	7	3				1			1	14	3		41	11%
	Not eligible	1		1			1		1																			4	1%
	Intentionally homeless						2																					2	1%
	No local connection						2																		1			3	1%
	Not homeless						2									10								1	5			18	5%
	Main duty accepted	1	7	1	3	1		4	3	15		2	8		1	2		8	16	6	1	5	3	8	13	11	4	123	33%
Total cases		10	25	12	6	8	13	6	7	28	2	8	19	7	4	44	3	8	31	6	2	5	30	14	47	14	18	376	100%

Annex 7: Questions added to the Women's Aid surveys⁷²

The next set of questions are specifically about housing and cover the following issues:

- the accommodation she lived in prior to coming to you
- any approach she has made to a housing provider in relation to domestic violence
- if she has approached a housing provider in relation to domestic violence, the response(s) she received from them
- steps taken to secure permanent housing

A8 a) Before coming into your refuge, what form of tenure did the woman have on her previous accommodation?

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5	
Council tenant						Please go to A8 d) page 9.
Housing association tenancy or other registered social landlord						Please go to A8 b) overleaf.
Private landlord						Please go to A8 d) page 9
Hostel, another refuge or other temporary accommodation						Please go to A8 d) page 9
Staying with friends or family						Please go to A8 d) page 9
Owner occupier – sole owner						Please go to A8 d) page 9
Owner occupier – joint owner						Please go to A8

⁷² This Annex contains the housing questions which were added to the Women's Aid surveys. In addition, demographic information (including whether or not the women had dependent children with them or were pregnant) was also collected for each woman in the sample.

						d) page 9
Other - please state						Please give details, then go to A8 d) page 9

Other tenure – please give details:

A8 b) *For those women who previously had a housing association tenancy -*

Did she seek help from her housing association (in relation to the abuse) before coming to you?

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5	
Yes						Please go to Q. A 8. c) below
No						Please go to Q. A 8. d) overleaf
Don't know						Please go to Q. A 8. d) overleaf

A8. c) If she did seek help from a housing association what was the outcome? Please indicate below. (You can give more than one response here).

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5
Offered re-housing within housing association's own stock					
Perpetrator evicted from joint tenancy					
Referred to local council Homelessness section					
Given telephone numbers of support services and/or refuge organisations					
Referred directly to refuge					
Other help given - please give details below					
No help given					

Other – please give details:

A8 d) For all women (*whether or not she had an existing local authority tenancy*) -

Did she seek help from a local authority housing department (in relation to the abuse) before coming to you?

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5	
Yes						Please go to Q. A 8 e) below
No						Please go to Q. A 8 g) overleaf
Don't know						Please go to Q. A 8 g) overleaf

A8 e) If she did seek help from a local authority housing department before coming to you, what was their initial response? Please indicate below. (You can give more than one response here).

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5
Given a "Housing Options" interview					
Homelessness interview and formal assessment carried out.					
Offered protection via a "Sanctuary Scheme"					
Referred to refuge accommodation					
Given telephone numbers of support services					
Advised to apply to a different local authority as it would be safer.					
Other – please give details overleaf					
No help given					

Other – please give details:

A8 f) If she was given a formal homelessness interview and assessment prior to entering refuge, what was the outcome? Please indicate below. (You can give more than one response here).

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5
Accepted as statutorily homeless					
Accepted as in priority need					
Referred to refuge pending decision					
Still awaiting decision					
Offered protection via "Sanctuary Scheme"					
Other help given – please give details below					
No help given					
Not applicable					

Other – please give details:

A8 g) Whether or not she went to the local authority housing department prior to entering refuge, has she now been formally assessed by a local authority under the homelessness legislation?

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5	
Yes						Please go to question A8 h) overleaf
No						Please go to question A8 k) page 12

A8 h) *If yes* – what was the outcome of the homelessness assessment?

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5	
Found to be both statutorily homeless and in priority need						Please go to question A8 k) overleaf
Found not to be owed the main homelessness duty (ie not statutorily homeless)						Please go to question A8 j) below

and/or in priority need)						
Still awaiting decision						Please go to question A8 k) overleaf
Don't know						Please go to question A8 k) overleaf

A8 j) *For those who were not found statutorily homeless and/or in priority need* – i.e. not owed the main homelessness duty.

Why was the woman found not to be owed the main homelessness duty?
You can give more than one response here.

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5
Considered intentionally homeless					
Considered not to be in priority need (ie not “vulnerable”)					
NOT considered homeless because she is in a refuge					
Not considered homeless for other reason					
Not eligible because she has no recourse to public funds					
Other – please give details					
Not known					

Other – please give details:

A8 k) Access to permanent housing: Has she taken any of the following actions?

Please indicate below. (You can give more than one response here).

	Woman 1	Woman 2	Woman 3	Woman 4	Woman 5
Applied to the local authority to register for re-housing					
Registered with local authority for re-housing					

Applied directly to housing associations					
Applied for management transfer					
Looked in private rental sector					
Applied for assistance in accessing private rented sector (eg rent deposit scheme)					
Waiting to return to own home with injunction and/or when safe					
Other – please give details					
No action taken (yet)					
Not known					

Other – please give details:

Please also add here any general comments you may have about your local authority housing department's policies and practices in relation to domestic violence.

Annex 8: Findings from the Women's Aid surveys

Women's Aid conduct an annual survey of domestic violence service providers in England (most of which are their members). As part of this survey, Women's Aid asks all those who take part to collect detailed information about the women and children who used their services on one specific day (the Day to Count) or – in the case of non-refuge based services - during that week.

For the purposes of this research, some additional questions were added to this part of the 2009 survey, which was run in June 2009. These questions asked about the extent to which women had approached local housing authorities for assistance prior to and after seeking help from refuge services, and about the sorts of responses they had received, including decisions made under the homelessness legislation. Information was collected in relation to:

- Women and children who were resident in refuge accommodation provided by the responding organisations on one specific day: Thursday 11 June 2009.
- Women who used non-refuge-based services run by the responding organisations during the week beginning 8th June 2009.

A one in four sample of service users was selected by the responding service providers. In total this produced a sample of 155 women without dependent children resident in refuge accommodation on the specified date, and 237 women who were known not to have dependent children who had used non-refuge-based services during the week.

This survey data was analysed to explore how many women without children, either in refuges or using related services, approached a local authority for assistance with housing and what the outcomes were.

Women using refuge services

THOSE SEEKING HELP FROM A LOCAL AUTHORITY PRIOR TO ENTERING REFUGE ACCOMMODATION

Of the 155 service users in refuge accommodation, 44 women without children had sought help from a local authority housing department before coming to the refuge, 95 had not, and this information was not known for 16 of the sample.

The data showed what kinds of assistance were offered to the 44 women in refuge accommodation who had approached a local authority for assistance before coming to the refuge (Table A7.1).

Table A7.1: assistance offered to the 44 women without dependent children in refuge accommodation who approached a local authority for assistance before coming to the refuge⁷³

	Number
Housing Options interview	2
Formal assessment	9
Sanctuary scheme	0
Refuge referral	19
Telephone numbers of support services	40
Advised to apply to a different authority	2
Other response	7
No help given	5

Two of the 44 women were offered a Housing Options interview and nine were considered under the legislation. The majority of women were given the telephone numbers of support services and just under half were referred to a refuge.

Of the nine who were considered under the legislation, four were found to be in priority need, three had been referred to the refuge pending a decision, one was reported as having been given no help and for one no information was given.

THOSE CONSIDERED UNDER THE LEGISLATION AFTER ENTERING REFUGE ACCOMMODATION

The survey showed that since coming to the refuge, 84 of the 155 women had been considered under the legislation and 71 had not. (This includes the 44 who had approached before coming to the refuge, some of whom may since have returned to the local authority to receive further assistance).

The data showed that just over half of those considered under the legislation were found to be owed the main homelessness duty. Table A7.2 shows in detail the outcomes for the 84 women considered under the legislation since coming to the refuge.

Table A7.2: assistance offered to the 84 women in refuge accommodation who approached a local authority for assistance since coming to the refuge

Outcome of being considered under the legislation	Number
In priority need	44
Not owed the main homelessness duty	21
Still awaiting decision	16
No information	2
Total considered under the legislation	84

Table A7.3 shows that of the 21 not owed the main homelessness duty the main reason was being found not in priority need.

⁷³ Respondents could give more than one answer

Table A7.3: reasons not owed the main homelessness duty for women considered under the legislation since coming to the refuge

Reason not owed the main homelessness duty	Number
Not in priority need	9
Told refuge is safe therefore not homeless	5
No recourse to public funds	2
Intentionally homeless	1
Other reason	2
Unknown	2
Total not owed the main homelessness duty	21

Women using non refuge-based services

In the sample there were 237 women with no children who were using Women's Aid's non-refuge based services (such as floating support, outreach services, independent domestic violence advocates or drop-ins). 94 of these women had sought help from a local authority housing department prior to contacting the Women's Aid service.

Table A7.4 shows what kinds of assistance were offered to the 94 women not in refuge accommodation who sought help from local authority housing department.

Table A7.4: assistance offered to the women not in refuge accommodation who sought help from local authority housing department

Assistance offered	Number
Housing options interview	34
Formal assessment	63
Sanctuary scheme	3
Refuge referral	13
Telephone numbers of support services	85
Advised to apply to a different authority	1
Other response	5
No help given	8
Total who sought assistance	94

The data showed that about two thirds of the women were considered under the legislation and about one third were offered a Housing Options interview.

Table A7.5 shows that most of the 63 women not in refuge accommodation considered under the legislation were found to be in priority need and owed the main homelessness duty.

Table A7.5: Outcomes for the women not in refuge accommodation consideration under the legislation

Outcome of consideration under the legislation	Number
Found to be in priority need	40
Found not to be owed the main homelessness duty	15
Awaiting decision	8
Total number of women	63

Table A7.6 shows that the main reasons why women were found not owed the main homelessness duty

Table A7.6: Reasons why not owed the main homelessness duty

Reason not owed main homelessness duty	Number
No recourse to public funds	6
Not in priority need	5
Not homeless	3
Intentionally homeless	1
Total number of women considered under the legislation	15

Summary data

Table A7.7 shows the initial responses women received when they first approached a local authority for assistance.

Table A7.7: Initial response from local authority, by client group⁷⁴

	Refuge residents who approach before moving to refuge		Non-refuge clients		Total	
	Number	Proportion	Number	Proportion	Number	Proportion
Housing Options interview	2	5%	34	36%	36	26%
Considered under the legislation	9	20%	63	67%	72	52%
Sanctuary scheme	0	0%	3	3%	3	2%
Refuge referral	19	43%	13	14%	32	23%
Telephone numbers of support services	40	91%	85	90%	125	91%
Advised to apply to a different authority	2	5%	1	1%	3	2%
Other response	7	16%	5	5%	12	9%
No help given	5	11%	8	9%	13	9%
Total	44	100%	94	100%	138	100%

⁷⁴ It was not asked whether women already living at refuges had ever approached a local authority for housing assistance (including since coming to the refuge), only whether they had approached prior to coming to the refuge, and whether they had been assessed. Altogether 84 (54%) of them had been considered under the legislation.

As shown above, a total of 36 of the 68 women not considered under the legislation (55 per cent) were given a Housing Options interview; most others were referred to a refuge or given telephone numbers of support services.

Table A7.8 shows the decisions made on those who were considered under the legislation. The proportions relate to the total number for whom a decision was made.

Table A7.9: Outcomes for those considered under the legislation, by client group

	Approach before refuge	Approach after refuge	Non-refuge clients	Total
Priority need	4 (67%)	44 (70%)	40 (73%)	88 (71%)
Not priority need	1 (17%)	9 (14%)	5 (9%)	15 (12%)
Not homeless	0 (0%)	5 (8%)	3 (5%)	8 (6%)
Intentionally homeless	0 (0%)	1 (2%)	1 (2%)	2 (2%)
No recourse to public funds	0 (0%)	2 (3%)	6 (11%)	8 (6%)
Assessed, outcome unknown	1 (17%)	2 (3%)	0 (0%)	3 (2%)
<i>Total decisions made</i>	<i>6 (100%)</i>	<i>63 (100%)</i>	<i>55 (100%)</i>	<i>124 (100%)</i>
Still awaiting decision	3	16	8	27
Total considered	9	79	63	151

References

- Allen, T and Willis, A (2008) Completing the Jigsaw, Help seeking by survivors of domestic violence; what's the problem? *Standing Together against Domestic Violence*, London.
- Anderson, M. A., Gillig, M. P., Sitaker, M., McCloskey, K., Malloy, K., & Grigsby, N. (2003). "Why doesn't she just leave?": A descriptive study of victim reported impediments to her safety. *Journal of Family Violence*, 18, 151-155.
- Astbury, J., Atkinson, J., Duke, J.E., Easteal, P., Kurrle, S.E., Tait, P.R. and Turner, J. (2000) 'The impact of domestic violence on individuals.' *The Medical Journal of Australia*, 173: 427-431.
- Baker, C., Cook, S. and Norris, F. (2003) Domestic Violence and Housing Problems:
A Contextual Analysis of Women's Help-seeking, Received Informal Support, and Formal System Response. *Violence Against Women*, Vol. 9, No. 7, 754-783.
- Barron, J (2007) *Women's Aid Federation of England: 2006 Survey of Domestic Violence Services Findings* Women's Aid.
- Bell, K. and Kober, C. (2008) *The financial impact of domestic violence*, Family Welfare Association and Gingerbread.
- Bindman and Partners (2007) *Freedom of Information Act: Request relating to Now Medical*. London: Bindman and Partners Solicitors.
- Buzawa, E. S., & Buzawa, C. G. (2003). *Domestic violence: The criminal justice response* (3rd ed.). Thousand Oaks, CA: Sage.
- Charles, N. (1994) 'The Housing Needs of Women and Children Escaping Domestic Violence.' *Journal of Social Policy*, 23, 4, 465-487.
- Chatzifotiou, S., & Dobash, R. (2001). Seeking informal support: Marital violence against women in Greece. *Violence Against Women*, 7, 1024-1050.
- Cleghorn, N., Given, L. and Ormston, R. (2007) *Scottish Social Attitudes Survey 2006: Public Attitudes to Homelessness*. Scottish Centre for Social Research.
- Communities and Local Government (2006a) *Homelessness Code of Guidance for Local Authorities: July 2006*. London: Communities and Local Government.
- Communities and Local Government (2006b) *Homelessness Prevention: A Guide to Good Practice*. London: Communities and Local Government.

Communities and Local Government (2006c) *Options for Setting up a Sanctuary Scheme*. London: Communities and Local Government.

Communities and Local Government, (2007) Homelessness Statistics June 2007 and Local Authority Survey of Homelessness Prevention, London: Communities and Local Government.

Communities and Local Government (2009) *Homelessness Prevention and Relief: England 2008/09 Experimental Statistics* London: Communities and Local Government

Crisis, (2006) *Homeless Women: Still being failed yet striving to survive*.

Enander, V. (2010) "A Fool to Keep Staying": Battered Women Labelling Themselves Stupid as an Expression of Gendered Shame.' *Violence Against Women*. **16**: 5-31.

Fugate, M., Landis, M.L., Riordan, K., Naureckas, S and Engel, B. (2005) Barriers to Domestic Violence Help Seeking Implications for Intervention. *Violence Against Women*, Vol. 11, No. 3, 290-310.

Goodman, L.A., Koss, M.P. and Russo, N.F. (1993) 'Violence against women: Physical and mental health effects. Part I: Research findings.' *Applied and Preventive Psychology*, Volume 2, Issue 2, Spring 1993, Pages 79-89.

Hadeed, L. F., & El-Bassel, N. (2006). Social support among Afro-Trinidadian women experiencing intimate partner violence. *Violence Against Women*, 12, 740-760.

Hathaway, J. E., Willis, G., & Zimmer, B. (2002). Listening to survivors' voices: Addressing partner abuse in the health care setting. *Violence Against Women*, 8, 687-719.

Hester, M., Westmarland, N., Gangoli, G., Wilkinson, M., O'Kelly, C., Kent, A. & Diamond, A. (2006) *Domestic Violence Perpetrators: Identifying Needs to Inform Early Intervention*, Bristol: University of Bristol in association with the Northern Rock Foundation and the Home Office.

Hester, M. & Westmarland, N. (2005) *Tackling Domestic Violence: Effective Interventions and Approaches*. Home Office Research Study 290, London: Home Office; Westmarland & Hester (2007) *Time for Change*, Bristol: University of Bristol.

Hester, M. (2009) *Who Does What to Whom? Gender and Domestic Violence Perpetrators*, Bristol: University of Bristol in association with the Northern Rock Foundation.

Home Affairs Committee, (2008) '*Domestic Violence, Forced Marriage and "Honour"-Based Violence: Sixth Report of Session 2007–08 Volume I*' House of Commons Home Affairs Committee, London.

Housing Law Practitioners Association (2008) *Parliamentary Briefing: Housing and Regeneration Bill 2007-08. Proposed amendment on Domestic Violence*, London.

Home Office (2008) <http://www.crimereduction.homeoffice.gov.uk/dv/dv01.htm> (accessed November 2008).

Home Office (2008) <http://www.homeoffice.gov.uk/crime-victims/reducing-crime/domestic-violence/> (accessed July 2009).

Humphreys, C. and Thiara, R. (2002). *Routes to Safety: Protection issues facing abused women and children and the role of outreach services*. Women's Aid Federation of England: Bristol.

Humphreys, C. and Thiara, R.K. (2003) 'Neither justice nor protection: Women's Experiences of Post-separation Violence, *Journal of Social Welfare and Family Law* 25 (4) 195-214.

Hunter, C. (2007) 'Denying the severity of mental health problems to deny rights to the homeless'. *People, Place & Policy Online* 2/1, pp. 17-27.

Jones, A, Bretherton, J, Bowles, R and Croucher, K (2009) *The Effectiveness of Schemes to Enable Households at Risk of Domestic Violence to Remain in their Own Homes*, London: Communities and Local Government.

Kendall-Tackett, A.K. (2000) Ed. *Handbook of women, stress, and trauma*. New York: Brunner-Routledge.

Kershaw, C, Nicolas, S and Walker, A (2008) *Crime in England and Wales 2007-8* Home Office Statistical Bulletin

Latham, R. and Ridge, P. (2007) 'Priority need on socio-medical grounds – how medical is NowMedical?' *Doughty Street Seminar* 25th September. http://www.doughtystreet.co.uk/seminars_events/seminar_event_details.cfm?iSeminarEventID=150

Lees, S. (2000). "Marital rape and marital murder". In 'Hanmer, J and Itzin, N (eds). *Home Truths about Domestic Violence: Feminist Influences on Policy and Practice: A Reader*. Routledge: London, England.

Levison, D. and Kenny, D. (2002). *The Provision of Accommodation and Support for Households Experiencing Domestic Violence in England*. Office of the Deputy Prime Minister: London.

- McCarry, M, Hester, M and Donovan, C. (2008) Researching Same Sex Domestic Violence: Constructing a Survey Methodology, *Sociological Research Online*, Volume 13, Issue 1.
- Menard, A. (2001) 'Domestic Violence and Housing: Key Policy and Program Challenges'. *Violence Against Women*, Vo. 7, No. 6, 707-720.
- Morley, R. (2000) 'Domestic violence and housing' in Jalna Hanmer and Catherine Itzin, Sheila Quaid and Debra Wigglesworth (eds) (2000) *Home truths about domestic violence*. London: Routledge.
- Nicol, N. (2007) 'Defining Vulnerability' *Journal of Housing Law*, 15.i-1.1.76.
- Novaco, R.W., Ham-Rowbottom, K., Gordon, E. and Jarvis, K. (2005) Life Constraints and Psychological Well-Being of Domestic Violence Shelter Graduates. *Journal of Family Violence*. Vol. 20, No. 2.
- ODPM (2005) *Housing, Planning, Local Government and the Regions Committee: Homelessness. Third Report of Session 2004–05. Volume I - Report*. House of Commons, London: The Stationery Office Limited.
- ODPM (2005) Survey of English Local Authorities About Homelessness: Policy Briefing 13, London: ODPM.
- O'Hara, E. (2007) *Rights and Wrongs: The Homelessness Safety Net 30 Years on*. London: Shelter.
- Paglione, G. (2006) Domestic Violence and Housing Rights: A Reinterpretation of the Right to Housing. *Human Rights Quarterly* 28.1, 120-147.
- Pawson, H., Netto, G., Jones, C., Wager, F., Fancy, C. and Lomax, D. (2007) *Evaluating Homelessness Prevention*. Department for Communities and Local Government.
- Quilgars, D, Pleace N, "Accommodation Related Domestic Violence Services in England" (2010) Department for Communities and Local Government
- Robinson, A.L. (2006) 'Reducing Repeat Victimization Among High-Risk Victims of Domestic Violence: The Benefits of a Coordinated Community Response in Cardiff, Wales'. *Violence Against Women*, Vol. 12, No. 8, 761-788.
- Robinson, A. and Rolands, J (2006) *The Dyn Project: Supporting Men Experiencing Domestic Abuse: Final Evaluation Report*. Cardiff University
- Rubens, T. (2008) Domestic Violence and Priority Need *Journal of Housing Law* 11:2

Sharp, N. (2008) '*What's yours is mine: The different forms of economic abuse and its impact on women and children experiencing domestic violence*'. Refuge.

Shelter Scotland (2002), *Repeat Homelessness and Domestic Abuse*.

Shepard, M.E. & Pence, E. L. (1999) (Eds.), *Coordinating community responses to domestic violence: Lessons from Duluth and beyond*. Thousand Oaks, CA: Sage.

Turell, S.C., & Cornell-Swanson, L.A. (2005). Not All Alike: Within-Group Differences in Seeking Help for Same-Sex Relationship Abuses. *Journal of Gay and Lesbian Social Services*, 18(1), 71-88.

Walby, S. and Allen, J. (2004) *Domestic violence, sexual assault and stalking: Findings from the British Crime Survey*. Home Office Research, Development and Statistics Directorate.

West, C. (1998). Leaving a Second Closet: Outing Partner Violence in Same-Sex Couples. In J. Jasinski., L. Williams. & D. Finkelhor (Eds.), *Partner Violence: a comprehensive review of 20 years of research*. Thousand Oaks, CA: Sage Publications: 163-183.