

Minutes of the APPG on Domestic Violence and Abuse Meeting

'More than just a roof over her head'

The Domestic Abuse Act, Specialist Refuges and Housing

Monday 24th May 2021, 4:00 – 5:30pm

Virtual meeting

Chair: Baroness Bertin

The Domestic Abuse Act became law in April 2021 and has introduced some key housing reforms to improve the protection and safety of survivors, including the statutory duty for Tier 1 local authorities to fund safe accommodation, which could end the current postcode lottery of funding for specialist domestic abuse services.

This meeting enabled the APPG to understand how effectively the duty is being implemented locally, and to discuss the wider housing reforms needed to ensure survivors receive safe and appropriate support. The meeting was chaired by Baroness Bertin, and the other parliamentarians in attendance included:

- Jess Phillips MP
 - Baroness Brady
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Baroness Bertin opened the meeting

Baroness Bertin welcomed the speakers and attendees and thanked them all for sharing their expertise. Baroness Bertin discussed how domestic abuse is by its very nature, a housing issue and one that is of vital importance to survivors. She emphasised the importance of a successful implementation of the Domestic Abuse Act (DA Act) to ensure it provides the intended protection and support for survivors.

Nicole Jacobs, Domestic Abuse Commissioner

Nicole highlighted the impact housing has on women being able to access safety. Nicole discussed the importance of the formulation of whole housing approach to domestic abuse and the recognition that barriers to housing are not one singular issue but an issue that can span from women who live in private rented accommodation, social housing, women who are homeless and women who have no recourse to public funds (NRPF).

Nicole described part 4 of the statutory duty in the Act and how Tier 1 local authorities have to provide safe accommodation and support for survivors of domestic abuse, as well as the creation of local partnership boards to map needs assessments for the area.

Nicole highlighted the patchwork nature in which this work is being carried out, with some local authorities undertaking good practice and their responsibilities as set out in the duty whereas others were not. Nicole also noted the difficulties with the one year funding attached to the duty, and the impact this has on specialist providers.

Nicole highlighted the need for a strong framework so the oversight and national steering group can ensure the duty is implemented effectively. Nicole shared her priorities and concerns for the board, including: understanding how specialist 'by and for' safe accommodation for marginalised survivors will be funded; tackling unregulated and unsafe forms of accommodation; join up between part 4 and part 7 of the law; support for those with NRPF; and community based services.

Baroness Bertin

Baroness Bertin shared Nicole's concerns and emphasised the need for clarity from government on a number of issues set out by Nicole.

Surwat Sohail, Chief Executive Officer, Roshni Birmingham

Surwat highlighted that 50% of 'by and for' specialist services for Black and minoritised women have already disappeared in the last few years, as local authorities are favouring large mainstream providers, and do not recognise the value and in-depth knowledge of specialist 'by and for' providers. Surwat discussed the challenges of ensuring 'by and for' providers are funded, noting that these providers have lost faith due to lack of engagement, not being valued, and being excluded from key discussions and decisions. Surwat welcomed government guidance which states that commissioners must work with 'by and for' services, but stated that this is not happening on the ground.

Surwat discussed her concerns around the emergence of new unscrupulous services due to the statutory duty and potential 'money making' opportunities, particularly as these services put survivors at risk. Surwat explained in Birmingham more refuges for South Asian survivors are being created, however the staff are not DBS checked and are carrying out poor practice such as not keeping the refuge location confidential. Surwat set out the knock on effect this is having on Roshni, as more survivors are contacting them for additional support despite Roshni not receiving the funding for this.

If Roshni was forced to close due to lack of funding, Surwat set out that 70% of their service users would choose to return to their perpetrator rather than go to a generic service, and there is a real risk that others would take their own life as they can't go back home or go into a generic refuge where they would feel isolated and their needs would not be addressed. Surwat concluded by emphasising the expertise and lived experience that many 'by and for' services have and how essential these services are to survivors, despite the fact these services continue to be undervalued and are at risk.

Baroness Bertin

Baroness Bertin echoed Surwat's concerns about what is happening on the ground, particularly the issue of exempt accommodation providers.

Farah Nazeer, Chief Executive, Women's Aid Federation of England

Farah set out that housing is a domestic abuse issue, and in a Women's Aid survey, 70% of women said concerns about future housing, including fears of homelessness, stopped them from leaving an abuser. Farah described the funding crisis facing the national network of refuges, highlighting that more than one in five refuge services in England received no local authority commissioned funding in 2019/20, and this disproportionately impacts 'by and for' services, as 57% of spaces provided by 'by and for' services are non-commissioned in comparison to 18% of refuge spaces overall. Farah explained that this means women and children are being turned away from life-saving support they need, with 57% of referrals to refuges turned away in 2019-20.

Farah emphasised ongoing concerns that the statutory duty does not distinguish between specialist women's refuges and general housing providers. Farah explained the need for further clarity in the guidance and regulations underpinning the duty. Without this clarity survivors will be at risk of being placed in unsafe and unsuitable housing, and organisations without the track record and expertise in supporting survivors will continue to win contracts at the expense of women's refuges. Farah explained that Women's Aid are already seeing these concerns on the ground, including; confusion about allocations of funding, with some councils using the funds to prop up in house services; a lack of transparency and communications by local authorities; and worrying examples of 'by and for' experts being excluded from needs assessments and decision making.

Farah highlighted the need for a robust national oversight for women's refuge services, as two thirds of women in refuges are from a different local area, and services cannot be assessed or planned on the basis of 'local need' alone. Farah also emphasised the need for secure funding, explaining that whilst the £125 million for councils to fund the duty this year is a substantial injection of funding, Women's Aid estimates that annually £173.8 million is required for a safe and secure national network of women's refuge services alone. Farah described how this leaves at least a £50 million deficit in funding for refuges, combined with concerns across front-line services and councils about funding beyond 2022, as well as funding needed for the wider network of community-based services.

Baroness Bertin

Baroness Bertin shared Farah's concerns that whilst the statutory duty is a significant opportunity it carries real risks of money being spent ineffectively - and the need for further clarity in the guidance and regulations underpinning the duty.

Pragna Patel, Director, Southall Black Sisters

Pragna described how the Home Office's Support for Migrant Victims Pilot project, which Southall Black Sisters had been awarded to the contract for, was argued to be necessary to ensure the government could assess the level of need for migrant victims. Pragna highlighted that this did not stand up to scrutiny, as there is significant evidence already available on the needs of migrant survivors and the barriers to support they face. Pragna explained that the pilot is insufficiently funded, and based on Southall Black Sisters experience over a number of decades, they estimate around 3,500 migrant women need support every year, when in reality the pilot will likely only provide minimum support for up to 500 women.

Pragna explained that there is a financial cap placed on the rent payable for each woman under the pilot, based on local authority housing allowance rates, which can be as low as £70 a week. The subsistent payment is also capped at £37 a week, and this is woefully inadequate to avoid destitution. Pragna described how the rent cap will exclude women from accessing refuge, as on average refuge costs £230 - £300 per week, which will likely result in most women being placed in unsafe accommodation in the private sector. Pragna highlighted that low subsistence costs mean women will not be able to meet their basic needs and have to choose between food and being able to pay for things such as travel to meet immigration representatives, domestic abuse advocates or ancillary cost to make applications to extend their stay.

Pragna highlighted that the pilot only allows 12 weeks of support, which is not enough time to ensure women are able to recover sufficiently from abuse and trauma. Pragna explained that the pilot does not provide holistic wrap-around support which is vital, and makes no allowance for advocacy and counselling or emotional and practical support services that women need. As a result, organisations like Southall Black Sisters will have to meet the needs of these women from their own funds. Pragna highlighted that a key concern is that the pilot offers no guarantee of long-term measures being introduced to protect migrant women.

Councillor Nesil Caliskan, Chair, Local Government Association's Safe and Stronger Communities Board

Nesil reflected on the central role that local authorities play, often being survivors first touch points of support. Nesil explained that when local authorities get this right, it can be really effective, but reflects on the issues that have been raised when local authorities get it wrong, and understands the need for a better joined up approach. Nesil highlighted that there must be flexibility in the formality of partnerships to enable data sharing and communication, enabling different partners to have different touch points and communicating those. Local authorities also need to hold partners, such as the police, to account and challenge any poor practice to ensure they are supporting women in the best and most effective and appropriate way possible.

Nesil explained that housing is central to survivors' independence and that challenges with housing, including the lack of funding and the supply, will always impact women and those in the most vulnerable positions.

Discussion

- The government's response to the implementation issues with the statutory duty was queried, and it was highlighted that MHCLG are updating statutory guidance and hosting workshops for local authorities. This is not yet addressing the varying responses from local authorities, or wider issues such as unregulated housing providers, but the oversight and national steering group will hopefully implement positive changes to solve these issues.
- It was highlighted the need for further robust regulatory mechanisms is also required to tackle the increase in religious organisations who are setting up 'refuges', and targeting Black and minoritised women.
- There was a wide discussion around commissioning and the need to understand why specialist services are excluded.
- The issue of priority need and the statutory duty was also raised, and whether there was any scope for these provisions to be used to support migrant women with NRPF. In response, ensuring that local authorities had access to best practice and clear guidance on this was emphasised.