



**UK COLLABORATIVE
CENTRE FOR
HOUSING EVIDENCE**

Domestic Abuse and Housing

Connections and Disconnections in the pre-Covid-19 policy world

Interim Report

Annette Hastings, Mhairi Mackenzie and Alice Earley

10 February 2021

About the author(s)

Annette Hastings is Professor of Urban Studies in the School of Social and Political Sciences at the University of Glasgow. She is a Co-I in the UK Collaborative Centre for Housing Evidence (CaCHE). Her research focuses on inequalities within cities and the role of public policy and public services in challenging these.

Mhairi Mackenzie is Professor of Public Policy in the School of Social and Political Sciences at the University of Glasgow and Deputy Director of the Scottish Graduate School of Social Science. Her main research interests are in the social and political determinants of health.

Alice Earley is a Tutor in Public Policy and Qualitative Methods at the University of Glasgow. She is also an Affiliate at CaCHE. Her research interests include housing inequalities, gentrification, and the role (and constraints) of the community sector in responding to policy 'problems.'

Acknowledgements

Dr Gareth Young (CaCHE Knowledge Exchange and Impact Fellow) contributed to identifying and selecting key policy documents essential to the research. The authors are grateful for the constructive reviews of an earlier draft of this report provided by Dr Oona Brooks, School of Social and Political Sciences, University of Glasgow and by Dr Peter Mackie, School of Geography and Planning, Cardiff University. They are also appreciative of the insights offered on the project at two CaCHE events: at the Scottish Knowledge Exchange Hub meeting on 30th June 2020 and a webinar on 7th July 2020. Finally, the authors would like to record their thanks to Dr Yoric Irving-Clark and Dr Kelly Henderson who kindly provided an advance copy of the manuscript of *Housing and Domestic Abuse: Policy into Practice* Routledge, November 2020 which was very helpful in the conduct of the research for this report.

Contents

| | |
|--|----|
| Executive Summary | 4 |
| 1. Introduction to the report and to the broader project | 6 |
| 1.1 Introduction to the report and to the broader project | 6 |
| 1.2 The project and this report..... | 7 |
| 1.3 Structure of the report..... | 9 |
| 2. Debates and Research Gaps..... | 10 |
| 2.1 Introduction..... | 10 |
| 2.2 Literature Review and Discussion | 10 |
| 3. Domestic Abuse and Housing Policy: contextualising debates in the pre-Covid-19 policy world..... | 19 |
| 3.1 Introduction..... | 19 |
| 3.2 A very brief history of domestic abuse and housing policy developments until 2015 | 19 |
| 3.3 The Policy Context: 2015-Present..... | 21 |
| 3.4 Conclusions | 34 |
| 4. Domestic Abuse and Housing Policy: connections and disconnections in policy 'live' in March 2020..... | 35 |
| 4.1 Introduction..... | 35 |
| 4.2 Policy Analysis..... | 35 |
| 5. Conclusions, reflections and forward research agenda | 50 |
| References..... | 53 |
| Appendices..... | 61 |

Executive Summary

In the period prior to the Covid-19 pandemic, policy designed to tackle domestic abuse in the different jurisdictions of the UK had undergone significant development. Moreover, as the pandemic hit, a number of new legislative and policy developments were either in process or planned. Since March 2020, important evidence has emerged that the response to the pandemic – notably the recurring ‘stay at home’ lockdowns - has amplified both the drivers and experience of Domestic Abuse. The focus of this project is on the policy response to these, and on whether ongoing policy agendas and developments are challenged and changed as a result of the pandemic.

This report is the first of two to be produced from the project. It sets out both the direction of travel and state of play in domestic abuse policy in the four nations of the UK prior to the pandemic. It details developments since 2015 and, in particular, drills into the detail of policy live and amenable to change in March 2020. It therefore establishes a baseline of policy plans put ‘at stake’ by the pandemic, which will enable a robust analysis to be made of the nature and scale of its subsequent policy impacts.

A key focus of the project overall is on the degree of connectivity between domestic abuse and housing policy domains. This reflects growing interest in the importance of housing policy to the experience and routes out of abuse, as well as concern that by underplaying the role of housing, domestic abuse policy is in danger of minimising key facets of abuse, including its structural drivers.

The report begins with a review of relevant academic literature in which the connections between domestic abuse and housing policy are explored. This review distils six themes which characterise debates on connectivity, framing, historic and emerging conceptions of housing needs, as well as gender inequality and contemporary concerns about economic abuse. These themes are also used in later chapters to consider policy developments more analytically.

It then provides an assessment of domestic abuse and housing policy across three time-points. It provides a very brief history of domestic abuse and housing policy development between the 1970s and 2015; sets out a more detailed analysis of policy debates and developments between 2015 and early 2020 (including a consideration of differences between the four nations); and examines in further depth those policy developments that were ‘live’ (i.e. not concluded) at 31st March 2020. The history of the earlier period highlights connections between homelessness and domestic abuse policy, as well as the centrality of refuges and social housing as key routes out of abuse.

The more substantive analysis of the middle period (2015–early 2020) demonstrates that this was a period of substantial legislative and policy change in relation to domestic abuse, with developments taking place across the UK. However, it highlights varying degrees of connectivity between housing and domestic abuse policy in the different jurisdictions. Importantly, it identifies that, with some variation between nations, where domestic abuse does connect with housing, it tends to do so in relation to homelessness policy and the operation of the social housing system and that fewer connections are made to the operation of the PRS or home-ownership.

The greater focus on using housing as part of strategies designed to prevent domestic abuse is a feature of policy development in Wales in this period. In England, the Domestic Abuse Housing Alliance (DAHA) emerged as key to highlighting the links between domestic abuse and the wider housing system beyond social housing. In Scotland, the focus was on domestic abuse as a wider equalities issue rather than on its connections with housing, although attention emerged towards the end of the period. In Northern Ireland, there was less policy development and connectivity over this period than elsewhere in the UK, potentially due to the delays caused by the suspension of Stormont.

An analysis of policy in the third period ('live' at 31 March 2020), found significant policy development was underway across the four UK nations.

- Substantial preparations were in train for the introduction of a new Domestic Abuse Bill for England and Wales to the Westminster Parliament. While the Bill had been introduced in early March, the first debate on the Bill (its Second Reading) took place at the end of April. On the basis that Covid-19 had the potential to impact on this first debate, the analysis focused on a document published in 2019 *Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill*. While not a substantial focus of the document, connections between housing and domestic abuse on some specific issues are noted, as is a promise to deliver on commitments in earlier housing legislation to protect the security of tenure of victims/survivors.
- A 'Whole Housing Approach' advocated by DAHA as necessary to seeing domestic abuse as an issue for the housing system as a whole – rather than one for social housing and homelessness policy and provision – is highlighted in the *Consultation Response and Draft Bill*. A pilot project to test out this approach was just completing at the outset of the pandemic.
- In Wales, in addition to the Westminster Bill, further live policy development was underway under the auspices of the Welsh Homelessness Action Group with a focus on preventing homelessness amongst those experiencing domestic abuse. This followed an earlier period of significant policy development designed to tackle violence against women.
- On the 31st March 2020, the *Domestic Abuse and Family Proceedings Bill 2020* completed its first stage in the Northern Ireland Assembly following a hiatus caused by the suspension of Stormont in 2017. When the Bill is enacted, domestic abuse law in Northern Ireland will provide victims/survivors with similar protections to elsewhere in the UK, including from coercive control. However, there was almost no discussion of connections with housing policy concerns when the Bill was published.
- In Scotland in March 2020, following the *Domestic Abuse (Scotland) Act 2018* – which had expanded definitions of abuse to include coercive control – consultation was underway on introducing 'protective orders'. Such orders would allow the criminal justice system to remove suspected perpetrators from the home. While the 2018 Act did not seek to address housing policy issues, this consultation indicates some policy connectivity. Together with the establishment in 2019 of a Prevention Review Group, focused on preventing homelessness with domestic abuse victims/survivors firmly in scope, and of a Scottish Government sponsored working group with the remit to improve housing outcomes for this group –housing policy concerns were found to have moved up the agenda of the Scottish policy community as the pandemic hit.

The report concludes by outlining a forward agenda for the subsequent phase of the project, identifying that, in this final phase, the research will move beyond desk-based analysis and seek to engage with experts in the field. It notes the focus of the final phase on understanding whether and how Domestic Abuse policy live at the outset of the pandemic is adjusted in response to the crisis, and the continued centrality of the question of the nature and degree of connectivity between domestic abuse and housing policy. Importantly, it also highlights that the detailed research agenda will be further developed following discussion of this first report with key stakeholders.

1. Introduction to the report and to the broader project

1.1 Why investigate research connections between Housing and Domestic Abuse policy at this time?

In the spring of 2020, as nations across the world went into lockdown in order to manage the Covid-19 pandemic, alarm bells were sounded to warn of the impact of the ‘stay at home’ message for people experiencing domestic abuse (DA). Almost immediately, reports highlighting increased prevalence of abuse began to appear (see Williamson et al., 2020). For example, McDonald (2020), writing in the *Guardian*, reports on a BBC Panorama investigation which found that “[t]wo-thirds of women in abusive relationships have suffered more violence from their partners during the pandemic”. Further, Slack and Newberry (2020), writing for the BBC, report that the national domestic abuse helpline, run by Refuge, experienced “a 10-fold increase in visits to its website” in the two weeks to 26 May 2020.

Also ongoing in the spring 2020 was a period of relatively intense development of policy and practice in relation to domestic abuse in the UK. In England and Wales and in Northern Ireland, this activity was driven by new legislation making its way through Westminster and Stormont. Indeed, between 2015 and March 2020, across the four nations of the UK, legislation had either been introduced or was in the process of being introduced to the relevant parliaments and assemblies.

This project arose out of interest in how policy agendas, understandings and solutions might be impacted – for better or for worse – by Covid-19. It was not conceived primarily out of concern to understand how the *experience* of domestic abuse was impacted by the pandemic and the response to it (we leave this to others more specialist in the field¹). However, the fact that experience was clearly being impacted and that policy development in the area was very much alive at the point at which the crisis hit, combined to give the project its salience and urgency.

Of particular note was the growing interest in the role of housing policy and practice in relation to domestic abuse. This is not to imply that the role of housing had been entirely ignored previously – in fact domestic abuse was originally framed as a housing issue by women’s organisations (Ball and Charles, 2006; Irving-Clark and Henderson, 2020). However, more recently, a range of commentators have been suggesting that the importance of housing issues to the experience of, and strategies to tackle, DA has been underplayed, and also that there is a degree of disconnection between the housing and DA policy domains (Irving-Clark and Henderson, 2020).

In November 2020, partly as an attempt to address the disconnect between housing and DA policy, the book *“Housing and Domestic Abuse: Policy into Practice”* was published, focussed largely on the English context, but also discussing the Welsh and Scottish contexts. In the introduction, the authors – Yoric Irving-Clark and Kelly Henderson - note that research designed to take forward domestic abuse policy tends to happen largely outwith the housing field. Their book “is an attempt to remedy this situation by placing responses to domestic abuse within a ‘housing policy’ context” (Irving-Clark & Henderson, 2020: p. 3). *In some ways it is surprising that housing concerns have not been more central to debates about DA or in policy and practice designed to address it. As Reis (2019:3) argues: “A woman’s ability to live her life free of violence and abuse is greatly dependent on her capacity to afford a home of her own” (see also DAHA, n.d.1: p. 8; Irving-Clark and Henderson, 2020). The nature and distribution of housing opportunities are absolutely central to the experience of those enduring or making the journey out of abusive relationships, and the links between domestic abuse and homelessness, as well as gender equality within society are also prominent in the literature (e.g. Malos and Hague, 1997; Solace, 2016).

1. See, for example, <https://scotlandinlockdown.co.uk/> and <https://womensaid.scot/wp-content/uploads/2020/09/SWA-COVID-Report.pdf>

As will be evidenced in this report, important advances have been made recently in connecting housing and domestic abuse policy and practice in a range of more strategic, holistic ways. However, calls for more connectivity between DA and the broader housing system – most notably from those involved in the Domestic Abuse Housing Alliance (DAHA) which aims to improve the housing sector’s response to DA - suggest that there is room for further engagement. Indeed the ‘Whole Housing Approach’ developed by DAHA (introduced in Chapter Two) was just completing its pilot phase in early 2020 as the pandemic impacted, and it is therefore pertinent to consider whether these and other advances are sufficiently robust to withstand the Covid-19 crisis.

Thus, the project aims to understand whether and how the DA/housing policy developments underway at the point at which the Covid-19 crisis impacted might be challenged and changed. It seems that the crisis puts much at stake, not least the recent elevation of ‘housing’ in analysis, policy debate and practice. As CaCHE’s review of the literature on the impact of ‘crises’ on policy making explores (Foye et al, 2020), much of the space for political action that may ‘open up’ as a result of a crisis is contingent on how the crisis is framed (p. 2). The extent to which housing policy – and which aspects of it – are central to the framing of DA is also of relevance therefore, as is whether policy change in this area is accelerated or de-railed, adjusted and adapted as a result of the pandemic.

A note about language use

We recognise that the language around domestic abuse is highly contentious and freighted with implicit assumptions (including the term domestic abuse itself). We try to use terms lightly and have opted to use the term Domestic Abuse (DA) (rather than violence) in recognition of broadened policy definitions. We use the compound survivors/victims to pay heed to the sensitivities associated with assumed individual identities.

A note about a gender perspective

As with most researchers working in the domestic abuse field, we approach DA from a gender-based perspective which recognises how structured gender inequalities permeate the conduct of domestic abuse and how it is recognised and tackled.

1.2 The project and this report

The research project has two phases.

Phase One

The overall aim of the initial phase of the project is to establish a baseline understanding of the nature and extent of the connections between domestic abuse and housing policy in the UK at the point at which the Covid-19 crisis impacted. This is in order to understand and explain what it is that the Covid-19 pandemic has put at stake. *This report summarises this part of the project.*

Phase One Objectives

- To briefly trace the development of DA and relevant housing policy over time in the four nations of the UK, in order to identify key areas of connection and disconnection between the policy fields;
- To identify the debates, legislative and policy developments ongoing – and therefore ‘live’ and ‘at stake’ - when the Covid-19 crisis hit the UK in March 2020;
- To analyse these ‘live’ debates and developments in order to identify the nature of connections and disconnections at this point of time and the degree to which change was advocated.

- To reflect on the nature, extent and consequences of the connectivity between housing and DA policy and debate in the pre-Covid world.
- To establish an agenda for, and steps involved in, researching the immediate impact of the Covid-19 crisis on the emerging connectivity between domestic abuse and housing policy.

Phase One Research Methods

The **literature review** comprised a number of stages. After reading recent relevant articles identified through the authors' own knowledge and recommended by colleagues, a more comprehensive Google Scholar search was then completed on 24th August 2020. The following search terms were used: housing policy and domestic abuse or domestic violence (DV) and United Kingdom or UK or England or Scotland or Northern Ireland or Wales. Two separate searches were conducted: one that was not time limited and one for 2010-present. Citations were sorted for relevance with the first ten pages of results (100 in total) scanned for relevance. Abstracts of relevant titles were scanned and added to the database; they were prioritised for relevance to the research agenda (high, med, low), with additional comments made to explain this classification and guide the reading. The most relevant articles were then read in full.

In addition, specific searches were conducted in two key housing journals: *Housing Studies* and *Housing, Theory and Society*, and the key domestic abuse journal, the *Journal of Gender Based Violence*. The details of these searches are detailed in Chapter Two.

Finally, we augmented our search by reviewing the reference lists of useful articles. Two key resources were Henderson's (2018) thesis, *The role of housing in a coordinated community response to domestic abuse*, and Irving-Clarke and Henderson's (2020) book, *Housing and Domestic Abuse: Policy into Practice*, which was very helpfully provided ahead of publication. Both of these reference lists were also reviewed, with relevant titles added to the database.

Preparation for the **desk-based analysis of domestic abuse policy and legislative documents** began with the development of comprehensive chronologies for domestic abuse policies/ legislation for each of the four UK nations. These were based on internet searches and academic readings. Tables were then produced, including the source/ link for the document and their provisions/ objectives. The most relevant policies since 2015 were then analysed.

For the analysis, data extraction sheets were produced for each of these policies/ pieces of legislation. This included a brief orientation to the document, including its aims/ objectives, background and its position/ role in the policy process/ political context. Key word searches were then completed for the following terms: house(s), home(s), tenant(s), tenant, tenancy(ies), mortgage(s), refuge(s), accommodation, flat and shelter. Passages containing these housing terms were extracted. The focus of this stage was therefore largely on gathering qualitative data relating to housing and home.

From an initial read of the extracts, potential themes relating to housing policy or practice discussion and development were noted. In addition, we noted the following features:

- Emerging framings e.g. a gender-based inequality perspective, a victim-centred approach, violence not abuse;
- Recommendations for housing policy change (whether enacted or not).
- Commentaries regarding the policy/ legislation, within academia, the media or political/ campaign groups.

Finally, using 'control + find', we also noted the counts of each term to get a sense of how common references to house, home etc were in each document. We discounted references to unrelated terms, such as Home Office and House of Commons. This, combined with the qualitative analysis above, enabled us to make an initial overall assessment of how great the focus on housing related issues was, classified as none, low, medium or high. The results of this are shown in Appendix One.

The **desk-based analysis of housing policy** consisted of a number of stages. The first was to analyse the UK Housing Review – which brings together housing statistics for England, Wales, Scotland and Northern Ireland and is published annually by the Chartered Institute of Housing – was analysed for the period 2015-2020. Each chapter was explored using the key words “domestic”, “violence” and “abuse” in order to identify anything relevant to DA policy (including footnotes). As Appendix Two shows, there were very few mentions in the period. The Appendix also includes a brief precis of the aspects of the content of each Review which could, plausibly, have been of relevance to DA concerns.

The second stage involved searches of the *House of Commons Library*, *House of Lords Library* and *Parliamentary Office of Science and Technology (POST)* for the period 2019-20. These were done to identify areas of live debate. Using the search function, the research from across all three libraries was initially identified using the term “housing” in order to identify broad policy and legislative areas with the potential to connect housing to DA. Within these, key word searches (“domestic”, “violence” and “abuse”) were completed. In Appendix Three we detail the nature of any mentions and note where there is no mention, contextualising this with a brief precis of the topic to help identify where there might be omissions where we would expect DA/DV to be considered. Because of the volume of returns, discretion was applied when hand-searching the results to exclude anything that seemed unrelated to DA/DV. Podcasts and most debate packs have also been excluded, with the primary focus on research briefings and insights. The debate pack for Domestic Abuse was however included, as this is a useful resource for cross-checking legislation and policy history and development.

The third stage involved identifying the key pieces of housing legislation in each of the four UK jurisdictions which did articulate with DA policy and assessing this content. These pieces of legislation are included in Tables 1-4 of Chapter Three, and are also discussed in the chapter.

Phase Two will analyse what happened to policy and practice development in the four nations of the UK in the year that followed the initial March 2020 lockdown. The agenda for this phase is outlined in the final chapter of this report.

Research methods will involve consultation and engagement with key stakeholders, as well as further desk based policy analysis. *A report on this phase will be published in summer 2021.*

1.3 Structure of the report

The remainder of this report is structured as follows:

Chapter Two provides a brief review of literature in which we explore the connections between DA and housing policy. The aim of the chapter is to identify key dimensions of (dis)connectivity and to situate the project in wider debate and discussion about domestic abuse and feminist understandings of UK housing systems and policy.

Chapter Three then considers the development of policy and practice in light of the dimensions of connectivity identified. The first part of the chapter looks briefly across the UK up until 2015. The second section focused on the period from 2015 and looks at differences between the four nations.

Chapter Four focuses in detail on the legislative and policy developments underway – and therefore at stake – when the Covid-19 crisis arose.

Chapter Five provides summary conclusions and reflections and identifies an emergent research agenda for phase two of the project.

2. Debates and Research Gaps

2.1 Introduction

In this chapter, we provide a brief introduction to key debates and research gaps, using themes discerned from academic literature that capture issues and concerns at the intersection between DA and housing. The themes are a useful way of thinking analytically about the nature and extent of the connects and disconnects between DA and housing policy and are returned to in the remaining policy analysis chapters of the report. These same themes will also be important for analysing policy developments since April 2020 in the subsequent phase of the project.

The themes are interlinked and relate to:

- a) The disconnects between academic research on DA and on housing issues (reflecting similar disconnects in DA and housing policy debate);
- b) How DA has been framed as a policy problem, as well as defined and measured;
- c) Historic/ traditional conceptions of victims'/survivors' housing needs, including:
 1. A focus on the nature and availability of emergency accommodation to facilitate women leaving abuse, as well as on the threat of homelessness
 2. A focus on the social housing sector as the main provider of longer term secure and affordable housing;
- d) Emerging agendas on victims'/survivors' housing needs which identify:
 1. The need to understand gender inequalities and how these are reflected in the whole housing system
 2. That the security and affordability of housing as a key pillar in supporting women over the longer term requires a 'whole housing system' approach;
- e) Increasing understanding of economic abuse and its links with housing and gender inequality;
- f) Debate on whether victims/survivors or perpetrator should remain in or leave the home.

2.2 Literature Review and Discussion

a) Academic and policy disconnection

As indicated in Chapter One, a range of commentators have expressed concern that academic and policy debate about domestic abuse is often disconnected from key debates in the housing field.

Prompted by Irving-Clark and Henderson's (2020:3) note that there was an absence of a body of academic research on DA from the perspective of housing scholars, we conducted a search of the key housing journals. A search in *Housing Studies* from the journal's inception in 1986 identified 105 articles including the term "domestic abuse" and 137 mentioning "domestic violence." Yet, after reviewing the abstracts, just two of these focused substantively on domestic abuse/ violence and housing (O'Campo et al., 2015; Jeffrey & Barata, 2017), with others making passing reference to these terms. Likewise, the same search of articles in *Housing Theory and Society* since 1999 identified 33 articles mentioning "domestic abuse" and 63 including "domestic violence." Again, a review of the abstracts identified just one article focussed substantively on domestic abuse/ violence and housing (Hetling et al., 2019). A small number of articles in both journals did however discuss domestic abuse/ violence as one of several causes of homelessness (for example, Bowes et al., 2000; Netto, 2006; Fitzpatrick, 2006; Mayock et al., 2015).

Of course, the extent of crossover between the two academic domains is also driven by the extent to which DA researchers focus on housing concerns. A rapid title search followed by an abstract search of titles explicitly referencing housing was therefore conducted for the *Journal of Gender Based Violence*, launched in 2017. This identified only two papers that considered minor aspects of housing concerns. The search indicates that housing is not a significant concern in its own right within domestic abuse scholarship. We became aware of two further papers which, although their titles did not reference housing, were directly relevant and we draw on these in our following discussions (Bowstead, 2017; 2019).

While the focus of this report is on the disconnections in policy and practice, academic literature offers us some insight into why such a disconnect might arise. Thus, the literature search also identified Hester's (2011) work on "The Three Planet Model." In this paper, Hester explores the approaches of three different professional groups (those working with victims/ perpetrators; those engaged in child safeguarding; and those working in child contact) when seeking to ensure the safety of women and children experiencing domestic abuse. She depicts these three professional groups as working on "separate 'planets'... where the particular structures, orientations and approaches in the work of a professional group may create divides between their own every day and common place professional assumptions and practices and those of other professional groups" (Hester, 2011:837). Hester (2011:838) explores the "systemic contradictions between the three areas of work," and argues for the need for closer working between these different groups and better understanding of domestic violence/ abuse and gendered worlds (Hester, 2011). Hester's argument therefore provides a useful insight into some of the factors which inhibit connectivity between the housing and policy worlds. Bowstead, the only author identified in our rapid search of the *Journal of Gender Based Violence* writing substantively on domestic abuse and housing, extends the issue of (dis)connectivity by illustrating the further difficulties created when women seek accommodation across local authority boundaries.

Questions concerning the extent to which policy and practice focused on DA require specialist expertise or would benefit from a more holistic multi-sectoral approach are one of the more controversial aspects of this debate on policy connectivity. For example, referring to the proposals consulted on as part of the development of the draft *Domestic Abuse Bill* currently proceeding through the Westminster Parliament, Irving-Clarke and Henderson (2020:68) highlight that "[t]he current proposals... acknowledge that domestic abuse is a specialist service area that requires a range of services provided by expert providers." Further, a key concern articulated in their book relates to how, historically, the involvement of government and other policy actors resulted in de-radicalisation and isomorphism within the domestic abuse sector, defined by DiMaggio and Power (1983:149), citing the work of Hawley (1968), as "...a constraining process that forces one unit in a population to resemble other units that face the same set of environmental conditions." They trace the origins of the first women's refuges in the 1970s and discuss how, over time, these became less radical and less specialist in nature, due to a variety of reasons, including health and safety regulations and the regulations and requirements of funders of third sector organisations such as local authorities (Irving-Clarke & Henderson, 2020, see Chapter 5). They also explore how, with the growth in the number and size of refuges, these specialist organisations have increasingly had to partner with local authorities or housing associations to provide accommodation, thus becoming detached from their radical origins (Irving-Clarke & Henderson, 2020,).

However, Irving-Clarke and Henderson (2020, see Chapter 10) also advocate for the importance of the *Whole Housing Approach* to domestic abuse (outlined in more detail below), recognising the need to better connect these policy areas, and particularly to do so beyond the traditional focus on social housing to include the private rented and home ownership sectors. While this is clearly an important agenda given the intrinsic importance of housing and home ownership for victims/ survivors of domestic abuse discussed previously, this approach will almost certainly require specialist DA knowledge and skills to be deployed within the housing domain. Irving-Clark and Henderson (2020) argue both for more intersectoral connectivity and for the importance of retaining the idea that DA is a specialist area of expertise, thus highlighting potential tensions and conflicts in this approach. It is possible that these tensions around professional boundaries and how they can become more permeable whilst retaining the feminist ethos of the domestic abuse sector are part of the reason why a historical lack of connectivity exists (see also Ball & Charles, 2006).

Finally, a key issue to reflect upon here is the rationale behind arguing for more academic and policy connectivity,

with a need to clearly consider both the potential benefits and challenges of doing so. Thus, it is not simply a matter of arguing for more connectivity, but of considering what would be gained and what would be lost. These considerations will be returned to in the conclusion of the report and in the next phase of the work.

b) Framing, Defining and Measuring Domestic Abuse

Understanding how concepts and policies are framed is an important component of policy analysis. Carol Bacchi (2009) reminds us that how policy problems are framed tells us something useful about who is doing the framing, what the roots of the problem are thought to be and, importantly, what solutions to tackling the problem are likely to emerge. As Aldridge (2020) argues, the field of DA is characterised by lively debate about the appropriateness of definitions and frames, as well as the consequences of these. In Chapter One, we indicated that the language used in the field is controversial. The debate about framing and definitions is perhaps linked to this controversy. However, such debates are also important for understanding why and how housing might be expected to be a central concern for DA policy. We argue therefore that some of the debate about framing and defining DA – particularly when this relates to its gendered nature and relationship with gender inequality more generally - needs to be set out. In a later section of the chapter, we discuss the relevance of how gender inequality operates within the housing system.

Framing

A number of authors note a shift from the initial framing of DA as a housing issue to it being framed as a criminal justice issue (Ball and Charles, 2006; Charles & Mackay, 2013:604). Irving-Clarke and Henderson (2020) suggest that the initial framing of DA as a housing issue was partly a strategic choice made by the radical feminist movement that first campaigned to get DA seen as a policy issue, with a focus on ensuring emergency accommodation was available for victims/ survivors, and that, importantly, this initial housing framing included a gendered analysis of housing access and needs.

With regard to the implications of the criminal justice frame, Charles & Mackay (2013:604) note that while this has ensured recognition of the seriousness of domestic violence within “the mainstream crime reduction agenda,” it may mean that domestic violence “is not understood as relating to gender-based inequalities.” They caution that this may mean that:

“policy makers will be constrained from making connections between domestic violence and other forms of violence against women, from understanding the issue in terms of structural power inequalities and wider cultural factors, or from framing the issue in terms of gender inequality and social justice” (Charles & Mackay, 2013:604).

Ball and Charles (2006) note the implications of moving away from a gender equalities frame in this way: “in the process more radical definitions of the issues are marginalised and the goal of empowering women and challenging gendered power relations and the unequal distribution of resources between women and men is side-lined” (*ibid.*: p. 181).

Aldridge (2020) highlights that policy which lacks a gender-based inequalities frame almost inevitably obscures the structural context of abuse, which shapes how it is experienced and how it can be escaped. Thus, she says that “factors such as lack of economic independence or autonomy, the presence of children in families and women’s need to protect them are critical factors in keeping women trapped in violent and abusive relationships (alongside a range of other complex and interrelated factors)” (Aldridge, 2020:9).

Definitions

An area of debate concerns the range of different facets of abuse, and whether there is a difference in their relative importance, as well as what the preferred terminology signifies in terms of communicating the problem and its potential policy and practice solutions. And, as we detail in later chapters, variations in definition are apparent across the 4 countries of the UK. In recent years, the understanding of abuse has broadened so that it is no longer seen only

through the lens of physical and sexual violence, but it is also understood to entail psychological/ emotional and financial/ economic forms of abuse, often manifesting in the form of coercive control – defined as “an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim” (Women’s Aid, n.d.1: no page).

Broadening the definition of abuse makes its gendered nature clearer, showing greater cognisance of gendered inequalities in society and how these can be reflected within relational power dynamics. It also increases the range of housing issues in play. For example, housing providers may need to be trained to identify a range of aspects of DA and not just those that manifest in violence or in apparently similar ways to anti-social behaviour (ASB) (see further discussion of ASB below) and to see DA as a pattern of events rather than separate incidents. The links between economic abuse and the affordability of housing solutions for a victim/survivor are also important and considered further later.

However, it is also the case that the implications of the expansion of definitions of DA are also a matter of debate. An example is coercive control. Broadening the definition of abuse to include coercive control is simultaneously seen as a victory in embedding gender inequalities within the definition (the work of Johnson (2008) positions coercive control as the key modus operandi of male on female abuse within a domestic setting) *and* as a means of making DA seem less serious as an issue. Aldridge (2020), for example, in describing the new Domestic Abuse Bill for England and Wales says that “The removal of “violence” as a key rubric suggests a “watering down” or obfuscation of the serious and gendered nature of DVA” (p. 2).

Thus, there has been much debate regarding how best to define domestic abuse, with these broader understandings and the shift from domestic violence towards domestic abuse being key elements of debate in the recent policy and legislative changes discussed in Chapters Three and Four. These debates are also reflected within the academic literature, with feminist analyses disagreeing on terminology.

Measuring DA

A final area of debate concerns how DA is reported and measured and the implications that this understanding has for our understanding of how DA is experienced, particularly by women as part of their experience of gendered power relations.

Related to the broader understanding of domestic abuse described above, and particularly coercive control, there has been criticism that the traditional focus on measuring domestic violence in ‘incidents’ obscures the patterns of abuse that victims/ survivors endure (Aldridge, 2020; Williamson et al., 2020). Further, Kelly and Westmarland (2016), based on their “research with violent men,” argue that measuring domestic violence in terms of incidents is highly problematic, as this is the language often used by violent men to minimise the impact of their actions:

“the reduction of domestic violence to discrete ‘incidents’ supports and maintains how men themselves talk about their use of violence, and that this in turn overlaps with contentions about the appropriate interventions and responses to domestic violence perpetrators” (Kelly & Westmarland, 2016: p. 113).

They argue that this incorrect framing “has skewed not only knowledge, since any incident counts the same as repetition in prevalence surveys, but also which interventions are deemed appropriate, and who should be prioritised to receive support” (Kelly & Westmarland, 2016: p. 114).

Further, Aldridge (2020: pp. 4-5) critiques the use of statistics from the Crime Survey for England and Wales, which ‘caps’ any series of incidents, meaning that it underestimates the scale of abuse. She also argues that it does not consider “the context of the violence or abuse,” thus obscuring “the reality of the repeated and serious nature of violence and abuse women experience from their male partners in intimate relationships” (*ibid.*: p. 5). Specifically regarding the Covid-19 pandemic and domestic abuse during lockdown, Williamson et al. (2020) highlight the need for clarity regarding “reports... of a ‘surge’ or ‘spikes’ in the number of domestic violence and abuse cases.” Rather, they highlight that it is not true that “more men are... starting to be abusive or violent” but that “rather, the patterns of

abuse are becoming more frequent" (Williamson et al., 2020: p. 289).

It is also worth noting that national DA prevalence surveys do not exist. The reliance on the Crime Survey for E&W (or the Scottish Criminal Justice Survey) are further limited since victims may not recognise their abuse as a crime. Further, since the surveys are completed at a household level, individuals experiencing DA may struggle to participate and those living in refuges are not included.

These debates, and how they are framed in policy, are therefore crucial to understandings of domestic violence and abuse and the appropriate policy and legislative interventions required (Kelly & Westmarland, 2016). The discussion has also highlighted that a gender inequality perspective influences frames, definitions and measurements, but that this perspective has not always been to the fore. More generally, the degree of controversy identified here regarding these questions, suggests that any definitions and frames which were to the fore when the Covid crisis impacted are, potentially, 'at stake' in the ensuing policy process.

c) Historic/ traditional conceptualisations of victims'/survivors' housing needs

As indicated in Chapter One, there is a long recognition in the literature of the need for safe and affordable accommodation for women in the process of planning to escape domestic abuse or in immediate crisis situations (see Irving-Clark and Henderson, 2020). Arguably however, the implicit or explicit assumption in much of this literature – particularly until recently – is that the part of the housing system of relevance to women experiencing domestic abuse is that part which deals with homelessness, emergency accommodation and social housing.

Homelessness and emergency refuge accommodation

Several academics have commented on the links between domestic abuse and homelessness, with much research identifying domestic abuse/ violence as being "among the leading causes of housing instability (including homelessness)" (Baker et al., 2010; see also Charles, 1994; Tomas & Dittmar, 1995; Malos & Hague, 1997; Chung et al., 2000). For example, Malos and Hague (1997: p. 397) highlight the links between domestic abuse and homelessness, relating these links to gender equality within society: "[m]any women's lives are still deeply affected by unequal power relationships between men and women and by conventional expectations about domesticity as well as by the actualities of their responsibilities for the care of children and the home in which they live." This can make it more difficult for them to leave an abusive relationship, if they lack financial resources of their own to secure alternative short- or longer-term accommodation. Further Reis (2019: p. 4) notes that the challenges experienced by women rough sleepers are "very often linked to abuse, trauma and violence" and that this group are less likely than other women to access mainstream services. She suggests that there needs to be more recognition on the part of local councils and housing associations of the connections between homelessness and domestic abuse, and that they should "provide women-only accommodation where it is not available or insufficient" (Reis, 2019: p. 11).

Writing from the American context, Baker et al. (2010: p. 431) note that, while previous research has highlighted the link between domestic abuse/ violence and housing instability, it is important to recognise that there are "a complex interplay of issues that may affect women's risk of housing instability or homelessness after separating from their partners," including:

"insufficient income to live independently, limited availability of affordable housing, potential housing discrimination against them as survivors of domestic violence, histories of credit or rental problems, a criminal history or ongoing harassment and assaults by their ex-intimate partner" (*ibid.*: p. 431).

These issues can therefore "result in significant barriers for women in obtaining and maintaining stable housing for themselves and their children" (*ibid.*). They thus highlight "limited coordination between domestic violence and homelessness systems" (*ibid.*: p. 435). Further, in the UK the work of Bowstead, drawing on an analysis of administrative data sets and qualitative interviews with women (Bowstead, 2017; 2019), provides a convincing account of the scale (in terms of distance, volume and upheaval) and longevity of relocation journeys made by women and their children and the ways in which services, policies and administrative boundaries make journeys more problematic than they might

otherwise be.

One issue that has become increasingly prominent in debate in recent times, is the concern about women with no recourse to public funds. As Reis (2019: p. 10) argues, such women are “at higher risk of being trapped in abusive relationships because they cannot access DVA refuges or other types of statutory support”.

The nature and availability of emergency accommodation is of course vital in the context of women leaving abusive relationships. In the UK, this is often provided via refuges, which provide emergency shelter for women and children escaping domestic abuse (Women’s Aid n.d.2: no page). In addition, they “offer a huge range of practical and emotional support,” for example in terms of “housing, education, accessing benefits, employment, or immigration... [or improving] health and wellbeing” (Refuge, n.d.: no page). However, as we discuss in Chapter Three, the austerity cuts of the decade since 2010 have impacted heavily on refuge services (Towers & Walby, 2012; Bowstead, 2015; Sanders-McDonagh et al., 2016). Women’s Aid and other support organisations have expressed strong concern that “Refuges for DVA victims are at breaking point, with one in five having to turn down women due to a lack of vacancies” (Women’s Aid, 2017, cited in Reis, 2019: p. 10). The need for reform of refuge access and funding was thus identified as a key issue in the pre-pandemic world (Reis, 2019: pp. 10-11).

However, a pragmatic focus on temporary and emergency accommodation may downplay the need for women to find longer-term, affordable and stable solutions that provide peace of mind both in safety and financial terms. Until recently, the social rented sector has been seen as the main mechanism for providing stability and affordability (Irving-Clarke & Henderson, 2020). However, as is discussed below, the emphasis on social housing as the solution to victims/survivors’ housing needs beyond the immediate crisis, has not only narrowed the range of potential solutions, but caused additional problems.

An over-reliance on social housing and its consequences?

The residualisation of the social housing sector – particularly that part provided by local authorities (Hawtin & Kettle, 2000; Mullins & Murie, 2006) - that has taken place over the years has had a significant impact on the supply, quality and location of the social housing required to meet the needs of victims/survivors (Henderson, 2018; Irving-Clarke & Henderson, 2020). While this is not the place to set out this story in full, it is worth noting that, in some parts of the UK, underinvestment in the sector (Reis, 2019), plus some regeneration/gentrification processes (see Porter & Shaw, 2009) have led to acute shortages, and to victims/survivors spending long periods in temporary accommodation such as bed and breakfasts (Reis, 2019). Given the changing tenure structure of housing in the UK, which has resulted in many people who would previously have been eligible for social housing having to rent privately (albeit with support to cover housing costs), this provision thus fails to provide support for a large proportion of the population housed outwith with the social rented sector.

Further, a small scale study in Australia by Champion et al. (2009) shows that the housing conditions that women live in six months following refuge stays often represent a deterioration of their previous housing conditions in terms of stability, affordability and neighbourhood condition. Finally, we might hypothesise that there is a recursive element to this: that the limited and problematic housing solutions that are offered to women and especially those with children, serve to keep them within the abusive relationship. As Henderson (2018) identifies, a number of researchers have argued that where women have difficult housing circumstances or options, they will stay with or become involved in abusive relationships in order to have a roof over their head.

Beyond the constraints of supply and appropriateness, there are perhaps two further issues that arise in the literature as a corollary of this emphasis on the social housing sector.

First is the nature of tenancies and security thereof. As noted, the residualisation of the social housing sector has meant that those who might previously have been able to access social housing (and the greater security of tenure that it affords) can no longer do so (Pearce & Vine, 2014). This, combined with house prices increases across the UK (Mulheirn, 2019), particularly in certain parts of the country, mean that people are increasingly forced to reside in the ever-expanding private rented sector (Marsh & Gibb, 2019). As has been well-documented (for example, CIH & the

Health Foundation, 2019; Soaita et al., 2020), this sector provides little security or affordability for tenants, and some properties can be of a lower standard, due to limited regulation of the sector. These unaffordability issues in both the PRS and home ownership sectors have limited the ability of those not on the housing ladder to save for their own home in recent years (Mulheirn, 2019).

Such challenges can compound issues for women experiencing domestic abuse, including economic abuse, both when they are living at home with the perpetrator, and when seeking to leave, as they have limited housing options and may be in a more precarious financial situation, creating additional challenges (Irving-Clarke & Henderson, 2020). Further, there have been (attempted) changes within the social rented sector under the Conservative Government at Westminster (2015–present) which have sought to reduce the ability of social renters to secure lifetime tenancies (Irving-Clarke & Henderson, 2020). As discussed in further detail in Chapter Four, the original legislation which sought to introduce this (unsuccessfully), the *Housing and Planning Act 2016*, did not take account of the need for DA victims/ survivors to be provided with a replacement lifetime tenancy if they leave their home with the perpetrator. The current *Domestic Abuse Bill* seeks to ensure this right through legislative change. Thus, for women experiencing DA in the social rented sector, inadequate safeguards about their housing rights if they leave the perpetrator/ the perpetrator leaves the home can be a key barrier to them escaping domestic abuse (Irving-Clarke & Henderson, 2020).

The second is how the housing management issues arising from DA have tended to be viewed through the lens of anti-social behaviour. This, Irving Clark and Henderson (2020) argue, is one area of relatively strong connectivity between domestic abuse and housing policy and practice and gives a particularly partial angle to how domestic abuse is understood and dealt with by social housing professionals. Thus, they identify that a lack of training on the nature and experience of DA for housing professionals means that they will work with the tools already at their disposal, and view domestic abuse as “a facet of ASB, rather than a distinct issue its own logics, dynamics and solutions” (p. 74).

This conflation of DA and ASB in housing management practice may have a number of implications. First, that those experiencing domestic abuse become further stigmatised through association with ASB policy and practice and, second, that the narrower ASB frame has the potential to distort the identification of DA with a tendency to focus on those aspects of DA that correspond to ASB – violence and raised voices (the public signifiers of private abuse) rather than the quieter and more private behaviours of coercive control and sexual abuse.

Relatedly, Henderson (2018) argues that there has been insufficient attention paid to the possible role of housing officers as street-level workers in recognising indicators of abuse where abuse occurs within the social housing sector and in providing information and support to victims. Adequate training for this kind of role could propel disclosure, housing safe-guarding measures relating to tenancy and sign-posting to help that would prevent housing crisis events.

Thus, the emphasis on the role of social housing as the main provider of longer term secure and affordable housing for victims/survivors of DA has a number of consequences, creating as well as resolving problems, as we have argued. It is only in the most recent literature – as we discuss below - that we see consideration of the wider housing system and the role that it may need to play in providing long term housing opportunities for women who have left abusive relationships

d) Emerging agendas on victims'/survivors' housing needs

Gender inequality and housing

“Our housing system is in crisis and the causes and impacts of that crisis are gendered” (Reis, 2019: p. 3).

It would be wrong to suggest that a gender inequality perspective has been absent from debate about the housing needs of victims/survivors of abuse – it is clearly prominent in debates about the need for women only refuge accommodation, for example. However, it may be the case that DA research and policy has taken insufficient cognisance of how gender inequality impacts on housing needs and opportunities more broadly. We argue that a

gendered perspective on housing concerns is important for deepening our understanding of *what it is* that housing policy and practice needs to provide in order to make a more substantive and sustained contribution to tackling DA.

In brief, the key housing concerns that affect women - regardless of whether they have experienced domestic abuse - concern the access to, affordability and security of accommodation appropriate to their needs and preferences. The gender pay gap in large part explains why women are often disadvantaged in comparison with men on these issues.

The recent analysis by Reis (2019) for the Women's Budget Group: *A Home of her own: Housing and women* identifies a number of dimensions of affordability - perhaps the most critical of these issues. Thus, in relation to home ownership Reis (2019: p. 4) argues: "Women need over 12 times their annual salaries to be able to buy a home in England, while men need just over eight times". And, in relation to private renting: "There is no region in England where private-rented housing is affordable on women's median earnings... [while] men can afford to rent a median home in all regions except London" (Reis, 2019: p. 4). She also argues that affordability and security across all tenures, including social housing, have been affected by welfare reform and cuts to housing benefit, with women "being disproportionately affected by these cuts" (Reis, 2019: p. 4). Moreover, there has also been recognition of the ways in which austerity, and subsequent cuts to a range of public services, impact women disproportionately, exacerbating existing inequalities (Craddock, 2017; Durbin et al., 2017).

Both the economic and broader housing disadvantage experienced by women must therefore be in focus when DA policy and practice consider the nature of sustainable housing solutions. These concerns manifest in the 'whole housing approach' outlined in the next section.

Housing security and affordability require a 'whole housing approach'

The need for, and idea of, a broader 'Whole Housing Approach' to DA was first conceived by the Domestic Abuse Housing Alliance (DAHA) in 2018, working with the National Housing and Domestic Abuse Policy and Practice Group. DAHA is led by practitioners within the social housing sector and involves academics who have highlighted the need for additional connections between the two policy fields, while critiquing the traditional focus in the social housing sector of domestic abuse being viewed as an anti-social behaviour issue (DAHA, n.d.2).

The mission and aims of the Whole Housing Approach (DAHA, n.d.1: p. 6) centre on: "improv(ing) access to safe and stable housing across all tenure types"; improving access to "tailored" housing options; "mobilising" landlords in the social and PRS and institutions involved in home ownership in the tasks of identifying and intervening in DA; and addressing issues including homelessness and "tenancy sustainment".

This wider consideration of the housing system beyond social housing as the solution to victims/survivors housing needs is fundamentally important because, although DA is associated with women in poorer circumstances (for example, insecure housing), it occurs across the socio-economic gradient (United Nations, n.d.). The significant tenure shifts of the last few decades mean that many more people live in owner-occupied properties and in PRS than previously, and a blinkered approach that sees housing and DA policy agendas coinciding only around social housing inevitably misses a significant part of the problem. As we will see, Whole Housing Approach seeks to tackle this.

e) Increasing understanding of economic abuse and its links with housing and gender inequality

It is increasingly recognised within the Domestic Abuse field that economic abuse is a frequent part of the repertoire of domestic abuse. Financial control can be used as a form of abuse and as a tool to prevent leaving (Postmus et al., 2018). It can include withholding money, fraudulent use of credit cards, preventing women from sustaining their employment and pressuring women to change tenancy and mortgage arrangements to make separation and retention of the home more problematic. The increasing recognition of this type of abuse within the DA field is leading to financial institutions becoming more aware of domestic financial fraud and to train their staff to recognise indicators of such abuse (Surviving Economic Abuse, n.d.). Further, these kinds of micro level practices of economic abuse within domestic relationships sit within the context of the types of macro level gendered economic and housing inequalities described above.

All of the above point to the need to view DA and housing issues associated with DA through a gender equalities lens. Specifically, housing policy and practice engaging effectively with the issue of affordability requires an understanding of how gender influences housing affordability and how economic abuse forms a core part of domestic abuse practices. A holistic awareness of both should be evident in policy about housing solutions for women experiencing domestic abuse.

f) Debate on the priorities for who stays in the house

A separate but related theme connecting to the need for secure and affordable accommodation, relates to the question of who goes and who stays and how this connects to the kinds of economic issues raised above. As we will see in later chapters, this is an issue which is finding its way into policy. In essence this question is about whether it is women (and their children) who should be forced to leave their home by their partner and be rehoused in (often) inferior conditions and in unfamiliar neighbourhoods where social and sometimes economic connections are lost. Solace (2016) regards this as an injustice and the Whole Housing Approach identifies, from consultations with victims/survivors, that fear of “housing stability and the financial burden of relocation” are often used by perpetrators as a means of disincentivising leaving (DAHA, n.d.1: p. 8). If, on the other hand, it is the perpetrator who is pressed to leave then this raises questions about how women are supported to feel safe over the short and long-term when their location is known to their abuser (Mackenzie et al., 2019). The Scottish Protective Order Consultation 2018 (see Chapter Four) grapples with this type of dilemma. Developing nuanced and victim/survivor centred responses within policy and practice is likely to be important as a means of addressing the housing aspects of domestic abuse. As well as issues of immediate and longer-term safety concerns, policy to support women trying to extricate themselves from abusive relationships needs to pay heed to the economic, social and emotional consequences of this aspect of housing policy.

In summary: taken together these debates within the literature point to the need for more considered attention to the ways in which housing and DA can do and should coalesce. This is the focus of the remaining chapters of the report.

3. Domestic Abuse and Housing Policy: contextualising debates in the pre-Covid-19 policy world

3.1 Introduction

This chapter traces domestic abuse policy directions across the four UK nations in the years prior to the Covid-19 pandemic. It starts by briefly summarising key policy developments prior to 2015 without focusing on differences between the four nations. It then separately overviews developments in each of the four nations between 2015 and early 2020, prior to the lockdown period. The aim of the discussion is to relate the direction of travel in policy to themes explored Chapter Two, as well as to identify similarities and differences in the themes, concerns and issues between the four nations. As noted in the first Chapter, in Chapter Four we look in more depth at the policy development which was 'live' – ongoing – as the UK lockdown began.

3.2 A very brief history of domestic abuse and housing policy development until 2015

This is not the place to provide a full account of the history of domestic abuse policy and practice (or indeed housing policy). This has been ably done by other authors – most recently and notably by Irving-Clark and Henderson (2020). The following narrative therefore briefly summarises key policy developments prior to 2015 as they pertain to the research agenda here, and relates them to themes within the academic literature outlined in Chapter Two.

The origins of domestic abuse as a policy concern originate from the women's rights movements of the 1960s and 1970s; central to these movements were the establishment of the first women's refuges, typically located in squats or other unused buildings (Irving-Clark & Henderson, 2020). In England and Wales, Charles and Mackay (2013: p. 602), citing Charles (2004), note that while domestic violence (as it was then termed) was initially "framed as a housing issue" in the 1977 legislation, there was a shift in frame to it being largely a criminal justice issue. Charles and Mackay (2013: p. 602) argue that this is mainly because of "the strategic framing adopted by the Women's Aid Federations" (*ibid.*) and may have resulted in partially severing important connections with housing policy and practice.

Thus the *Domestic Violence and Matrimonial Proceedings Act 1976* was enacted in 1977 and was the first Act in England and Wales to "provide legal protection to female victims of domestic violence" across the UK (UK Parliament, n.d.). In line with the Criminal Justice framing, the Act led to several key changes including: "procedure for obtaining a non-molestation injunction without the need to start other proceedings, power of arrest to the police if the perpetrator broke the terms of the injunction, an Exclusion Order which could exclude a violent partner from the family home, and which allowed the victim to return to the home if she had left following the perpetrator's violence" (Spinney, 2007: pp. 164-165).

In terms of the development of housing policy which was explicitly concerned with DA, the *Housing (Homeless Persons) Act 1977* is relevant. This "gave local authorities the legal duty to house homeless people in priority need, and to provide advice and assistance to those who did not qualify as having a priority need" (Sampson, 2007:3). Bryan (1984: pp. 195-196) cites that for a woman fleeing domestic abuse, the local authority would have a duty under the 1977 Act to ensure accommodation under the following conditions:

- "She must be 'homeless' or 'threatened with homelessness' within section 1
- She must have a 'priority need' for rehousing within section 2

- She must not have become homeless or threatened with homelessness intentionally.
- She must have some “local connection” with the housing authority which is to provide the accommodation.”

It is important to recognise that these two key pieces of legislation were passed in the same year. This may help to partly explain the historic connections between domestic abuse and homelessness as the key facet of housing connection noted in Chapter Two, and the subsequent emphasis on emergency accommodation and social housing. At this time, the connection between housing and domestic abuse was in evidence, but was partial, being largely around a specific type of housing.

Irving-Clarke and Henderson (2020) trace how, through the 1970s, the refuge movement expanded and became increasingly institutionalised and professionalised, with increasing involvement (and funding) from local authorities. They argue that this challenged the egalitarian governance structures of the early refuges and the radical political origins of the movement, with a need to comply with local government regulations, leading to ‘organisational isomorphism’ (*ibid.*). This relates to Ball and Charles’ (2006) argument that the increasing focus on domestic abuse within policy can be a doubled-edged sword, helping raise awareness of, and funding for, the issue, while simultaneously “marginalis[ing] more radical feminist agendas” (*ibid.*: p. 172). This issue is returned to in the concluding chapter. During the Conservative administrations 1979-1997, Irving-Clarke and Henderson (2020) argue that there was little policy development relating to domestic abuse, and refuges specifically, although, crucially, marital rape was criminalised in 1991.

Under the New Labour administrations 1997-2010, a number of policy developments took place, in part in pursuit of a more strategic, multi-agency approach. Of particular importance was the widespread but incremental implementation of Multi-Agency Risk Assessment Conferences (MARACs) at local authority level where individual cases are discussed and solutions identified. Moreover, in Scotland, the Housing (Scotland) Act (2001) required that local authorities designed their strategies to manage homelessness in a way that allowed these to be “integrated with their domestic abuse strategies” (Henderson, 2018: p. 68). Further, it also “require[d] councils to provide a minimum of temporary accommodation, advice and assistance to all applicants assessed as homeless, regardless of whether they have been assessed as being in priority need” (Scottish Government, 2016: p. 26). In addition, the *Homelessness etc. (Scotland) Act 2003* established a commitment to end the Priority Need test by 2012, so that all households, including women facing DA, would be entitled to accommodation (*ibid.*). Additionally, in the early 2000s, there were separate Acts in Wales (the *Homeless Persons (Priority Need) (Wales) Order 2001*) (see Mackie et al., 2019) and then England (the *Homelessness Act 2002*) that extended Priority Need to explicitly include escaping violence or threats of violence (see MHCLG, 2018a).

A significant policy development during this period was at the intersection between housing and DA policy – the *Supporting People* policy developed in 2001 as “a new funding and regulatory regime for the entire supported housing sector” (Irving-Clarke & Henderson, 2020: 41 - see also, Bowstead, 2015). Irving-Clarke and Henderson (2020) argue that “the broad thrust of the Supporting People policy was to create a regulated, quasi-market-based system similar to that created by the social care reforms of the Thatcher government of the 1980s and 1990s (see Means et al, 2008).” Thus, local authorities were to act as both providers and commissioners (and thereby also regulators) of services, with responsibility for “assessing existing supply and then using a commissioning process to model supply to meet the assessed need” (Irving-Clarke & Henderson, 2020: p. 41). Irving-Clarke and Henderson (2020: p. 41) argue that the Programme had “implications for the domestic abuse sector” in terms of “funding, regulation and commissioning,” with the effect, they argue, of forcing “many (if not most) [domestic abuse service providers] into a generic funding and regulatory environment that will have further diluted not only the specialist nature of their services but also their original feminist ethos.”

While the Supporting People Programme was not formerly disbanded, in 2010, the Coalition removed the ringfence around the grant, incorporating it into the general Local Area Grant from Central Government, so local authorities could use it for other service areas (Irving-Clarke & Henderson, 2020). Combined with the impacts of austerity,

Irving-Clarke and Henderson (2020) suggest that this had the effect of watering down the original aims and focus of *Supporting People*. The ringfence was also removed in Scotland (Blood et al., 2016). However, it is important to note that in Wales (Fitzpatrick et al., 2017) and Northern Ireland (Fitzpatrick et al., 2020), continual efforts have been made to maintain the ringfence, with these being successful for the time being.

A second policy development at this time was the identification of ASB as a policy priority (Flint, 2006), related to the traditional over-emphasis on social housing as the key area of connectivity between housing and domestic abuse. As noted in Chapter Two, Irving Clark and Henderson (2020) argue that domestic abuse and housing policy came to be connected via this development as social housing organisations took on some responsibilities for managing behaviours deemed as anti-social. The result of this conflation they argue is a lack of appropriate training for housing staff and ways of working with domestic abuse that are akin to those for ASB (as discussed in Chapter Two).

The Global Financial Crisis in 2008, and subsequent election of the Conservative-Liberal Democrat Coalition (2010-2015) meant large reductions in public spending, increasing the competition again for those providing domestic abuse services, and leading to an increased focus on demonstrating “value and impact” (Irving-Clarke & Henderson, 2020). The severe tightening of the public purse has resulted in both a reduction in refuge places (Towers & Walby, 2012; Sanders-McDonagh et al., 2016) thus reducing support from women’s support agencies relating to emergency housing and in providing support for women to seek other types of DA assistance. Importantly, as the Explanatory Notes for the *Localism Bill 2011* (The Stationary Office, 2011: p. 67) explain, the *legislation* allowed local authorities in England and Wales “fully to discharge the main homelessness duty to secure accommodation with an offer of suitable accommodation from a private landlord, without requiring the applicant’s agreement.” This fundamentally altered the longstanding connection between homelessness and social housing, and is reflected in the *Housing Wales Act (2014)*, discussed in further detail later in this chapter.

Overall, Henderson (2018: pp. 312-313) argues that there is a need for greater recognition of the role of housing within domestic abuse policy across the UK; she suggests, for example, that there is a need for regulation within the social housing sector, to ensure that Registered Social Landlords (RSLs) know how to identify and respond to domestic abuse. As discussed below, however, and in line with literature themes identified in Chapter Two, the policy developments that have occurred in relation to housing have tended to focus on the social rented sector, although there have been recent efforts to expand this to the private rented and owner occupied sectors.

While different trajectories were possible in the four jurisdictions – especially since 1999 – we have not sought to bring these differences out systematically in this section. However, the next section – focussed on the period since 2015 – is organised by jurisdiction to bring out and reflect on similarities and differences. Since 2015, there have been notable policy developments, in both the devolved and Westminster jurisdictions, and these are now discussed.

3.3 The Policy Context: 2015- Present

England and Wales

Table 1 below identifies the main pieces of legislation and policy documents relating to domestic abuse developed since 2015 which applied to England and Wales. A separate section deals with policy that applies only to Wales. The Table also lists policy documents which were in progress or were being planned for at 31 March 2020. Those that were ‘live’ at 31 March 2020 are unshaded and the focus of Chapter Four. Those that were introduced after this date will be the focus of the next stage of this work and are not discussed in this report. These are shaded in grey.

2. Since 2007, when the National Assembly for Wales and the Welsh (Assembly) Government were separated, housing has been one of 20 policy areas that are devolved to the Welsh Assembly; prior to this, the Welsh Assembly, established in 1999, only had powers to pass secondary legislation (Stephens, 2019: p. 47). However, as domestic abuse is under the remit of the Home Office and Ministry of Justice, it is, in effect, not devolved, although the Welsh Assembly does have some discretion to create its own legislation too.

Table 1: Key Domestic Abuse and Housing Policies and Legislative developments (England and Wales 2015-present)

| Document | Year | Government Department |
|--|------|---|
| Code of Practice for Victims of Crime | 2015 | Ministry of Justice |
| Serious Crime Act | 2015 | Ministry of Justice |
| Homelessness Reduction Act | 2017 | Ministry of Housing, Communities and Local Government |
| Secure Tenancies (Victims of Domestic Abuse) Act | 2018 | Ministry of Housing, Communities and Local Government |
| Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or Other Types of Temporary Accommodation: Statutory guidance on social housing allocations for local authorities in England | 2018 | Ministry of Housing, Communities and Local Government |
| Transforming the Response to Domestic Abuse (Government Consultation (full version)) | 2018 | Ministry of Justice/ Home Office |
| Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill | 2019 | Ministry of Justice/ Home Office |
| Domestic Abuse Bill | 2020 | Ministry of Justice/ Home Office |
| Domestic Abuse Policy Framework | 2020 | Ministry of Justice and HM Prison and Probation Service |
| Public Bill Committee Domestic Abuse Bill Transcripts | 2020 | Ministry of Justice and Home Office |
| House of Commons Home Affairs Committee: Home Office Preparedness for Covid-19 (Coronavirus): Domestic abuse and risks of harm within the home. Second Report of Session 2019-2021 | 2020 | Ministry of Justice/ Home Office |

Source: Author's own.

Please note: green shading denotes housing policy; grey shading indicates policy/ legislation published after 31st March 2020, which is therefore outwith the scope of this report.

As can be seen from Table 1, a number of new policies focused on victims, crime and violence against women were developed between 2015-2016 and published by the Ministry of Justice and the Home office. As noted in Chapter One, these were analysed by conducting key word searches to find extracts in which housing connections were present (see Appendix One). The extracts were considered in relation to the Chapter Two themes. The criminal justice lens is thus immediately evident. For example, the *Serious Crime Act* (2015: p. 1) "create[d] an offense in relation to controlling or coercive behaviour in intimate or family relationships." Yet, in relation to the measurement of DA, Kelly and Westmarland (2016) are critical of this Act for not adequately "mov[ing] beyond incidentalism," with the argument that the Bill (as was then) "conflat[es] intimate partner violence with family violence" and will be difficult to enforce (*ibid.*: p. 125). Instead, they argue it would have been more helpful "[h]ad the government chosen to create an offense of intimate partner violence, understood as a course of conduct, rooted in coercive control," with greater "potential to change the perceptions of professionals and the wider public, including perpetrators and victims." Further, the Ministry of Justice's *Code of Practice for Victims of Crime*, published in 2015, had the aim of "transform[ing] the criminal justice system by putting victims first, making the system more responsive and easier to navigate" (Ministry of Justice, 2015: p. 1). However, the key word analysis of both the *Act* and the *Code* revealed that neither made any reference to

housing, home or related terms (see Appendix One).

The Home Office's Strategy, *Ending Violence against Women and Girls (VAWG)* (2016-2020) is the key strategy document in this period (HM Government, 2016). The Strategy adopts the pillars established in 2010: "prevention, provision of services, partnership working and pursuing perpetrators" (*ibid.*: p. 8). The Strategy "support[s] a transformation in service delivery and a step change in social action to achieve a sustainable long-term reduction in the prevalence of these terrible crimes, to help women and girls rebuild their lives, and to break the inter-generational consequences of abuse" (*ibid.*: p. 8). A gender inequality perspective is thus in evidence.

The Strategy makes some connections with housing. For example, it discusses the need for further support for different agencies to identify domestic abuse and support victims/ survivors, by making "VAWG 'everyone's business' across all agencies, professions and the wider public" (HM Government, 2016: p. 12). It pledges to "ensure that women can seek help in a range of everyday settings as they go about their daily lives," with housing providers being one of several agencies women might interact with, as well as "Citizens Advice... Job Centres and employers" (*ibid.*: p. 8). Thus, while the claim to make VAWG "everyone's business" is valuable, references to housing officers within housing providers suggests a focus on social housing rather than connections with the whole housing system.

In addition to Domestic Violence Protection Orders (DVPOs), which the government cites as "provid[ing] critical breathing space for victims by restricting a perpetrator from returning to their home," the government proposed "to introduce a new civil Stalking Protection Order... to help prevent victims becoming targets of a prolonged campaign of abuse" (HM Government, 2016: p. 24). By 2020, the Strategy stated that the government would ensure that "[n]o victim is turned away from accessing critical support services delivered by refuges, rape support centres and FGM and forced marriage units" and that "[s]ervices are transformed to provide support at an earlier stage so that fewer victims will reach crisis point and need refuge, or other secure accommodation" (*ibid.*: p. 28). It recognises the "vital role" of "refuges and other forms of specialist accommodation-based services" in providing support (*ibid.*: p. 32), with a pledge to "[p]rovide £40 million over the spending review period to support domestic abuse services including refuge provision and other accommodation based services" (*ibid.*: p. 54). As discussed previously, while it is vital to recognise the importance of refuges and other forms of emergency accommodation, this again suggests a lack of connection with other parts of the housing system.

While, as noted earlier, the *Domestic Abuse Housing Alliance* (DAHA) has pioneered the Whole Housing Approach, this was not established until 2018. Thus, the reference made to the work of DAHA in this Strategy is focussed on social housing, perhaps as this was published in 2016 when their work was in its early stages:

"[a] housing officer may be a victim's first port of call and a nationwide alliance uniting housing providers is working to improve the housing sector's response. Housing providers are ideally placed to identify those carrying out domestic abuse and also those at risk, including children. The alliance is arming professionals with the necessary knowledge and skills to support residents to live safely and free of abuse" (HM Government, 2016: p. 38).

The Strategy also states that it will "[f]und a training project for Housing Officers, to be delivered by the National Practitioner Support Service (NPSS), and the women's sector, Safe Lives (SL) and Women's Aid (WA)," training "336 frontline LA staff from a range of LAs in how to identify and respond to domestic violence and abuse" (*ibid.*: p. 57). Again, therefore, the Strategy reflects the traditional focus on social housing, although, depending on the orientation of the training provider, likely within a gendered perspective.

Further, in the Government's 2018 *Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or Other Types of Temporary Accommodation: Statutory guidance on social housing allocations for local authorities in England* there is recognition of the fact that "[t]enants who have suffered domestic abuse may wish to remain in, or return to, their own home, where for example the perpetrator has left or can be removed" (MHCLG, 2018b: p. 8). The guidance states that "[l]ocal authorities are encouraged to support them to do so where it is safe," with the need for "an appropriate risk assessment... [to be] carried out" (*ibid.*). This could be supported by a local authority ensuring "the provision of

appropriate security measures,” such as “reinforced doors and windows, and extra locks; fire retardant letter boxes, smoke alarms and fire safety equipment; alarms, intercoms and video entry systems and the provisions of a sanctuary room from where the victim can call and wait for the arrival of the police,” and/ or “evicting the perpetrator and allowing the victim to return to their home with a new tenancy agreement” (*ibid.*). This reflects the debates discussed in Chapter Two regarding whether the perpetrator or victim/ survivor should leave the home, and the necessary precautions that need to be taken to ensure the victim/ survivor can be safe if they do stay.

Further, the England-only *Homelessness Reduction Act 2017* built on the *Housing (Wales) Act (2014)*, discussed below. MHCLG (2018c: no page) states that the Act “significantly reformed England’s homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas.” Further, the Act introduced that housing authorities had “to provide homelessness services to all those affected, not just those who have ‘priority need’” (*ibid.*).

The only reference to domestic abuse is that “[t]he service must be designed to meet the needs of persons in the authority’s district including, in particular, the needs of... several groups, including “victims of domestic abuse” (*ibid.*). It then goes on to define domestic abuse.

In England and Wales, the main legislative development in this period focused on DA is the *Domestic Abuse Bill*. Echoing the trends identified in the literature review, the consultation call that informed the Bill highlights the crucial role of refuges and safe accommodation, but also emphasises that social housing is the default permanent solution for victims/ survivors of domestic abuse (HM Government, 2018: pp. 24-26). To try and address this need, it explains how, in 2017, MHCLG consulted “on proposals for new statutory guidance for local authorities, designed to help victims of domestic abuse who are currently living in a refuge or other form of safe temporary accommodation to move on into social housing” (*ibid.*: pp. 25-26).

Further, our analysis of the pre-Bill consultation document published in March 2018, ‘*Transforming the response to domestic abuse*’ (HM Government, 2018), using key word searches of issues relating to housing and home, identified some connections between domestic abuse and housing (see Appendix One). For example, the document highlights the need for different government departments to work together, with the aim being to “make domestic abuse everyone’s business” (HM Government, 2018: p. 5), thus signalling an intention to develop a more joined up, inter-agency approach to tackling DA. However, despite this focus on “everybody,” it was seemingly not until the publication of *Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill* (analysed in Chapter Four), that greater attention was paid to explicitly recognising the role of the private rented sector more broadly in tackling domestic abuse, reflecting historical policies and legislation that have focussed on RSLs. The focus on inter-agency working and partnership approaches, including housing, had greater emphasis in the responses to the consultation. Reflecting the VAWG Strategy above, the consultation call also took a gendered approach to domestic abuse.

The aims of the *Domestic Abuse Bill* (HM Government, 2020) are to “raise awareness and understanding about the devastating impact of domestic abuse on victims and their families” and to “further improve the effectiveness of the justice system in providing protection for victims of domestic abuse and bringing perpetrators to justice” (Home Office, 2020: no page). The Bill was originally introduced under Theresa May’s premiership in July 2019, and was re-introduced by the current Johnson-led government in March 2020 in slightly amended form. As this is a ‘live’ piece of policy development, subject to change as a result of the pandemic, we reserve discussion of it until Chapter 4.

The *Domestic Abuse Bill* thus takes some cognisance of some aspects of housing policy, largely relating to some of the traditional cross-over issues, discussed in Chapter Two including the provision of refuge accommodation and moving on from emergency accommodation into social housing. However, it also draws attention to new, additional issues, including the sharing of responsibility for identifying and supporting domestic abuse between different agencies and the need for additional training of housing professionals.

As mentioned previously regarding the *VAWG Strategy (2016)*, the Government highlights the role of DAHA in

strengthening the connections between domestic abuse and housing policy. The consultation call (HM Government, 2018) explains how MHCLG has funded DAHA “to develop a set of standards for how housing providers should respond to domestic abuse in England and Wales,” with the Government’s consultation call document recognising that “housing officers are likely to come into contact with domestic abuse victims on a daily basis and they are ideally placed to identify those carrying out domestic abuse and also those at risk, such as children” (HM Government, 2018: pp. 21-22). However, while some staff in some RSLs may be trained to identify DA, there is also recognition of the need for broader, systematic training to “provide an effective and supportive response” (*ibid.*). Yet, the discussion of DAHA’s work in the consultation call is focussed on social housing and does not refer to the *Whole Housing Approach*, introduced also in 2018.

Moreover, in its setting out of the state of play in relation to DA policy and in its framing of some of the issues that might be addressed by the new legislation, the consultation document highlights a set of issues that relate to housing policy, for example:

- detailing domestic abuse awareness training commissioned by the Ministry of Housing, Communities and Local Government (MHCLG) in 2016 for local authority housing options staff in England (HM Government, 2018: p. 17);
- the provision of £20 million for refuges and accommodation-based services in local authorities; this “is supporting 80 projects and creating 2,200 new bed spaces in refuges and other specialist accommodation” (*ibid.*: p. 7).

Further, the document which summarises the responses to this consultation exercise, *Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill* (analysed largely in Chapter Four), also highlights new statutory guidance for local authorities (November 2018) which had the aim of “help[ing] victims of domestic abuse who are currently living in a refuge or other forms of safe temporary accommodation to move on into social housing” (HM Government, 2019: p. 22). Again, the focus on social housing, emergency accommodation and refuges is clear.

Importantly, as can be seen from the Table, there was also a piece of legislation focused on DA which emerged from developments in housing policy - the *Secure Tenancies (Victims of Domestic Abuse) Act 2018*. The Act - introduced in December 2017 and which received royal assent in May 2018, but is not yet enacted - places a duty on local authorities to “grant an old-style secure tenancy” to those who currently or previously were either “a tenant of some other dwelling-house under a qualifying tenancy” or “a person who was a joint tenant of that dwelling-house under an old-style secure tenancy” and who are either currently or have previously been “a victim of domestic abuse carried out by another person,” and where “the new tenancy is granted for reasons connected with that abuse” (*Secure Tenancies (Victims of Abuse) Act, 2018*: pp. 1-2). It “applies to lifetime tenants of local authorities and Private Registered Providers of social housing (housing associations)” (HM Government, 2018: p. 26).

Interestingly however the *Secure Tenancies (Victims of Abuse) Act 2018* (“the 2018 Act”) was designed to “deliver on a commitment made during the passage of” another Act - the *Housing and Planning Act 2016* (“the 2016 Act”) – through the House of Lords (HM Government, 2018: p. 26). The 2016 Act “reforms local authority secure tenancies so that, when in force, most (new) tenants will be granted a fixed term tenancy, rather than a lifetime tenancy as now” (HM Government, 2018: p. 26). The House of Lords identified the need for the 2018 Act “to ensure that local authorities would grant victims of domestic abuse, who had a lifetime tenancy, a further such tenancy if it was unsafe for them to remain in their current home” (*ibid.*). The need for the 2018 Act at all suggests an important disconnect between the two policy domains, as the 2016 Act had not been devised to take account of the needs of DA victims/ survivors. While again focussed on social housing, this amendment relates to the discussion in Chapter Two regarding the need for a more sustainable approach to providing housing for victims/ survivors of domestic abuse, and the need to recognise how this relates to structural inequalities in terms of both gender and the housing system. However, as discussed in more detail in Chapter Four, the *Secure Tenancies (Victims of Abuse) Act 2018* has not yet been enacted, as the fixed-term tenancy provisions in the *Housing and Planning Act 2016* (that it was responding to) have not yet been implemented (HM Government, 2019: p. 22). The Government therefore recognises the need for “similar protections for victims of domestic abuse where local authorities offer fixed-term tenancies at their discretion,” with the *Domestic Abuse Bill* including “provisions to deliver on this commitment” (*ibid.*).

We also looked carefully at the *UK Housing Review* between 2015 and 2020, taking this as a comprehensive reflection of what is happening in housing policy in the period in terms of key developments and trends. As Appendix Two demonstrates, while housing policy debate covered a wide range of key and potentially relevant issues over this period including housing supply, affordability and conditions, the only intersections between the two policy areas identified concern homelessness and letting policies in the social rented sector.

Therefore, in England and Wales, domestic abuse policy prior to 2015 has largely been addressed through a criminal justice lens. Yet, since 2015, there has been increasing recognition of housing issues within domestic abuse policy. Our analysis confirms that of Irving-Clarke & Henderson (2020) and shows that this has tended to be focussed on housing as it relates to emergency provision, via refuges and other temporary accommodation, as well as the need for longer-term social housing provision. Other than these areas of partial connection, these policy areas seem to have remained somewhat disconnected at 31st March 2020, with less attention to the larger structural issues affecting the housing system, and less attention to issues of domestic abuse within either the home ownership or private rented sectors. Nevertheless, there has been increased attention to the connectivity via the Whole Housing Approach promoted by the Domestic Abuse Housing Alliance (DAHA). This shift in focus reflects themes that recognise emerging agendas around housing needs for victims/ survivors of domestic abuse, and how these relate to inequalities in gender and housing systems. It is important to note that some of these developments relate only to England, and the next section discusses policy/ legislation that relates only to Wales.

Wales only

Table 2 details the key domestic abuse policies and pieces of legislation since 2015 focused on Wales only. As can be seen there are a number of these, but no new Wales only DA policy developments live in March 2020 – reflecting the fact that the Welsh Government brought in legislation in 2015, as well as the fact that the Westminster Domestic Abuse Bill covers Wales as well as England. The Table also identifies any housing legislation in the period that explicitly addresses DA (indicated by green in the table).

Table 2: Key Domestic Abuse and Housing Policies and Legislative Developments (Wales only 2015-present)

| Document | Year | Government Department |
|---|------|------------------------------|
| Housing (Wales) Act (enacted 2015) | 2014 | Housing and Local Government |
| Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Bill: Explanatory Memorandum | 2015 | Equality |
| Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act | 2015 | Equality |
| National Strategy for Violence against Women, Domestic Violence and Sexual Abuse 2016-2021 | 2016 | Equality |
| Renting Homes (Wales) Act | 2016 | Housing and Local Government |
| National Strategy on Violence against Women, Domestic Abuse and Sexual Violence (Cross Government Delivery Framework 2018-2021) | 2018 | Equality |

Source: Author's own.

Please note: green shading denotes housing policy

Table 2 demonstrates that there has been significant development of legislation, guidance and strategy on DA for Wales since 2015. It is also important to note the role of the Housing (Wales) Act which although dated 2014 and falling just outwith the scope of this chapter, was not introduced until 2015. This was the precursor to the English *Homelessness Reduction Act 2017*. This Act stated that “whether a person or a member of that person’s household is at risk of abuse, including domestic abuse, is a factor in determining whether it is reasonable to continue to occupy accommodation” (Welsh Government, 2016a: p. 5). Importantly, it stated that a person “who is homeless as a result of being subject to domestic abuse” has “a priority need for accommodation” (Housing (Wales) Act 2014: p. 45). It also provided a broad definition of domestic abuse as relating to “physical violence, threatening or intimidating behaviour and any other form of abuse which, directly or indirectly, may give rise to the risk of harm; and abuse is “domestic abuse” where the victim is associated with the abuser” (Housing (Wales) Act 2014: p. 37). The Act changed homelessness legislation in Wales, extending assistance, regardless of priority need and introduced a focus on prevention. Following provisions introduced in the *Localism Act 2011*, the *Housing (Wales) Act 2015* also stipulated that a local “authority can discharge the duty with a suitable private rented sector offer” (s.167(2) Housing Act 1996, as amended by para 3 Sch.3 Housing (Wales) Act 2014, cited Shelter England, n.d.). This is only allowed where “the tenancy... [is] available for a minimum period of at least six months” (Welsh Government, 2016b, cited in Shelter England, n.d.: no page). These changes thus broke the traditional link between homelessness and social housing in Wales.

A parallel development at this time was the *Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act*, enacted in 2015. Jurasz (2018:1) cites that this Act “is the first piece of legislation in the United Kingdom to explicitly and specifically address violence against women as opposed to ‘domestic violence’ generally.” Further, they note that the Act 2015 was important because, in contrast with the previous Westminster legislation which had “typically focussed on specific forms of violence and/ or remedies for victims,” it focusses on preventative measures:

“on establishing strategic and coherent public sector mechanisms aimed at prevention of and protection from gender-based violence, domestic abuse, and sexual violence in Wales. The Act also aims to strengthen the support available to the victims of gender-based violence, domestic abuse, and sexual violence” (Jurasz, 2018:2).

Other commentators note that the 2015 Act marked a shift in framing: from an historic tendency in Wales to frame domestic violence through a criminal justice lens (Charles and Mackay, 2013:602) to a frame which recognises the relationship between “gendered domestic and sexual violence” (Aldridge, 2020:2).

However, our analysis conducted using key word searches suggests that while the 2015 Act is focused on developing a more coherent, integrated approach to DA from different parts of the public sector (Welsh Assembly, 2015), it does not discuss housing policy (see Appendix One). This may be because some of these connections, particularly regarding homelessness, were made via the *Housing (Wales) Act 2014*, which was developed in parallel. Its stated:

“purpose is to improve: arrangements for the prevention of gender-based violence, domestic abuse and sexual violence; arrangements for the protection of victims of gender-based violence, domestic abuse and sexual violence; [and] support for people affected by gender-based violence, domestic abuse and sexual violence” (*Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act (2015)*, p.1).

Nevertheless, the Act adopts a gender-based inequality perspective and highlights the impact of domestic abuse for the whole household, including the impact it can have on children.

Potentially highlighting the connections between housing and domestic abuse, particularly in terms of homelessness, the Explanatory Memorandum (Welsh Government, 2015) for the precursor Bill for the 2015 Act (*The Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Bill 2014*) does make reference to housing issues such as homelessness and potential provisions in relation to the Housing (Wales) Bill. For example, the Explanatory Memorandum (Welsh Government, 2015: p. 1) notes the relationship between homelessness and domestic abuse, and highlights that the Housing (Wales) Bill:

“proposes where a person is homeless or threatened with homelessness a Local Authority will have a duty to take reasonable steps to prevent or relieve homelessness. In addition to these duties, Local Authorities will also be under a duty to secure the provision of information and advice relating to preventing homelessness, securing accommodation when homeless and accessing any other support available” (*ibid.*: p. 20).

Other references to housing include the “provision for a statutory ‘prohibited conduct term’ to be included in every rental contract for housing” in the Renting Homes (Wales) Bill (*ibid.*: p. 21), with the Explanatory Memorandum stating that “[c]ombined with a more flexible approach to joint tenancies, this will enable perpetrators of domestic abuse to be evicted while leaving the victim and any children to remain in their home” (*ibid.*). This thus reflects the debates identified in Chapter Two regarding whether the victim/ survivor or perpetrator should stay in the home.

There is also explicit recognition of the importance of aspects of housing policy and practice in the *National Strategy on Violence against Women, Domestic Abuse and Sexual Violence* (2016-2021) – the strategy devised to put the Act into operation, with the focus on “prevention, protection and provision of support” (Welsh Government, 2016a: p. 3).

The National Strategy (Welsh Government, 2016a) highlights:

- The role of the *Housing (Wales) Act 2014* which placed a duty on local authorities to prevent and alleviate homelessness: “This Act specifies that whether a person or a member of that person’s household is at risk of abuse, including domestic abuse, is a factor in determining whether it is reasonable to continue to occupy accommodation” (Welsh Government, 2016a: p. 5)
- *Renting Homes (Wales) Act 2016* also “sets out a new approach to joint contracts which will help survivors by enabling perpetrators to be targeted for eviction” (*ibid.*: p. 5). This Act is not expected to be introduced until 2021 (Shelter Cymru, n.d.). Yet, Irving-Clarke and Henderson (2020: p. 126) note that this Act aims to “mak[e] it simpler and easier to rent a home in Wales” and “makes [three key] changes to the legislative framework that impact directly on how domestic abuse can be addressed” (Irving-Clarke and Henderson, 2020: p. 121). They state that these will help to “reduce the risk of homelessness for joint tenants who remain the property” as well as enabling victims/ survivors to “to remain in the tenancy where the perpetrator leaves or is removed.”
- Objective 5 of the *Strategy* is: “Relevant professionals are trained to provide effective, timely and appropriate responses to victims and survivors” (Welsh Government, 2016a: p. 25)
- Recommendation for “Accessible ‘refuge service’ support in every area, accompanied by safe, affordable, longer-term, housing options to provide flexibility and choice” (*ibid.*: p. 8)
- Themes include recognising the links between homelessness and domestic abuse/ violence; training of professionals to help victims and survivors; partnership approaches between different policy areas, including housing; support and funding for refuges and affordable housing; and whether the perpetrator or victim/ survivor should leave the home.

In addition, the Strategy highlights the importance of partnership working between Welsh Ministers and “other public sector partners, government and the voluntary sector,” with partners including local government, for example in terms of “social services, education and housing,” and “local health boards, the police, police and crime commissioners, national probation services and national offender management service, non-devolved organisations and the national network of independent specialist violence against women, domestic abuse and sexual violence providers” (Welsh Government, 2016a:5).

The Welsh Government also established a Homelessness Action Group in 2019, as part of its commitment to eradicating homelessness in Wales, and the group recognises domestic abuse as one of the causes of homelessness (Homelessness Action Group, 2020). This is discussed more fully in Chapter Four, as a live policy agenda at 31st March 2020.

Thus, in summary the major piece of legislation focused on DA since 2015 for Wales signals the need for more coherent public sector, although itself doesn't foreground housing, perhaps due to the changes made regarding domestic abuse and homelessness in the *Housing (Wales) Act 2014*. This Act is important in terms of the broad definition of domestic abuse and because it allowed local authorities to discharge their homelessness duties to the private sector. The subsequent *National Strategy* further acknowledges traditional housing cross over issues such as homelessness and refuge provision (the first of which had been legislated for in the *Housing (Wales) Act 2014*), but also a set of issues which concern more joined up partnership approaches, longer term housing options and training for professionals in general, some of whom could be housing professionals. The other major piece of housing legislation that falls within the period since 2015 - the *Renting Homes (Wales) Act 2016* - has relevance, but this has not yet fully worked through (and is taking 5 years to be implemented).

Northern Ireland

In Northern Ireland, the Northern Ireland Assembly, established in 1998, has had full powers since 1999 (Stephens, 2019: p. 47). It has, however, undergone periods of suspension (Stephens, 2019), most recently from January 2017 to January 2020. Stephens (2019: p. 48) notes that "[t]he Assembly has full legislative powers ('transferred matters') over a range of 'domestic policies,' including health, education and housing." He comments that "[i]n contrast to Wales and Scotland, the Assembly also has formal legislative power over social security, pensions and childcare" (*ibid.*).

Within the NI context, policy relating to DA, its connections to housing and the consequences of austerity must be understood within a broader context of two related issues: the sectarian divide (and its reach into policing and housing policy); and, democratic deficits caused by suspension of the NI assembly.

Doyle and McWilliams, for example, have written for decades about how gender inequalities in NI are written into social, community, and policing policies and practices. Thus: "[s]ocial and community factors may function to support and normalise violence. Among the most influential of these social and community level factors are conservative and patriarchal social norms, gender inequality, violent political conflict, and poverty" (Doyle & McWilliams, 2019: p. 2). For example, during the years of armed conflict, women may have feared reporting to the police because of the reaction of paramilitary organisations; and, paramilitary organisations policed their own communities through violence. The legacy of this, argues Doyle and McWilliams, still impacts on the space for policy action:

"It remains the case that the legacy of this conflict, such as the continuation of residual paramilitarism, ethnonational antagonisms in party politics and a political focus on political identity/ religious issues at the expense of other issues, continues to have negative implications for victims/ survivors of domestic violence" (Doyle & McWilliams, 2019: p. 17).

In Table 3 the main domestic abuse policies and pieces of legislation developed since 2015 which apply to NI are identified. There were no pieces of housing legislation which addressed this agenda in the period. For completeness, the Table also lists policy documents which were in progress or were being planned for at March 31st 2020 – these are shaded out in the Table as they are the focus of Chapter Four.

Table 3: Key Domestic Abuse and Housing Policies and Legislative developments (Northern Ireland 2015-present)

| Document | Year | Government Department |
|--|------|-----------------------|
| Consultation on Domestic Abuse Offence and Domestic Violence Disclosure Scheme | 2016 | Department of Justice |
| Domestic Abuse Offence and Domestic Violence Disclosure Scheme – Summary of Consultation Responses | 2016 | Department of Justice |

| | | |
|--|------|-----------------------|
| Stopping Domestic and Sexual Violence and Abuse in Northern Ireland Strategy | 2016 | Department of Justice |
| Consultation launched on Domestic Violence Homicide Reviews | 2018 | Department of Justice |
| Domestic Violence Homicide Reviews: Summary of responses and way forward | 2019 | Department of Justice |
| Report into the law and procedure in serious sexual offences in Northern Ireland Part 1 | 2019 | Department of Justice |
| Protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings. A consultation on options for legislation | 2019 | Department of Justice |
| Protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings – a consultation on options for legislation. Summary of consultation responses and next steps | 2020 | Department of Justice |
| Domestic Abuse and Family Proceedings Bill | 2020 | Department of Justice |
| Domestic Abuse and Family Proceedings Bill: Explanatory and Financial Memorandum | 2020 | Department of Justice |
| Domestic Abuse and Family Proceedings Bill: Second Stage | 2020 | Department of Justice |

Sources: some documents identified by Doyle & McWilliams (2019); author's own. Please note policy/ legislation published after 31st March 2020, which is therefore outwith the scope of this report, are shaded grey.

As can be seen from Table 3, the Northern Ireland Assembly had undertaken a range of consultation activities to inform the current Bill prior to Stormont being suspended in 2017. The current seven-year strategy is *Stopping Domestic and Sexual Violence and abuse in Northern Ireland* (Department of Justice NI, 2016a), which states a vision: “to create a society in Northern Ireland in which domestic and sexual violence is not tolerated in any form, effective tailored preventative and responsive services are provided, all victims are supported and perpetrators are held to account” (*ibid.*, p. 2). It has five key strands: “driving change through co-operation and leadership; prevention and early intervention; delivering change through responsive services; support; [and] protection and justice” (*ibid.*, pp. 5-6). The strategy included “a commitment to consult on whether there was a need for a new criminal offense, to capture domestic abuse as criminal behaviour that can be addressed through the justice system” (*ibid.*, p. 1).

The strategy paid some attention to housing issues, including risks of homelessness; shortages in refuge accommodation (some victims having to access accommodation outwith their local area); issues with temporary accommodation; the cost of housing services for victims of DA; and the need for a ‘whole systems’ approach. For example, under strand four, “support,” there is recognition that housing can be a source of support (*ibid.*: p. 3) with

housing services “providing housing, refuge accommodation and outreach services” (*ibid.* p. 26). There is thus overlap with some of the themes identified in England and Wales, such as a focus on partnership approaches and the need for a more coherent public sector, as well as referring to traditional housing issues, such as refuge provision. In contrast to the emerging *Whole Housing Approach* in England, there seems, however, to be less acknowledgement of the connections between domestic abuse and the whole housing system in Northern Ireland. Nevertheless, the NI Strategy draws on the development of legislation in England and Wales, for example, the revised definition of domestic violence and abuse in Northern Ireland, now includes “controlling coercive behaviour,” incorporated “changes made to the Home Office’s definition” in England and Wales, as well as being informed by “extensive stakeholder discussion and consultation” (*ibid.* p. 18). Further, it highlights the “existing links” within the United Kingdom in relation to addressing domestic and sexual violence and abuse (*ibid.*: p. 72).

In Northern Ireland, a new major piece of legislation – *The Domestic Abuse and Family Proceedings Bill 2020* was under development just as the Covid-19 crisis hit. The Bill aims:

“[t]o create a course of conduct and a sentencing aggravation concerning domestic abuse and make rules as to procedure and giving evidence in criminal cases involving domestic abuse; and prevent cross examination in person of certain witnesses in particular circumstances in family proceedings in the civil courts” (Potter, 2020: p. 6).

When introduced in March 2020, the Bill did not make any reference to issues of housing or home. As it is subject to adaption under the crisis, most of the discussion is reserved for Chapter Four.

The final document in this period is the *Gillen Review: Report into the law and procedures in serious sexual offences in Northern Ireland Part 1* (Gillen, 2019). Key word searches found that no relevant engagement with housing policy and related issues (see Appendix One).

This suggests that while domestic abuse policy in Northern Ireland has been delayed by the suspension of Stormont, it nonetheless appears to be following a relatively similar path to the Westminster legislation for England and Wales. The current Strategy, published in 2016, recognises housing issues, with some connectivity in terms of discussion of emergency accommodation, refuges, impacts on homelessness etc. This reflects concerns in the Welsh strategy which notes some connectivity between domestic abuse and traditional housing issues, such as homelessness, and the increasing connectivity between domestic abuse and housing policy in England. Yet, these issues are not currently reflected in the Bill introduced at 31st March, which fails to connect domestic abuse and housing policy.

Scotland

Scotland has always had a different legal system to England, with powers to create its own legislation in relation to domestic abuse and housing policy. The Scottish Parliament was established in 1999, with responsibility for a range of devolved matters, including health and social services, housing, land use planning and law and order (Scottish Parliament, n.d.). Further, the Scotland Act (2016) “devolves greater powers over income tax and control over specific areas of social security” (Stephens, 2019: p. 47).

Analysing and comparing domestic abuse policy in Scotland and Wales, Charles and Mackay (2013: p. 602) state that since 2000 at least, domestic abuse has been typically framed in policy as “both a crime and also in terms of gender equality and human rights” in Scotland. They argue that this is due to the greater involvement of “refuge movement activists in policy-making processes” in Scotland when compared to Wales which, they argue, has led to a:

“holistic and comprehensive approach covering the key aspects of protection, prevention and provision; the links made between domestic violence and other manifestations of violence against women; and the positioning of domestic violence as an issue of human rights, gender inequalities and social justice” (Charles & Mackay, 2013: p. 603).

In Table 4 the main domestic abuse policies and pieces of legislation developed since 2015 in Scotland are identified. As with Northern Ireland, no housing legislation is included in the table. The most recent housing policy development in Scotland was enacted just prior to this time frame (*The Housing (Scotland) Act 2014*) and contains no mention of DA. This is also the case for subsequent housing related legislation, although the Homelessness Prevention Review Group having been working to increase connectivity between domestic abuse and housing, following a recommendation in the *Ending Homelessness Together: High Level Action Plan* (Scottish Government, 2018a); their work is discussed later in Chapter Four.³ For completeness, the Table also lists policy documents which were in progress or were being planned for at March 31st 2020 – these are shaded out in the Table as they are the focus of Chapter Four.

Table 4: Key Domestic Abuse and Housing Policies and Legislative developments (Scotland 2015-present)

| Document | Year | Government Department |
|--|------|----------------------------------|
| A criminal offense of domestic abuse: A Scottish Government Consultation Paper | 2015 | Justice |
| A criminal offense of domestic abuse: Analysis of Consultation Responses | 2016 | Justice |
| The Creation of a Specific Offence of Domestic Abuse: Proposed Associated Reforms to Criminal Procedure | 2016 | Justice |
| Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls ¹ | 2016 | Justice |
| Domestic Abuse (Scotland) Bill 2017: policy memorandum | 2017 | Justice |
| Domestic Abuse (Scotland) Bill | 2017 | Justice |
| Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls | 2018 | Local Government and Communities |
| Improving Multi-Agency Risk Assessment and interventions for victims of domestic abuse: a consultation | 2018 | Justice |
| Consultation on protective orders for people at risk of domestic abuse | 2018 | Justice |
| Ending Homelessness Together: High Level Action Plan | 2018 | Local Government and Communities |
| Domestic Abuse (Scotland) Act | 2018 | Justice |
| Risk assessment and interventions for victims of domestic abuse: consultation response analysis | 2019 | Justice |
| Protective orders for people at risk of domestic abuse: consultation analysis | 2020 | Justice |
| Domestic Abuse (Protection) (Scotland) Bill | 2020 | Justice |

Source: some documents identified by Burman & Brooks-Hay (2018); author's own

Please note: green denotes housing policy; light grey shading indicates policy/ legislation published after 31st March 2020, which is therefore outwith the scope of this report.

It is important to note earlier connections between housing policy and domestic abuse in Scotland. For example, prior to the *Homelessness etc (Scotland) Act 2003*, there was a "two tier system...for women in terms of priority need"

3. <https://www.crisis.org.uk/ending-homelessness/scotland-prevention-review-group/>

in which those experiencing domestic violence with children were classed as a priority, while those without children were not, although they could be classified as “a person who is vulnerable as a result of... or other special reason” (Scottish Government, 2010: p. 6). This was somewhat addressed in Homelessness Guidance published in 1997 which stated that “women suffering, or in fear of, violence may be vulnerable even if they have no children” (*ibid.*: p. 6). As indicated in the first section of this chapter, the Housing (Scotland) Act 2001 had already required local authorities to integrate their DA and homelessness strategies. Thus, the Homelessness (Scotland) Act 2003, sought to expand “the safety net for homeless households, including phased expansion of priority need categories leading to eventual abolition of priority need in 2012” (Scottish Government, 2010: p.7).

Despite these early developments, there was very little attention to housing issues in *Equally Safe* and subsequent consultations about creating a criminal offense of DA or in the 2018 Act. *Equally Safe* was first published in 2014 and then in 2016, with the vision being to have “[a] strong and flourishing Scotland where all individuals are equally safe and respected, and where women and girls live free from all forms of violence and abuse – and the attitudes that help perpetuate it” (Scottish Government & COSLA, 2018, p.3). The Strategy makes minimal explicit connection to housing policy, although it does recognise some housing issues, for example regarding the need for a coordinated approach to eradicating domestic abuse, the role of safe accommodation and the potential impact of Universal Credit on households (and particularly women). The most recent iteration from 2018 is discussed in Chapter Four as this was a live policy at 31st March 2020. This discussion notes that it has little focus on wider housing issues, although it recognises that there have been some developments in terms of connectivity between domestic abuse and housing, for example via the Homelessness Prevention Review Group, discussed in Chapter Four.

As shown in Table Four, there have nevertheless been several consultations since 2015 to inform the *Domestic Abuse (Scotland) Act 2018*. This is the main policy development in Scotland in the period since 2015. This aimed:

“to create an offence with respect to the engaging by a person in a course of behaviour which is abusive of the person’s partner or ex-partner; and to make rules of criminal procedure for that offence and also for offences subject to the statutory aggravation involving abuse of partners or ex-partners” (Domestic Abuse (Scotland) Act 2018, p.1).

Aldridge (2020: p. 3), citing the Scottish Government (2019b) states that the Act sought to highlight the different forms of abuse and “to increase the public’s understanding of the wide-ranging nature of domestic abuse and to encourage victims of abuse to seek help.” Our analysis of the Act shows that it does not make any reference to housing, home or related terms.

In this period, the Scottish Government also consulted on protective orders for people at risk of domestic abuse. The Consultation Call, published in December 2018, included themes around domestic abuse and risks of homelessness; the need for additional preventative measures, whether civil or criminal, with concerns about the need for further measures to ensure the victim/ survivor can keep their home and/ or that perpetrators could abuse any new provisions; and the need for greater awareness about exclusion orders amongst local authority officers, including housing professionals. This therefore incorporates more of a housing focus, being explicitly about improving housing outcomes. As it is a live policy issue, we look at the pre- March 2020 development in Chapter Four.

This suggests that, for at least twenty years, the Scottish Government’s framing of domestic abuse has focussed on it being a “crime and... gender equality and human rights” issue (Charles & Mackay, 2013: p. 602). Yet, despite longstanding work to recognise the links between domestic abuse and homelessness and to seek to address them, the Scottish Government’s approach to tackling DA has not typically been well connected with broader housing. However, there has been more connection recently, with the consultation regarding protective orders, which feeds into the recently published Domestic Abuse (Protection) (Scotland) Bill 2020, as well as the work of the homelessness Prevention Review Group, discussed in Chapter Four.

3.4 Conclusions

This chapter initially provided a very brief history of domestic abuse and housing policy development from the 1970s, when domestic abuse was first highlighted as an issue requiring policy attention by feminist activists, until 2015. It then traced policy debates about, and connections between, domestic abuse and housing policy across the UK from 2015 to 31st March 2020, when the Covid-19 pandemic hit. It has demonstrated that this period was one of substantial legislative and policy change in relation to domestic abuse, with developments taking place across the UK, albeit being somewhat disrupted by wider political changes over this time period, such as changes of government, the ongoing Brexit negotiations and the suspension of Stormont in Northern Ireland.

However, in terms of the connections between domestic abuse and housing policy, the analysis has highlighted varying degrees of connectivity with different parts of the housing system across the different UK nations. Overall, where there has been connectivity, it has tended to be between domestic abuse and social housing and homelessness.

In England and Wales, there has historically been a similar approach, for example with the extension of priority need to include domestic abuse in the early 2000s. However, there has been greater divergence since, with the Welsh Government developing housing and domestic abuse policy and legislation in parallel in 2014/2015, with a greater focus on prevention in Wales. In recent years, in England, DAHA has however played a key role in highlighting the links between domestic abuse and the wider housing system, extending the traditional focus on social housing as the 'solution,' as outlined in Chapter Two. In the English context, it is also important to note that the *Localism Act 2011* altered the link between homelessness and social housing, allowing local authorities to discharge a homeless duty to the private rented sector. Similarly, in Wales, the Housing (Wales) Act 2014 highlights the connections between domestic abuse and homelessness, an issue also recognised in the National Strategy. However, this act also breaks the traditional link between homelessness and social housing.

In Scotland, there was earlier recognition of domestic abuse as a wider equalities issue, but less connectivity with housing. However, there has recently been greater acknowledgement here, via the consultation on protective orders for people at risk of domestic abuse), as well as the Homelessness Prevention Group, discussed in Chapter Four. In Northern Ireland, there appears to be less connectivity over this period, potentially due to the delays caused by the suspension of Stormont. The following chapter analyses these 'live' policies in more depth, considering the macro-level connections and disconnections between domestic abuse and housing policy, across the UK at 31st March 2020.

4. Domestic Abuse and Housing Policy: connections and disconnections in policy 'live' in March 2020

4.1 Introduction

This chapter analyses the extent of connections and disconnections between domestic abuse and housing policy in England and Wales, Northern Ireland and Scotland in the period just prior to the Covid-19 pandemic. It is based on analysis of key policy and legislative documents that were live on 31st March, as lockdown commenced in the UK, and therefore capable of being changed (or not) as a result of the experience and response to the pandemic. The chapter thus addresses the project's aim of analysing 'live' debates and developments in order to identify the nature of connections and disconnections at this point in time and the degree to which change was advocated. In contrast to Chapter Three, Welsh policy is not considered separately from that for England and Wales, as the key 'live' legislative development for Wales is the *Domestic Abuse Bill* which applies in both.

4.2 Policy Analysis

England and Wales

As Chapter Three argued, the Westminster Government's approach to domestic abuse has historically focussed on housing as it relates to emergency provision, via refuges and other temporary accommodation (see also Irving-Clarke & Henderson, 2020). Further, while there has been some discussion of domestic abuse and the wider housing system, the focus has tended to be on social housing provision as the means to secure long-term housing solutions for victims/ survivors once they have escaped domestic abuse (*ibid.*). However, we have shown that other than these connections, the two policy areas have been somewhat disconnected, with less attention to the larger structural issues affecting the housing system, and to domestic abuse within the home ownership or private rented sectors. Importantly, there has recently been increased attention to the connections between housing and domestic abuse via the *Whole Housing Approach* promoted by the Domestic Abuse Housing Alliance (DAHA).

The analysis in this section of the chapter follows the discussion in Chapter Three of the Government's consultation call for *Transforming the Response to Domestic Abuse*, published in March 2018 (HM Government, 2018) (hereafter the *2018 Consultation Call*). The analysis here focuses on the subsequent Government document *Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill* published in partnership by the Ministry of Justice and the Home Office in January 2019 (HM Government, 2019) (hereafter, the *2019 Consultation Response and Draft Bill*). This is the key legislative debate that was 'live' at March 31st 2020 (HM Government, 2019). (See Chapter Three, Table 1, which also shows the documents associated with the progress of the Bill until the time of writing). As outlined in Chapter One, the document was analysed by conducting key word searches to identify excerpts where issues relating to housing and home were discussed. These extracts were then considered in relation to the themes identified in the literature review in Chapter Two.

Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill (January 2019) (the 2019 Consultation Response and Draft Bill)

As introduced in Chapter Three, the Westminster government consulted on 'Transforming the response to domestic abuse' in March 2018 (HM Government, 2018), under Theresa May's leadership. This commitment was continued under Boris Johnson's Conservative government that came to power following the December 2019 General Election.

As discussed previously, the connections between housing and domestic abuse policy had been increasing under the Conservative governments from 2015, following developments under New Labour in relation to anti-social behaviour and *Supporting People* and an apparent hiatus under the 2010-2015 Coalition Government. Yet, our analysis below shows that while there was some connection between domestic abuse and housing in the 2019 *Consultation Response and Draft Bill* document, these connections tended to be focussed on a long list of rather specific issues focussed on the important and immediate needs of the most vulnerable groups.

Thus, the 2018 *Consultation Call* had asked for responses “on how we could achieve four main objectives, each with prevention and protection at their heart” (HM Government, 2019: p. 1). These are to:

- “Promote awareness – to put domestic abuse at the top of everyone’s agenda, and raise public and professional awareness
- Protect and support – to enhance the safety of victims and the support that they receive
- Transform the justice process – to prioritise victim safety in the criminal and family courts, and review the perpetrator journey from identification to rehabilitation [and]
- Improve performance – to drive consistency and better performance in the response to domestic abuse across all local areas, agencies and sectors” (*ibid.*).

The responses reported in the 2019 *Consultation Response and Draft Bill* document highlight and demonstrate the historical policy disconnects noted in earlier chapters. For example, when asked “which of the following organisations do you think should do more to recognise the signs of domestic abuse? (please select the top three you think the government should focus on),” housing staff were ranked as number seven out of fifteen, with education professionals, police and health professionals being the top three (HM Government, 2019: pp. 11-13). So, housing staff were viewed as middling in position rather than as one of the primary agencies for identifying domestic abuse.

Nevertheless, the document does discuss the ‘Whole Housing Approach (WHA)’ pilot being funded at the time by the Ministry of Housing, Communities and Local Government (MHCLG) and delivered by the Domestic Abuse Housing Alliance (DAHA) to “develop the practice and knowledge of housing professionals in the private rented, privately owned and social rent sectors” (HM Government, 2019: p. 13). The pilots were held in Stockton-on-Tees, London and Cambridgeshire. The Summary of Responses document highlights that while “existing training and awareness” has typically focussed on social housing, the WHA has a key aim “to enable better engagement with the landlord professional bodies and provide training on domestic abuse to their members” (*ibid.*: p. 13). This is thus the key area of new connection that seems to go beyond previous policy.

This work is led by a DAHA PRS Development Manager, with a focus on “raising awareness with private landlords including national membership bodies and local PRS teams based in local authorities in the pilot areas” (DAHA, n.d.1: p. 18). Activities “included delivering talks, training for staff and private landlords, and circulating guidance and communications to deliver key messages tailored for the PRS market” and “the project has also explored opportunities to adapt and incorporate safeguarding into local authority accreditation and licensing schemes (*ibid.*).

In terms of the social housing aspect of the WHA, DAHA have been “work[ing] with housing providers and services in the pilot areas to adopt DAHA standards for responding to domestic abuse through an accreditation process” (DAHA, n.d.1: p. 18). The private ownership strand is delivered by Surviving Economic Abuse (SEA) a third sector organisation and has involved “work[ing] with banks, mortgage lenders and estate agents to raise awareness of domestic abuse and improve the response of these stakeholders to domestic abuse” (*ibid.*). DAHA has also been funded “to develop a set of standards for how housing providers should respond to domestic abuse in England and Wales,” with the Government’s consultation call document recognising that as “housing officers are likely to come into contact with domestic abuse victims on a daily basis... they are ideally placed to identify those carrying out domestic abuse and also those at risk, such as children” (HM Government, 2018: pp. 21-22).

In terms of funding needs, the 2019 *Consultation Response* document highlights the need for “safe accommodation, including refuges and social housing” (HM Government, 2019: pp. 18-19). Furthermore, when asked “which of the following areas do you think the UK government should prioritise?” accommodation services was the joint most common response, at 17% (equal to therapeutic services). This was followed by advocacy for victims (16%), perpetrator programmes (13%), helpline services (9%), new multi-agency approaches (8%) and health interventions (6%) (*ibid.*: p. 20). In all, 8% selected other and 6% did not answer. The question did not specify what type of accommodation services, and so it is not clear if this relates to emergency or other forms of accommodation. Nevertheless, this may suggest a growing recognition of the need for further connection between housing and domestic abuse, albeit perhaps with a rather specific focus.

There is also recognition of the need for additional support for those with no recourse to public funds,⁴ via the destitute domestic violence concession, with this being available for “partners of British citizens and settled persons where those partners are on a spouse, civil partner, unmarried partner or same sex partner visa” (HM Government, 2019: pp. 23-25). This “provides eligible individuals with a period of three months’ leave outside the immigration rules, allowing them to apply for access to public funds, which may help fund alternative accommodation away from their abuser” (*ibid.*). It also allows victims to “make arrangements to regularise their status by applying for indefinite leave to remain if they wish” (*ibid.*). There is also a similar support scheme for destitute asylum seekers, with “systems that enable accommodation providers to quickly move asylum seeking victims of domestic abuse to safety” (*ibid.*). The Government states that it is “looking at how to improve the way that the immigration system accommodates victims of domestic abuse” (*ibid.*). The 2019 Consultation Response document notes the Government pledge (in the 2018 *Victims’ Strategy* - see Chapter Three, Table 1), that it would “develop a new victims services delivery model to increase the availability of services through more joined-up and sustainable funding for victim support services” (HM Government, 2019: p. 20). It also notes that, of the £100m+ in funding that the Government provided to tackle violence against women and girls from 2016 to 2020, over £40 million has been allocated for safe accommodation-based services (of over £80m for victims’ services) (*ibid.*). These measures again recognise the importance of stable housing for victims/ survivors of domestic abuse, albeit again with a focus on emergency accommodation.

The need to protect women with no recourse to public funds has been a particularly contentious issue, with advocacy groups highlighting that the current version of the Bill (reintroduced in March 2020) does not go far enough. For example, Goddall and Lee (2020) highlight efforts by campaigns to include provisions to “better protect migrant women” in the Domestic Abuse Bill, as at present, “some immigrants with insecure status cannot access public funds or housing and refuge support” (*ibid.*: no page; see also Women’s Aid, 2020; Southall Black Sisters (2020)). We will look to examine how this issue is debated and develops in Phase Two of the project.

Regarding accommodation-based services, including refuges, the Government stated that it recognised the importance of safe accommodation for victims: “We believe that the best way to assess need and provide safe accommodation is through local authorities working in partnership with other agencies” (HM Government, 2019: p. 21). At the time the document was published, MHCLG was conducting “a review of how domestic abuse services are locally commissioned and funded across England,” in order to meet “the manifesto and Violence Against Women and Girls Strategy commitments to review funding for safe accommodation, including refuges, and the locally led approach to commissioning and delivering these services” (*ibid.*). While refuges and other forms of emergency, safe accommodation are vitally important for women escaping domestic abuse, we have noted increasing recognition of the need for a broader focus in relation to domestic abuse and housing policy. In so doing, it is crucial to recognise the structural inequalities that women face, including economic inequalities, such as those relating to the gender pay gap, and how these are reflected in the housing system, creating additional barriers for women to escape domestic abuse.

4. It is important to note, however, that since being reintroduced to Parliament in July, the Bill has faced criticism for not adequately protecting all women (Goddall & Lee, 2020). For example, Women’s Aid have highlighted that it does not “guarantee equal protection and support for migrant women and deliver all of the changes survivors need” (Women’s Aid, 2020: no page). They cite that “[o]nly 5.8% of refuge vacancies in England are accessible to a woman with no recourse to public funds due to her immigration status, and whilst the bill’s statutory duty to fund accommodation-based services is welcome and potentially lifesaving, it must be backed by sustainable funding” (*ibid.*).

The Draft Bill part of the 2019 *Consultation Response and Draft Bill* document proposes nine measures requiring primary legislation. One of these relates to housing:

“To ensure that, where a local authority, for reasons connected with domestic abuse, grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy (other than an assured shorthold tenancy), this must be a secure lifetime tenancy” (HM Government, 2019: p. 4).

As discussed in Chapter Three, this issue was the focus of the *Secure Tenancies (Victims of Domestic Abuse) Act 2018* – this ensures “that where local authorities grant a new tenancy to lifetime tenants who are victims of domestic abuse, it must be a further lifetime tenancy” (HM Government, 2019: p. 22). As mentioned previously, this Act has not yet been enacted, as the provisions in the *Housing and Planning Act 2016* relating to fixed-term tenancies have not been introduced, and therefore the Government committed, in the *Social Housing Green Paper* (MHCLG, 2018d), “to bring forward new legislation to put in place similar protections for victims of domestic abuse where local authorities offer fixed-term tenancies at their discretion. The draft *Domestic Abuse Bill* includes provisions to deliver on this commitment” (HM Government, 2019, p. 22), although this applies only to England given tenancy differences between England and Wales.

The fact that the main housing related proposal in the 2019 *Draft Bill* is a measure that previous legislation has sought to address (and that – as noted in Chapter Three – that this previous legislation had to be brought in to resolve an omission in relation to tenancies in England in the earlier 2016 *Housing and Planning Act*) suggests that the Draft Bill is very far from being shaped by new thinking about the intersection between housing and domestic abuse policy. Further the fact that it again reflects the traditional focus on social housing: providing additional support for those who are social housing tenants, but not for those in privately-rented accommodation or owner occupation, is also relevant.

The increasing recognition of economic abuse within the domestic abuse literature has been noted, with this being a factor limiting women’s abilities to move to safe housing away from the perpetrator. This was also reflected in the policy analysis we conducted, with the *Consultation Response and Draft Bill* document (HM Government, 2019:2) proposing a widened definition, extending this to include: “(a) physical or sexual abuse; (b) violent or threatening behaviour; (c) controlling or coercive behaviour; (d) economic abuse; (e) psychological, emotional or other abuse.” Economic abuse was defined here as “any behaviour that has a substantial adverse effect on [the victim/ survivors] ability to (a) acquire, use or maintain money or other property, or (b) obtain goods or services” (*ibid.*). The document recognised “the severity and lifelong impact of economic abuse and that it can often happen after the relationship has ended” (HM Government, 2019: pp. 40-41). The consultation responses highlighted:

“the immense barriers that victims and survivors face in escaping this abuse and rebuilding their lives: from the inability to end joint bank accounts and mortgages without both parties agreeing, to difficulties accessing appropriate housing and refuge, to something as simple as getting a mobile phone” (*ibid.*).

The role of “banks and financial authorities” is thus recognised in the consultation as vital in tackling economic abuse. The Government pledged to “continue to work with UK finance to encourage banks and financial authorities to do more to support victims of domestic abuse and help them move forward to escape debt, joint accounts and mortgages” (*ibid.*). The document notes developments in this area, with UK Finance developing a Code of Practice, with the aim “to encourage banks to do more to support victims of domestic abuse,” and “a consumer information pack, to help victims know what support they can expect” (*ibid.*). However, the wider context of gendered economic inequalities – and its impact on women’s housing opportunities – is not clearly in focus in this discussion. The revised 2020 version of the Bill, which falls outwith the scope of this report as it was not debated until April 2020, also pledged to “[p]rovide that all eligible homeless victims of domestic abuse automatically have ‘priority need’ for homelessness assistance” (Home Office, 2020: no page). This will be examined in the next phase of the project.

Welsh Homelessness Action Group

It is also important to note the work of the Homelessness Action Group, established by the Welsh Government “to recommend the steps needed to end homelessness in Wales” (HAG, 2020:iii). It seeks to address four key questions:

1. “What framework of policies, approaches and plans are needed to end homelessness in Wales? (What does ending homelessness actually look like?)
2. What immediate actions can we take to reduce rough sleeping between now and the winter of 2019/20, and to end rough sleeping altogether?
3. How do we put the delivery of rapid and permanent rehousing at the heart of preventing, tackling and ending homelessness?
4. How can we ensure joined-up local partnerships and plans are put in place to prevent, tackle and end homelessness throughout Wales?” (*ibid.*).

A key word search for “domestic” of its meeting minutes and its first report published in October 2019 (HAG, 2019) indicated brief recognition of the links between homelessness and domestic abuse, but little focussed attention at this stage. The group’s second report, published in March 2020 (HAG, 2020) highlights greater connectivity, with several recommendations mentioning domestic abuse. For example, “people experiencing violence (against women and other people), domestic abuse and sexual violence – and survivors of these experiences” are identified as one “risk group,” with the recommendation that the “Welsh Government, delivery partners and public services should agree and implement clear prevention and rapid rehousing pathways of tailored support for” (*ibid.*: pp. 33-34). The report also highlights the potential need for interventions focussed on “staff training” for “people at risk,” for example to help them “recognise[e] violence against women, domestic abuse and sexual violence and respond to it” (*ibid.*: pp. 35-36). It also recommends that the “Welsh Government should help prevent and end homelessness specifically for people who have migrated to Wales from outside the UK,” for example by “[l]obbying the UK Government to allow survivors of violence against women, domestic abuse and sexual violence who have no resource to public funds to access housing and support services” (*ibid.*: pp. 45-46). As discussed previously, this debate will be examined in the next phase of this project.

Summary

Our analysis therefore indicates recognition of the connections between housing and domestic abuse in the England and Wales 2019 *Consultation Responses and Draft Bill* document, but focussed on particular facets. As suggested in Chapter Two, these connections have historically been via a focus on refuges, emergency accommodation and social housing provision. These are all key aspects discussed in the consultation responses part of the document. The *Draft Bill* also contains the pledge regarding secure lifetime tenancies for victims/ survivors of domestic abuse who previously had a joint secure lifetime tenancy with the perpetrator, as this is an issue which has not been addressed in previous legislation, despite attempts to do so. The need to protect women with no recourse to public funds is highlighted as a particularly contentious issue in policy debate already ‘live’ at the point at which the Covid-19 pandemic hit. How this is resolved as the Bill progresses will be explored in the subsequent phase of the project.

However, there is nonetheless evidence of increasing cognisance of the connections with the wider housing system, as indicated through MHCLG’s funding for the *Whole Housing Approach* pilot, which goes beyond previous responses to incorporate the PRS and home ownership sectors. This may suggest growing recognition of the calls by advocacy organisations, and for a broader focus on the structural inequalities that women face and which are, reflected in the housing system. The highlighting of economic abuse in the Consultation Response document could perhaps reflect this – for example, by highlighting issues with joint mortgages for women living in the home ownership sector – but there may be room for deeper analysis of this aspect of gendered inequality.

The Welsh context is somewhat different, where separate legislation regarding housing and domestic abuse was developed in parallel, as discussed in Chapter Three. Thus, while the *Violence Against Women, Domestic Abuse and*

Sexual Violence (Wales) Act 2015 did not focus on issues of housing and home, amendments were made via the *Housing (Wales) Act 2014* with regards to homelessness, in terms of priority need and a preventative approach. The *Homelessness Action Group* also makes connections between homelessness and domestic abuse, but again, the focus is largely on homelessness, rather than the wider housing system. This work will be explored in the next phase of this project.

Northern Ireland

As discussed in Chapter Three, Northern Ireland first started discussing and consulting on a new *Domestic Abuse and Family Proceedings Bill* in 2016 (Department of Justice Northern Ireland, 2016b). However, this was delayed by the suspension of Stormont in 2017 (O'Neill, 2020). Thus, several of the consultation documents from 2016 can be considered to still be 'live' documents in March 2020, along with the Bill itself, with the first official reading of the Bill taking place on 31st March 2020. These are analysed first, before moving on to the Bill.

Domestic Abuse Offence and Domestic Violence Disclosure Scheme Consultation (2016) (the 2016 Offense and Disclosure Consultation)

The *Offense and Disclosure Consultation* was launched in February 2016 and sought views on:

- "whether the Department of Justice (DOJ) should create a specific offense that captures patterns of coercive and controlling behaviour in intimate relationships, in line with the proposed new definition of domestic abuse contained within the draft *Stopping Domestic and Sexual Violence and Abuse Strategy*; and
- Disclosing information about an individual's history of domestic violence to a new partner who is in an intimate relationship with them. It seeks views on a suitable model where the public have a 'right to know' or a 'right to ask,' or whether current arrangements under existing legislation are sufficient. The consultation will also establish the potential scope for any disclosure scheme" (Department of Justice NI, 2016b: p. 1).

Through key word searches and analysis of relevant extracts, our policy analysis identified only two references in the Consultation Call to terms related to housing and home (see Appendix One). These were in the Ministerial foreword, where there was emphasis that "[e]veryone has the right to feel safe and secure, particularly in their home," and that "[d]omestic violence and abuse happens, behind closed doors, every day in homes across Northern Ireland" (Department of Justice NI, 2016b: p. iii). Thus there was no connection with housing policy, with the emphasis on house and home as places/ symbols of safety.

Responses to the 2016 *Offense and Disclosure Consultation* highlighted an "overwhelming" view that "the current law needs to change to recognise domestic abuse in all forms," with a need to shift from a focus on "incidents" to patterns of abuse, recognising "the cumulative impact of controlling behaviour" (Department of Justice NI, 2016c: p. 2). While still minimal, there was slightly greater reference to housing, home and related terms in the responses to the consultation. For example, in relation to question 11 "[w]hat other mechanisms for disclosing information about a subject's violent behaviour do you consider appropriate?" (*ibid.*: pp. 31-33), respondents noted existing mechanisms, such as Multi Agency Public Protection Arrangements (MAPPA), and the role of housing, as one of several agencies within this. They generally felt "that the police should remain in the lead," but recognised "that victims are often engaged on a multi-agency level before contacting the police (social services, GPs, housing and health authorities, children's schools etc.)" (*ibid.*: p. 33).

Further, respondents typically recognised the gendered dimension of domestic abuse, "acknowledge[ing] that women remain overwhelmingly the majority of the victims of this type of domestic violence" and, importantly, "posed that this may be associated with the implications of gendered power, status and financial differentials within households and across society" (*ibid.*: p. 60). These responses thus recognise issues of gender inequality, and how this is reflected in households and wider society. Yet, this is arguably a missed opportunity thus far in terms of recognising the housing policy dimension of these inequalities.

Despite this lack of connection, it is important to note that some connections were made between domestic abuse and housing policy in the Northern Ireland Assembly's March 2016 strategy, entitled *Stopping Domestic and Sexual Violence and Abuse in Northern Ireland*, (Department of Justice NI, 2016a), which we discussed in Chapter Two. Thus, the lack of connection in the 2016 *Offense and Disclosure Consultation* is arguably due to its focus on the need to create a broader offense of domestic abuse, following previous developments in other parts of the UK, rather than a lack of awareness of the connections between domestic abuse and housing policy. Nevertheless, it is important to note that connecting domestic abuse and housing policy does not appear to have been significant in Northern Ireland's policy discourse. This is an issue that we will explore in Phase 2.

Other Consultation Documents and Responses

In addition to the 2016 *Offense and Disclosure Consultation* above, the Northern Ireland Assembly also conducted consultations about Domestic Homicide Reviews and protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings (see Chapter Three, Table 3). However, these had almost no reference to issues of housing and home (see Appendix 1) and are therefore only very briefly summarised below.

The NI Assembly published its consultation on Domestic Homicide Reviews in July 2018, with the summary of responses published in January 2019. The consultation sought "views on a proposed model for the introduction of Domestic Homicide Reviews (DHRs) in Northern Ireland, which will seek opportunities for learning from cases of homicide resulting from domestic violence and abuse" (Department of Justice NI, 2018, p. 1). Regarding responses to the question of whether respondents "have anything to say about when a DHR will or will not be commissioned?" the consultation call suggests that "a 'typical' terms of reference might include or capture" several issues, including "whether the victim or perpetrator was a NI Housing Executive or housing association tenant, if there were any associated difficulties with the property tenure, and their policies and processes around domestic violence" (*ibid.*: pp. 13-14). This suggests a very minor level of connection between domestic abuse and social housing only – and not with the wider housing system. However, the document detailing responses to the consultation, *Domestic Homicide Review: A Consultation – Summary of Responses and Way Forward* (January 2019), made no reference to housing policy issues, thus generally highlighting a lack of connection (Department of Justice NI, 2019a).

The NI Assembly published its consultation on options for legislation regarding protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings in July 2019 (Department of Justice NI, 2019b), with the summary of responses and next steps being published in February 2020 (Department of Justice NI, 2020). The consultation call sought "views on options for legislation to protect victims of domestic abuse from being cross-examined in person in family proceedings by those who have committed the abuse" (Department of Justice NI, 2019b: p. 2). The Consultation Call and Summary of Responses documents made no reference to housing policy or related terms.

Domestic Abuse and Family Proceedings Bill (2020)

The key piece of legislation in Northern Ireland which was live in March 2020 is the *Domestic Abuse and Family Proceedings Bill*. It is important to note the challenges faced by the Northern Ireland Assembly in getting to this stage, given the suspension of Stormont. In 2019, there were even "calls for Northern Ireland to be included in new Westminster legislation on domestic abuse," but the *BBC* reports that Committee Chairman, Paul Givan of the DUP, was keen for Stormont to legislate on the issue "to make sure [the legislation] is tailored more to Northern Ireland" (O'Neill, 2020: no page). This followed the recommendation of a Westminster Committee in June 2019 "that new English domestic abuse legislation should apply to Northern Ireland," given the suspension of Stormont and the fact that "Northern Ireland does not have a statutory definition of domestic abuse," with the view that "protections for victims of stalking and harassment are [also] inadequate and that there is no specific offence regarding coercive and controlling behaviour" (Devenport, 2019: no page). Despite this, the first sitting of the Bill took place on 31st March 2020, following the re-commencement of the Northern Ireland Assembly, building on the consultation described above. The Bill aims:

"[t]o create a course of conduct offence and a sentencing aggravation concerning domestic abuse and make rules as to procedure and giving evidence in criminal cases involving domestic abuse; and prevent cross-examination in person of certain witnesses in particular circumstances in family proceedings in the civil courts" (Potter, 2020: p. 6).

The Bill takes a victim-centred approach, and emphasises the hugely detrimental impact that domestic abuse can have on children, but our analysis found that it makes no reference to home, housing or related terms.

This Bill followed the publication of the Department of Justice's seven-year strategy in March 2016, *Stopping Domestic and Sexual Violence and Abuse in Northern Ireland* (Department of Justice NI, 2016a), discussed in Chapter Three. As well as detailing "new Government definitions for both domestic and sexual violence and abuse," incorporating "specific reference to controlling and coercive behaviour," the Bill also outlines "a commitment to consult on whether there was a need for a new criminal offence, to capture domestic abuse as criminal behaviour that can be addressed through the justice system" (Northern Ireland Assembly, 2020: p. 1).

There is also very little discussion of housing policy and related issues/ terms in the *Explanatory and Financial Memorandum* (Northern Ireland Assembly, 2020), except for recognising economic abuse within the wider definition of domestic abuse, stating that abuse can involve: "preventing the partner/ connected person from having access to money, forcing them to leave their job or education, taking charge of household decision-making to the exclusion of them or treating them as a domestic slave (subsection (3)(a), pp. 6-7)". This reflects the broadening of understanding of domestic abuse noted in earlier chapters. The *Explanatory and Financial Memorandum* also refers to Subsection (3) (d) which "deals with behaviour which has the effect of depriving or restricting the freedom of action of a partner/ connected person" (*ibid.*: p. 7). This covers behaviour that removes an individual's autonomy, "for example, preventing them attending work or college, preventing them from leaving the house alone, insisting on accompanying them to medical appointments, or taking decisions for them in relation to private, individual matters that a person would normally decide for themselves" (*ibid.*: p. 7). This thus reflects recognition of the role of coercive control as a form of abuse and the need to create legislation to protect victims.

Summary

In Northern Ireland, the progression of policy and legislation relating to domestic abuse has been slowed since the suspension of Stormont in 2017. Thus, some of the developments either already in place in the rest of the UK or further through the legislative process have only recently been reintroduced to the Northern Ireland Assembly since it resumed. While the 2016 National Strategy did highlight some connections between domestic abuse and housing, the consultations and 2020 Bill discussed in this chapter generally make little or no connection between the two, although there is recognition of housing as one of several agencies with a responsibility for, and insight into, protecting victims/ survivors of domestic abuse. This lack of connectivity could be due to the need to prioritise legislating on creating a specific Domestic Abuse Offense, covering a broader understanding of domestic abuse. This analysis thus suggests that, in NI, there has not been a focus on advocating greater connectivity between domestic abuse and housing policy. As noted above, this may be because this agenda is not a priority in the context of the suspension of Stormont, and the need to focus on passing the necessary legislation to better protect victims/ survivors of domestic abuse.

Scotland

As discussed in Chapter Three, Charles and Mackay (2013: p. 603) discuss differences in the Scottish approach to domestic violence and abuse over time, recognising the role of "refuge movement activists" encouraging a "holistic and comprehensive approach" focused on "the key aspects of protection, prevention and provision"; recognition of the relationships "between domestic violence and other manifestations of violence against women; and the positioning of domestic violence as an issue of human rights, gender inequalities and social justice." The details of the current *Domestic Abuse (Scotland) Act*, introduced in 2019, were provided in Chapter Three. This section focusses on *Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women* (Scottish Government & COSLA, 2018) (hereafter 2018 *Equally Safe*) as the key domestic abuse strategy that was up for debate at 31st March 2020, as

well as the consultations taking place regarding protective orders for people at risk of domestic abuse (2018 *Protective Order Consultation*). As Table 4 in Chapter Three shows, the responses to the 2018 *Protective Order Consultation* and the Bill itself are part of the post-pandemic policy world and will therefore be explored in Phase Two of the project.

Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women (2018)

As discussed in Chapter Three, in recent years, there has been less explicit discussion of the connections between domestic abuse and wider housing policy (other than relating to homelessness) in Scotland, although there has been recent efforts by the Homelessness Prevention Group to develop policy in this area, discussed below. This is evident from our analysis of the 2014 and 2016 versions of Equally Safe strategy, and of the consultations for, and the actual, 2018 *Domestic Abuse (Scotland) Act*.

As noted, the key strategy document 'live' at 31st March 2020 in Scotland was the 2018 *Equally Safe* document, by dint of the fact that new guidance on the document is being prepared at the time of writing – rendering the 2018 *Equally Safe* subject to possible change as a result of the pandemic. Equally Safe sets a vision for:

"[a] strong and flourishing Scotland where all individuals are equally safe and respected, and where women and girls live free from all forms of violence and abuse – and the attitudes that help perpetuate it," with the aim being "[t]o work collaboratively with key partners in the public, private and third sectors to prevent and eradicate all forms of violence against women and girls" (Scottish Government & COSLA, 2018: p.3).

Importantly, the Strategy establishes the Scottish Government's approach as being gendered, recognising that women are disproportionately affected by domestic abuse:

"...we mean the violent and abusive behaviour carried out predominantly by men directed at women and girls precisely because of their gender. Behaviour that stems from systemic, deep-rooted women's inequality, and which includes domestic abuse, rape, sexual assault, commercial sexual exploitation (like prostitution), and so-called 'honour based' violence like female genital mutilation and forced marriage" (Scottish Government & COSLA, 2018: p. 6).

As with others, the document was analysed using key word searches relating to housing and home to identify relevant extracts for analysis; these terms were also counted, indicating a very low level of connection between domestic abuse and housing in the 2018 *Equally Safe* Strategy (Scottish Government & COSLA, 2018; see Appendix One). There was just one reference to household, two to home, two to homelessness, three to housing and one to accommodation. These references are not, however, very explicitly focussed. For example, one reference is made to housing as one of a number of wider interests that the Scottish Government believes need to play a role in addressing domestic abuse:

"Each and every area of government and wider society has an important role to play in tackling this issue. Specialist organisations remain key in supporting those affected by violence and abuse of course, but it is not just an issue for them. It needs the engagement of the full range of interests including, local authorities, Police Scotland, the NHS, local authorities, the civil and criminal justice systems, social work, housing, media, the business sector, trade unions, third sector organisations and individuals and communities too" (Scottish Government & COSLA, 2018: p. 7; emphasis added).

Further, while the 2018 *Equally Safe* document does note "safe accommodation" as one of the support needs of "women, children and young people," this is cited as part of a list of several services, including:

"...maternity, mental health (including services for children and adolescents), primary care, substance misuse, accident and emergency, community nursing and sexual health services, **safe accommodation**, counselling and support services, advocacy and legal services and longer-term support for the recovery of those affected by violence" (Scottish Government & COSLA: p. 39; emphasis added).

The reference to “safe accommodation” is important here. While the Strategy does not specify what type of accommodation this is, it likely suggests a focus on either emergency accommodation, refuges or social housing provision more broadly, given that other issues such as affordability or longer term stability are not mentioned. Again, despite the acknowledgement of structural and gendered inequalities noted above, this suggests less connectivity between domestic abuse and the wider housing system.

Crucially, with regards to housing, the Strategy recognises that domestic abuse can continue after women (and children) leave the home, challenging the assumption that “leaving home or separating...bring[s] an end to the abuse” (Scottish Government & COSLA, 2018: p. 18).

Further, while the *Equally Safe* Strategy recognises the key role of “[s]pecialist organisations...in supporting those affected by violence and abuse” (Scottish Government & COSLA, 2018: p. 7), emphasising the vital “expertise and support available in third sector organisations,” as well as the role of public services (*ibid.*: p. 41), housing providers are not recognised as one of these, being listed instead when the Strategy discusses the “need [for] the full range of interests including... housing” (*ibid.*: p. 7). It later highlights the desire for:

“...an integrated system of mainstream, specialist and third sector services capable of delivering a coherent and consistent response across a diverse range of needs, that allows for flexibility to reflect local circumstances. It is vital that services that come into daily contact with women, children and young people are able to identify those at risk and offer an appropriate, safe and consistent response – from police officers, teachers, community workers, social workers and housing officers, to GPs, midwives, dentists, bar reporters, and children and young people’s services” (*ibid.*: pp. 41-42)

The emphasis on specialist providers is in contrast to the discussion in Chapter Two regarding “isomorphism” and the trends towards the de-specialisation of the domestic abuse sector from the 1990s and 2010s under the Coalition government in England and Wales (Irving-Clarke & Henderson, 2020), suggesting the Scottish Government shows greater cognisance of this need although, of course, the explicit inclusion of specialist providers in policy making can lead to different challenges for such specialists in terms of the potential conflicts between different advocacy and service provision roles.

In a more general sense, the key themes in *Equally Safe 2018* include the importance of a partnership approach, the impact of Universal Credit on women and children experiencing domestic abuse, a need for individualised/ tailored approaches for victims/ survivors and additional support required to help service providers identify those suffering from domestic abuse. For example, the Strategy recognises the importance of partnerships and “collaborative working between both sectors through multi-agency activity” to meet the individual needs of women and children, including in terms of providing safe accommodation (Scottish Government & COSLA, 2018: p. 41).

Regarding household circumstances more broadly, *Equally Safe* notes the detrimental impact that welfare reform, and particularly Universal Credit, is having on women’s resources and thus their ability to escape domestic abuse (Scottish Government & COSLA, 2018: p. 39). In particular, the Scottish Government and COSLA highlight the change to payments being made as “one single household payment – representing a loss of independent income for women in couples where Universal Credit is to be paid to the man” (*ibid.*). This relates to our earlier discussion regarding domestic abuse as a gendered crime that disproportionately affects women, and how this experience is compounded by gender inequality in society more broadly and reflected in housing systems. The earlier discussion also highlighted how gender inequality was further exacerbated by austerity from 2010 and subsequent ‘welfare reform’ policies, compounding the challenges of leaving abusive relationships. The Strategy also notes that Universal Credit will affect “young people who want to leave home to escape domestic abuse” (*ibid.*). Moreover, it highlights the potential knock-on effects of a reduced income and risks of poverty, which “restricts opportunities, increases health inequalities and impacts heavily on life choices” (*ibid.*). These extracts are important and highlight the Scottish Government’s awareness of the structural inequalities underpinning domestic abuse towards women, and exacerbating the challenges faced by women as they try to leave an abusive relationship.

As noted above, the *Equally Safe* Strategy emphasises the need for a tailored approach for women and children, recognising that “[w]omen, children and young people can have different support needs depending on the form(s) of violence experienced and individual circumstances” (*ibid.*: p. 41).

Going forward, the Scottish Government and COSLA state that:

“We want an integrated system of mainstream, specialist and third sector services capable of delivering a coherent and consistent response across a diverse range of needs, that allows for flexibility to reflect local circumstances. It is vital that services that come into daily contact with women, children and young people are able to identify those at risk and offer an appropriate, safe and consistent response – from police officers, teachers, community workers, social workers and housing officers, to GPs, midwives, dentists, bar reporters and children and young people’s services” (Scottish Government, 2018 & COSLA: pp. 41-42).

This extract again emphasises the issue of specialisation. It is important that the Scottish Government recognises the role of housing officers, as one of many professions, in identifying those at risk of domestic abuse and providing, or signposting victims/ survivors to, the necessary support. However, the focus on housing officers is again indicative of the traditional connection between domestic abuse and social housing.

Equally Safe 2018 also discusses the ‘capability and capacity workstream’ being coordinated by CoSLA, which includes a pledge to “work to ensure that statutory services including health, education, social work and housing are increasingly competent in identifying and responding effectively to violence; and consider and work to improve the capacity and capability that exists across all services” (*ibid.*: p. 50). This again emphasises the need for a partnership approach to identify and respond to domestic abuse, with housing being one of a number of partners.

Therefore, while there has been some mention of home, housing, and households more generally, *Equally Safe* 2018 currently lacks much connection with housing policy, other than safe accommodation, although there have been recent efforts to address this issue via the Homelessness Prevention Review Group (Crisis, n.d.). It does however recognise structural and gendered inequalities more broadly, taking a gendered perspective towards domestic abuse and recognising that the impacts of welfare reform and Universal Credit will be disproportionately felt by women, further adversely affecting women who have experienced domestic abuse. It is understood that the connectivity between domestic abuse and housing policy is increasing as a result of the Homelessness Prevention Review Group, detailed below, but this has not yet fed through to policy and legislation. There was, however, more attention to housing issues (although not necessarily housing policy) in the 2019 consultation regarding protection orders for people at risk of domestic abuse, given the nature of the intervention. These are now discussed.

Protecting People from Domestic Abuse: Consultation Call (2018) (2018 Protective Order Consultation)

Following the *Domestic Abuse (Scotland) Act 2018*, the Scottish Government launched a consultation regarding protective orders for people at risk of domestic abuse in December 2018 (Scottish Government, 2018c). The consultation call recognised that while the *Domestic Abuse (Scotland) Act 2018* had legislated against the psychological and physical harm caused by domestic abuse, there is currently a “gap in the criminal law” in terms of prosecuting against psychological harm (*ibid.*: p. 4). The consultation thus considered if “the Police and Courts should be given new powers to impose protective orders to remove suspected perpetrators from a home they share with a person at risk of domestic abuse without the need for that individual to apply to court themselves” (Scottish Government, 2018b: no page). It “also sought views on whether the existing system of Exclusion Orders should be reformed” (*ibid.*):

“...the new protective orders we are consulting on would mean the person at risk is not required to make the application to the court themselves for one of these protective orders. This may be key to ensuring the safety of a person at risk where the effect of abuse is such that they are not in a position to initiate civil proceedings to remove the person putting them at risk from their home, because, for example, they are being controlled to such an extent that they could not initiate a court action. It would provide them with time to seek advice on their longer-term housing options and reduce the risk that they have to become homeless to escape the perpetrator” (Scottish Government, 2018c: p. 3).

The consultation call thus sought “views on a number of policy issues concerning how such new protective orders would work if introduced in Scotland and whether any changes are needed to exclusion orders” (Scottish Government, 2018c: p. 3). The response to the consultation call and the Bill will be explored in Phase Two of the project.

Like other ‘live’ documents, this document was analysed by searching for key terms to identify extracts relating to issues of house, home and related terms, and the themes within them. In brief, what we found was that the key housing themes in the document included the relationship between domestic abuse and risks of homelessness; the need for additional preventative measures, whether civil or criminal, with concerns about the need for further measures to ensure the victim/ survivor can keep their home and/ or that perpetrators could abuse any new provisions; and the need for greater awareness about exclusion orders amongst local authority officers, including housing professionals. We now look at this in a little more depth.

The Foreword to the 2018 *Protective Order Consultation Call* highlights the relationship between homelessness and domestic abuse, citing research by Scottish Women’s Aid which “highlights that it is a significant cause of homelessness in Scotland” (Scottish Government, 2018c: p. 2). It also notes that most of the victims/ survivors of domestic abuse are women, often with children to care for, and that “it can be very difficult for those suffering or at risk of suffering from domestic abuse... to remain in their own home when attempting to leave an abusive partner” (Scottish Government, 2018c: p. 2). During the passage of the Domestic Abuse (Scotland) Bill, it was noted that at present, “[a] person wishing to obtain immediate or long-term protection” from a perpetrator, especially from their home, “can only obtain such protection if the perpetrator enters the criminal justice system or if the victim takes out a civil order against the perpetrator” (*ibid.*: p. 4). These discussions thus relate to the issues outlined in Chapter Two regarding domestic abuse as a gender inequality issue and the related issue of whether the victim/ survivor or perpetrator stays in the home, and the support and provisions required to enable the victim/ survivor to stay safely, if they wish to do so.

The 2018 *Protective Order Consultation Call* discusses a variety of different options for protective orders that have been adopted in other countries. One option is the introduction of Emergency Barring Orders, which would be used to “ban a perpetrator of abuse from the home of a victim for as long as is considered necessary to secure the victim’s safety” (Scottish Government, 2018c: p. 4). They could also be used to “prohibit that person from contacting the person at risk” (*ibid.*: p. 5). The Consultation Call highlighted the “need to consider how long it is reasonable to bar a suspected perpetrator whom the police suspect may pose a risk but who has not been charged with any criminal offence, from their own home, without that order being considered and approved by a court” (*ibid.*: p. 9).

Following this, the Scottish Government launched a working group in summer 2019 “to [further] consider how Scotland could improve housing outcomes for women and children experiencing domestic abuse,” co-chaired by CIH Scotland and Scottish Women’s Aid. There are six strands of work aiming “to improve housing outcomes for women and children experiencing domestic abuse in the social rented sector,” centred around:

1. “Provision of accommodation and support for women and children experiencing domestic abuse at the point of need
2. Legislative changes to protect women and children’s rights to remain in their home and action taken to remove and rehouse perpetrator
3. Developing a gendered analysis of homelessness and domestic abuse
4. Enable women and children who have experienced domestic abuse and have no recourse to public funds (including EEA citizens) access to appropriate accommodation and specialist support
5. Improving social landlords performance in preventing and responding to domestic abuse

6. Prevention duty" (*ibid.*).

Scottish Housing News reports that the work started in early 2020 and, although the group has continued to meet virtually, the work has been somewhat delayed by Covid-19 (Scottish Housing News, 2020: no page). The first phase in early 2020 focussed on social housing, and the second on owner occupiers and the private rented sector (*ibid.*). The report for the first phase was published in December 2020, focussing on "international human rights commitments including the right to adequate housing for victim-survivors of domestic abuse, and Equally Safe: Scotland's national strategy for preventing and eradicating violence against women and girls" (Scottish Women's Aid & CIH, 2020: p. 2). The report recognises "domestic abuse-related homelessness," as "the leading cause of women's homelessness" and argues that in the social housing sector, there is a need for "a combination of systemic change, legislation and actions to prevent homelessness for victim-survivors of domestic abuse" to both "improv[e] not only the housing outcomes for women and children in Scotland but also their health and wellbeing, thus upholding the human rights of women and children to live in a home of dignity and security, free from abuse" (*ibid.*). This first stage report sets out a comprehensive set of recommendations covering the need for a gender-based analysis to take centre stage alongside stakeholder engagement in policy and practice development and a robust monitoring framework built into housing legislation. Further, addressing the existing gaps that we recognise in Equally Safe above, it recommends that the housing domain be explicitly reflected in future updates.

This was launched in recognition of the fact that there was a lack of legislation to enable victims/ survivors and their families to remain in their homes, as discussed above (*ibid.*). Thus, while housing has been gaining increasing recognition in terms of its role in providing a safe space for those escaping or at risk of domestic abuse, with several references to housing, home and related terms in our analysis of the 2018 *Protective Order Consultation Call* (Scottish Government, 2018c), these discussions are less connected to housing policy, with the focus instead on using the criminal justice system to enforce protections around the home. However, as mentioned previously, there has been growing recognition of the need for greater connectivity between domestic abuse and other facets of housing policy, particularly through the Prevention Review Group, as is now discussed.

Prevention Review Group

The Prevention Review Group was set up in 2019 by Crisis, as requested by the Scottish Government, to "identify legal duties needed for local authorities and other public bodies to prevent homelessness in Scotland" (Crisis, n.d.: no page). This was to fulfil a recommendation in the *Ending Homelessness Together High Level Action Plan*, published in November 2018 by the Scottish Government and the Convention of Scotland Local Authorities: "We will work with public bodies, housing providers and other partners to develop a new duty on local authorities, wider public bodies and delivery partners for the prevention of homelessness" (*ibid.*). The group is chaired by Professor Suzanne Fitzpatrick of Heriot-Watt University and includes representatives from Crisis, Shelter Scotland, East Ayrshire Council/ COSLA, Fife Council/ Association of Local Authority Chief Housing Officers, Glasgow City Health and Social Care Partnership, the Scottish Federation of Housing Associations, the Chartered Institute of Housing, Homeless Network Scotland, the Scottish Government, COSLA, Professor Tom Mullen at the University of Glasgow (*ibid.*). It first met in November 2019 and aimed to report in November 2020. It sought to cover several themes, including domestic abuse (discussed in July 2020). Meeting minutes from January 2020 discuss a draft list of stakeholders for the domestic abuse consultation (Crisis, 2020a); and meeting minutes from February 2020 also discuss a briefing paper regarding domestic abuse and homelessness, as well as discussion of "the stakeholder list and list of consultation questions," and "recommendations to inform the stakeholder meeting in early March" (Crisis, 2020b: p. 4). Thus, while the Group's domestic abuse discussion is outwith the scope of this report, it is important to note that the need to further consider the connections between domestic abuse and housing is firmly on the Group's agenda; the next phase of this project will look at this development in more detail.

Improving Multi-Agency Risk Assessment and Interventions for Victims of Domestic Abuse: Consultation Call (2018) and Analysis of Consultation Responses (2019)

In December 2019, the Scottish Government published *Improving Multi-Agency Risk Assessment and Interventions for Victims of Domestic Abuse: Analysis of Consultation Responses* (Scottish Government, 2019a), based on a consultation

which ran from 30 November 2018 to 2 March 2019 (Scottish Government, 2018d). The consultation “sought views on how multi-agency risk assessment and working for victims of domestic abuse in Scotland could best be improved” (*ibid.*: p. 1).

Our analysis of the document identified an emphasis on partnership working and additional training for public sector workers, with housing included within this. Thus, housing was identified as one of a number of key partners who should be able to recognise the signs [of domestic abuse] and respond appropriately” (Scottish Government, 2019a: p. 19).

Summary

Our analysis of the two Scottish policies ‘live’ and ‘at stake’ in the post pandemic world thus indicates that there has been a relatively low level of connection between domestic abuse and housing policy, as stated explicitly in legislative and policy documents, in Scotland in recent years, despite historical connections noted earlier. Nevertheless, the *Equally Safe* 2018 Strategy does make some connections between domestic abuse and housing, and related issues such as the impact of Universal Credit on households, the need for a partnership approach (involving housing), and the need for safe accommodation. Yet, while the Strategy takes a gendered approach to domestic abuse, and recognises structural and gendered inequalities, there is little connection made between domestic abuse and the broader housing system and/ or housing policy. While there is more connection made to home, housing and related terms in the 2018 *Protective Order Consultation* process, the focus here is on improving legal protections around the home, rather than proposing changes to the wider housing system and/ or housing policy. Nevertheless, there are signs that the connections between domestic abuse and housing are growing substantially, through the Scottish Government’s working group seeking to “improve housing outcomes for women and children experiencing domestic abuse” (Scottish Government Working Group, 2020) and the recent efforts of the Homelessness Prevention Review Group (Crisis, n.d.). Our analysis therefore suggests that while there are increasing calls for greater connectivity between housing and domestic abuse in Scotland, these have not yet fed through into policy and legislation to a great extent, in contrast to the Whole Housing Approach in England. Phase Two of the report will therefore examine these developments going forward in the Covid-19 context.

4.3 Summary of key themes in domestic abuse policy across the four nations

Table 5 is provided as a summary comparison of the policy developments in the four nations of the UK, with regards to domestic abuse, as well as the degree of connectivity or otherwise with housing policy. It is intended to be an exploratory and tentative research tool for further examining these connections and disconnections in the next stage of the research project, recognising the complexity across the four UK nations. These themes are derived from both the literature review in Chapter Two and the policy analysis in Chapters Three and Four. We reserve our reflections on these differences for the final reflective and agenda setting chapter.

Table 5: Prominence of key themes in Domestic Abuse policy across the UK (2015- March 2020)

| Theme | England | Wales | Scotland | Northern Ireland |
|--|---------|-------|----------|------------------|
| Overall connection between DA and housing | XX | XX | X | X |
| Abuse rather than violence | XX | XX | XXX | XX |
| Economic abuse | XX | XX | XX | XX |
| Coercive control | XX | XX | XXX | X |
| Emphasis on emergency accommodation | XX | XX | XX | XX |
| Gender inequality lens | XX | XXX | XXX | X |
| Emphasis on social housing | XXX | XXX | XX | X |
| Emphasis on PRS | XX | X | X | X |
| Emphasis on home ownership | XX | X | X | X |
| Whole housing approach | XXX | - | - | - |
| Emphasis on victim/survivor having the choice about whether to stay/leave home | XX | XX | XX | X |

Key: Degree of emphasis

0 = no emphasis visible

X = weak emphasis

XX = medium emphasis

XXX = strong emphasis

5. Conclusions, reflections and forward research agenda

This interim report has outlined the historic development, direction of travel and latest initiatives in relation to connections and disconnections between the policy worlds of domestic abuse and housing, in the four nations of the UK up until the present time. Its aim has been to establish a baseline 'state of play' in this area of policy development for March 2020 - the point at which the Covid-19 pandemic impacted on experiences of and responses to domestic abuse. As has been evidenced in this report, there was already ongoing policy development at the intersection between housing and domestic abuse at this time. This report provides the basis necessary for establishing what difference, if any, the pandemic has or will make to this policy process – and this is the task for Phase 2 of this work which is due to report in the summer of 2021. In the final section of this chapter we sketch a preliminary agenda for this phase.

We came to these questions via an admittedly particular interest in how emergent domestic abuse policy would fare as a result of the COVID-19 lens generating heat and light on the issue of DA. The 'stay at home' instruction of the UK's first lockdown period also provoked consideration of the importance of housing and home in this regard (e.g. Gurney, 2020). When we began to explore these issues, we found that the period leading up to the pandemic might be considered to be a critical moment in the interconnecting journeys of these policy agendas. That Yoric Irving-Clark and Kelly Henderson were in the later stages of completing the manuscript for *Housing and Domestic Abuse: Policy into Practice* may be evidence of this.

The fact that two pertinent Bills were already making their way through parliamentary processes in Westminster and Stormont during these times, and that another was being prepared for the Scottish Parliament, suggested that it was not only possible, but likely and – perhaps – even desirable that changes to legislation could occur as a consequence of the pandemic. More negatively, it might be possible that recent positive policy developments (such as the recent concrete progress on the alignment of policies and practices - via the Whole Housing Approach for example) could be stalled or even reversed by the pandemic. Thus, it is possible that the pandemic could 'put the clock back' in some ways – in relation to debates about defining, measuring and tackling DA.

Relatedly, how the UK and devolved governments manage the fiscal stresses caused by the pandemic and the response are of key interest. Thus, the funding of public services already severely impacted by a decade of austerity cuts (Hastings et al., 2017) is of concern. So, also, is the amplification of (gendered) structural inequalities (Reis, 2019), and their impact on the experience of abuse, and on the economic and housing opportunities of victims/survivors.

Finally, it's important to note that our analysis of these two policy domains and of the connectivity between them has caused us to reflect on the implications of both pre-existing and putative connections. Thus, we are left wondering if connectivity between these two policy worlds can be characterised as: a strengthening of shared understandings and capacity to respond to need (augmentation); an unresolved clashing of ideas and ways of working (collision); or a partial co-opting of one policy domain's central concern by another?

In essence, it is important that we avoid assumptions that (increased) connectivity is always a good thing: it can result in losses as well as gains. One example we have highlighted is that a greater degree of connectivity between domestic abuse and housing policy may affect the feminist ethos of the domestic abuse sector (Ball & Charles, 2006; Irving-Clark and Henderson, 2020). It is therefore crucial to consider not only the nature and extent of areas of connectivity identified, but also their consequences, intended and unintended. Other policy and practice domains highlight the ways in which otherwise progressive interventions can be dangerous if not considered through the DA lens, for example, the inclusion of male partners in antenatal care.

These – and other - ideas will be explored in the second phase of the project.

Research Agenda for Phase Two

Prior to finalising the specific details of the forward agenda for this second phase, we plan to consult a sample of key stakeholders on what they understand the implications of the findings in this report to be, and on their priorities for further research. As should be evident, the report identifies a range of issues concerning the intersection between the two policy agendas. We would like to ensure that the research conducted in phase 2 focuses on those which are most relevant to, and of most concern to, those working in the housing and DA policy fields.

Below we briefly summarise and categorise some issues that seem to be 'at stake' as a result of the pandemic

Policy issues 'at stake' as a result of the Covid-19 pandemic and response

There are some issues that that the pandemic has foregrounded that are relevant for policy development:

- While the focus of this project is not on if and how the *experience* of abus changes, it will nonetheless be important to consider in what ways policy and legislation develop to take account of changes in this experience. These include, but are not limited to: the exacerbation of abuse; the curtailment of networks – formal and informal; women experiencing increased caring responsibilities; reduced employment opportunities; and, financial stress and poverty.
- Whether and how the similarities and differences in policy and legalisation between the four nations of the UK are maintained or challenged will be of interest. In particular, it is possible that the pandemic will facilitate policy transfer, but equally it may inhibit it. For example, it will be relevant to consider the impact in England and Wales of the discharging of homelessness duties into the PRS in terms of reducing the emphasis on social housing as the solution to DA, but also the potential to exacerbate precarity and housing insecurity. Or whether trends in Scotland in which DA is viewed as a human rights issue are developed elsewhere. In Northern Ireland, it will be of interest to see if housing becomes a more prominent part of the DA agenda.
- The nature, focus and quantity of services and resources either relevant to or targeted towards victims/survivors. In addition to the 'cost of Covid' fiscal stress noted above impacting on the capacity of local government, housing and third sector services to meet needs, it is also possible that the crisis will result in a greater focus on emergency housing as the means to tackle abuse. Moreover, the capacity of those working in pared back, under-resourced services to engage with the agendas being promoted prior to the pandemic – such as greater awareness of patterns of control, economic abuse and so on may be impaired. It is possible, for example, that services will have the capacity to identify and work with only those experiencing more public forms of abuse, such as physical assault.
- Conversely, however, it is possible that policy will be galvanised and may develop fairly rapidly as a result of the increased profile of DA. Some of the immediate responses to the pandemic in terms of some additional resources for refuges and the introduction of the Safe Spaces Pharmacies approach for safe disclosure of abuse may be examples of this. However, it will be important to assess whether 'quick fix' policy development properly addresses the nature of the problem. It is likely to take time for a fuller assessment of the impact of the pandemic to be possible (e.g. potential impact on the gender pay gap) and the ability of policy actors to take cognisance of this will need to be considered.
- Also, positively, it is possible that the embedding of housing policy issues within DA policy could be amplified. The direction of travel was a clearer understanding of the importance of various facets of housing and home for the experience of abuse, as well as pathways towards sustainable exit. However, the pandemic lockdown may well have engendered a wider appreciation of the housing inequalities and their effects – for example, that lockdown will be differentially experienced by families depending on the size of their home, access to a private garden and so on.
- Finally, evidence of the uneven impacts of the pandemic on women (on, for example, increased caring

responsibilities and job loss or reduced hours, or those with no recourse to public funds), may increase public awareness of nature and effects of gender inequality on wider society, including on housing opportunities, and of how these explain the prevalence of DA. Such understanding may inflect policy priorities and as well as its substance.

References

- Aldridge J. (2020) "Not an Either/or Situation": The Minimization of Violence Against Women In United Kingdom "Domestic Abuse" Policy, *Violence Against Women*, June 2020. <http://doi:10.1177/1077801220927079>
- Bacchi, C. (2009) *Analysing Policy: What's the problem represented to be?* NSW: Pearson
- Baker, C., Billhardt, K., Warren, J., Rollins, C. and Glass, N. (2010) Domestic violence, housing instability, and homelessness: A review of housing policies and program practices for meeting the needs of survivors, *Aggression and Violent Behavior*, 15, pp. 430-439
- Ball, W. and Charles, N. (2006) Feminist social movements and policy change: Devolution, childcare and domestic violence policies in Wales, *Women's Studies International Forum*, 29(2), pp. 172-183. <https://doi.org/10.1016/j.wsif.2006.03.003>
- Blood, I., Copeman, I. and Finlay, S. (2016) *Supported accommodation review: The scale, scope and cost of the supported housing sector*. London: Department for Work and Pensions. Online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/572026/rr927-supported-accommodation-review-summary.pdf. [Accessed 15 December 2020]
- Bowes, A., Dar, N. and Sim, D. (2000) Citizenship, Housing and Minority Ethnic Groups: An approach to multiculturalism, *Housing, Theory and Society*, 17(2), pp. 83-95. <https://doi.org/10.1080/140360900457759>
- Bowstead J.C., 2015 Why women's domestic violence refuges are not local services. *Critical Social Policy*, 35(3):327-349. [doi:10.1177/0261018315588894](https://doi.org/10.1177/0261018315588894)
- Bowstead, J.C., 2017. Segmented journeys, fragmented lives: Women's forced migration to escape domestic violence. *J. Gend.-Based Violence* 1, 43–58. <https://doi.org/10.1332/239868017X14912933953340>
- Bowstead, J.C., 2019. Women on the move: administrative data as a safe way to research hidden domestic violence journeys. *J. Gend.-Based Violence* 3, 233–248. <https://doi.org/10.1332/239868019X15538575149704>
- Burman, M. and Brooks-Hay, O. (2018) Aligning policy and law? The creation of a domestic abuse offence incorporating coercive control, *Criminology & Criminal Justice*, 18(1), pp. 67-83. <https://doi.org/10.1177/1748895817752223>
- Bryan, M. (1984) Domestic Violence: A Question of Housing?, *The Journal of Social Welfare & Family Law*, 6(4), pp. 195-207. <https://doi.org/10.1080/09649068408412134>
- Champion, T., Gander, C., Camacho Duarte, O., Phibbs, P., Crabtree, L. and Kirkby, M. (2009) *The impact of housing on the lives of women and children – post domestic violence crisis accommodation*. Sydney: NSW Women's Refuge Movement and UWS Urban Research Centre. Online at: <https://researchdirect.westernsydney.edu.au/islandora/object/uws:23310/datastream/PDF/view>. [Accessed 24 August 2020]
- Charles, N. (1994) Domestic Violence, Homelessness and Housing: the Response of Housing Providers in Wales, *Critical Social Policy*, 14(41), pp. 36-52
- Charles, N. (2004) 'Feminist Politics and Devolution: A Preliminary Analysis', *Social Politics*, 11(2), pp. 297–311. Cited in Charles, N., & Mackay, F. (2013). Feminist politics and framing contests: Domestic violence policy in Scotland and Wales, *Critical Social Policy*, 33(4), pp. 593–615. <https://doi.org/10.1177/0261018313483488>
- Charles, N., & Mackay, F. (2013). Feminist politics and framing contests: Domestic violence policy in Scotland and Wales, *Critical Social Policy*, 33(4), pp. 593–615. <https://doi.org/10.1177/0261018313483488>
- Chartered Institute of Housing (CIH) and the Health Foundation (2019) *Young people's future health and the private rented sector*. Coventry: Chartered Institute of Housing. Online at: <http://www.cih.org/resources/PDF/Policy%20free%20download%20pdfs/Young%20People%20Future%20Health%20PRS.pdf>. [Accessed 06 November 2020]
- Chung, D., Kennedy, R., O'Brien, B. and Wendt, S. (2000) *Home Safe Home: The link between domestic and family violence and women's homelessness*. Canberra: Wesnet

- Craddock, E. (2017) Caring About and For the Cuts: a Case Study of the Gendered Dimension of Austerity and Anti-austerity Activism, *Gender, Work & Organization*, 24(1), pp. 69-82
- Crisis (n.d.) *Scotland Prevention Review Group*. Online at: <https://www.crisis.org.uk/ending-homelessness/scotland-prevention-review-group/>. [Accessed 03 November 2020]
- Crisis (2020a) *Prevention Review Group – 24 January 2020 – Minute of meeting*. Online at: <https://www.crisis.org.uk/media/241678/prg24januaryminutes-final.pdf>. [Accessed 03 November 2020]
- Crisis (2020b) *Prevention Review Group – 17 February 2020 – Minute of meeting*. Online at: <https://www.crisis.org.uk/media/242895/prgmeeting4-final.pdf>. [Accessed 03 November 2020]
- Department of Justice Northern Ireland (2016a) *Stopping Domestic and Sexual Violence and Abuse in Northern Ireland: A Seven Year Strategy*. Belfast: Northern Ireland Assembly. Online at: <https://www.health-ni.gov.uk/sites/default/files/publications/dhssps/stopping-domestic-sexual-violence-ni.pdf>. [Accessed 17 August 2020]
- Department of Justice Northern Ireland (2016b) *Domestic Abuse Offence and Domestic Violence Disclosure Scheme – A Consultation*. Belfast: Northern Ireland Assembly. Online at: <https://www.justice-ni.gov.uk/sites/default/files/consultations/doj/consultation-domestic-violence.PDF>. [Accessed 17 August 2020]
- Department of Justice Northern Ireland (2016c) *Domestic Abuse Offence and Domestic Violence Disclosure Scheme – A Consultation. Summary of Responses*. Belfast: Northern Ireland Assembly. Online at: <https://www.justice-ni.gov.uk/sites/default/files/consultations/justice/domestic-abuse-offence-domestic-violence-disclosure-scheme-summary-of-responses.pdf>. [Accessed 17 August 2020]
- Department of Justice Northern Ireland (2018) *Domestic Homicide Review – A Consultation*. July 2018. Belfast: Northern Ireland Assembly. Online at: <https://www.justice-ni.gov.uk/sites/default/files/consultations/justice/dhr-consultation.pdf>. [Accessed 17 August 2020]
- Department of Justice Northern Ireland (2019a) *Domestic Homicide Review – A Consultation. Summary of Responses and Way Forward*. January 2019. Belfast: Northern Ireland Assembly. Online at: <https://www.justice-ni.gov.uk/sites/default/files/consultations/justice/dhr-summary-of-responses.pdf>. [Accessed 17 August 2020]
- Department of Justice Northern Ireland (2019b) *Protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings. A consultation on options for legislation*. 31 July 2019. Belfast: Northern Ireland Assembly. Online at: <https://www.justice-ni.gov.uk/sites/default/files/consultations/justice/con-prohibition-of-cross-examination-in%20family-proceedings.PDF>. [Accessed 17 August 2020]
- Department of Justice Northern Ireland (2020) *Protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings – a consultation on options for legislation. Summary of consultation responses and next steps*. February 2020. Belfast: Northern Ireland Assembly. Online at: <https://www.justice-ni.gov.uk/sites/default/files/consultations/justice/consultation-prohibition-cross-examination-family-summary-of-responses.pdf>. [Accessed 17 August 2020]
- Devenport, M. (2019) NI domestic abuse laws fall short, says committee, *BBC News*, 14 June. Online at: <https://www.bbc.co.uk/news/uk-northern-ireland-48640762>. [Accessed 14 October 2020]
- Domestic Abuse (Scotland) Act 2018*. Edinburgh: Scottish Government. [Accessed 13 August 2020]. Online at: <https://www.legislation.gov.uk/asp/2018/5/enacted/data.pdf>
- Domestic Abuse and Family Proceedings Bill 2020* [as introduced]. Belfast: Northern Ireland Assembly. [Accessed 17 August 2020]. Online at: <http://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/session-2017-2022/domestic-abuse/domestic-abuse-and-family-proceedings-bill---as-introduced.pdf>
- Domestic Abuse Housing Alliance (DAHA) (n.d.1) *A Whole Housing Approach to Domestic Abuse: Pathways to safe and stable housing*. Online at: <https://www.dahalliance.org.uk/media/10671/whole-housing-approach-guide.pdf>. [Accessed 16 September 2020]
- DAHA (n.d.2) *Who we are - DAHA – Domestic Abuse Housing Alliance*. Online at: <https://www.dahalliance.org.uk/about-us/who-we-are> [Accessed 06 August 2020]

- Doyle, J. and McWilliams, M. (2019) Transforming responses to domestic violence in a politically contested environment: The case of Northern Ireland, *feminists@law*, 9(1), pp. 1-26. <http://journals.kent.ac.uk/index.php/feministsatlaw/article/view/744/1458>
- Durbin, S., Page, M. and Walby, S. (2017) Gender Equality and 'Austerity': Vulnerabilities, Resistance and Change, *Gender, Work & Organization*, 24(1), pp. 1-6
- Fitzpatrick, S. (2006) Explaining Homelessness: A Critical Realist Perspective, *Housing Theory and Society*, 22(1), pp. 1-17. <https://doi.org/10.1080/14036090510034563>
- Fitzpatrick, S., Pawson, H., Bramley, G., Wilcox, S., Watts, B. and Wood, J. (2017) *The homelessness monitor: Wales 2017*. London: Crisis. Online at: https://www.crisis.org.uk/media/237787/the_homelessness_monitor_wales_2017.pdf. [Accessed 15 December 2020]
- Fitzpatrick, S., Pawson, H., Bramley, G., Wood, J., Stephens, M., Frey, J. and McMordie, L. (2020) *The homelessness monitor: Northern Ireland 2020*. London: Crisis. Online at: <https://www.crisis.org.uk/about-us/contact-us/>. [Accessed 15 December 2020]
- Flint, J. (ed.) (2006) *Housing, urban governance and anti-social behaviour: Perspectives, policy and practice*. Bristol: Policy Press
- Foye, C., Gibb, K. and Marsh, A. (2020) *Covid-19 and Housing Policy: Literature Review and Initial Reflections*. Unpublished Working Paper. Glasgow: UK Collaborative Centre for Housing Evidence
- Gillen, J. (2019) *Gillen Review: Report into the law and procedures in serious sexual offenses in Northern Ireland (Part 1)*. Belfast: Department of Justice NI. Online at: <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/gillen-report-may-2019.pdf>. [Accessed 17 August 2020]
- Goodall, H. and Lee, S. (2020) Domestic Abuse Bill: 'More help for migrant women needed', *BBC News*, 6 July. Online at: <https://www.bbc.co.uk/news/uk-england-london-53170852>. [Accessed 14 October 2020]
- Gurney, C. (2020) *Out of harm's way? Critical remarks on harm and the meaning of home during the 2020 Covid-19 social distancing measures*. Glasgow: UK Collaborative Centre for Housing Research. Online at: <https://housingevidence.ac.uk/wp-content/uploads/2020/04/200408-out-of-harms-way-craig-gurney-final.pdf>. [Accessed 05 November 2020]
- Hastings, A., Bailey, N., Bramley, G. and Gannon, M. (2017) Austerity urbanism in England: the 'regressive redistribution' of local government services and the impact on the poor and marginalised, *Environment and Planning A*, 46(9), pp. 2007-2024. (doi: 10.1177/0308518X17714797)
- Hawley, A. (1968) Human Ecology. In Sills, D. L. (eds.) *International Encyclopaedia of the Social Sciences*. New York: MacMillan. In DiMaggio, P. and Powell, W. (1983) The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields, *American Sociological Review*, 48(2), pp. 147-160
- Hawtin, M. and Kettle, J. (2000) Chapter 6: Housing and Social Exclusion. In Percy-Smith, J. (ed.) (2000) *Policy Responses to Social Exclusion: towards inclusion?* Berkshire: Open University Press, pp. 107-129
- Henderson, K. (2018) *The role of housing in a coordinated community response to domestic abuse*. PhD Thesis: Durham University. Online at: http://etheses.dur.ac.uk/13087/1/Kelda_Henderson_Thesis_2018_December_Formatted_2019.pdf?DDD34+. [Accessed 26 August 2020]
- Hester, M. (2011) The Three Planet Model: Towards an Understanding of Contradictions in Approaches to Women and Children's Safety in Contexts of Domestic Violence, *British Journal of Social Work*, 41, pp. 837-853
- Hetling, A., Dunford, A. and Botein, H. (2020) Community in the Permanent Supportive Housing Model: Applications to Survivors of Intimate Partner Violence, *Housing, Theory and Society*, 37(4), pp. 400-416. <https://doi.org/10.1080/14036096.2019.1624388>
- HM Government (2016) *Ending Violence against Women and Girls Strategy 2016-2020*. London: HM Government. Online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/522166/VAWG_Strategy_FINAL_PUBLICATION_MASTER_vRB.PDF. [Accessed 07 August 2020]
- HM Government (2018) *Transforming the Response to Domestic Abuse: Government Consultation (full version)*. London: HM Government. Online at: https://consult.justice.gov.uk/homeoffice-moj/domestic-abuse-consultation/supporting_documents/Transforming%20the%20response%20to%20domestic%20abuse.pdf. [Accessed 07 August 2020]

- HM Government (2019) *Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill*. London: HM Government. Online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/772202/CCS1218158068-Web_Accessible.pdf. [Accessed 07 August 2020]
- Home Office (2020) *Policy paper: Domestic Abuse Bill 2020: overarching factsheet*. London: Home Office. Online at: <https://www.gov.uk/government/publications/domestic-abuse-bill-2020-factsheets/domestic-abuse-bill-2020-overarching-factsheet>. [Accessed 16 October 2020]
- The Homeless Persons (Priority Need) (Wales) Order 2001*. Cardiff: Welsh Government. Online at: <https://www.legislation.gov.uk/wsi/2001/607/made/data.pdf>. [Accessed 15 December 2020]
- Homelessness Action Group (2019) *Preventing rough sleeping in Wales and reducing it in the short-term. Report to Welsh Ministers from the Homelessness Action Group*. Cardiff: Welsh Government. Online at: <https://gov.wales/sites/default/files/publications/2019-10/homelessness-action-group-report-october-2019.pdf>. [Accessed 16 December 2020]
- Homelessness Action Group (2020) *The framework of policies, approaches and plans needed to end homelessness in Wales (What ending homelessness in Wales looks like): Report from the Homelessness Action Group for the Welsh Government*. Cardiff: Welsh Government. Online at: https://gov.wales/sites/default/files/publications/2020-03/homelessness-action-group-report-march-2020_0.pdf. [Accessed 16 December 2020]
- Homelessness Act 2002*. (c. 7). London: HM Government. [Accessed 15 December 2020]. Online at: <https://www.legislation.gov.uk/ukpga/2002/7/data.pdf>
- Homelessness Reduction Act 2017*. (c. 13). London: Ministry of Housing, Communities and Local Government. [Accessed 15 December 2020]. Online at: <https://www.legislation.gov.uk/ukpga/2017/13/enacted/data.pdf>
- Housing (Scotland) Act 2001*. Edinburgh: Scottish Executive. [Accessed 15 December 2020]. Online at: <https://www.legislation.gov.uk/asp/2001/10/data.pdf>
- Housing (Wales) Act 2014*. Cardiff: Welsh Government. [Accessed 15 December 2020]. Online at: <https://www.legislation.gov.uk/anaw/2014/7/data.pdf>
- Irving-Clarke, Y. and Henderson, K. (2020) *Housing and Domestic Abuse: Policy into Practice*. London: Routledge
- Jeffrey, N. K. and Barata, P. C. (2017) When social assistance reproduces social inequality: intimate partner violence survivors' adverse experiences with subsidized housing, *Housing Studies*, 32(7), pp. 912-930
- Jenkins, T. and Dunne, J. (2007) *Domestic Abuse: The Facts*. Cardiff: Equal Opportunities Commission. Online at: https://senedd.wales/NAfW%20Documents/cc_3_da10_-_ehrc.pdf%20-%2023082010/cc_3_da10_-_ehrc-English.pdf. [Accessed 12 September 2020]
- Johnson, M. P. (2008) *A Typology of Domestic Violence: Intimate Terrorism, Violent Resistance, and Situational Couple Violence*. Northeastern University Press
- Jurasz, O. (2018) Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. In Rackley, E. and Auchmuty, R. (eds.) *Women's Legal Landmarks: Celebrating the history of women and law in the UK and Ireland*. Hart.
- Kelly, L. and Westmarland, N. (2016) Naming and defining 'domestic violence': lessons from research with violent men, *feminist review*, 112. <https://journals-sagepub-com.ezproxy.lib.gla.ac.uk/doi/pdf/10.1057/fr.2015.52>
- Localism Act 2011*. (c. 20) London: Department for Communities and Local Government. [Accessed 16 December 2020]. Online at: <https://www.legislation.gov.uk/ukpga/2011/20/data.pdf>
- Mackenzie, M., Gannon, M., Stanley, N., Cosgrove, K., Feder, G. (2019) 'You certainly don't go back to the doctor once you've been told, "I'll never understand women like you."' Seeking candidacy and structural competency in the dynamics of domestic abuse disclosure, *Sociology of Health & Illness*, 41(6), 1159-1174
- Mackie, P., Gray, T., Hughes, C., Madoc-Jones, I., Mousteri, V., Pawson, H., Spyropoulos, N., Stirling, T., Taylor, H., Watts, B. (2019) *Review of Priority Need in Wales*. GSR report number 70/2020. Cardiff: Welsh Government. Online at: <https://gov.wales/review-priority-need-wales>. [Accessed 15 December 2020]

- Malos, E. and Hague, G. (1997) Women, Housing, Homelessness and Domestic Violence, *Women's Studies International Forum*, 20(3), pp. 397-409
- Marsh, A. and Gibb, K. (2019) *The private rented sector in the UK: An overview of the policy and regulatory landscape*. Glasgow: UK Collaborative Centre for Housing Evidence. Online at: https://housingevidence.ac.uk/wp-content/uploads/2019/07/TDS-Overview-paper_final.pdf. [Accessed 05 November 2020]
- Mayock, P., Sheridan, S. and Parker, S. (2015) 'It's just like we're going around in circles and going back to the same thing...': The Dynamics of Women's Unresolved Homelessness, *Housing Studies*, 30(6), pp. 877-900. <https://doi.org/10.1080/02673037.2014.991378>
- McDonald, H. (2020) Domestic abuse surged in lockdown, Panorama investigation finds, *The Guardian*, 17 May. Online at: <https://www.theguardian.com/society/2020/aug/17/domestic-abuse-surged-in-lockdown-panorama-investigation-finds-coronavirus>. [Accessed 15 October 2020]
- Means, R., Richards, S. and Smith, R. (2008) *Community Care: Policy and Practice* (Fourth Edition). Basingstoke: Palgrave Macmillan
- Ministry of Housing, Communities and Local Government (MHCLG) (2018a) *Homelessness Code of Guidance for Local Authorities* [Archived]. Online at: https://assets.publishing.service.gov.uk/media/5ef9d5363a6f4023cf12fc66/Homelessness_code_of_guidance_from_3_Apr_2018_to_19_Jun_2018.pdf. [Accessed 15 December 2020]
- MHCLG (2018b) *Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or Other Types of Temporary Accommodation: Statutory guidance on social housing allocations for local authorities in England*. London: MHCLG. Online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/753667/Improving_access_to_social_housing_for_victims_of_domestic_abuse.pdf. [Accessed 04 October 2020]
- MHCLG (2018c) *Overview of the homelessness legislation – Homelessness code of guidance for local authorities*. London: MHCLG. Online at: <https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/overview-of-the-homelessness-legislation>. [Accessed 15 December 2020]
- MHCLG (2018d) *Social housing green paper: a 'new deal' for social housing – GOV.UK*. London: MHCLG. Online at: <https://www.gov.uk/government/news/social-housing-green-paper-a-new-deal-for-social-housing>. [Accessed 18 October 2020]
- Ministry of Justice (2015) *Code of Practice for Victims of Crime*. London: Ministry of Justice. Online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/476900/code-of-practice-for-victims-of-crime.PDF. [Accessed 04 October 2020]
- Mulheirn, I. (2019) *Tackling the UK housing crisis: is supply the answer?* Glasgow: UK Collaborative Centre for Housing Evidence. Online at: <https://housingevidence.ac.uk/wp-content/uploads/2019/08/20190820b-CaCHE-Housing-Supply-FINAL.pdf>. [Accessed 05 November 2020]
- Mullins, D. and Murie, A. (2006) *Housing Policy in the UK*. Basingstoke: Palgrave Macmillan
- Netto, G. (2006) Vulnerability to Homelessness, Use of Services and Homelessness Prevention in Black and Minority Ethnic Communities, *Housing Studies*, 21(4), pp. 581-601. DOI: 10.1080/0267303060070909
- Northern Ireland Assembly (2020a) *Domestic Abuse and Family Proceedings Bill: Explanatory and Financial Memorandum*. Belfast: Northern Ireland Assembly. Online at: <http://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/session-2017-2022/domestic-abuse/domestic-abuse-bill---efm---as-introduced.pdf>. [Accessed 17 August 2020]
- O'Neill, J. (2020) Domestic violence: New laws being prepared for assembly, *BBC News*, 23 January. Online at: <https://www.bbc.co.uk/news/uk-northern-ireland-51226804>. [Accessed 14 October 2020]
- O'Campo, P., Daoud N., Hamilton-Wright, S. and Dunn, J. (2015) Conceptualizing Housing Instability: Experiences with Material and Psychological Instability Among Women Living with Partner Violence, *Housing Studies*, 31(1), pp. 1-19. <https://www.tandfonline-com.ezproxy.lib.gla.ac.uk/doi/full/10.1080/02673037.2015.1021768>
- Pearce, J. and Vine, J. (2014) Quantifying residualisation: the changing nature of social housing in the UK, *Journal of Housing and the Built Environment*, 29, pp. 657-675. DOI 10.1007/s10901-013-9372-3
- Porter, L. and Shaw, K. (eds.) (2009) *Whose Urban Renaissance? An International Comparison of Urban Regeneration Strategies*. London: Routledge
- Postmus, J. L., Plummer, S. B., McMahon, S., Murshid, N. and Kim, M. (2012). Understanding economic abuse in the lives of survivors, *Journal of Interpersonal Violence*, 27, pp. 411-430

- Potter, M. (2020) *Research and Information Service Bill Paper: Domestic Abuse and Family Proceedings Bill*. Belfast: Northern Ireland Assembly. Online at: <http://www.niassembly.gov.uk/globalassets/documents/raise/publications/2017-2022/2020/justice/1520.pdf>. [Accessed 01 December 2020]
- Refuge (n.d.) *Refuges – Refuge Charity – Domestic Violence Help*. Online at: <https://www.refuge.org.uk/our-work/our-services/refuges/>. [Accessed 05 November 2020]
- Reis, S. (2019) *A home of her own: Housing and Women*. Women's Budget Group. Online at: <https://wbg.org.uk/wp-content/uploads/2019/07/WBG19-Housing-report-exec-sum-digital.pdf>. [Accessed 21 September 2020]
- Renting Homes (Wales) Act 2016*. Cardiff: Welsh Government. [Accessed 10 September 2020]. Online at: <https://www.legislation.gov.uk/anaw/2016/1/enacted/data.pdf>
- Sampson, A. (2007) Foreword. In O'Hara, E. (2007) *Policy report: Rights and Wrongs. The Homelessness Safety Net 30 years on*. London: Shelter. Online at: https://england.shelter.org.uk/_data/assets/pdf_file/0015/48012/Briefing_Rights_and_Wrongs_Nov_2007.pdf. [Accessed 11 December 2020]
- Sanders-McDonagh, E., Neville, L. and Nolas, S. (2016) From Pillar to Post: Understanding the Victimisation of Women and Children who Experience Domestic Violence in an Age of Austerity, *Feminist Review*, 112, pp. 60-76
- Scottish Government (2010) *Domestic Abuse, Housing and Homelessness in Scotland: An Evidence Review*. Edinburgh: Scottish Government Communities Analytical Services. Online at: <https://www.gov.scot/publications/domestic-abuse-housing-homelessness-scotland-evidence-review/pages/3/>. [Accessed 18 October 2020]
- Scottish Government (2016) *Homelessness in Scotland: Bi-annual update: 1 April to 30 September 2016*. Edinburgh: Scottish Government. Online at: <https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2017/01/homelessness-scotland-update-30-september-2016/documents/00512952-pdf/00512952-pdf/govscot%3Adocument/00512952.pdf?forceDownload=true>. [Accessed 15 December 2020]
- Scottish Government (2018a) *Ending Homelessness Together: High Level Action Plan*. Edinburgh: Scottish Government. Online at: <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2018/11/ending-homelessness-together-high-level-action-plan/documents/00543359-pdf/00543359-pdf/govscot%3Adocument/00543359.pdf>. [Accessed 13 October 2020]
- Scottish Government (2018b) *Consultation on protective orders for people at risk of domestic abuse*. Edinburgh: Scottish Government. Online at: <https://consult.gov.scot/justice/people-at-risk-of-domestic-abuse/>. [Accessed 13 October 2020]
- Scottish Government (2018c) *Scottish Government Consultation on Protective Orders for People at Risk of Domestic Abuse*. Edinburgh: Scottish Government. Online at: <https://www.gov.scot/binaries/content/documents/govscot/publications/consultation-paper/2018/12/consultation-protective-orders-people-risk-domestic-abuse/documents/scottish-government-consultation-protective-orders-people-risk-domestic-abuse/scottish-government-consultation-protective-orders-people-risk-domestic-abuse/govscot%3Adocument/00544678.pdf?forceDownload=true>. [Accessed 13 October 2020]
- Scottish Government (2018d) *Improving Multi-Agency Risk Assessment and interventions for victims of domestic abuse: A Scottish Government consultation*. Available online at: <https://www.gov.scot/binaries/content/documents/govscot/publications/consultation-paper/2018/11/improving-multi-agency-risk-assessment-interventions-victims-domestic-abuse/documents/00543496-pdf/00543496-pdf/govscot%3Adocument/00543496.pdf?forceDownload=true>. [Accessed 13 October 2020]
- Scottish Government (2019a) *Improving Multi-Agency Risk Assessment and Interventions for Victims of Domestic Abuse: Analysis of Consultation Responses*. Online at: <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2019/12/improving-multi-agency-risk-assessment-interventions-victims-domestic-abuse-analysis-consultation-responses/documents/improving-multi-agency-risk-assessment-interventions-victims-domestic-abuse-analysis-consultation-responses/improving-multi-agency-risk-assessment-interventions-victims-domestic-abuse-analysis-consultation-responses/govscot%3Adocument/improving-multi-agency-risk-assessment-interventions-victims-domestic-abuse-analysis-consultation-responses.pdf?forceDownload=true>. [Accessed 13 October 2020]
- Scottish Government (2019b) *Domestic Abuse Act in force*. Online at: <https://www.gov.scot/news/domestic-abuse-act-in-force/>. Cited in Aldridge J. (2020) "Not an Either/or Situation": The Minimization of Violence Against Women In United Kingdom "Domestic Abuse" Policy, *Violence Against Women*, June 2020. <http://doi:10.1177/1077801220927079>
- Scottish Government and COSLA (2018) *Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls*. Scottish Government and COSLA: Edinburgh. Online at: <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2018/04/equally-safe-scotlands-strategy-prevent-eradicate-violence-against-women-girls/>

- [documents/00534791-pdf/00534791-pdf/govscot%3Adocument/00534791.pdf?forceDownload=true](#). [Accessed 13 August 2020]
- Scottish Government Working Group Report, 2020. Improving Housing for Women and Children Experiencing Domestic Abuse. Chartered Institute of Housing/Scottish Women's Aid. <https://cih.org/media/mwwbsnlt/improving-housing-outcomes-for-women-and-children.pdf>
- Scottish Housing News (2020) *CIH Scotland: Improving housing outcomes for women and children experiencing domestic abuse*. Online at: <https://www.scottishhousingnews.com/article/cih-scotland-improving-housing-outcomes-for-women-and-children-experiencing-domestic-abuse>. [Accessed 22 September 2020]
- Scottish Parliament (n.d.) *Devolved and Reserved Matters – Visit & Learn: Scottish Parliament*. Online at: <https://www.parliament.scot/visitandlearn/education/18642.aspx>. [Accessed 16 October 2020]
- Scottish Women's Aid and Chartered Institute of Housing (2020) *Improving housing outcomes for women and children experiencing domestic abuse: Scottish Government working group report*. Edinburgh: Scottish Women's Aid. Online at: <https://womensaid.scot/wp-content/uploads/2020/12/Improving-Housing-Outcomes-for-Women-and-Children-Experiencing-Domestic-Abuse-Report.pdf>. [Accessed 17 December 2020]
- Secure Tenancies (Victims of Domestic Abuse) Act 2018*. (c. 11). London: Department of Communities and Local Government. [Accessed 10 September 2020]. Online at: <https://www.legislation.gov.uk/ukpga/2018/11/enacted/data.pdf>
- Serious Crime Act 2015*. (c. 9). [online]. London: Ministry of Justice. [Accessed 04 October 2020]. Online at: <https://www.legislation.gov.uk/ukpga/2015/9/enacted/data.pdf>
- Shelter Cymru (n.d.) *Renting Homes (Wales) Act 2016 – Shelter Cymru*. Online at: <https://sheltercymru.org.uk/get-advice/renting/the-renting-homes-wales-act-2016/>. [Accessed 13 October 2020]
- Shelter England (n.d.) *Wales: Final Duty*. Online at: https://england.shelter.org.uk/legal/homelessness_applications/Homelessness_in_Wales/wales_final_duty#_edn15. [Accessed 17 December 2020]
- Slack, T. and Newbery, A. (2020) Coronavirus: Domestic abuse website visits up 10-fold, charity says, *BBC News*, 26 May. Online at: <https://www.bbc.co.uk/news/uk-england-52755109>. [Accessed 15 October 2020]
- Soaita, A. M., Munro, M. and McKee, K. (2020) *Private renters' housing experiences in lightly regulated markets*. Glasgow: UK Collaborative Centre for Housing Evidence. Online at: https://housingevidence.ac.uk/wp-content/uploads/2020/04/200429_PRS_evidence_review_final.pdf. [Accessed 01 December 2020]
- Solace (2016) *The Price of Safety: How the housing system is failing women and children fleeing domestic abuse. Housing status research report*. Online at: https://www.solacewomensaid.org/sites/default/files/2018-05/Solace%20Women%27s%20Aid%20housing%20report_The%20price%20of%20safety_Mar16.pdf. [Accessed 21 September 2020]
- Southall Black Sisters (2020) *Press Release: Domestic Abuse Bill to Discuss Migrant Women Having Access to Public Funds*, July 6. Online at: <https://southallblacksisters.org.uk/press-releases/domestic-abuse-bill-to-discuss-migrant-women-having-access-to-public-funds/>. [Accessed 14 October 2020]
- Spinney, A. (2007) *A comparative investigation of policy responses to homelessness in England and Australia*. PhD Thesis: Sheffield Hallam University. Online at: <http://shura.shu.ac.uk/20396/1/10701042.pdf>. [Accessed 16 October 2020]
- The Stationary Office (2011) *Explanatory Notes: Localism Bill 2011 (Chapter 20)*. London: The Stationary Office. Online at: https://www.legislation.gov.uk/ukpga/2011/20/pdfs/ukpgaen_20110020_en.pdf. [Accessed 16 December 2020]
- Stephens, M. (2019) Social Rented Housing in the (DIS)United Kingdom: Can Different Social Housing Regime Types Exist within the Same Nation State?, *Urban Research & Practice*, 12(1), pp. 38-60. DOI: 10.1080/17535069.2017.1381760
- Surviving Economic Abuse (n.d.) *About Us – Surviving Economic Abuse*. Online at: <https://survivingeconomicabuse.org/>. [Accessed 03 November 2020]
- Tomas, A. and Dittmar, H. (1995) The Experience of Homeless Women: An Exploration of Housing Histories and the Meaning of Home, *Housing Studies*, 10(4), pp. 493-515
- Towers, J. and Walby, S. (2012) *Measuring the impact of cuts in public expenditure on the provision of services to prevent*

- violence against women and girls*. Northern Rock and Trust for London: London. Online at: <https://trustforlondon.fra1.digitaloceanspaces.com/media/documents/VAWG-Cuts-Full-Report.pdf>. [Accessed 16 October 2020]
- UK Parliament (n.d.) *Wedlock or deadlock – UK Parliament*. Online at: <https://www.parliament.uk/about/living-heritage/transformingsociety/private-lives/relationships/overview/wedlock-or-deadlock/>. [Accessed 13 October 2020]
- United Nations (n.d.) *What is domestic abuse?* | *United Nations*. Online at: <https://www.un.org/en/coronavirus/what-is-domestic-abuse>. [Accessed 03 November 2020]
- Violence against women, Domestic Abuse and Sexual Violence (Wales) Act 2015*. Cardiff: Welsh Government. [Accessed 14 August 2020]. Online at: <https://www.legislation.gov.uk/anaw/2015/3/data.pdf>.
- Welsh Government (2015) *Violence against Women, Domestic Abuse and Sexual Violence (Wales) Bill: Explanatory Memorandum incorporating the Regulatory Impact Assessment and Explanatory Notes*. Online at: [https://senedd.wales/laid%20documents/pri-ld9817-em-r-%20-%20gender-based%20violence,%20domestic%20abuse%20and%20sexual%20violence%20\(wales\)%20bill%20-%20revised%20explanatory%20memorandum/pri-ld9817-em-r-e.pdf](https://senedd.wales/laid%20documents/pri-ld9817-em-r-%20-%20gender-based%20violence,%20domestic%20abuse%20and%20sexual%20violence%20(wales)%20bill%20-%20revised%20explanatory%20memorandum/pri-ld9817-em-r-e.pdf). [Accessed 14 August 2020]
- Welsh Government (2016a) *National Strategy on Violence against Women, Domestic Abuse and Sexual Violence – 2016-2021*. Cardiff: Welsh Government. Online at: <https://gov.wales/sites/default/files/publications/2019-06/national-strategy-2016-to-2021.pdf>. [Accessed 14 August 2020]
- Welsh Government (2016b) *Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness*. Cardiff: Welsh Government. Cited in Shelter England (n.d.) *Wales: Final Duty*. Online at: https://england.shelter.org.uk/legal/homelessness_applications/Homelessness_in_Wales/wales_final_duty#_edn15. [Accessed 17 December 2020]
- Williamson, E., Lombard, N. and Brooks-Hay, O. (2020) Domestic violence and abuse, coronavirus, and the media narrative, *Journal of Gender-Based Violence*, 4(2), pp. 289–294. DOI: <https://10.1332/239868020X15893043718030>
- Women's Aid (n.d.1) *Coercive Control – Women's Aid*. Online at: <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/coercive-control/>. [Accessed 23 October 2020]
- Women's Aid (n.d.2) *What is a refuge and how can I stay in one? – Women's Aid*. Online at: <https://www.womensaid.org.uk/the-survivors-handbook/what-is-a-refuge-and-how-can-i-stay-in-one/>. [Accessed 05 November 2020]
- Women's Aid (2017) *Data from Routes to Support, the UK violence against women and girls database of service and refuge vacancies*. Cited in Reis, S. (2019) *A home of her own: Housing and Women*. Women's Budget Group. Online at: <https://wbg.org.uk/wp-content/uploads/2019/07/WBG19-Housing-report-exec-sum-digital.pdf>. [Accessed 21 September 2020]
- Women's Aid (2020) *Women's Aid welcomes changes to domestic abuse bill but says it must go further to protect all women*, 6 July. Online at: <https://www.womensaid.org.uk/womens-aid-welcomes-changes-to-domestic-abuse-bill-but-say-it-must-go-further-to-protect-all-women/>. [Accessed 23 October 2020]
- Women's Aid Northern Ireland (2012) *Women's Aid Northern Ireland – An historical timeline – women's aid timeline banner*. Online at: <https://www.womensaidni.org/assets/uploads/2012/04/womens-aid-timeline-banner.pdf>. [Accessed 21 September 2020]

Appendix One: Key Word Searches of Cited Domestic Abuse Documents

| No of pages * | Key terms and count per document | | | | | | | | | |
|------------------|----------------------------------|--------------------------|---------|----------|--------------|------------|----------|---------------|------|---------|
| | House/s/ Household | Home/s/ Homeless/ness | Housing | Tenant/s | Tenancy/Cies | Mortgage/s | Refuge/s | Accommodation | Flat | Shelter |

England

| | | | | | | | | | | | |
|--|-----|----|----|----|----|----|---|----|----|---|---|
| Code of Practice for Victims of Crime (2015) | 104 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 |
| Serious Crime Act (2015) | 129 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Violence Against Women and Girls Strategy 2016-2020 (2016) | 59 | 1 | 12 | 12 | 0 | 0 | 0 | 12 | 8 | 0 | 0 |
| Secure Tenancies (Victims of Domestic Abuse) Act (2018) | 2 | 8 | 0 | 6 | 4 | 21 | 0 | 0 | 0 | 0 | 0 |
| Transforming the response to domestic abuse: Government consultation (2018) | 82 | 10 | 14 | 33 | 5 | 9 | 0 | 29 | 26 | 0 | 0 |
| Transforming the Response to Domestic Abuse: Consultation Response and Draft Bill (2019) | 196 | 18 | 33 | 64 | 10 | 71 | 2 | 22 | 32 | 2 | 0 |
| Domestic Abuse Policy Framework (2020) | 36 | 2 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Northern Ireland

| | | | | | | | | | | | |
|---|-----|----|----|----|---|---|---|----|----|---|---|
| Domestic Abuse Offence and Domestic Violence Disclosure Scheme – A Consultation (2016) | 49 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Abuse Offence and Domestic Violence Disclosure Scheme – Summary of Consultation Responses (2016) | 66 | 4 | 7 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Stopping Domestic and Sexual Violence and Abuse in Northern Ireland Strategy (2016) | 96 | 5 | 35 | 14 | 0 | 2 | 0 | 18 | 17 | 0 | 0 |
| Domestic Homicide Reviews – Consultation (2018) | 29 | 2 | 0 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Violence Homicide Reviews: Summary of responses and way forward (2019) | 39 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Gillen Review: Report into the law and procedure in serious sexual offences in Northern Ireland Part 1 (2019) | 714 | 12 | 6 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings: A consultation on options for legislation (2019) | 22 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Protecting victims of domestic abuse from being cross-examined by perpetrators in person in family proceedings – a consultation on options for legislation. Summary of consultation responses and next steps (2020) | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Abuse and Family Proceedings Bill (2020) | 23 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Abuse and Family Proceedings Bill: Explanatory and Financial Memorandum (2020) | 18 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| No of pages * | Key terms and count per document | | | | | | | | | | |
|------------------|----------------------------------|--------------------------|---------|----------|--------------|------------|----------|---------------|------|---------|--|
| | House/s/ Household | Home/s/ Homeless/ness | Housing | Tenant/s | Tenancy/Cies | Mortgage/s | Refuge/s | Accommodation | Flat | Shelter | |

Scotland

| | | | | | | | | | | | |
|--|----|---|----|---|---|---|---|---|---|---|---|
| Equally Safe - Reforming the criminal law to address domestic abuse and sexual offences: Consultation Paper (2015) | 37 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Equally Safe - Reforming the Criminal Law to Address Domestic Abuse and Sexual Offences: Analysis of Consultation Responses (2015) | 75 | 3 | 4 | 2 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| A criminal offence of domestic abuse: A Scottish Government Consultation Paper (2015) | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| A criminal offence of domestic abuse: Analysis of Consultation Responses (2016) | 48 | 1 | 2 | 4 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| The Creation of a Specific Offence of Domestic Abuse – Proposed Associated Reforms to Criminal Procedure (2016) | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Domestic Abuse (Scotland) Bill 2017 Policy Memorandum | 37 | 3 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls (2018) | 60 | 1 | 4 | 3 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| Domestic Abuse (Scotland) Act 2018 | 15 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Protective orders for people at risk of domestic abuse: Consultation (2018) | 59 | 4 | 95 | 4 | 2 | 2 | 0 | 0 | 2 | 0 | 0 |
| Risk Assessment and Interventions for Victims of Domestic Abuse: Consultation Response Analysis (2019) | 67 | 0 | 2 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Wales

| | | | | | | | | | | | |
|--|----|---|----|---|---|---|---|---|---|---|---|
| Violence against Women, Domestic Abuse and Sexual Violence (Wales) Bill Explanatory Memorandum (2014) | | 3 | 13 | 5 | 0 | 1 | 0 | 2 | 5 | 0 | 0 |
| Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 | 17 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |
| National Strategy on Violence against Women, Domestic Abuse and Sexual Violence 2016 -2021 (2016) | 35 | 6 | 5 | 6 | 0 | 0 | 0 | 4 | 2 | 0 | 0 |

Please note, references to government departments/ cabinet roles have been omitted from counts e.g. Home Secretary, Home Office, Ministry for Housing, Communities and Local Government.

*Number of pages is included to provide an indication of relative emphasis, depending on document length.

Appendix Two: Wider Housing Policy and Legislation Overview: UK Housing Review

Areas of disconnection

To get an early sense of where housing policy and legislation does not connect to issues of domestic violence, hand searches have been undertaken using three key sources. A simple search for “domestic”, “violence” and “abuse” has been undertaken on each document.

The UK Housing Review is published annually by the Chartered Institute of Housing and brings together housing statistics for England, Wales, Scotland and Northern Ireland. All UKHR have to be purchased but the annual reviews and briefing papers are available.

Methodology: Each chapter was explored using “domestic”, “violence” and “abuse”. Anything relevant, even if it is a footnote, was added. Where there is “no mention” a brief precis of the content has been added in to help identify where there are noticeable gaps.

| Publication | Links to Domestic Abuse/ Violence | Other content |
|--|---|---|
| 2020 (publication not yet available, can only search compendium of tables) | No mention | n/a |
| 2019 UK Housing Review Autumn Briefing Paper, October 2019 | Discussed under the “rethinking allocations” section. Drawing on CIH’s Rethinking Allocations work, it highlights that people fleeing domestic abuse are likely to be disproportionately affected by homelessness (and therefore in priority need of accommodation). Highlights that whilst evidence is sparse, there is appetite for adopting Housing First for survivors of domestic violence and abuse. | <ul style="list-style-type: none"> ■ Economic prospects and Brexit ■ English Housing Market in May’s legacy ■ House prices, rents and affordability ■ leasehold reform ■ return to council housing ■ Affordable Rents’ ■ fire safety after Grenfell Tower; ■ Homelessness Reduction Act; ■ Migration ■ 2050 climate targets ■ Scotland’s delivery of affordable housing delivery ■ Welsh review ■ NI housing policy. |
| 2018 UK Housing Review Autumn Briefing Paper, October 2018 | No mention | <ul style="list-style-type: none"> ■ Economic outlook ■ London’s housing market ■ housing supply numbers ■ Brexit ■ replacing dangerous cladding ■ costs of the Right to Buy ■ can anyone become homeless? ■ fixed-term tenancies ■ Universal Credit implementation; future of social rented housing; ■ a reflection on devolved nations. |

| Publication | Links to Domestic Abuse/ Violence | Other content |
|------------------------|---|--|
| 2017 UK Housing Review | Only mentioned within Figure 2.5.6. in Chapter 5 Homelessness, housing needs and lettings looking at the reasons for homelessness in Northern Ireland. DV is classified broadly with “marital/ relationship breakdown”. | <ul style="list-style-type: none"> ■ Housing, the economy and public expenditure: uncertainty over the future of housing markets and the recovery (reported last year) in light of the EU Referendum. Main message is that the government are continuing to attempt to reduce the role of the state in an economic context where employment growth was on the rise, but not earnings growth. ■ Dwellings, stock condition and households: household projects continue to rise, and above levels of available stock, reflecting in an increase in ‘sharing’ and ‘concealed’ households. ■ Private housing: affordability pressures “biting”, the PRS is expanding but the government and BoE have put steps in place to attempt to curb the BTL market and rebalance in favour of homeownership. Increasing pressures around the “just about managing” and projections that fewer young people will be able to buy their own homes. A number of reviews and reports have been produced highlighting issues around private housing (e.g. Redfern Review, NHF’s The Coping Class, Fourth Annual State of the Nation report from the Social Mobility Commission). Overall, a real focus on supply. ■ Housing expenditure plans: New and revised housing investment plans detailed in the run up to 2021. ONS extended the reclassification of HAs in the public accounts to cover the whole of the UK. ■ Homelessness, housing needs and lettings: Homelessness is a key contributor to housing need. Statutory applications and acceptances have been growing in England since 2010, but policy changes have meant that there’s been a decline in Wales and Scotland. Homelessness acceptances have risen in NI over the past three years. Scotland and NI have relatively high levels of homelessness acceptances when looking at it in terms of population sizes, but this is most likely to reflect changes from abolishing the priority need criterion (Scotland) and in NI the homelessness route is used far more than other areas to securely rehouse older people no longer able to maintain a family home. ■ Help with housing costs: private home owners continue to benefit from net tax benefits. |
| 2016 UK Housing Review | No mention in main chapters | <ul style="list-style-type: none"> ■ Housing, the economy and public expenditure: the overall picture was that there was continued economic recovery and that the government’s spending plans were intending to move beyond ‘crisis management’ to ‘permanent reduction in the role of the state’. ■ Dwellings, stock condition and households ■ Private housing: “Proved a watershed in terms of government housing policy”, with further shifts towards favouring homeownership and reduce social housing. Affordability – in both home ownership and renting – was raised as a concern. ■ Housing expenditure plans: Noticeable differences in priorities between England and the rest of the UK – unlike devolved nations England shifted its focus away from low-income households – investment was largely focused on helping those who have the potential to buy their own home. ■ Housing needs, homelessness, lettings and housing management: Covers changing patterns of those accepted as homeless, with acceptances in England in the year to September 2015 43% higher than in the last year of the previous government (to June 2010). Regional trends were reappearing, with growth in acceptances mainly taking place in the south. Housing options (e.g. prevention or relief) was continuing to grow across the UK. In England it remained key priority, in Scotland committed to settled accommodation for all those assessed as unintentionally homeless and was being monitored and in Wales a new approach to housing options was set by the Housing (Wales) Act 2014. In NI the approach remained official policy. Reasons for homelessness was still predominately from the ending of shorthold tenancies (Sept ‘15: 31% of English acceptances, 43% in London)/ It covers some detail on the statistics of how LAs are using the Localism Act to discharge duty through the PRS and TA, but no references to domestic abuse in this. ■ Help with housing costs: As with earlier chapters, the review highlights the way in which housing subsidies have shifted towards the promotion of owner-occupation (Help to Buy London, Help to Buy Shared Ownership, Starter Homes and the extension of RTB). |

| Publication | Links to Domestic Abuse/ Violence | Other content |
|--|--------------------------------------|--|
| 2016 UK Housing Review Contemporary Issues: A Decade of Diminishing Welfare | No mention | <ul style="list-style-type: none"> No explicit mention of domestic abuse or violence, but does highlight the high risk of welfare sanctions people experiencing homelessness are at due to “systemic and personal barriers to compliance” rather than wilful non-compliance. |
| 2015 UK Housing Review | No mention in main chapters | <ul style="list-style-type: none"> Housing, the economy and public expenditure: UK recovery underway and the economy was growing relatively strong. Dwellings, stock condition and households: New housebuilding performance has not matched levels of household growth since the credit crunch and this has “tightened” the housing market, having the most severe impacts on households with the lowest incomes. Private housing: This review focused on the re-energising of the housing market as a way of providing quick stimulus to the economy Housing expenditure plans: A focus on Affordable Homes Programme Housing needs, homelessness, lettings and housing management: Reduction in households accepted as statutorily homeless fell, compared to last year, across all administrations despite a divergence in patterns of homelessness. Exploring the rising use of TA and other non-LA owned accommodation to discharge duties because of a lack of stock, including FTTs. Help with housing costs: focus on housing costs and taxation, mostly geared towards homeowners (e.g. stamp duty reform) |

Appendix Two: Wider Housing Policy and Legislation Overview: UK Housing Review

Areas of disconnection

To get an early sense of where housing policy and legislation does not connect to issues of domestic violence, hand searches have been undertaken using three key sources. A simple search for “domestic”, “violence” and “abuse” has been undertaken on each document.

The UK Housing Review is published annually by the Chartered Institute of Housing and brings together housing statistics for England, Wales, Scotland and Northern Ireland. All UKHR have to be purchased but the annual reviews and briefing papers are available.

Methodology: Each chapter was explored using “domestic”, “violence” and “abuse”. Anything relevant, even if it is a footnote, was added. Where there is “no mention” a brief precis of the content has been added in to help identify where there are noticeable gaps.

| Publication | Links to Domestic Abuse/ Violence | Other content |
|--|--------------------------------------|---------------|
| 2020 (publication not yet available, can only search compendium of tables) | No mention | n/a |

| Publication | Links to Domestic Abuse/ Violence | Other content |
|--|--|--|
| 2019 UK Housing Review Autumn Briefing Paper, October 2019 | <p>Discussed under the “rethinking allocations” section. Drawing on CIH’s Rethinking Allocations work, it highlights that people fleeing domestic abuse are likely to be disproportionately affected by homelessness (and therefore in priority need of accommodation).</p> <p>Highlights that whilst evidence is sparse, there is appetite for adopting Housing First for survivors of domestic violence and abuse.</p> | <ul style="list-style-type: none"> ■ Economic prospects and Brexit ■ English Housing Market in May’s legacy ■ House prices, rents and affordability ■ leasehold reform ■ return to council housing ■ Affordable Rents’ ■ fire safety after Grenfell Tower; ■ Homelessness Reduction Act; ■ Migration ■ 2050 climate targets ■ Scotland’s delivery of affordable housing delivery ■ Welsh review ■ NI housing policy. |
| 2018 UK Housing Review Autumn Briefing Paper, October 2018 | No mention | <ul style="list-style-type: none"> ■ Economic outlook ■ London’s housing market ■ housing supply numbers ■ Brexit ■ replacing dangerous cladding ■ costs of the Right to Buy ■ can anyone become homeless? ■ fixed-term tenancies ■ Universal Credit implementation; future of social rented housing; ■ a reflection on devolved nations. |
| 2017 UK Housing Review | <p>Only mentioned within Figure 2.5.6. in Chapter 5 <i>Homelessness, housing needs and lettings</i> looking at the reasons for homelessness in Northern Ireland. DV is classified broadly with “marital/relationship breakdown”.</p> | <ul style="list-style-type: none"> ■ Housing, the economy and public expenditure: uncertainty over the future of housing markets and the recovery (reported last year) in light of the EU Referendum. Main message is that the government are continuing to attempt to reduce the role of the state in an economic context where employment growth was on the rise, but not earnings growth. ■ Dwellings, stock condition and households: household projects continue to rise, and above levels of available stock, reflecting in an increase in ‘sharing’ and ‘concealed’ households. ■ Private housing: affordability pressures “biting”, the PRS is expanding but the government and BoE have put steps in place to attempt to curb the BTL market and rebalance in favour of homeownership. Increasing pressures around the “just about managing” and projections that fewer young people will be able to buy their own homes. A number of reviews and reports have been produced highlighting issues around private housing (e.g. Redfern Review, NHF’s The Coping Class, Fourth Annual State of the Nation report from the Social Mobility Commission). Overall, a real focus on supply. ■ Housing expenditure plans: New and revised housing investment plans detailed in the run up to 2021. ONS extended the reclassification of HAs in the public accounts to cover the whole of the UK. ■ Homelessness, housing needs and lettings: Homelessness is a key contributor to housing need. Statutory applications and acceptances have been growing in England since 2010, but policy changes have meant that there’s been a decline in Wales and Scotland. Homelessness acceptances have risen in NI over the past three years. Scotland and NI have relatively high levels of homelessness acceptances when looking at it in terms of population sizes, but this is most likely to reflect changes from abolishing the priority need criterion (Scotland) and in NI the homelessness route is used far more than other areas to securely rehouse older people no longer able to maintain a family home. ■ Help with housing costs: private home owners continue to benefit from net tax benefits. |

| Publication | Links to Domestic Abuse/ Violence | Other content |
|--|--------------------------------------|--|
| 2016 UK Housing Review | No mention in main chapters | <ul style="list-style-type: none"> ■ Housing, the economy and public expenditure: the overall picture was that there was continued economic recovery and that the government's spending plans were intending to move beyond 'crisis management' to 'permanent reduction in the role of the state'. ■ Dwellings, stock condition and households ■ Private housing: "Proved a watershed in terms of government housing policy", with further shifts towards favouring homeownership and reduce social housing. Affordability – in both home ownership and renting – was raised as a concern. ■ Housing expenditure plans: Noticeable differences in priorities between England and the rest of the UK – unlike devolved nations England shifted its focus away from low-income households – investment was largely focused on helping those who have the potential to buy their own home. ■ Housing needs, homelessness, lettings and housing management: Covers changing patterns of those accepted as homeless, with acceptances in England in the year to September 2015 43% higher than in the last year of the previous government (to June 2010). Regional trends were reappearing, with growth in acceptances mainly taking place in the south. Housing options (e.g. prevention or relief) was continuing to grow across the UK. In England it remained key priority, in Scotland committed to settled accommodation for all those assessed as unintentionally homeless and was being monitored and in Wales a new approach to housing options was set by the Housing (Wales) Act 2014. In NI the approach remained official policy. Reasons for homelessness was still predominately from the ending of shorthold tenancies (Sept '15: 31% of English acceptances, 43% in London)/ It covers some detail on the statistics of how LAs are using the Localism Act to discharge duty through the PRS and TA, but no references to domestic abuse in this. ■ Help with housing costs: As with earlier chapters, the review highlights the way in which housing subsidies have shifted towards the promotion of owner-occupation (Help to Buy London, Help to Buy Shared Ownership, Starter Homes and the extension of RTB). |
| 2016 UK Housing Review Contemporary Issues: A Decade of Diminishing Welfare | No mention | <ul style="list-style-type: none"> ■ No explicit mention of domestic abuse or violence, but does highlight the high risk of welfare sanctions people experiencing homelessness are at due to "systemic and personal barriers to compliance" rather than wilful non-compliance. |
| 2015 UK Housing Review | No mention in main chapters | <ul style="list-style-type: none"> ■ Housing, the economy and public expenditure: UK recovery underway and the economy was growing relatively strong. ■ Dwellings, stock condition and households: New housebuilding performance has not matched levels of household growth since the credit crunch and this has "tightened" the housing market, having the most severe impacts on households with the lowest incomes. ■ Private housing: This review focused on the re-energising of the housing market as a way of providing quick stimulus to the economy ■ Housing expenditure plans: A focus on Affordable Homes Programme ■ Housing needs, homelessness, lettings and housing management: Reduction in households accepted as statutorily homeless fell, compared to last year, across all administrations despite a divergence in patterns of homelessness. Exploring the rising use of TA and other non-LA owned |

Appendix Three: Wider Housing Policy and Legislation Overview: Housing of Commons Library, House of Lords Library and POST

Method: Using the search function, the research from across all three libraries was using with just the term “housing”. This pulls from a wide range of social policy areas and is helpful as a way of looking across different policy and legislative areas.

Searches have been done by year using “domestic”, “violence” and “abuse”. Where there is mention the detail is provided. Where there is no mention, a brief precis of the topic has been added to help identify where there might be omissions where we would expect DA/DV to be considered.

Because of the volume of returns, discretion is applied when hand-searching the results to exclude anything where it would seem unrelated to DA/DV. Podcasts and most debate packs have also been excluded, with the primary focus on research briefings and insights. The debate pack for Domestic Abuse was included, as this is a useful resource for cross-checking legislation and policy history and development.

| Publication | Links to Domestic Abuse/ Violence | Other content |
|---|--------------------------------------|---|
| Domestic Abuse Bill 2019-21: Progress of the Bill (2020) House of Commons Library Research Briefing | **Key text for detail** | |
| A new era of social rented housing in England? (2020) | No mention | An overview of the need for social housing, how social rented housing is funded, affordable housing and supply of affordable housing and prospects for social rented housing. |
| Tackling the under supply of housing (2020) | No mention | Trends in housing need in England, barriers and solutions to increasing housing supply, Housing White Paper additional proposals. |
| Stimulating housing supply – Government initiatives (England) (2020) | No mention | |
| Planning for the Future in England 2020 and future reforms | No mention | |
| Shared ownership (England): the fourth tenure? (2020) | No mention | |
| Discretionary Housing Payments (2020) | No mention | Eligibility, funding, evidence of use (and across the devolved nations) of DHPs. |
| Can private landlords refuse to let to Housing Benefit Claimants? (2020) | No mention ¹ | Explores the lawfulness of refusing to let to benefit claimants (e.g. No DSS), why landlords do it and the extent of landlord/agent refusals. |
| What is affordable housing (2019) House of Commons Library Briefing Paper | No mention | The report grapples with the ambiguity with the term “affordability”, the way in which it can vary across tenure and measurements for affordability and the role of housing benefit to support low-income tenants to pay rent (including changes to LHA and SAR). |

1 Did a search for “women” and it did highlight that more women were likely to be in receipt of Housing Benefit in the PRS, but not linked to DA. Also highlights women are more likely to face indirect discrimination.

| Publication | Links to Domestic Abuse/ Violence | Other content |
|---|--|--|
| Rent setting: social housing (England) (2019) House of Commons Library Briefing Paper | Brief mention of refuges for those fleeing domestic violence in relation to the 1% rent reduction to social housing providers. There was intensive lobbying my providers of supported housing (who operate on lower profit margins and have higher rents) for exception. Lord Freud announced a year-long exception on 27 January 2016. | Provides a history of rent restructuring and convergence under Labour, the Coalition's policies (including self-financing for LA HRAs), rent policy changes (including the 1% rent reduction) and alternative rent models. |
| Private rented housing: the rent control debate (2019), House of Commons Library Briefing Paper | No mention | |
| Housing costs in Universal Credit (2019) House of Commons Library Briefing Paper | Footnoted in Section 2.20 Paying rent on two homes – outlines UC should be payable on two homes for up to 12 months where there has been a fear of violence in the accommodation normally occupied as the home (as long as there is an intention to return to the original property) | |
| Social Housing: Case for Increased Provision (2019) House of Lords Library Research Briefing | No mention | |
| Under-occupying social housing: Housing Benefit entitlement (2019) House of Commons Library | Outlines where bedrooms have been used for "other purposes" and where it has been challenged that there shouldn't be a reduction in benefits as a result. One case included a "panic/safe room" which the claimant had installed due to risk of violence from a former partner. Her lawyers argued "that under-occupation deduction was discriminatory" but the court found in favour of the DWP. Details can be found here. | |

| Publication | Links to Domestic Abuse/ Violence | Other content |
|--|---|---------------|
| Anti-social behaviour in social housing (England) (2019) House of Commons Library briefing | <p>3.7 Injunctions: Social landlords have successfully sought injunctions against tenants to tackle violence (broadly, not specifically outlined as domestic).</p> <p>Section 13 of the 2014 Act enables a local authority, chief officer of police, or housing provider (as defined in section 13(2)) to obtain an injunction under section 1 in order to exclude an occupier from their usual home in ASB cases involving violence or significant risk of harm.</p> | |
| The end of 'no fault' section 21 evictions (2019) House of Commons Library research briefing | Domestic abuse was one of three areas where grounds for possession may be reviewed (p. 22) | |
| Selective licensing of private landlords (England & Wales) (2019) House of Commons Library Research Briefing | No mentioned – just a brief reference to violence when outlining whether or not local authorities should grant a licence (e.g. whether the applicant is a 'fit and proper' person). | |
| Anti-social neighbours living in private housing (England) (2019) House of Commons Library Research Briefing | No specific references to 'domestic violence' | |
| Support for care leavers (2019) House of Commons Library Research Briefing | Local authorities' duties to provide advice and assistance to homeless people was strengthened from 2 April 2018. Section 179(2) of the 1996 Act outlines LA must design advice and information services to meet the needs of people in their district, with specific reference to the needs of particular groups including victims of domestic abuse. | |
| Houses in multiple occupation (HMOs) England and Wales (2019) House of Commons Library Research Briefing | No mention | |

| Publication | Links to Domestic Abuse/ Violence | Other content |
|---|--|---------------|
| Domestic abuse and homelessness (2019) Debate Pack | A briefing for non-legislative debates in the Chamber and Westminster Hall. A Westminster Hall debate on the subject of 'domestic abuse and homelessness' has been scheduled for 9.30am on 12 June 2019. The debate has been initiated by Neil Coyle MP, who chairs the All-Party Parliamentary Group for Ending Homelessness. | |
| Sexual and criminal exploitation of missing looked after children (2019) Debate Pack | A Westminster Hall debate on Sexual and criminal exploitation of looked after children is scheduled for Wednesday 23 October 2019 at 2.30 pm. The Member leading the debate is Ann Coffey MP. | |
| Rough sleepers: access to services and support (England) (2019) Research Briefing | Broadly covers and discusses violence to children which is an area stakeholders have been interested in. | |
| Rough sleepers: access to services and support (England) (2019) Research Briefing | Emergency and TA outlined including reference to Women's Refuges. | |
| Deprivation in English constituencies (2019) House of Commons Library Research Briefing | No mention | |

| Publication | Links to Domestic Abuse/ Violence | Other content |
|---|--|---------------|
| <p>“Common law marriage” and cohabitation (2019) House of Commons Library briefing paper</p> | <p>Current law relating to cohabitation – Section 3.3 discusses DV in relation to powers available under Part IV of the Family Law Act 1996 (home-sharers and former home-sharers incl. same sex partners); new offence of “coercive control” introduced in December 2015 through section 76 of the Serious Crime Act 2015; The Secure Tenancies (Victims of Domestic Abuse) Act 2018 introduced to ensure certain victims would retain a right to lifetime secure tenants when FTTs became mandatory under the Housing and Planning Act 2016; The Government’s Social Housing Green Paper (A new deal for social housing) included a commitment to legislate to protect victims of DA where LAs offer FTTs at their discretion.</p> <p>**Interesting because this wouldn’t have necessarily been picked up as it was categorised under “civil law” and “family law” but has a section dedicated to tenancies.**</p> | |
| <p>Children’s social care services in England (2019) House of Commons Library Research Briefing</p> | <p>Domestic abuse mentioned in reference to demand for social care where children have been assessed as at risk. Also raises the issues in variation between LAs in relation to looked-after children.</p> | |
| <p>Wages and the Universal Credit assessment period (2019) House of Commons Library Insight</p> | <p>No mention</p> | |