

## **Refuge briefing: Domestic Abuse Bill 2019, Second Reading, Access to Housing**

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### **About Refuge**

Refuge is the largest specialist provider of gender-based violence services in the country, supporting over 6,500 women and children on any given day. Refuge opened the world's first refuge in 1971 in Chiswick and, 47 years later, provides: a national network of 46 refuges, community outreach programmes, child support services, and independent advocacy services for those experiencing domestic, sexual, and gender-based violence. We also run specialist services for survivors of modern slavery, 'honour'-based violence, and female genital mutilation. In partnership with Women's Aid, Refuge provides the National Domestic Violence Helpline which receives hundreds of calls every day.

### **Summary**

Refuge very much welcomes the introduction of the Domestic Abuse Bill and many of the provisions contained therein. The Bill has the potential to transform the response to domestic abuse and enhance the much-needed protection for survivors. However, for women fleeing abuse, access to safe, settled accommodation is essential. Without a place to go, some women are left with the choice of remaining with, or returning to, a dangerous perpetrator, or becoming homeless. Access to housing, therefore, plays an essential part in curtailing further abuse and enabling survivors to recover and rebuild their lives, free from violence. Furthermore, ensuring housing for survivors who are ready to leave refuge accommodation frees up beds for those who need them. This is crucial given the national shortage of refuge spaces. However, survivors without children find it particularly difficult to secure housing support from local authorities, as they rarely qualify as being in priority need. We want this to change. Along with the APPG for Ending Homelessness, Crisis, Women's Aid, St Mungo's, Shelter, the Domestic Abuse and Housing Alliance, Homeless Link, Changing Lives, Centrepoin, DePaul UK, and the Connection at St Martin's in the Field, Refuge supports the following:

**The Housing Act 1996 and other related legislation is amended so that all survivors of domestic abuse automatically qualify as being in priority need for settled housing, removing the requirement to demonstrate an additional vulnerability.**

**Refuge is urging MPs to call on the Government during second reading of the Domestic Abuse Bill to use this opportunity to make this much-needed legal change.**

### **Domestic abuse and homelessness: the current landscape**

Statistics show that domestic violence is the main driver of women's homelessness in many cases.

- In England, between April 2018 and March 2019, 22,590 households said they lost their previous home due to domestic abuse<sup>1</sup>
- Research from Crisis, the homelessness charity, showed 61% of women and 16% of men who were homeless were victims of domestic abuse.<sup>2</sup>
- Crisis research also showed that 20% of women who have experienced severe sexual and physical violence were homeless at some point in their lives.<sup>3</sup>

<sup>1</sup> 'Initial assessment tables', MHCLG (2019). <https://www.gov.uk/government/statistical-data-sets/live-tables-on-homelessness>

<sup>2</sup> Mackie and Thomas (2014), 'Nations apart? Experiences of single homeless people across Great Britain'. <https://www.crisis.org.uk/ending-homelessness/homelessness-knowledge-hub/types-of-homelessness/nations-apart-experiences-of-single-homeless-people-across-great-britain-2014/>

- A third of St Mungo's female clients said that domestic violence had contributed to their homelessness.<sup>4</sup>

Despite these statistics, our frontline staff tells us that in the vast majority of cases, it is nearly impossible for survivors without children to secure housing from a local authority. The data – as well as the experience of our staff – tells us that domestic abuse is a major cause of women's homelessness. However, homeless women fleeing violence have no guarantee that they will be offered settled housing if they approach a local authority for support. Only individuals who are pregnant, have dependent children, are aged 16-17, or 18-20 if a care leaver, or are homeless or threatened with homelessness due to a natural disaster, automatically qualify as being in priority need for housing.<sup>5</sup>

Subsequent regulations and guidance have made it clear that individuals who are vulnerable due to domestic abuse should also be regarded as being in priority need for housing assistance.<sup>6</sup> In practice, this means that survivors of domestic abuse have to demonstrate that they are 'more vulnerable than an ordinary person would be if they became homeless'. Whether or not a survivor has demonstrated sufficient additional vulnerability to qualify them for priority need status is left to the discretion of each local authority, and Refuge frontline staff consistently tells us that domestic abuse alone is almost never enough to qualify as being in priority need. For example,

Louise,\* fled to a refuge following domestic violence and was vulnerable and traumatised. She does not have dependent children. She was supported by her refuge worker to make a homelessness application to her local authority. The housing officer refused to accept Louise was in priority need, saying that her vulnerabilities did not qualify her. The refuge worker challenged this; the local authority still refused to accept Louise was in priority need and instead recommended she seek private rented accommodation.

Survivors without children, like Louise, rarely receive priority need housing assistance when made homeless due to domestic abuse. This can act as a significant barrier for survivors fleeing abuse and seeking to rebuild their lives.

### **Priority need for housing – legislative change**

In our experience, all homeless survivors of abuse are highly vulnerable. Many survivors are traumatised, having experienced sustained abuse over many years. Survivors of domestic abuse should therefore qualify automatically as being in priority need, whether or not they have children, or are pregnant, without needing to demonstrate a severe additional vulnerability, as is currently the case.

Research from Crisis suggests an additional 1,960 households per year would be owed the main homelessness duty (to secure them a home) in England if the law is changed, so that all survivors automatically qualify as being in priority need.<sup>7</sup> Therefore, while a change in the law is needed to protect single women fleeing abuse, this should not lead to an overwhelming additional demand for housing. This is in large part due to many survivors fleeing abuse qualifying for priority need status already because they have fled with their children or are pregnant.

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<sup>3</sup> Ibid.

<sup>4</sup> St Mungo's (2014). 'Rebuilding shattered lives, the final report: getting the right help at the right time to women who are homeless or at risk'. <https://www.mungos.org/publication/rebuilding-shattered-lives-final-report/> November 2014.

<sup>5</sup> Housing Act (1996), section 189.

\* All survivor names have been changed

<sup>6</sup> Homelessness (Priority Need for Accommodation) (England) Order 2002

<sup>7</sup> Crisis, (2019), 'A Safe Home: Breaking the link between homelessness and domestic abuse'. [https://www.crisis.org.uk/media/240459/crisis0198\\_domesticabusebill\\_appg\\_report\\_2019\\_aw\\_web.pdf](https://www.crisis.org.uk/media/240459/crisis0198_domesticabusebill_appg_report_2019_aw_web.pdf)

**Refuge therefore urges MPs to call on the Government during second reading to amend housing law so that all survivors fleeing domestic abuse automatically qualify as being in priority need for settled housing.**

### **Conclusion**

Women fleeing abuse are often at the most difficult points in their lives. It is essential that survivors have access to the safe, secure, and affordable housing that they need to enable them to flee from abuse and rebuild their lives. As it stands, survivors without children are frequently left with no housing support from the local authority, leaving them with very few options. Some women are left with the choice of sleeping rough or staying with/returning to their perpetrator. As such:

**Refuge urges MPs to call on the Government during second reading to amend housing law so that all survivors fleeing domestic abuse automatically qualify as being in priority need for settled housing.**