



Women Against Homelessness & Abuse

INTERSECTIONALITY AS A PRACTICE:

**LAWA'S ROADMAP
TO ADDRESS BLACK
AND MINORITISED
SURVIVOR'S
HOUSING NEEDS**



Created by Latin American Women's Aid
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Purpose of this document - WHO AND WHAT IT IS USEFUL FOR?

Recognising and acting on the intersection of race, violence, poverty and homelessness is critical to creating models and policies that will effectively address those subjected to deprivation under the current social housing crisis in the UK. Within this larger setting, the Women Against Homelessness and Abuse (WAHA) project is opening a space to deepen that conversation and ground it on the voices, needs and aspirations of Black and minoritised women survivors of gender-based violence. Building on the experiences and learnings generated over the course of decades of work, but particularly gained in the past six years through specialist housing-related advocacy, policy, and case work, we are bringing to the fore front the voices and issues that have been evident for quite some time, but has never before been meaningfully included in debate and discussion.

We are now presenting this knowledge systematised in the form of an online toolkit that not only explains, but also demonstrates, how we work in practice. By showing the pathways we take to secure positive resolution for women in their challenges to secure and maintain safe homes where they can really heal from their trauma, our aim is to ensure that policies are not only put in place where they are lacking, but that implementation of existing policies is more consistent, effective and compassionate.

This is a resource we hope is useful, primarily, to sister black and minoritised organisations fighting to end VAWG, and more broadly to the wider ecosystem of women organisations in the UK with whom we partner, collaborate and share common ground. We also seek audience with commissioners,

housing officials and authorities in senior level positions of responsibility to engage in a constructive dialogue about the significant challenges but also opportunities we have identified to enhance best practice (where it exists), and address failings to adhere to current legislation.

We do not speak about compassion lightly. In this document you will find information and analysis of a selection of cases and the voices of minoritised survivors of violence themselves, who have gone through the housing system. Drawing on that, we offer a deep dive on how we operate, shedding light to key questions such as:

- **How are these women being failed?**
- **What does support provision look like to address the challenges raised by women and address the inequalities they face?**
- **How can we truly support them in a dignified way?**
- **What processes, actors, institutions need to be mobilised in order to provide meaningful, practical solutions to the challenges we pose throughout this toolkit?**

As a piece of work using a survivor centred approach, we are fully aware that some of our findings may unearth discomfort. We pledge for you to rise above that, and join us to enrich the conversation, build bridges to collaborate with us and others and to find common ground where possible.

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LAWА'S ROADMAP FOR HOUSING POLICY, PRACTICE AND ADVOCACY



2.1. INTRODUCTION TO THE ROADMAP

LAWА's housing policy and practice work is based on and guided by the recognition of gender, race, social class, English literacy, age, disability, and migratory status as intersecting elements that shape the life experiences of Black and minoritised women fleeing domestic violence, and lead to different housing needs.

Our principles of recognition, equality and rights mean that the housing assistance we provide is informed by the acknowledgement that power dynamics around these identities hinder Black and

minoritised women's access to safe accommodation. Our vision marks a shift away from homogeneous, overarching and one-size-fits-all approaches to addressing survivor's housing needs. Thus, our work is based on the approaches explained in the following section, namely an intersectional feminist approach, an evidence-based approach, and a rights-based approach.



2.2 WAHA working approaches



see this as closely connected to a trauma-informed approach. There is a strong link between trauma and housing instability, something that in many instances is hindered by local council housing officers lack of understanding of how trauma affects women surviving violence.

2.2.2 EVIDENCE-BASED APPROACH

LAWA service users are at the heart of our decision-making processes. This approach is closely linked with a survivors-voice approach, which guides how we collect and manage data and evidence. Through our monitoring and evaluation system, we ensure that we properly identify each survivor's needs and aspirations and base decisions on their cases accordingly. The system we use was developed by and for services for BME women.¹ Its underlying principle is to uphold survivors' rights to safety and autonomy, ensuring that they have control over the use of their information and that information is used in ways that strengthen and respect their individual journeys.

In addition, our specialist team of frontline workers provides advice not only based on the system and how it works but based on evidence and backed by our own experiences as migrant women. The latter is, at the same time, a key component of our intersectional approach.

We have implemented service evaluation strategies that allow us to identify what works for survivors and what does not. Our team analyses evidence using our internal evaluation system to determine the number of successful and unsuccessful cases, as well as the feedback provided by members of our community groups. Our priority is to comprehend their needs and perspectives and work towards providing the best possible support. We ensure that our services align with the identified needs and continue to improve and adapt to better respond to them.

2.2.1 INTERSECTIONAL TRAUMA INFORMED FEMINIST APPROACH

At LAWA, we understand that an intersectional approach to each case is fundamental. Intersectional approach is not only the understanding of the different violences women might experience, crossing between gender, race, class, immigration status, age, sexual orientation, etc, but also understanding how different elements of a woman's identity shape their experience in the world, therefore their experience of abuse and violence and their experience with service providers and statutory services. Intersecting identities mean that a woman might experience different forms of oppression on top of gender-based oppression.

Our services are individual-centred. Considering the multiple elements of a woman's identity allows us to better understand their experiences and how to better support them. For this, we work to always have different voices represented in our staff, and a specialised service by and for our community. We

¹ The Big Lottery Fund (2016) Review of Domestic Abuse Outcome Measurement Frameworks – see <https://www.cordisbright.co.uk/admin/resources/erevalreviewdomesticabuseoutcomemeasurementframeworks.pdf>

2.2.3 RIGHTS-BASED APPROACH

Our organisation follows a rights-based approach to promote and protect the rights of Black and minoritised women. It ensures that vulnerable women participate in and are at the centre of all decision-making processes, as well as claim and exercise their rights when seeking support to flee violence.

Our work is informed by regional and international instruments. These include the CEDAW Convention, that offers a framework for addressing specific discrimination stemming from structural inequality in the policy domain; the Istanbul Convention, which focuses on the rights of women in European member states to redress the wrongs of gender-based violence they have experienced; the Human Rights Framework, which promotes fairness and equality; and the United Kingdom Equality Act of 2010.

We also examine different aspects of the government's role in fulfilling the survivor's rights. As outlined in the OPERA Framework,² we evaluate the initiatives taken by national and local authorities to provide a woman in our community with the necessary support when escaping domestic violence and dealing with homelessness. Through our work, we analyse government commitments to human rights and assess their implementation. This includes, for example, examining the effectiveness of government budget allocation and expenditure in addressing women's rights.

Lastly, we seek to ensure that women's participation is free and accessible, taking into account the languages they speak, whether Spanish, Portuguese or English. We strive to make sure that they understand and are genuinely involved in the process. Moreover, we hold ourselves accountable for the impact that our services have on their lives.³



² The OPERA framework operationalises Economic, Social and Cultural Rights as enshrined in the International Covenant on Economic, Social and Cultural Rights (ICESCR). The United Kingdom ratified ICESCR on 20 May 1976 <https://www.cesr.org/opera-framework/>

³ European Commission: EXACT database. Accessed on July 2024. <https://wikis.ec.europa.eu/pages/viewpage.action?pageId=50108948#:~:text=The%20human%20rights%20base>



2.3 Policy Statement

LAWA advocates for Black and minoritised women and their housing needs, focusing on specific aspects of national housing policy which fail to address and meet their needs comprehensively. In line with this principle, the organisation:

1. Identifies gaps in national housing policy and policy areas that need to be formulated and implemented differently.

2. Promotes a rights-based approach informed by local and international instruments.

3. Advises, through various fora, the impact that dramatic shifts in policy have on Black and minoritised women. We aim to influence the nature and degree of change proposed using the evidence-based knowledge.

4. Represents Black and minoritised women so that they get fair, just, and equal treatment in meetings with housing officials.

5. Empowers Black and minoritised women so that they are aware of the rights-based approach and can use the tools it provides.

6. Encourages information and policy dissemination strategies with local authorities and partner organisations. This is intended to shape the policy influence work and identify key issues around Black and minoritised women's access to safe, permanent, and suitable housing.

2.4 Homelessness prevention approach in the WAHA initiative



Homelessness prevention in England is typically addressed at these three levels:⁴

• **Primary prevention:** it is about preventing new people from becoming homeless. Here, homelessness prevention is seen as part of a more integrated strategy, where the economy, education, health, among other broader policy areas, are implemented in a coordinated way. At this level, integrated support provided by different agencies and organisations working together is essential to identify people at risk at an early stage, including vulnerable people such as survivors of domestic violence.

• **Secondary prevention:** this is about quickly identifying people who are at immediate risk of homelessness, thus focusing prevention on assistance at the point of crisis. It is argued that this level of prevention is the cornerstone of legislative responses to homelessness in England today. As a concrete example, The Homelessness Reduction Act (HRA) requires local authorities to step in earlier to avoid homelessness for any person who qualifies for support and is deemed at risk of becoming homeless within the next 56 days.

• **Tertiary prevention:** this is about developing targeted measures that address the housing and wellbeing needs of people that have already faced homelessness, to help them begin or sustain a path to stable housing, preventing repetition.

⁴ Dawson, Alice (et al), Opportunities to better prevent homelessness in England. A DEMOS - Centre for Homelessness Impact Discussion Paper. July 2023. Accessed on July 2024 <https://demos.co.uk/wp-content/uploads/2023/07/homelessness-prevention-final.pdf>



2.4.1 HOW DOES LAWА WORK AT THESE LEVELS OF PREVENTION?

The experiences of homelessness for women differ from those of men. For instance, women are more prone to experiencing “hidden homelessness,” such as couch-surfing or living with extended family in overcrowded conditions, as well as residing in temporary housing, rather than being visibly homeless on the streets. Even when women do find themselves sleeping rough, they tend to seek hidden and safer locations, making them less likely to be counted in street homelessness surveys. Homelessness and Violence Against Women and Girls (VAWG) are, therefore, inextricably linked: a large proportion of women that are either homeless or at risk of homelessness would have faced some type of gender-based violence. Conversely, all women fleeing gender-based violence are at risk of homelessness and/or become homeless in the process they go through to escape abuse.

Through the WAHA initiative, LAWА works across all these three levels of homelessness prevention:

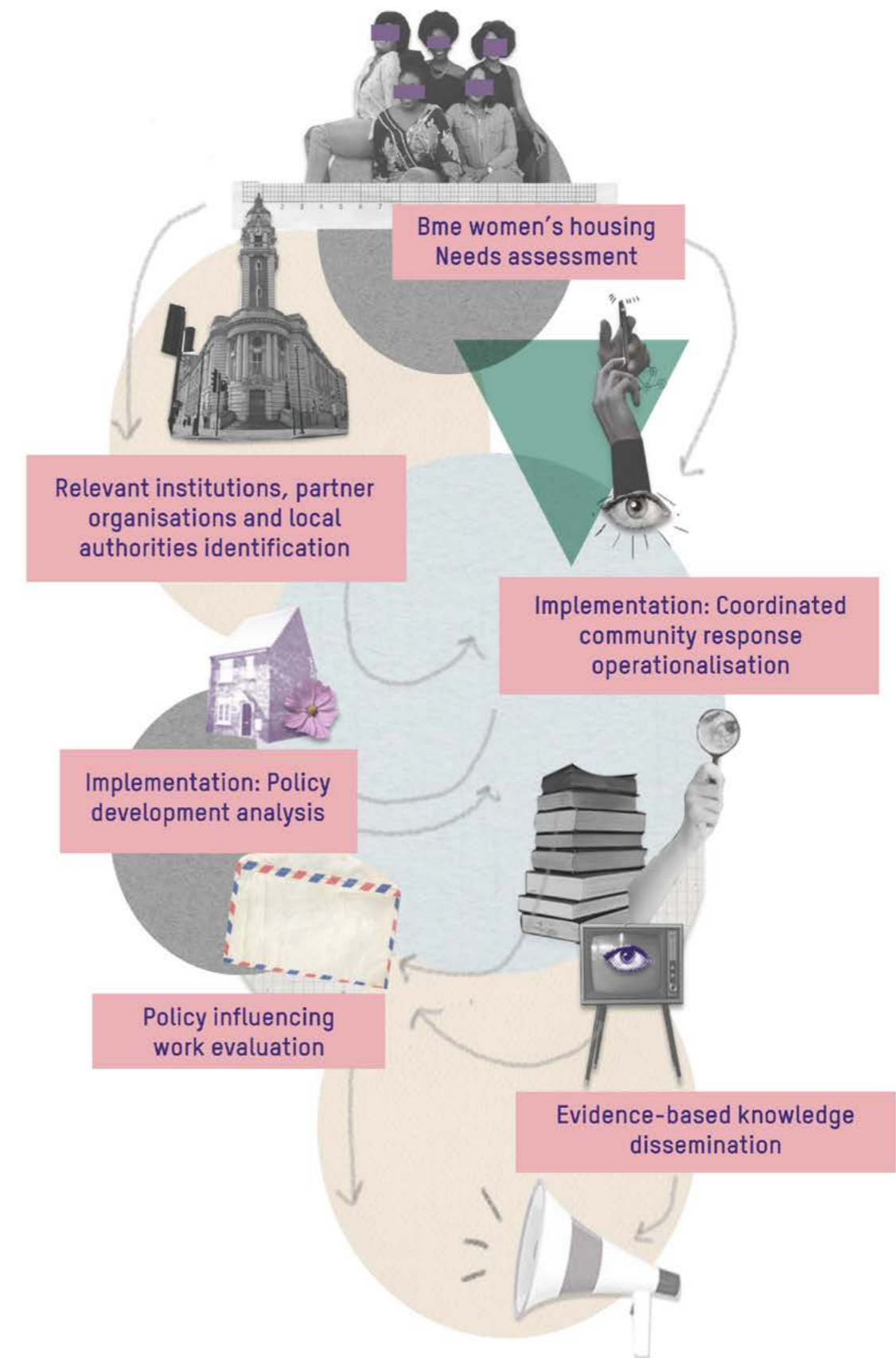
1.Primary prevention: At LAWА, we believe that our ongoing efforts to end violence against women and girls and challenge systems of oppression through our black feminist and intersectional approach are crucial in preventing more racialised migrant women from becoming homeless due to domestic violence. From our intersectional perspective, we influence migration and housing policy and practice in the UK on the premise that they are closely linked to wider socio-economic issues that structurally affect women in our community.

2. Secondary prevention: As shown in the following section, most of the cases addressed in this document fall under this level of prevention. When working with migrant women fleeing domestic violence, we often encounter situations where they are at latent risk of becoming homeless. At this stage, we strive to find suitable accommodation options for them. We advocate for them with national and local authorities, ensuring that the intersecting oppressions involved in each case are highlighted; assess the possibility of offering them space in our own refuges, or refer them to other organisations, accompanying them throughout the whole process.

3.Tertiary prevention: This level of work typically occurs when women are rehoused —in most cases in temporary accommodation— and need to secure permanent housing while recovering from trauma. In our refuges we provide them with practical support for their daily lives and those of their children, while also helping them to work on their self-determination and rebuild their lives. We also continue to advocate for them and for those who find temporary accommodation outside our refuges, to ensure that the government responds appropriately and provides them with permanent options that prevent them from facing homelessness again or returning to the perpetrators.

2.5 Roadmap strategic stages

LAWА'S INTERSECTIONAL ROADMAP FOR HOUSING POLICY, PRACTICE AND ADVOCACY

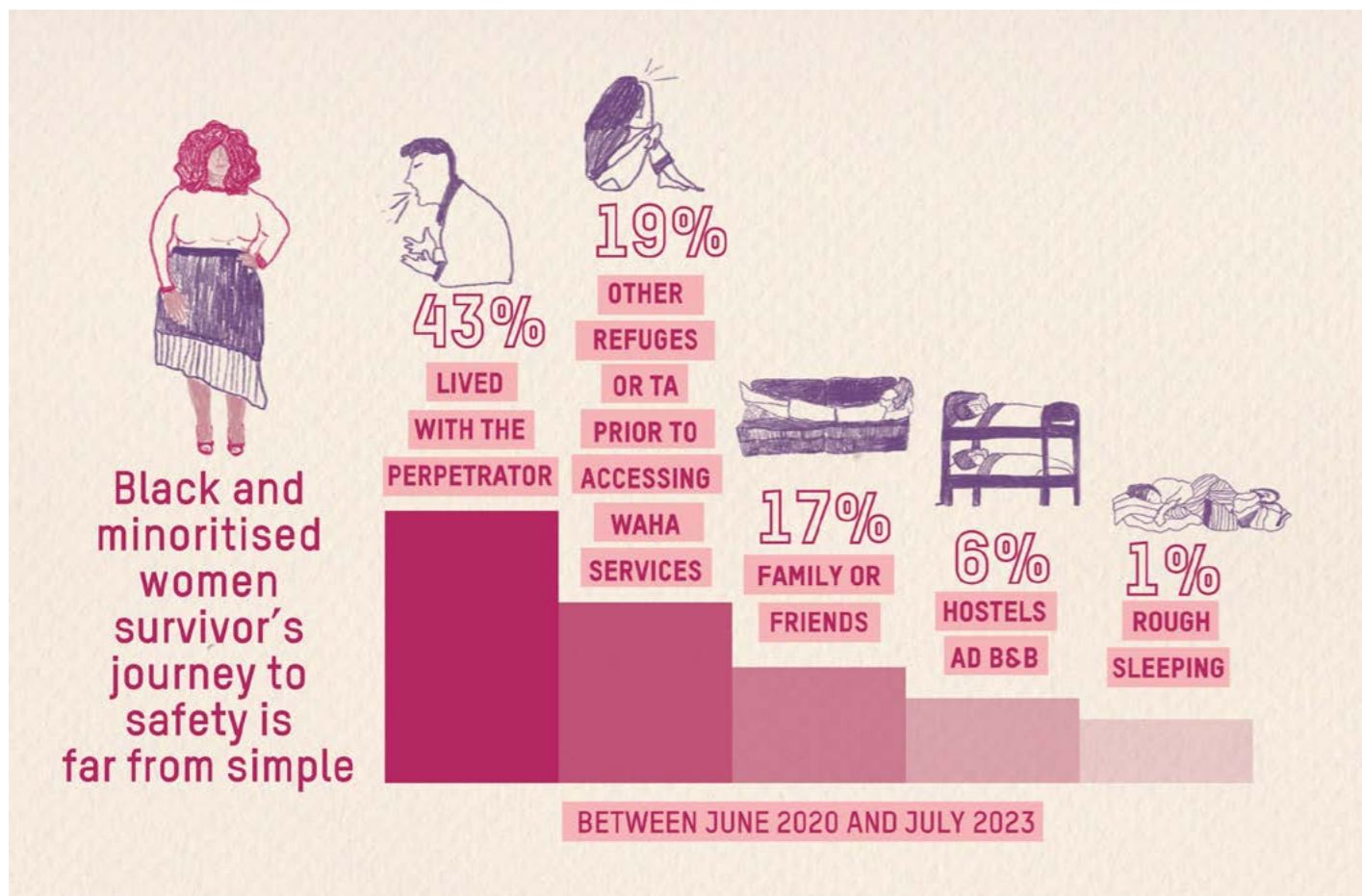


2.5.1 HOUSING NEEDS ASSESSMENT

The first step involves determining survivor's current housing situation, which is done by the LAWA case workers. This initial (baseline) evaluation also includes an assessment of the risks to women and children to determine the appropriate measures to safeguard their lives. Importantly, from this very first step we make sure that we consider the women's situation from an intersectional perspective, asking them and us about the impact of different systems of oppression on their cases and how they shape what they are experiencing. Some of the questions that are part of this tool include:

- Is the service user homeless?
- How did service user become homeless?
- Accommodation service user is currently living.
- How long has the user been in the current accommodation?
- Referral reason?
- Risk of repeat victimisation associated with housing
- What is the degree and nature of housing need identified?
- Has survivor been presented with issues such as racism or discrimination?

WHAT HAVE WE IDENTIFIED IN THIS PHASE?



EXAMPLES:

IRMA

Irma is a 29-year-old Brazilian, heterosexual, mother of an 8-year-old daughter

In Brazil, she experienced multiple types of abuse during pregnancy. She lived for years in constant threat, moving to different cities and changing jobs due to her ex-partner's persecution. She moved to the UK to escape domestic violence, but the death threats continued

In the UK, Irma met a landlord. She helps him with the housework in exchange for accommodation, but he started to demand sex too. He locks Irma and her daughter in a room forcing them to stay at home and have also tried to force sexual relations with her

Irma reported the harassment and intimidation she experienced to the police. However, the authorities did not take immediate action, they have stated that would investigate the case further. She left the house without having a place to go

AMANDA

Amanda is a 60-year-old heterosexual Brazilian woman who arrived in the UK in early 2020

During the pandemic, she faced financial difficulties and found herself homeless. After a few months, Amanda met a man who could arrange accommodation and moves into his home. When sleeping in the living room, Amanda woke up with him on top of her coercing her to have sex

This situation continued and she repeatedly experienced episodes of harassment, sexual abuse, and coercive behaviour. With a tourist visa, Amanda's status was used to exert control and threaten to make her homeless

By refusing to trade sex for rent, he blackmailed her. She was at risk of being homeless after fleeing her attacker's home

LESLIE

Leslie is a 40-year-old Malaysian, transgender and visually impaired woman who was invited to live with a man in the UK

Since she moved here, the violence started. She was a victim of verbal, sexual, physical and psychological abuse. He used his immigration status and transgender identity to exert control and make her dependent on him

When living on his property, he also demanded sex in exchange for rent

Leslie decided to speak with the home office and there she was offered emergency accommodation. She refused the space due to the lack of support for her physical condition

DAIANE

Daiane is a 35-year-old Brazilian, heterosexual, mother of one son, who experienced domestic violence for 10-20 years

She contacted LAWA asking for help to leave the house that she was living in with the perpetrator. She was a victim of verbal, sexual, controlling behaviour, online violence (blackmailing), imposed isolation and use of the immigration status to exert control

Her ex-partner was very abusive towards her and used drugs and alcohol daily, spending all his money on it and leaving Daiane without food and supplies for her child. He forbade her to work and controlled her access to credit on her phone

She started sleeping on the sofa as she was sexually assaulted on different occasions. Regularly he came home home drunk becoming very aggressive, hitting objects, and shouting at her

LAWAS INITIAL ASSESSMENTS ENABLE US TO IDENTIFY the issues faced by women in our community when dealing with housing problems and gender-based violence. Some current cases reveal a **DISTURBING PHENOMENON KNOWN AS ‘SEX FOR RENT’**, where homeowners demand sex from vulnerable women experiencing financial difficulties as a form of payment for accommodation. We have seen this mostly in cases of asylum seekers and it has been pointed out by other organisations as a growing problem related to the housing crisis in the country.

Regarding this matter, we shared some notes for an article published in The Guardian.⁵ In addition, and based on our evidence and analysis of cases, we provided input to the government’s ‘Sex for Rent consultation’, aimed at understanding and addressing this issue.



Women Against Homelessness & Abuse

⁵ Vulnerable UK women forced into ‘sex for rent’ by cost of living crisis by Miranda Bryant. Published on Saturday 29 April 2023. Accessed on July 2024
<https://www.theguardian.com/society/2023/apr/29/vulnerable-uk-women-forced-into-survival-sex-by-cost-of-living-crisis#:~:text=The%20Beyond%20the%20Streets%20charity,to%20increased%20exploitation%20and%20abuse.>



2.5.2 RELEVANT INSTITUTIONS, ORGANISATIONS AND LOCAL AUTHORITIES’ IDENTIFICATION

This refers to the identification of all authorities with the statutory duty to address the survivors’ needs, as well as key partner organisations with supporting capacity. Identifying and collaborating with partners and government institutions is a daily process. We understand the importance of leveraging resources from multiple sources, and our advocacy work focuses on ensuring that the government fulfils its duty to respond to the survivors’ housing needs.

Our organisational gap analysis is based on this identification, which is continuously reviewed and updated. This helps us refine and adapt our institutional advocacy objectives and connect them to other demands for change that align with our advocacy objectives at the local or national level. Our approach is consistent with that set out by the Coordinated Community Response (CCR) Network, to which “every agency has a responsibility for identifying and supporting survivors, their children and holding perpetrators to account”.⁶ We thus believe in a collective responsibility to ensure the well-being of survivors rather than placing it on the individual. Violence against women and girls is a structural issue and responses must be structural as well.

Examples of relevant institutions and partners we work with, as well as government agencies we target for our advocacy work:

- * DOMESTIC ABUSE COMMISSIONER
- * LONDON BOROUGH’S CABINET MEMBERS FOR HOUSING NEEDS
- * LONDON BOROUGH’S NRPf TEAMS
- * LONDON BOROUGH’S STREET POPULATION OUTREACH TEAMS
- * LONDON BOROUGH’S ADULT SERVICES TEAMS
- * LONDON BOROUGH’S CHILDREN SOCIAL SERVICES TEAMS
- * LONDON BOROUGH’S CHANCELLORS FOR HOUSING SERVICE
- * LONDON BOROUGH’S REFUGEE AND MIGRANT TEAMS
- * LONDON BOROUGH’S HOUSING TEAMS
- * LONDON BOROUGH’S HOMELESSNESS PREVENTION TEAMS
- * LONDON BOROUGH’S BENEFITS TEAMS
- * LONDON BOROUGH’S VAWG TEAMS
- * LONDON MAYOR’S OFFICE FOR POLICING AND CRIME
- * IMKAAN - OYA CONSORTIUM COLLABORATOR
- * WOMEN’S AID FEDERATION
- * ASHA PROJECT - OYA CONSORTIUM PARTNER
- * ASHIANA NETWORK - OYA CONSORTIUM PARTNER
- * LONDON BLACK WOMEN’S PROJECT - OYA CONSORTIUM PARTNER
- * VAWG SECTOR ORGANISATIONS
- * HOUSING LAW PRACTITIONERS

⁶ Standing Together Against Domestic Abuse (STADA): CCR Network - Membership Pack. Accessed on July 2024
<https://static1.squarespace.com/static/5ee0be2588f1e349401c832c/t/65df38e8aba7864f19b1ce00/1709127915911/Membership+Pack+CCR+Network+2024-25+UPDATED.pdf>

How do we do this identification?

Our intersectional lenses and the realities of the women we work for have shown us that housing problems are always closely related to immigration. This therefore determines the path we take in each case, which is different and unique for each woman. In all cases, however, this path depends mostly on their immigration status.

Examples:

1. CAMILA

Camila is a 55-year-old Brazilian, mother of two, with No Recourse to Public Funds. She experienced daily verbal, use of immigration status to exert control, physical, obstruction of language development, and emotional/psychological abuse.

Camila left the perpetrator house with her 14-years-old son, who has cerebral palsy, autism and a heart condition.

LAWA, following the characteristics and particularities of the case, identified and contacted different teams and government bodies to discuss support for Camila and her son, including:

Children with Complex Needs Service team
No Recourse to Public Funds team
Multi-Agency Safeguarding Hub – MASH
Two boroughs' council teams

2. MARIA

Maria is a Brazilian, 48-year-old and heterosexual woman. She has pre-settled status and a three-year-old daughter born in the UK.

She has suffered violence since childhood, which has made her almost illiterate, although she is fluent in Portuguese and Italian.

After suffering intense physical, psychological, and verbal abuse from her former partner, Maria and her daughter went to a LAWA's refuge, where they lived for a few months.

When they left LAWA's refuge, with a homeless

application already made and an assessment booked, Maria and her daughter faced a month of suspicion, prejudice and misinformation due to the inability of the local government to recognise the intersectional characteristics of their case. Phone calls were made without interpreters, and she was told on several occasions that she should return to their country.

Even though she was protected by law to receive shelter, it took a persistent advocacy service to get government authorities to start their work. Until this was done, they were moved from hotel to hotel for a month without being given any guarantee of accommodation for longer than three days.

After conducting proper assessments, the local authority agreed that Maria and her daughter are entitled to support and would be provided with accommodation so that they could finally start their lives anew.

Institutions targeted and contacted in María's case:

Housing Department
Social Services
Children Services
City Council
Multi-Agency Safeguarding Hub – MASH
City Police
Benefits team

3. FABIOLA

Fabiola is a Black African, heterosexual and 29-year-old woman.

She experienced domestic violence during her pregnancy. Verbal and psychological abuse and coercive control prevented her from attending antenatal care until almost the seventh month of pregnancy, when she fled the abuse.

Leaving home was followed by a series of difficulties related to housing, since her case was treated as a trivial one, without the urgency needed for a survivor who was due to give birth soon.

She was suggested by the local Housing team to look for and rent a place privately, which was exhausting,



painful and proved impossible because no one wanted to rent to a pregnant, single woman.

It took several meetings and efforts to get the Local Authority to understand the urgency and necessity of her being allocated somewhere near the hotel where she had finally been receiving the necessary medical care.

This collective effort was also fundamental to her access to benefits. After a few weeks, the local council found accommodation for her, where she now lives with her newborn daughter.

Institutions targeted and contacted in Fabiola's case:

Health centres and professionals
Social Services
YMCA England & Wales
Job Centre
Homelessness Prevention Team
Women's Aid

2.5.3 IMPLEMENTATION PHASE

2.5.3.1 Coordinated community response operationalisation

As shown in the previous phase, we are fully aware that each Black and minoritised woman has different housing needs that might not be fully addressed by a single organisation. This is why we first identify other relevant institutions and then define the appropriate course of action to pursue at the case level. Even though this response implementation typically consists of providing options available around accommodation, these cases may involve a large number of other issues related to the criminal justice system, health, social benefits, community engagement, education and so on. We encourage and advocate for comprehensive, coordinated and, if required, multi-agency responses.

This response, as well as the identification of partners to work with, is entirely context-specific and fully adapted to the reality of each case, based on the intersectional analysis we do. For example, when dealing with cases of LBT women, some organisations are contacted and specific actions are taken, that might differ from those in cases of asylum seekers. When emerging issues come to light and we identify patterns, the coordinated response is also tailored.

1. CAMILA'S CASE

Analysing the complexity of this case and with the prior identification of institutions that could be involved in helping Camila, LAWA coordinated a joint response that sought to ensure her and her son's fleeing the abusive context and finding adequate accommodation that would bring dignity and healing.

As part of this coordinated response, LAWA and a social worker from Lewisham Children with Complex Needs Services contacted the No Recourse to Public Funds team. LAWA also approached the Multi-Agency Safeguarding Hub to ensure that the family received support under Section 17 and a referral form was sent out. After contacting these agencies and local council teams, one council secured temporary accommodation for Camilla and her son. However, the accommodation was in a different council to her son's school, which created further difficulties for the mother.

LAWA continued to monitor the case and the government's compliance with its duties, advocating for Camila to be given a place that met her needs. In addition, LAWA provided VAWG services, including counselling, to her for more than a year and a half.



2. CARLA'S CASE

Carla is a Brazilian woman who became homeless while fleeing domestic violence. She contacted us and was able to move to a LAWA refuge with her one-year-old daughter after surviving verbal, emotional, and physical abuse. During her stay with us, she received support not only in finding rehousing options but also for other issues such as health, immigration, and clothing donations, among others. Additionally, she was able to challenge her No Recourse to Public Funds status and access benefits.

After spending a few months in the refuge, LAWA reached out to partner organisations that could provide alternative housing options. We also assisted Carla in submitting a homeless application to the Barnet Council. This coordinated response, along with the various actions taken during the process, enabled her to move into temporary accommodation and remain in the UK as the mother of a British child.

Carla said she experienced a positive change during her stay in LAWA accommodation. She reported feeling optimistic about the future, being able to identify abusive behaviour and feeling that she and her daughter were safe.

3. LESLIE'S CASE

As described above, Leslie refused the accommodation offered to her by the Home Office because it did not meet her physical needs. However, she had experienced an incident of domestic violence in which the police got involved and she was forced to leave the place where she was living.

With no support network in the UK and in a vulnerable position, LAWA advisors helped Leslie arrange an emergency hotel and carer, provided by Islington Council. While she was there, LAWA also helped her reach out to LGBTQIA+ and refugee organisations, as well as completing an asylum application.

Although LAWA advocated with the Home Office and local authorities for Leslie to remain in London, she was allocated a place in another city in England, in a centre for disabled asylum seekers. The place does not meet her needs, as there are no health professionals in the facility, it is not designed for visually impaired people, and there are no staff trained to prevent transphobia. LAWA continues to work on this case.



LAWA also manages cases that involve **INDIVIDUAL PROPERTY OWNERS** rather than other organisations or institutions, and these are usually about eviction or maintenance problems. In those cases, **LAWA HAS BEEN ACTING AS A BRIDGE** between the house owners and the survivors, and most of the times achieving positive outcomes for the latter.

STATUTORY DUTIES UNMET: KEY HOUSING CHALLENGES FOR BLACK AND MINORITISED VAWG SURVIVORS IDENTIFIED AND DISCUSSED FROM OUR CASES

This information sharing and analysis with the partners in the OYA Consortium takes place in conjunction with Policy and Practice Learning Hub. In this space, different staff members contribute their experience and expertise, discuss challenges around cases and identify issues and practical solutions with the aim to inform national and local advocacy initiatives where this is possible and available to us.



A collage of various images arranged in a circular pattern. The central image is a person with curly hair wearing a red sweater, resting their head on their hand. To the right is a tall, modern building. To the left is a white door. Below the door is a purple flower. At the bottom left is a ruler. At the bottom right is a small mouse. At the top right is an airplane. The background is a light blue circle with a green triangle and a yellow circle. A curved arrow points from the top left towards the center.

We see an increase on Local authorities wrongly advising women with children seeking support from children services. They appear to lack clear guidelines on how to provide accommodation to women whose cases fall within the scope of section 17 of the Children Act. The authorities are not providing assistance to the family (i.e. emergency housing) during the process of assessing whether

⁷ Homelessness Reduction Act 2017, section 5. Accessed on July 2024. <https://www.legislation.gov.uk/ukpga/2017/13/section/5>

women are eligible for public funds, which is what the law requires to be done. Moreover, the assessments are taking much longer, even in high-risk cases, leaving families homeless and without support. We believe that unless this practice is reversed, it may not only breach the Children Act, but may also constitute indirect discrimination.

Most of the times, due to immigration matters, the housing team has no duty towards the woman, and she is left in a limbo while waiting for support. Meanwhile, we see the abuse going beyond the situation they are fleeing from and being perpetuated by a systematic and institutional criminalisation of migrant women, re-victimising and re-traumatising them and their children. The lack of appropriate interpretation service and appropriate training on domestic violence from an intersectional perspective backs up the failures by the statutory services.

In addition, existing requirements to rent for low-income families such as the benefit cap further exacerbate the barriers faced by domestic abuse survivors.⁸ This is not only due to the increasing lack of appropriate refuge spaces and permanent, suitable and affordable houses to accommodate them, but also, it is caused by systemic failures that result in issues with homelessness assessments and applications, housing allocations and insufficient provisions for women with insecure immigration status. Thus, although Black and minoritised women are prone to be trapped in violent relationships longer than white British women, and more likely to live in inadequate and fuel-poor housing than women from white households,⁹ public housing approaches fall short of providing comprehensive responses tailored to their specific housing needs and those of their families.

For cases presenting women with complex vulnerabilities, we have seen that they fall too easily through the cracks, leaving both survivors and LAWA's case workers in limbo while different

agencies and boroughs pass the responsibility back and forth. This is a detrimental behaviour from a safeguarding perspective.

In the spirit of exemplifying what these barriers look like in reality, we would like to highlight that complex structural barriers post-Brexit have had a great impact in our community. Due to our colonial heritage, many Latin American women hold European passports, and the new EU Settlement Scheme does not provide clear information on access to services and public funds for survivors of abuse, therefore for social housing. As a result, we see migrant women experiencing intersectional oppression, with their rights being denied based on wrong information on pre-settled status, and often being advised to return to their country.

Regarding the entitlement to access public funds for survivors with pre-settlement status who are not working due to domestic violence, we are observing a recurrent problem related to the difficulties of some women to pass the Habitual Residency test and obtain housing benefits, as they are not able to prove that they have been working in the UK under the conditions required by law. Here is an example:

SARA:

Sara is a black 36-year-old heterosexual woman who came to the UK from Spain invited by her ex-partner. Once in the UK, she went to live with the perpetrator in a shared house that he had rented from a friend. Sara became pregnant and when she informed her partner about it, he got very upset and said that he wanted nothing to do with the child.

She decided to continue with the pregnancy, and, after a period of emotional and psychological abuse, the perpetrator left her. He prevented her from learning English and working even though she wanted to do so. After he left her, without any income or support, Sara

⁸ Latin American Women's Aid (2022). Annual Report 2021/2022. Available in https://lawadv.org.uk/wp-content/uploads/LAWA_ANNUAL_REPORT_DIGITAL_2021-2022..pdf

⁹ London School of Economics & Political Science (2017). Racial discrimination in UK housing has a long history and deep roots. Accessed on July 2024. Available in <https://blogs.lse.ac.uk/politicsandpolicy/racial-discrimination-in-housing/>

had to leave the house and became homeless while pregnant. She was sofa surfing for some time until she was referred to a charity's hostel and eventually moved to a LAWA's refuge.

In the process of obtaining housing support, Sara faced an unfair system that required her to prove that she had been working enough during her stay in the UK to qualify for benefits. Although LAWA informed her of her rights to housing and welfare benefits, she may not yet have been fully entitled to them because she was not considered to have Habitual resident rights. Sara managed to start working part-time and was earning less than GBP190 per week. Sara's work could have been considered marginal and ancillary,¹⁰ making it difficult to ensure the guarantee of her rights.



Like Sara, **THERE ARE MANY WOMEN WITH PRE-SETTLED STATUS WHO DO NOT ENGAGE IN PAID WORK ON A REGULAR BASIS BECAUSE OF THE VIOLENCE THEY FACE.** Having a legal requirement that closely examines their economic activities as a condition for qualifying for public funds seriously compromises their access to social benefits, and therefore the way in which LAWA can support them.

¹⁰ "Marginal means the work involves so little time and money that it is unrelated to the lifestyle of the worker. Work is ancillary if the worker is clearly spending most of their time on something else and not work." Source: Guidance Treaty Rights (accessible). Updated 21 November 2023. Accessed on July 2024. Available in <https://www.gov.uk/government/publications/treaty-rights/treaty-rights-accessible>

2.5.4 Influencing work evaluation

As part of the OYA Consortium policy work, we engage in conversations with commissioners, colleagues in the women's and housing sectors, housing officials, and authorities in senior positions of responsibility. We bring our intersectional praxis to the discussion on the challenges and opportunities we have identified to enhance best practices and address failings to adhere to current legislation. Where new evidence emerges, we use it to influence key local and national government stakeholders to better recognise and understand the intersections of poverty, violence, race, and homelessness, and how this affects Black and minoritised survivors. We aim to influence and advocate for improvements and better responses from statutory services to meet survivors' housing needs.

We acknowledge that policy influence is a complex multifaceted process shaped by various interacting dynamics and actors. Therefore, our evaluation process considers assessing progress across different objectives and levels of influence, rather than solely focusing on the change or implementation of a specific policy.¹¹ In addition, we carry out this evaluation focusing on our contribution rather than assessing our performance from an attribution point of view.

Considering this, we have established the following policy outcomes:

- Influencing policy/budget decision-making spaces.
- Influencing legal and operational frameworks that affect the provision of housing for VAWG survivors. In practical terms, this has meant engaging in consultations, conducting targeted analysis, and participating in lobbying process for different policy initiatives (e.g. the Domestic Abuse Act or

the Supported Accommodation Bill). This has also involved us inserting key messages into legislative amendments or high-level lobbying efforts. For example, we were successful in getting the High Court of England and Wales to rule that family courts must better protect and maintain confidentiality regarding women's refuges' addresses.¹²

- Building capacity within the organisations that are part of the OYA Consortium at the strategic and operational level to influence Local Authorities on an individual basis. This work has a multiplier effect through our involvement in different second tier organisations such as Imkaan, Women's Aid and ERAW Coalition, and through our engagement in different collaborations in the area of housing and VAWG. We also do this in a practical sense through establishing (resource permitting) collaborations with like-minded partnerships/initiatives, for example with the London VAWG Consortium sitting at the Women Resource Centre, and the National Housing and Domestic Abuse Policy and Practice Group, sitting at Standing Together Against Domestic Abuse

- Contributing to improvements in control regulations over housing associations that provide refuge and move accommodation to VAWG survivors.

- Changing narratives around VAWG and homelessness, both within organisations in both sectors and across all relevant stakeholders. We advocate for cultural change to address the structural inequality faced by Black and minoritised women. We aim to increase the believability of BME women's experiences of housing and the way in which professionals assess their experiences of violence. This is the area for which we have the least resources, so we are mindful of the fact that our contribution is limited given the remit and specialism of our work.

¹¹Steinberg, Maria (et al), A Guide to Policy-Influence Evaluation: Selected Resources and Case Studies. Cathexis Consulting, July 2015. Accessed on July 2024. <https://www.nccmt.ca/uploads/media/media/0001/01/c3374b8be4b35e1340385f1b593d3bb9f50f6a38.pdf>

¹² Press Release: Women's rights organisations, led by Latin American Women's Aid, win landmark case in ensuring confidentiality of women's refuge addresses. https://lawadv.org.uk/statement_judgement/

2.5.4.1 Our policy and practice evaluation model

The graph below shows **the core principles of our Policy and Practice Evaluation model**. Each principle is connected to specific outcomes that we evaluate on an ongoing basis through a specific roadmap / plan. The font size and location of the principles reflect the strategic prioritisation we give to the different elements of the model.



Understanding that evaluating policy and practice developments is a complex task, and that the changing dynamics of policy making are highly contextual, our framework is flexible and adaptable.

By way of example, we show below an extract of how the policy and practice evaluation model works in practice for the different outcome areas:



2.5.4.2 Conducting the evaluation process

LEVEL 1
Not recognised

LEVEL 2
Minimal recognition

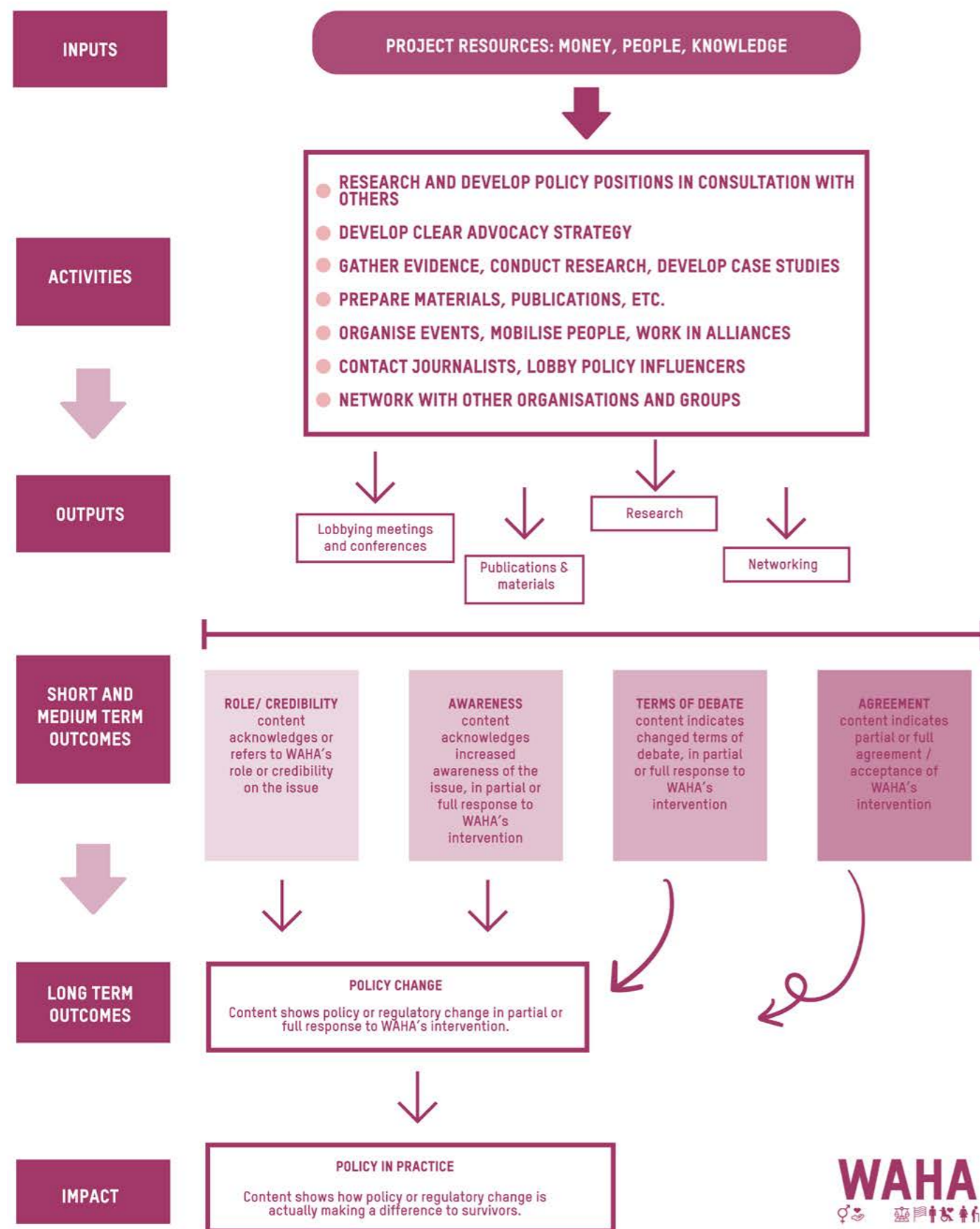
LEVEL 3
Acknowledged

LEVEL 4
Some step changes achieved

LEVEL 5
Fully recognised/
Substantial changes achieved

Icons: Gender (male/female), Care (hand/heart), Communication (megaphone), Justice (scales), Participation (flag, person, person in wheelchair, person with cane).

The flow chart helps us self-assess our own efficacy and allows us to have an assessment that is grounded in concrete terms, even if the issues analysed are complex and multilayered. Depending on the policy scenario in which we intervene, single or multiple policy outcomes can be analysed using this tool:



Examples

RIGHT TO SAFETY AND CONFIDENTIALITY WHILE IN REFUGE ACCOMMODATION

Between 2020 and 2023 LAWA led a campaign that resulted in a successful landmark case in the High Court of England and Wales (Family Courts Division) ensuring confidentiality of women's refuge addresses. Court judgement [\[2023\] EWHC 471 \(Fam\)](#) of the 7th of March 2023 mandated establishment of a new, standalone rule in the Family Procedure Rules based on the considerations:

- That only in circumstances which are truly exceptional and urgent, should documents be personally served on women at refuges' residential addresses.
- Women's refuge addresses are always confidential – this is to protect the safety of the women who have fled into emergency accommodation and campaigners are delighted that the courts have recognised this.
- The judgment also recognises the multiple barriers to accessing specialist support faced by migrant women and the discrimination they face as a result.

The judgment followed a joint submission led by Latin American Women's Aid and involving Refuge and Women's Aid Federation, with the pro-bono support of Dr. Charlotte Proudman who acted as a barrister (and supported LAWA since the first case and until present). Rights of Women also provided invaluable support and represented flawlessly the women organisations in the joint submission.

This win constitutes a landmark because this was the first time that a High Court Judgement directly named migrant women's intersectional inequalities in a court Judgment, and because through this campaign we substantiated the endemic problem of litigation abuse in the Family Courts system in the UK.

¹³ Press Release: Women's rights organisations, led by Latin American Women's Aid, win landmark case in ensuring confidentiality of women's refuge addresses. https://lawadv.org.uk/statement_judgement/

We have subsequently engaged directly with the policy team from the Ministry of Justice to implement the changes across the system mandated by the judgement.¹³

EVALUATING THE POLICY INFLUENCING PROCESS IN THIS CASE:

- In this case, we qualitatively assessed our efficacy by looking at the inputs, activities, outputs, short, medium and long term outcomes achieved.

We fully acknowledge that in many respects the achievements (or lack thereof) relate to issues outside of our control.

INPUTS: staff time (Research, Advisors), Service Users' time (providing feedback, giving us interviews)

ACTIVITIES: research and development of policy positions; analysing case files, writing case studies, presenting evidence in parliament, to the courts, mobilising allied organisations to develop the joint submission, contacting journalist reporting on the case

OUTPUTS: Evidence briefings, Reports

SHORT TERM OUTCOMES: Court judgement [\[2023\] EWHC 471 \(Fam\)](#) including awareness of the issues raised by WAHA's intervention, content refers to LAWA's credibility on the issue; partial change in the terms of debate around a specific issue, content indicates some changes in the terms of debate, as well as full agreement, acceptance of WAHA's intervention

MEDIUM TERM OUTCOMES: Participation in the Ministry of Justice Policy development work group. Procedure change at the Family Procedure Rules (*still in process*)

LONG TERM OUTCOMES: Implementation and communication of the procedure change across all Family Courts in England and Wales (*still in process*)

IMPACT: It is yet to be seen the extent to which this procedure change will be implemented properly and as such make a difference in similar situations faced by survivors. We keep monitoring this practice so that we are able, where possible, to prevent negative outcomes from presenting in the future.

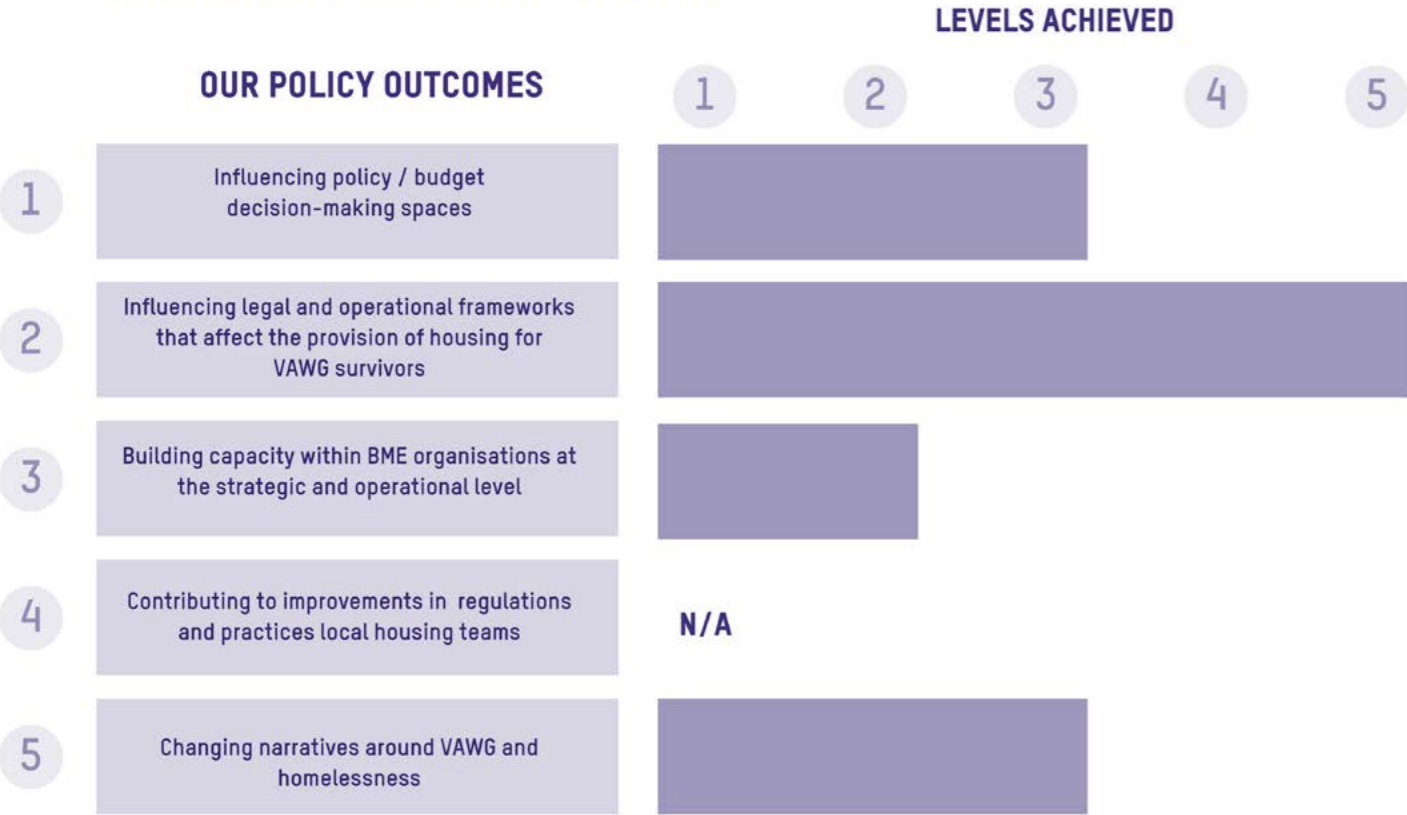
Qualitatively, through this case we consider that we:

- Contributed to outcomes 1, 2, 3 and 5 of our framework, with a greater level of success presented on outcome 2, 1 and 5.

- Outcome 4 of the framework cannot be directly linked to this intervention.
- Outcome 3 (building capacity within BME organisations) is the one where we observe more room for development (this is because the joint submission had to be presented with the support of larger, generic organisations, as this lended more weight to the arguments presented before court).

As a key lesson, therefore, we committed to share this knowledge more widely with the black and minoritised women’s sector, so that any future issue of similar nature presenting could benefit by the learnings from this experience.

THE ASSESSMENT IS SUMMARIZED IN THE GRAPH BELOW:



- (1) Not recognised or minimum outcome
- (2) Minimal recognition achieved
- (3) Acknowledged
- (4) Some changes achieved
- (5) Substantial changes achieved

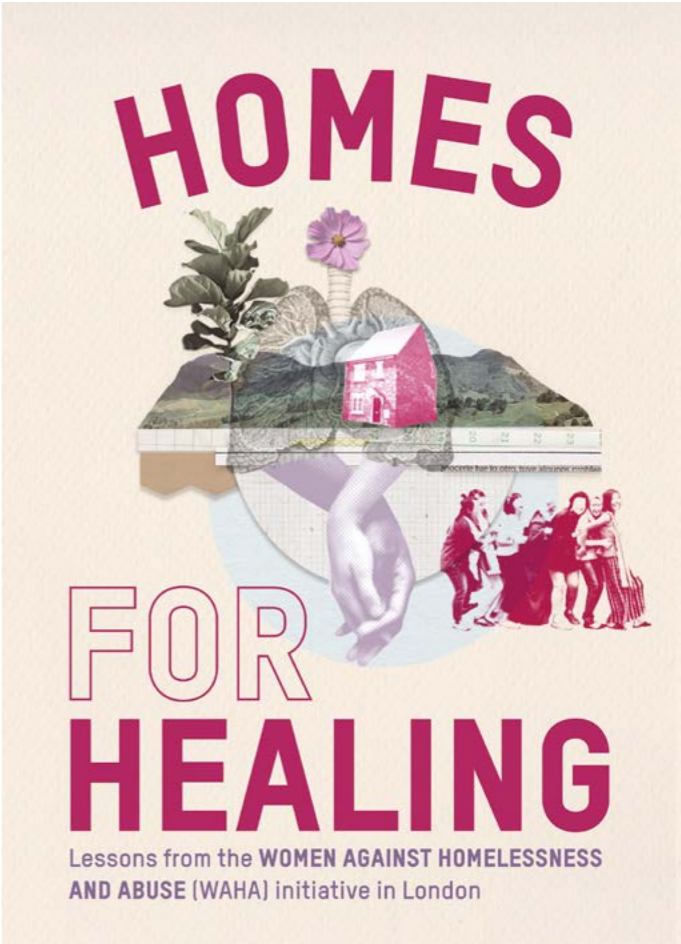
2.5.5 EVIDENCE-BASED KNOWLEDGE DISSEMINATION

It refers to the documentation, systematisation and sharing of our experiences of supporting Black and minoritised women through multiple resources and in appropriate spaces. The aim is to influence practice, advocate for survivors’ rights to safe accommodation and address systemic failures in the housing system, based on our evidence-gathering and the ongoing policy and casework we do at LAWA.

WHAT HAVE WE PUBLISHED SO FAR?

HOMES FOR HEALING¹⁴

It is based on the knowledge gained from the ongoing work of the WAHA initiative. Published in December 2023, this report presents an analysis of the data from June 2020 to June 2023 and provides general lessons from the 5 years the project has been running. It presents, among other things, the project’s research methodology, an analysis of the context in London, and draws on case studies and findings from the WAHA cases to show the challenges faced by women as well as the work done.



WAHA TOOL FOR PRACTITIONERS¹⁵

It is a useful tool for those advocating for BME women seeking homelessness support and facing the many challenges associated with undertaking this work in the UK. It draws on some key actions taken at WAHA while doing this work and includes helpful evidence-based recommendations. It was published in August 2023.

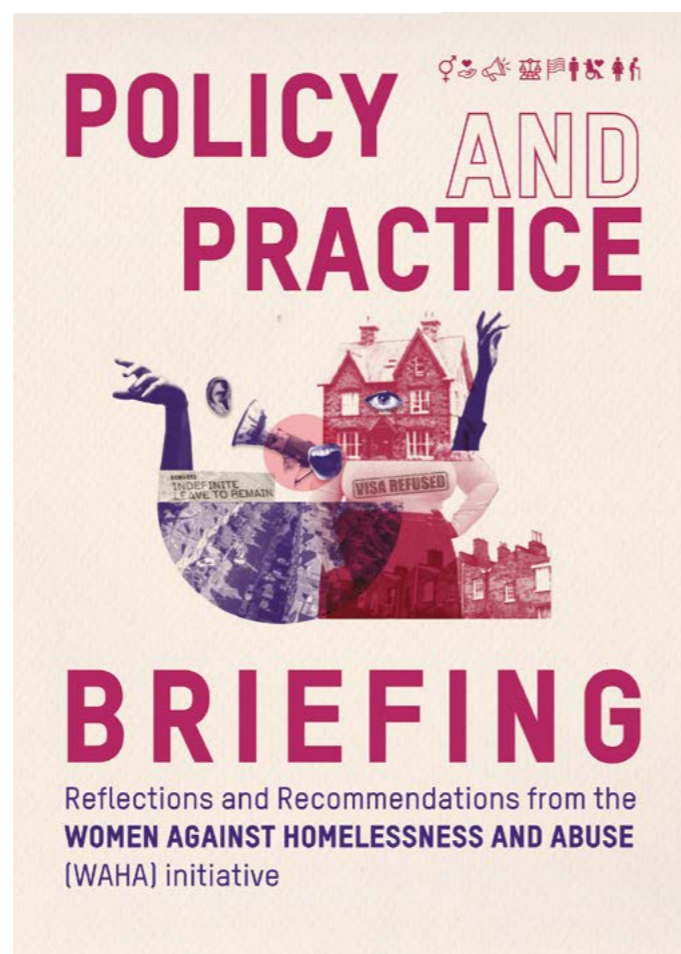


¹⁴<https://lawadv.org.uk/wp-content/uploads/WAHAFINALREPORT18-12-2023.pdf>

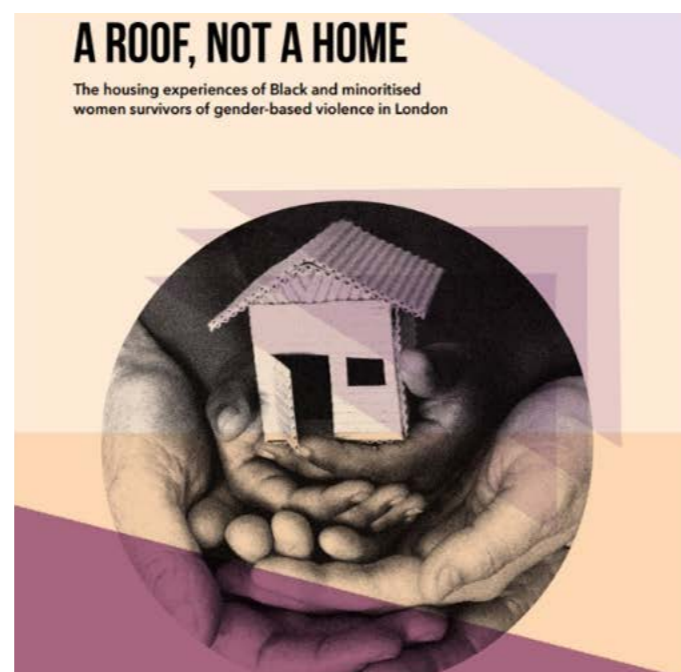
¹⁵ https://lawadv.org.uk/wp-content/uploads/WEB_WAHATOOLSPREADS.pdf

POLICY AND PRACTICE BRIEFING¹⁶

This briefing offers some analysis based on WAHA's 5 years of work, focusing on recommendations for different authorities to prevent homelessness. It carefully develops recommendations for authorities at national and local levels, including the Home Office, the Greater London Authority and all Local Authorities. It is a report full of useful and concrete ideas to comply with the law and secure the rights of BME women survivors of domestic violence.

**A ROOF, NOT A HOME¹⁷**

Published in October 2019, this report addresses the housing experiences of Black and minoritised women survivors of gender violence. It draws on the first year of the WAHA project and it is a piece of research that uses a survivor-centred approach. This is a complete report that presents the WAHA research methodology, findings from the WAHA consultation, recommendations to government institutions and so on.



¹⁶<https://lawadv.org.uk/wp-content/uploads/WAHAPOLICYBRIF-SEP12-min.pdf>

¹⁷https://lawadv.org.uk/wp-content/uploads/WAHA_A-roof-not-a-home-report_WEB-min.pdf

3**PARTNERSHIPS AND COLLABORATION**

LAWÄ is committed to the principle of partnership working and collaboration to maximise the effectiveness of our services and ensure the best possible effort is made to secure positive outcomes for women. Acknowledging that we are part of a wider ecosystem of organisations and agencies, voluntary and statutory, we have an open approach to working with and learn from other organisations. Within that, strategic partnerships are an important aspect of establishing the organisation within the community. A strategic approach ensures a coordinated approach to the formulation and utilisation of services for women and children who have experienced domestic abuse/gender-based violence.

Close joint working with partners in the statutory and voluntary services will ensure that our service users have access to a range of information and services that will allow them to make conscious and well-informed decisions and choices about their futures.

The scope of our approach to Partnership working is wide: LAWÄ's services are uniquely placed to understand survivors' need's holistically and with knowledge of the intersecting issues facing them. But as a small charity and given that supporting survivors of gender-based violence is also a statutory duty of the government, we depend on working with other agencies and individuals on a range of day-to-day, practical issues. An indicative list is set out below, although this is not intended to be exhaustive:

HEALTH – GPs, Health visitors, Community Mental Health teams, Counselling services.

SOCIAL WELFARE – social services – support on issues affecting women and children.

HOUSING – local authorities, housing associations.

LEGAL – the Courts, solicitors, the Police, Court Welfare Officers.

THE VOLUNTARY SECTOR – general advice services and specialist services.

EDUCATION, TRAINING AND EMPLOYMENT – provision for children and adults.

In addition, LAWÄ works with agencies on an organisational, strategic level in relation to a number of areas. The list below is indicative rather than exhaustive:

- * Funding
- * Multi-agency domestic abuse forums
- * Homelessness forums
- * Providing training and presentations
- * Attending training provided by other organisations
- * Influencing policy, awareness raising service user centred research

Community engagement and partnership work:

Our approach to partnership working when it focuses on influencing policy, awareness raising, and service user centred research is grounded in our communitarian ethos. This means that our goals are closely aligned with our Community Engagement and collaborations objectives and priorities, which include the following:

* Proactively reach out the most vulnerable / invisibilised and/or underrepresented community members in our service users base (i.e. lbtq+ women, afro-latines).

* Support/ maintain engagement in existing community partnerships/collaborations and facilitate the development of new ones, in order to reach out and establish constructive relationships and cross-fertilisation of ideas and practices with our diverse constituency base.

This means engagement with:

Country – specific communities – e.g. Brazilians, Colombians, etc).

Spanish and Portuguese BME speaking communities in London (such as women from Mozambique, Angola, Cape Verde).

Ethnicity based groupings/networks (such as the Coalition of Latin Americans in the UK – CLAUUK).

Age / generationally based: young Latin American women and girls, elderly Latin American and other BME women; second generation migrants, new migrants.

Sector based: including in the VAWG sector, the BME led by and for sector and other relevant sectors for LAWA's work as appropriate (e.g. Housing) .



4

WHAT TO DO NEXT? PRACTICAL WAYS TO ENGAGE

As you have seen throughout this toolkit, and much like we have done in our different publications, we continued to centre the human impact stories behind the cases and models described.

Moving forward, we will continue to raise awareness about the challenges and limitations of the systemic responses available to survivors, and we will keep reflecting on this through our Policy and Practice Learning Hub

Some forthcoming initiatives you can expect to see from us include:

- Developing specific collaboration agreements with targeted Local authorities in London to learn from our case practice and foster better relationships between LAWA, our partners and the statutory services we work with.
- Publishing of more blogs and case studies in various community languages, so that our stories are known and widely available to our communities.
- Piloting different approaches to service user centred research and community engagement. This will take the form initially of community conversations and will take place in the summer/autumn of 2024.



If you are interested in sharing a particular challenge or wish to collaborate with us in any of the above, or if you want to disseminate practical useful information in the area of housing solutions for black, migrant and minoritised survivors of VAWG, **PLEASE CONTACT US AT INFO@LAWADV.ORG.UK**.

Please make sure you mark your **E-MAIL USING THE SUBJECT 'OYA LEARNING HUB'** so we ensure the request is picked up promptly!



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WAHA

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Trust
for London

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