



Women Against Homelessness & Abuse



**TOOL FOR
PRACTITIONERS**

TOOL FOR
PRACTITIONERS

WAHA



LAWA
latin american
women's aid



Trust
for London



CONTENTS

1. What is WAHA?
2. Context
3. What happens when a woman is fleeing Domestic Violence?
4. Reflections on challenges and ways forward
5. Sharing experiences, helping each other
6. Glossary

1. WHAT IS WAHA?



TOOL FOR PRACTITIONERS

Women against Homelessness and Abuse (WAHA) is an initiative for Black and Minority Ethnic (BME) women jointly run by the Latin American Women's Aid in partnership with the OYA consortium of BME refuges in London.

WAHA aims to address Black and minority ethnic women's intersecting pressures of poverty, homelessness and gender violence through promoting changes in hous-

ing policy and practice in the UK using a rights-based approach. It is a policy but also a frontline project advising, representing and supporting survivors to make appeals and secure safe and appropriate accommodation, in an environment free from violence and intimidation.

Our goal is to work with policy makers and practitioners to affect change to ensure the housing needs of BME survivors are met. We envisage a world where no woman will be forced to endure abuse for fear of becoming homeless, where women fleeing violence are able to access their rights to safe accommodation without that process furthering the cycle of abuse.

A key outcome of the project has been consolidating influencing capacity amongst partners, improving the knowledge base on housing options for BME women and building tools for strategy development and sustainability in the by and for sector.

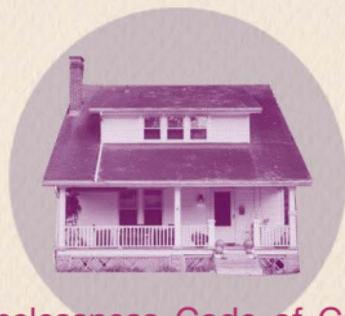
2. CONTEXT:

Since the Domestic Abuse Act 2021 became an act of parliament, the definition of domestic abuse was widened, and not restricted to physical abuse 'only'. This means that frontline staff, lawyers and survivors themselves can challenge local housing authorities when advocating for housing. And widely speaking, to combat the misconception that domestic abuse equals physical abuse.

* Domestic Violence (DV) survivors can approach the local authorities as homeless if they are fleeing an unsafe property. Juanita's journey illustrates the pathway that a woman victim of DV has to go through, in order to leave an abusive relationship.

* The Homelessness Code of Guidance for Local Authorities (chapter 21) contains all the relevant guidance on assessing homelessness in domestic abuse cases. This is called 'the homelessness application process'.

* The local housing authorities have a duty to provide victims of DV with interim/temporary accommodation under section 188 of the Housing Act 1996, if they have a reason to believe that the applicant may be homeless, eligible and in priority need. Following the Domestic Abuse Act 2021, women who are homeless because of domestic abuse are to be recognised as being in priority need



3.



WHAT HAPPENS WHEN A WOMAN IS FLEEING DOMESTIC VIOLENCE?

* A common practice from the local housing authorities is that they continue refusing or delaying the provision of interim accommodation for DV survivors. They rely on the lack of available accommodation to relieve their duty to provide temporary accommodation (TA).

With the rise of homelessness and scarcity of affordable housing stock, local authorities struggle to find suitable temporary accommodation for families, or spaces for women only. Therefore, they rely on B&B, which, with the shared facilities and inadequate space, are generally unsuitable for families. Local authorities also tend to send families to hotels where there are no cooking facilities, so the families cannot afford the costs of feeding themselves for more than a week.

Local authorities do not consider the risk women face when sharing temporary accommodations with men. Unfortunately, women are exposed to suffer further abuse and violence in the form of sexual harassment, and sexual assault.

* Women refuge's count as temporary accommodation under the housing law. This type of accommodation is usually provided by charities like LAWA, and our OYA partners (Ashiana Network, Asha projects and London Black Women's Project –LBWP-), run by and for black and minoritised women. Consequently, local housing authorities often try to push women into refuge accommodation without making them aware of their options - making a homelessness application - presenting it as their only choice, when in fact it isn't.

In our practice we have seen that often local authorities rely on refuges to place women victims of domestic abuse already living in a refuge, into another refuge as part of the homelessness application once they grant the interim accommodation. This is a practice that should be called out and challenged as the housing options for women fleeing abuse should be fully available to them.

Refuge schemes are designed to be short-term, emergency accommodation. Thus, refuges are not a housing solution, and by suggesting this, local authorities are not carrying out their duty to relieve homelessness.

Based on the assessment of homelessness, the local housing authorities develop a 'personalised housing plan' (PHP) which include actions

to be taken by the appointed housing officer and the applicant to prevent or relieve homelessness. However, what this translates in practice is that the applicant is left with the sole responsibility to relieve their own homelessness, and to self-search for private accommodation.

* The local authorities have created some 'incentive schemes' in the form of discretionary housing payments, and payment of deposits to help secure private rented accommodation. Unfortunately, we have seen that these measures are not attractive to landlords, who continue refusing tenants who rely on the universal credit benefit to cover the costs of their rents.

Besides all mentioned above, women fleeing domestic abuse, mainly migrant women, deal with cultural and language

barriers, plus the lack of understanding on how the UK system works. This makes the process of getting housing even more draining and frustrating for them.

We have found that public service providers often discriminate and re-victimised migrant women, blaming them for the situation they are in. There are intersecting factors that play also a role in this situation, such as race, nationality, age, sexual orientation, disabilities, and class.

In conclusion, the relief duty of local housing authorities is not a duty to provide housing to the applicants, but a duty to help secure housing, which they predominantly fulfil through the Private Rental Scheme.





1. Juanita calls LAWA (through a friend). Juanita feels overwhelmed and distressed. She states she cannot longer continue living with her husband.

Juanita is a 35 years old Bolivian national married to a Spanish citizen. She has two small children who were born in the UK. Juanita has pre-settle status.

She has been experiencing emotional, financial and psychological abuse for the past year, as she cannot cope with the situation anymore. Juanita does not have any relatives or close friends in the UK.



OBSTACLES INVOLVED IN THE PROCESS TO OBTAIN TA:

- *Delays in making a decision.
- *Refusal to provide TA.
- *Return to DV survivor to danger borough.
- *Lack of engagements from Housing Officers.
- *LHAs do not explore all housing options to DV survivors.
- *LHAs pass DV cases to women's refuge.

JUANITA'S STORY



32 LHA

2. The DV adviser explains Juanita what the alternative options of accommodation are, and how she can leave the house in case of an emergency.

2.A.

Make a homelessness application and request emergency housing.

2.B.

Search for and go to a refuge.

REQUIRED DOCUMENTS:



Passport



Proof of residence in the UK



Tenancy agreement



Supporting letter from a women's organisation detailing the support provided



Proof of income: 3-6 months (Bank statements, universal credit statements, and payslips)



Notice to quit



Medical evidence if apply



Evidence of DV case: MARAC letter, Police crime reference number

3. The DV adviser confirms the availability in one of LAWA's Refuges. She explains Juanita the support she will be provided and the rules of the house.

5. Juanita is welcomed by the refuge support worker. They both agree on an ACTION PLAN.

- ACTION PLAN:**
1. Immigration
 2. Family Law
 3. Benefits
 4. Case Selling



4. The necessary arrangements are made for Juanita to move in.

8. Juanita is offered and move into a self-contained flat. In some occasions, DV survivors can be also placed in a shared accommodation, B&B, or hotel.

7. The Local Housing Authority (LHA) accepts to provide with temporary accommodation (TA) until a final decision is made.

6. After some time in the refuge, Juanita is ready to move on. The refuge worker issues the Notice to Quit (NTQ), so the homelessness application process begins through the same local authority the refuge is located.

9. After sometime looking, Juanita finds a private rent and she moves in. The LHA secures the deposit and the first month of rent, as stated in the Personal Housing Plan (PHP).

OBSTACLES INVOLVED IN THE PROCESS OF FINDING PRIVATE RENT:

- *No practical support from housing officers to find PR.
- *Refusal of accepting people on benefits.
- *High threshold of requirements.
- *Excessive high rental prices.
- *Scarcity of 2-3 bedrooms properties.

4. REFLECTIONS ON CHALLENGES AND WAYS FORWARD:

Even with the Domestic Violence Act 2021 in place now, and the Homelessness Code of Guidance, we are still experiencing great challenges and obstacles to access suitable and adequate housing for women victims of domestic abuse. The impact of lack of social housing, and unaffordable private rent is greater for all women fleeing DV.

The private rented sector has primarily become the only alternative to housing needs. With excessive rental prices, high threshold requirements, and weak

regulations from government, landlords have monopolised the housing sector in the UK. Therefore, landlords have turned in to hoard, greedy, and exploitative.

In the current housing crisis, the alternative is to continue exploring and navigating within the system, for example, to apply for legal aid to challenge homelessness decisions by the local housing authorities, so to make the most of all housing options available.

At the meantime, and for women fleeing domestic abuse to overcome all the above-mentioned obstacles, they require greater support and advocacy provided by our organisations.

5.



SHARING EXPERIENCES, HELPING EACH OTHER:

If you are advocating for a survivor requesting homelessness assistance:

- * Be familiar with the local authority's timeframe for responding to applications.
- * Remember that your client can request assistance from any authority if fleeing domestic abuse.
- * Write up an advocacy letter stating all the facts that you think will benefit the women in her case make sure you share information that strengthens the LA's reason to believe.
- * If the Local Authority states that your client is not homeless, ask they put the reasons in writing .
- * If your client is owed an interim duty to accommodate (s.188(1) Housing Act 1996), make sure you quote the language

in the legislation when you explain how the applicant fulfils this.

* In case of a negative outcome in a homelessness application, please remember that the survivor has the right to appeal this decision (judicial review).



LAWA and our partners in the OYA Consortium in London have practical experience in doing this through our specialist housing advocates, and meet once a month to discuss challenges and practical solutions in this and other areas of advocacy. If you are interested in sharing a particular challenge or wish to collaborate with us in disseminating practical useful information about this, [please contact us at info@lawadv.org.uk](mailto: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!

6. GLOSSARY

Homelessness application: it is the process, for those people who are already homeless, or likely to become homeless within the next 8 weeks, to apply for housing assistance through the local councils or Local Authorities. The council then will look/assess into the situation to decide what help they will provide.

If the local housing authority has reason to believe that the woman is *homeless* due to DV, and unable to return to her property, *eligible* for assistance, and has a *priority need*, having children, the local authority must offer/secure interim or temporary accommodation.

Types of accommodation:

* **Temporary accommodation (TA):** this is the accommodation offered by local authorities to people who are assessed (or are in the process of being assessed) as entitled to long-term housing, but who cannot be placed there due to the shortage of adequate and affordable housing.

Temporary accommodation can take many forms including: a self-contained flat that may be privately or socially rented; bed and breakfast (B&B); hostels and refuges with shared cooking and toilet facilities.

* **Refuge:** these are emergency confidential safe houses where survivors of gender-based violence can live temporarily. They are managed by women's charities to protect women

fleeing domestic abuse and help them rebuild their lives. They provide shelter with shared facilities, and one-to-one support. Some refuges accept women with children. Refuge spaces count as temporary accommodation, so women in a refuge are still legally homeless. Refuges are a short-term placement; therefore, they are not a housing solution.

* **Private rented sector:** it is the alternative other than social housing. The properties are owned by an individual or private company who then allows someone to live in it for a monthly rent payment at market prices, where rent fluctuate according to demand. Currently, market rental prices far exceed the housing allowance that the government provides to low-income families. Consequently, the private rent has become unaffordable for people with housing needs.

* **Notice to quit (NTQ):** it is the form used to end some types of tenancy at temporary and supported accommodation, such as refuges. A notice to quit must give at least 4 weeks' notice for the occupant to leave by the end of the tenancy period.

* **Personal housing plan:** it is a document set up by the Local Housing Authority (LHA) with plan actions – or reasonable steps – to be taken by the LHA and the applicant to prevent or relieve homelessness. The plan states that the applicant has to self-search for private rent (PR), and includes an incentive by the LHA, to make the payment of deposit, sometimes the first month of rent as well, in order to secure PR accommodation.

* **Deposit scheme:** it is an incentive provided by LHAs to people with housing needs to help secure accommodation in the private rented sector.



Women Against Homelessness & Abuse

“I am grateful that I have a roof over my head, but I know this place is unsafe and not suitable for me and my daughter in the long term. My housing officer hardly communicates with me, and this brings me a lot of anxiety”

Verónica
Service User Testimony

#HOMESFORHEALING

Check these three survivor voices case studies:



ANGELA



EMMA



ALEXANDRA

Click here to know more about

WAHA

Click here to know more about LAWA

[HTTPS://LAWADV.ORG.UK](https://lawadv.org.uk)



LAWA
latin american
women's aid



Trust
for London

Designed by: Verónica Posada Álvarez



© Latin American Women's Aid (LAWA).
All rights reserved.