

## Expert Review Panel: Meeting 6

### Minutes of meeting

**Date:** Friday 3 March 2023

**Present:**

**Chair:** Professor Suzanne Fitzpatrick (Heriot-Watt University).

**Members:** Matt Downie (Crisis), Liz Davies KC (Garden Court Chambers), Professor Peter Mackie (Cardiff University), Jennie Bibbings (Shelter Cymru), Katie Dalton (Cymorth Cymru), Angela Bowen (Carmarthenshire Council), Emily James (Pembrokeshire Council), Clarissa Corbisiero (Community Housing Cymru), Nazia Azad (Tai Pawb), Hannah Fisher (Welsh Government), Huw Charles (Welsh Government).

**In attendance:** Jordan Brewer (Crisis), Abi Renshaw (Crisis), Debbie Thomas (Crisis), Anna Mann (Conwy Council), Tina Reece (Welsh Government), Eleri Davies (Welsh Government).

**Apologies:** Sam Parry (Conwy Council), Jim McKirdle (Welsh Local Government Association).

#### 1. Welcome, introductions, minutes & additional papers

The Chair welcomed members of the panel to the sixth meeting of the Expert Review Panel. The panel were thanked for reading the minutes and the recommendations table document from meeting 5 ahead of the meeting.

*Minutes meeting 5:* The minutes were accepted pending one requested action to transfer the wording within evictions on Section 11 Austria/Belgium across to the accompanying recommendations table document.

*Recommendations table document:* The table was accepted pending adding to the notes on p14-15.

The Chair outlined that the panel will use the summarised recommendations table moving forwards. The Chair noted the focus of the meeting would be on two areas: children, families & young people, and domestic abuse & associated issues. Before each area is discussed, the views collected by the Experts by Experience project will be outlined.

Panel member(s)	Action	Timeframe
Abi Renshaw	Transfer evictions sec 11 paragraph within minutes of meeting 5 to recommendations table document.	Immediate
All	Panel members to carefully read the recommendations table document, which summarises the position of the panel to date.	Immediate

#### 2. Update from Welsh Government

HF gave a brief update from the Welsh Government:

- The second local authority reference group discussed suitability, temporary accommodation and evictions. It was attended by 29 representatives and good feedback was provided – this will be circulated ahead of meetings with those corresponding themes.

- Allocations work is moving ahead and being co-financed by Welsh Government and Community Housing Cymru. Thanks to JM and CC for their support with this.
  - **Sourcing consultant**  
Embarking on sourcing a consultant for two months for RSLs and local authorities.
  - **Face to face meetings**  
Met with colleagues nearly one month ago to support the work of the panel. A short piece of work has been commissioned to gather detailed case studies across Wales, capturing the challenges and good practice.
  - **Collecting data from local authorities and housing associations**  
There are challenges around data definitions. Some soft testing is being actioned with local authorities and housing associations to start collecting and recording qualitative evidence, with anonymous surveys being conducted to collect viewpoints.
  - **Stakeholder engagement event**  
An allocations event is being scheduled for the end of April to inform the discussion at meeting 5.2 on 10 May.
- Engagement work in progress to meet with all local authorities in person over next two months to discuss their recommendations for reform in relation to rapid rehousing agenda. This will provide information on what each local authority are encountering at the frontline.
- The Tai Pawb report draft is due today, which will be shared with the panel soon.

Within the brief panel discussion it was confirmed:

- The supplementary meeting 5.2 on allocations and evictions is confirmed for 10 May, with all panel members being able to attend.
- The allocations piece of work is crucial for the panel, thanking colleagues for their speed as the outcome is very valuable to inform the panel meeting to discuss allocations on 10 May.

Panel member(s)	Action	Timeframe
Hannah Fisher	<p>To circulate to the panel:</p> <ul style="list-style-type: none"> <li>• Written feedback from the second local authority reference group meeting on suitability, temporary accommodation and evictions to be considered ahead of themed meetings.</li> <li>• Date for allocations stakeholder engagement event in April.</li> </ul> <p>Within Welsh Government's update at the seventh meeting, comment on:</p> <ul style="list-style-type: none"> <li>• Progress on the allocations piece of work and sourcing a consultant.</li> <li>• Communicating the findings from the engagement event held late April.</li> <li>• Engagement work on recommendations for reform through in-person meetings with local authorities.</li> <li>• Share feedback on Tai Pawb report.</li> </ul>	<p>1 week before meetings on temporary accommodation &amp; suitability (date TBC) and evictions (10.05.23)</p> <p>29.03.2023</p> <p>Before 10.05.2023</p> <p>29.03.2023</p> <p>29.03.2023</p>
Abi Renshaw	To seek the panel's availability and secure a date for supplementary meeting 5.1 on temporary accommodation and suitability.	Immediate

### **3. Update from Experts by Experience on children, families and young people**

KD provided an update on the Experts by Experience engagement work to support the paper circulated to the panel in advance of the meeting. The key themes raised by young people with lived experience included:

#### **Navigating the system**

Many individuals commented that they had difficulty navigating the system. When they could navigate the system, this was often due to having help from other bodies they trusted such as youth services or young peoples' charities through an advocacy role.

*Recommendations for panel to discuss:* Wider public sector duties, access of information, other public services pick up signs of potential risk.

#### **Gap between housing services and social services**

Housing services and social services do not feel joined up and individuals felt 'bounced between them'. Caught between the Housing Act and the Social Services and Wellbeing Act duties, confusion on where they fit due to circumstances and age.

*Recommendation for panel to discuss:* Provide clarity so no-one is caught in the middle.

#### **Temporary accommodation for young people 16-25 years old**

Varied experiences were expressed, with specialist young peoples' supported accommodation a much better quality experience. This type of accommodation has support workers/specialist youth support workers on site who are equipped to go above and beyond providing a roof over their head and make sure they're paying rent. They provide activities, opportunities, next steps to help them thrive and succeed.

#### **Unsuitable temporary accommodation**

Sometimes young people are placed in unsuitable accommodation as suitable accommodation is sparse. Young people can have particular vulnerabilities and trauma which would benefit from suitable accommodation.

Young mothers commented on the standards needed, needing access for schools, colleges, etc. Good quality WiFi is essential to stay connected with peers and for education purposes.

*Recommendation for panel to discuss:* local authorities need to provide more temporary accommodation with onsite support that is suitable for young people.

#### **Local connection**

Especially within the LGBTQ+ group, local connection can work against young people. Some expressed they needed to get away from family due to rejection/abuse because of their sexual orientation. A real concern for exploitation of vulnerabilities if they have to stay in their local area.

#### **Move on accommodation**

Classed as a 'nightmare' and very difficult to find, with additional barriers encountered such as the shared accommodation rate.

*Recommendation for panel to discuss:* Look to alleviate those pressures for young people, through recommendations around planning, allocations, meeting their needs in social housing etc.

#### **Other public services**

More information is needed in the space to provide help and offer early intervention. Some are interacting with different public social services for care needs and education.

*Recommendation for panel to discuss:* More done in financial literacy, i.e. learning about housing and homelessness within a school setting. Also, signposting referral/support duties for broader public services, to prevent homelessness and provide support.

### **Night shelters**

Some 16-17year olds were placed in night shelters as a form of temporary accommodation.

*Recommendation for panel to discuss:* It's already the law that 16-17 year olds shouldn't be placed in unsuitable accommodation, we ensure need to ensure this isn't happening in practice.

#### **4. Update on Children in Wales stakeholder session**

The key themes discussed outside of those already mentioned by Experts by Experience, for those under 16 years old included:

- The care experience could be much improved if the system was trauma informed.
- Young people placed in care are being placed in a different local authority area from their home authority. The local authority then say they cannot be placed in that area, where they had been supported through the care system, because of local connection rules. This removes young people from their support network and from the connections that helped them feel safe. Decisions being made regardless of having no real connections to their original home authority.
- Duty to refer to catch things earlier on wider public duties such as within schools and healthcare.

HF stated that there isn't much evidence on the experience of dependent children, with more work to be done in that space to capture the voices of under 16s, dependent children and families.

#### **5. Panel discussion on children, families and young people**

The key points discussed and highlighted were as follows:

Emerging positions and recommendations for reform concerning -

- Core homelessness legislation
- Duties on wider public bodies

With the aim to try to pin down concrete recommendations on legislative guidance.

### **Difference in maturity between 16-25**

There is a big difference between someone who is 16-25 years old. Experts by Experience noted that some women felt being homeless meant they had to grow up quickly, therefore feeling mature for their age as they could understand complex systems. However, other women felt that although technically they were an adult, they felt like a child due to having had no family guidance or support from a settled home to learn the skills needed.

### **Discharge into homelessness**

A duty should be put in place to not discharge into homelessness from social care or the secure estates. Discharging children and young people into homelessness is incompatible with children's rights legislation. Could the 56-day notice period of risk of homelessness apply whilst a young person is in social care or a secure estate?

In Scotland, understanding of panel was that care leavers are not routinely discharged into homelessness. If they become homeless once leaving, this is usually due to a failed arrangement after leaving care. There may be scope for the panel to build principles from Scotland into the legislation or guidance, to prevent this happening with unconditional access to settled housing as a keystone.

### **Duty to inform of rent arrears**

A duty to inform housing and homelessness services about rent arrears would be beneficial to avoid eviction, but some potential consequences need considering:

- Can the system cope with supporting people in arrears?
- Is it GDPR compliant to inform of a financial situation?
- Are there unintended consequences for local authorities and RSLs having access to financial information?

### **Defining settled housing**

The default criteria for young person's accommodation should align to the rapid rehousing task and finish group.

- Choice and control.
- Independent mainstream home.
- Adopting housing first principles.
- Support with avoiding getting into rent arrears.
- Avoid temporary accommodation. Define the route for adults in line with rapid rehousing.
- Unconditional access, i.e. care leavers.
- Setting commissioned to meet needs.
- Shared supported accommodation.
- Duty on other public bodies.
- Move away from institutional default.

Legislation recommendations to clearly state in a concrete way what the criteria should be.

### **Transition periods for young people**

Many young people are not just transitioning between housing systems but also, for example, from CAMHS to adult mental health services where they may not get as much support.

### **Supported accommodation affordability**

A huge barrier as a young person is they cannot go into work if in supported accommodation because they cannot afford their rent. They are then stuck as benefit dependent.

### **Advocacy**

Although advocacy is important to help young people know their rights and navigate the system, advocacy should be secondary to getting the system clear and concise in the first place. Legislation could be put in place to make the housing system easier to navigate.

The panel could aim to ensure the duty to provide an advocate extends to any young person applying for homelessness assistance. The advocate would need to be external to the local authority. Local authorities could supply independent advocacy roles for all homeless people, but if resources wouldn't stretch that far, at least for particular groups at risk of discrimination.

### **Local authority training flats**

Some local authorities have shared training flats available. These flat-shares are designed for those with low-support needs wanting to try independent living, but they are only helpful if they are properly supported.

Noted benefits of training flats included learning money management and budgeting to pay utilities and service charges, as well as learning how to 'be a good tenant' and get support before moving on. Feedback from individuals who have lived in these training flats is positive, due to social rent, floating support, sharing with another person and not being within an institutionalised setting.

With one-bed flats being so scarce, shared training flats are more viable. These are subject to Welsh Government grant funding. This model could be reviewed given the lack of supported accommodation.

One panel member commented that criteria is needed for accessing the training flats because if the offer is extended to under 25-year-olds, some local authorities would be inundated with requests. From a social services view these are not beneficial.

### **Housing market assessments**

The Local Government Act sets out requirements for a local Housing Authority to put together a strategy from which the housing market assessment powers are drawn. It is already in the guidance, but a reference could be added to the legislation on considering the needs of homeless households as an explicit requirement for local authorities when preparing strategies and their LHMA. There is already a clause specifically concerning Gypsies, Roma and Travellers – this could be replicated for homeless households.

Strengthening legislation around this clause was supported by some of the panel, with LD to look into how this might work.

### **Tenancies for 16-17-year-olds**

In Scotland, 16-17-year-olds can hold a tenancy and have priority need, but currently this age bracket cannot in Wales. The panel could recommend a tenancy rights for under 18s as it is hard for 16-17-year-olds to access housing. The Welsh Government has previously considered this.

### **Types of social housing**

A question was raised as to whether it would be possible to mandate the types of social homes to be built within each local authority based on the needs of the population, particularly young people. Whilst supported housing is needed for some young people, other young people want to be more independent.

### **Shared room rate (housing benefit)**

When considering barriers facing young people, it's important to consider that the Shared Room Rate for Housing Benefit goes up to age 35, rather than age 25. This was identified as a barrier to accessing housing during the Welsh Government's review of priority need in 2020.

### **Temporary accommodation for 16-25-year-olds**

The panel supported the idea to ban unsuitable temporary accommodation for those under 25.

The panel discussed the need for more evidence from Welsh Government on temporary accommodation, including refuges and support for women and children at risk of violence. There is potential to look at wider jurisdiction across the UK to discern how/if legal systems have helped drive out institutionalisation and unsupported placements.

### **Local connection**

The majority of the panel supported the idea that local connection should not apply to 16-25-year-olds. For this age group to be exempt could be an early demonstration of how abolishing local connection as a test could work, whilst not placing a huge burden on local authorities. Counter to this, it might highlight problems that would need to be rectified before abolishing completely or prove local connection cannot be abolished due to the issues and unintended consequences. Keeping local connection for young people is not trauma-informed. Groups such as LGBTQ+, domestic abuse survivors, care leavers are particularly badly affected. Broader definitions of local

connection are needed, such as inclusion of friends and support networks. Consideration also needs to be given to travellers, especially if they are made homeless as a result of the Police, Crime, Sentencing & Courts Act.

Those in care/placements are exempt from the local connection test under the current code of guidance. However, more training for frontline staff is needed on this.

**Multi-agency working**

The Housing Act and Social Services & Wellbeing Act should produce a joint strategy as they currently do not join up and this is a significant problem. Young people are falling between the gaps, with neither service taking main responsibility, leaving them not being helped by either.

One local authority member suggested 16-17 year olds should be the responsibility of social care, not housing. However, making the duty sit within Social Services & Wellbeing Act could negatively impact a 16-17-year-old’s independence and the panel must be mindful of how guidance will apply to different cohorts of people; i.e. disabled people, children and families, Gypsies and Travellers.

In Scotland, the Prevention Review Group has recommended that social work services take this responsibility. However, there has been notable push-back.

The panel agreed a duty to support is needed either within the legislation or the code of guidance. More work needs to be done in this area, especially with a view to incorporate into PHPs for the vulnerable age range of 16-17-year-olds. Without support 16-17-year-olds are being set up to fail.

Duties applied to other public bodies such as ‘ask and act’ are currently working well in other areas and gaining momentum. In order to ‘act’, further training would need to be provided.

**Upstream homelessness interventions in education**

Some panel members felt that it was of crucial importance to get housing and homelessness talked about in schools. The panel has a real opportunity to identify appropriate legal duty and guidance and integrate an upstream model for preventing homelessness into the curriculum.

An ‘ask and act’ equivalent could be used within a school setting to identify those at greatest risk of homelessness and provide them with emotional and mental health support, as well as considering how the family can be supported. Children need support as homelessness can be very traumatic, with some children holding back their emotions to save their parents from extra stress, which could come out as trauma when they are older. This would be resource intensive so schools would need support.

Some local authorities go into schools to hold sessions on homelessness and one local authority noted that they deliver training model for youth workers in conjunction with the local university. Cardiff University are evaluating English research on the effectiveness of social workers in schools.

Panel member(s)	Action	Timeframe
Liz Davies KC	Areas to provide expert legal advice: <ul style="list-style-type: none"> <li>• Local connection test with regards to Gypsies, Roma and Travellers, especially if they are made homeless as a result of the Police, Crime, Sentencing &amp; Courts Act.</li> <li>• Scope for recommendations that 16-17 year olds having a tenancy in their own</li> </ul>	TBC

	<p>right (tenancy for minors), as they do in Scotland.</p> <ul style="list-style-type: none"> <li>• Whether the duty to house 16-17 year olds should lie within housing or social services.</li> <li>• Not discharging 16-17 year olds into homelessness by changing legislation including 56-day prevention duty. Could the 56-day notice period of risk of homelessness apply whilst a young person is in social care or the secure estate?</li> <li>• Within school setting, duty to refer/cooperate, children at risk.</li> <li>• Advocacy roles for groups at risk of discrimination – to be included in upcoming temporary accommodation advice.</li> </ul>	
Jennie Bibbings	Send papers to LD on Renting Homes Act with regards to supporting tenancies extended to minors in Wales.	29.03.2023
Nazia Azad	Circulate to the panel the English project findings from Wyre Forest and South Worcestershire Nightstop and Mediation Service that incorporates the housing/homelessness referral duties and what people can do.	29.03.2023
Peter Mackie	Share Cardiff Universities evaluation on the effectiveness of social workers within schools (England).	When available

**6. Update from Experts by Experience on violence against women, domestic abuse and sexual violence (VAWDASV)**

KD provided an update on the Experts by Experience engagement work to support the paper circulated to the panel in advance of the meeting. Thanks were given to Welsh Women’s Aid for helping organise interviews with survivors. The key themes raised by on VAWDASV with lived experience included:

**Narrow definition of VAWDASV within the Housing Act**

The Act just references domestic abuse and priority need, not the broader definition of violence against women, domestic abuse and sexual violence (VAWDASV). Needs to be more inclusive within the Act, to reflect the different challenges that survivors face.

*Recommendations for panel to discuss:* Broader definition to be reflected within legislation.

**Navigating the system**

Similar to young people, many women commented that they had difficulty navigating the system and to know where to go for help. These are people who have never had any regular engagement with social services before. There is a lack of understanding and knowledge on the processes.

*Recommendations for panel to discuss:* Recommendations need to be simple, clear and easy to navigate during a vulnerable and traumatic time in their life. It must be accessible but also discreet.

Particularly, with regard to disability, a deaf survivor had trouble accessing help and knowing their rights. With certain types of temporary accommodation not being viable for their disability.



*Recommendations for panel to discuss:* Thoughts on intersectionality, with specialist support needed.

### **Local authority acting quickly is crucial**

The response from local authorities needs to be quick during a critical time for survivors, e.g. when they are still in the home. Otherwise they can be delayed leaving the abusive household and if a perpetrator finds out their plans to leave, they might escalate the abuse. This is important for the preventative agenda.

*Recommendations for panel to discuss:* Guidance and policy through response and prevention duties and how to apply. With the outcome of ensuring accommodation is available for the survivor, by being as responsive as possible so allow the individual can leave at a time that is appropriate and not forced due to the increased violence.

### **Intentionality**

Those with lived experience are in favour of abolishing the intentionality test. It is out of touch to regard someone as intentionally homeless if they refuse temporary accommodation, there are many valid reasons for turning it down.

### **Local connection**

VAWDASV survivors experience a more flexible local connection test, but there are still issues with room for improvement.

*Recommendations for panel to discuss:* Improvements needed in implementation.

### **Specialist support**

Specific, VAWDASV specialist support is needed, rather than general support. Trauma informed approach crucial.

### **Joint tenancies/home ownership**

Renting Homes Act should help solve issues with joint tenancies, making it easier for survivors to stay in their property and get rid of the perpetrator.

Survivors sharing a mortgage with an abusive partner are not always clear on their rights to access support and housing. As mortgage rates increase, people are becoming more vulnerable to homelessness due to unaffordability, which is more complex to navigate in an abusive relationship.

*Recommendations for panel to discuss:* Making it clear what information, help and advice is out there available for them.

### **Unsuitable temporary accommodation**

Temporary accommodation is very problematic for women with children. The system is not trauma informed, and not suitable for survivors of violence (and their children). The uncertainty of the length of time they are staying in temporary accommodation is detrimental. From a survivor perspective, the trauma brought by the uncertainty compounds with existing trauma.

*Recommendations for panel to discuss:* Make trauma informed or not allow survivors to be placed in any form of unsuitable accommodation or uncertainty.

### **Housing for perpetrator**

The perpetrator has their own rights and is also owed a housing duty. Being able to have an appropriate response to a perpetrator who is homeless may prevent them putting pressure on the survivor to return to the home. Women can feel under pressure to accept the perpetrator back home if the perpetrator is street homeless.

*Recommendations for panel to discuss:* To prevent the survivor feeling pressure to accept the abuser back into the home.

### **Availability and suitability of refuge**

There is a lack of availability of refuge accommodation.

Some people found shared refuge accommodation unsuitable for their needs due to health issues and potential impact on their children.

Other people found that they had access to specialist VAWDASV support within refuge, but this support wasn't available in dispersed accommodation.

*Recommendations for panel to discuss:* How to ensure that the types of accommodation being commissioned or built correspond to the needs of VAWDASV survivors coming through the homelessness system. Welsh Women's Aid produce annual data which shows the extent to which supply does not meet the demand.

### **Temporary accommodation inspections**

Inspections are deeply impactful for survivors. Essentially the council are making sure the property 'hasn't been trashed', but the practice is significantly damaging due to being invasive and not trauma informed.

### **Allocations**

Help is needed for women when they first approach their local authority. Prioritisation is given only when they have left the abusive home, but it is needed earlier when still in the home. Frontline staff need to have the training and understanding to act with urgency.

*Recommendations for panel to discuss:* Needs to be understood within a prevention, temporary/permanent accommodation provision.

### **Welfare system**

Some women felt trapped within certain situations due to pressures from the welfare system. Affordability of the property is a burden, through upfront bond rent and council tax which adds to the struggle of being able to manage financially. Survivors noted that once they left home they felt isolation and in debt.

### **Other public services**

- Social services - survivors are telling their stories over and over, with official notes being written but no action seen to be taken. It is traumatic for them to be retelling their story just to receive the next step of help. More information is needed in the space to provide help and offer early intervention, including being equipped to spot the signs early. In one instance, social services sent a perpetrator on an anger management course. This was seen as a box ticked and social services stepped back, but the perpetrator continued to be abusive.
- Education - there needs to be an understanding of the impact the risk of homelessness has on children.
- Police - the role of police involvement can allow further abuse. Survivors felt more at risk of violence and homelessness when the perpetrator involved the police. They felt the tenancy became at risk when neighbours and the landlord noticed increased police activity at the property as thought to be causing trouble.
- Family court - currently using the risk of homelessness to inform if they are a good mother. Become a deciding factor if the children are taken away into the care system.

*Recommendation for panel to discuss:* As stipulated in the VAWDASV Act, 'ask & act' needs to be used effectively as it's not being used as intended, i.e. health worker, teacher, social worker.

Approach needs to be more trauma informed, as currently the unintended consequences are the survivors mental health is being blamed for their homelessness situation, not the abuse they are

facing. Perpetrator interventions should be accredited to ensure that they are working before deemed successful.

## **7. Panel discussion on violence against women, domestic abuse and sexual violence (VAWDASV)**

The key points discussed and highlighted were as follows:

Emerging positions and recommendations for reform concerning -

- Core homelessness legislation
- Duties on wider public bodies

With the aim to try to pin down concrete recommendations on legislative guidance.

### **Financial situation of survivors**

People at risk of domestic abuse are homeless and owed a homelessness duty regardless of whether they are a homeowner, financially solvent or have capital above the benefit level. Homelessness duties cannot be dependent on the woman seemingly being able to pay for accommodation – it is extremely difficult for survivors to free themselves from home ownership and many survivors do not have access to their own money due to financial abuse.

Some allocation schemes give applicants a lower priority if they own their home or have capital. Schemes should include exceptions such as fleeing due to domestic abuse.

### **Joint tenancies**

The panel noted that under the Renting Homes Wales Act, landlords can now end the tenancy of one person and not the other within a joint tenancy – this is helpful for survivors, but more guidance may be needed to ensure this is happening in practice.

### **Priority need**

If priority need is abolished, both the victim and the perpetrator would be treated with equal priority in terms of homelessness.

### **Perpetrators removed from the home**

The removal of alleged perpetrators of domestic violence from the home by the police with bail conditions not allowing them to return is seen as helpful practice. This allows women and children the choice to remain in the home.

### **Temporary accommodation for perpetrators**

More needs to be done to house perpetrators because there is a risk they will try to go back home and the abuse will continue.

There are difficulties in providing temporary accommodation as they cannot be placed in the vicinity of the person fleeing their domestic violence. This can also apply to those leaving the secure estate and local authorities are constantly navigating risk, not just for those they are placing but for members of the public who may come into contact with them.

Welsh Government have been challenged by advocates of perpetrators who say their human rights were violated due to having no choice on where they live. However, it is not the case that under human rights somebody has the right to be placed wherever they want and a court would uphold the local authority risk assessment of the perpetrator.

### **Allocations policies for perpetrators**

There has been a case of a perpetrator challenging a local authority, stating that not allowing them to live in a location they want to live is a breach of their human rights and that allocations policies cannot apply area restrictions against perpetrators unless they are leaving the secure estate and have licence conditions that have area restrictions attached to them. LD advised that it is not the case that a person has the right to be placed wherever they want under human rights law. If this went to court, the court would uphold the local authority's decision because it would be based on a legitimate aim following a risk assessment.

### **Other public services**

Collaboration is needed across the key services interacting with women facing domestic abuse, including homelessness, domestic abuse services, child protection, child contact.

Multi-agency risk assessment conferences (MARACs) can be used to ensure that services collaborate but only high-risk cases are discussed.

### **Defining successful prevention**

The definition of homelessness being prevented is very broad within the Housing Wales Act – a survivor maintaining a tenancy in the private rented sector for six months could be seen to have had their homelessness prevented. However, the reality is that were extremely vulnerable, still at risk of violence and did not feel at home at all during that six months.

### **Shared debt**

A perpetrator may get a victim/survivor into debt and/or rent arrears on a shared tenancy without a victim's knowledge. This can prevent a survivor from accessing social housing.

### **Local connection**

Local connection already should not apply where risk of abuse/violence is a concern. There needs to be ongoing flexibility in the system for survivors to access other areas and also to return to previous local connections if they wish to.

One panel member suggested that as well as specifying that local connection does not apply to particular groups (e.g. domestic abuse survivors), it could also be disapplied to particular circumstances. Domestic abuse would be a circumstance where the local authority should be looking to consider rehousing them out of the local area if that is what is best for the survivor.

Some survivors have expressed that they needed to prove they were at risk in order to access their exemption from local connection. This is a traumatic process and it is not always possible to prove.

### **VAWDASV training**

Frontline housing support staff need more training on how to work with survivors of VAWDASV in a trauma-informed way. What is lacking in both law and guidance is that the woman knows best what is safe for her (and her children) based on informed decisions and choice. For example, it should not be assumed that survivors will want to be placed in a different area to their local connection – it should be considered, but it should be the survivor's choice.

### **Emergency accommodation**

Survivors do not have immediate access to emergency accommodation due to lack of supply. Do local authorities need to reserve accommodation to be available immediately in a crisis situation, so people experiencing VAWDASV have confidence to leave?

### Landlord links with VAWDASV

Closer working links are needed between refuges and RSLs to identify when people are ready to move on.

The private rented sector could be made more aware of VAWDASV issues. Could there be a duty for PRS landlords to notify local authorities of any concerns?

### Refuge model

Panel members discussed many barriers to accessing refuges:

- Refuges can be expensive - if a survivor is not eligible for benefits or does not have access to money due to financial abuse, they cannot access a room.
- Women in work do not have access to refuges.
- Older boys, people with high needs and people with substance use issues are often refused refuge.
- Families are being split up because refuges can't always accommodate children, or women do not see them as a place fit for children, so some children are being left with a perpetrator whilst their mother stays in the refuge.
- Refuges often can't cater for survivors with accessibility needs.

The model needs a variety of options so that survivors can choose the type of accommodation that is most suitable for them. Options should include shared, congregate, self-contained and dispersed and should be benefit and tenure neutral. Survivors not in receipt of benefits should have direct access to refuge immediately, without being told accommodation exists but you have to pay for it.

### Refugees and NRPF

Survivors of domestic abuse who have no recourse to public funds are not eligible to be housed through homelessness services, although their children are eligible to be housed through social services. This situation is separating families and preventing survivors accessing support.

If the panel were to make a recommendation to prevent mothers from being separated from their children, it would be through eligibility, explaining what happens to people who are leaving domestic abuse who have NRPF. Either legislation or guidance within the Social Services & Wellbeing Act could stipulate that the family should always be placed together.

Refuge providers can access Home Office money to support people with NRPF – the use of this could be brought into legislation.

The Welsh Minister for Social Justice is also looking at other ways to support this group of people as a pot of funding is being put together under VAWDASV.

### Community support preventing homelessness

A panel member noted that when pulling together recommendations, it will be important to give more thought to the community support options outside of the housing and homelessness system that are available to survivors that would prefer to stay within the home. This is a key way to stop women entering the homelessness system.

Panel member(s)	Action	Timeframe
Liz Davies KC	Areas to provide expert legal advice: <ul style="list-style-type: none"><li>• Duty to refer</li></ul>	TBC

	<ul style="list-style-type: none"> <li>• Tightening guidance around joint tenancies, despite Renting Homes Wales Act improving this problem</li> <li>• Possible recommendation on eligibility of survivors with NRPF to receive housing support – this could be linked to guidance within the Social Services &amp; Wellbeing Act on avoiding separation of families.</li> </ul>	
All	Send any problems for LD over to Crisis where a list of wants will be compiled.	Immediate
Jordan Brewer, Debbie Thomas	To collect all the problems raised by the panel, and together with SF present a concise list to LD for consideration.	31.03.2023
Jordan Brewer, Debbie Thomas	Source data from Welsh Women’s aid on demand and provision of refuge accommodation	TBC
All	Think of the practical implications of where that duty to refer comes in and how that first contact is made as a letter or phone call can be impactful.	Immediate
Hannah Fisher	<p>To discuss four key issues with the local authority reference group:</p> <ul style="list-style-type: none"> <li>• Joint tenancies</li> <li>• Abolition of priority need and what that means for perpetrators and victims</li> <li>• Perpetrators removed from the home by the police (as happened during the pandemic)</li> <li>• Temporary accommodation for perpetrators</li> </ul>	At the next group session if appropriate
All	Is what has been placed in the Renting Homes Wales Act sufficient to fixing any prior housing/homelessness issues. Addressing any gaps in those aspects of the legislation that the panel can recommend filling.	Immediate
All	To discuss particular needs of VAWDASV survivors within the allocations meeting.	10.05.2023
All	Reflect on the kind of work that has already been done in Wales by the social landlord and what more could be done in the policy and guidance space.	Immediate

#### 8. AOB

AR has sent around a doodle poll for the 5.1 supplementary meeting with March dates to find availability for the panel for that meeting. Thank you to the panel for confirming availability for 5.2 supplementary meeting, this has been set for 10 May.

DT confirmed two stakeholder engagement sessions are planned for this month, one on health and social care with a specific lens on disability on 20 March, and the other on the criminal justice system on 21 March. The panel were encouraged to share these amongst their networks.

The Chair thanked the panel for the quality of the discussion and for coming so well prepared to the meeting. Thanks was also given to those who contributed to papers, to allow for a productive and rich discussion. Colleagues that joined the meeting today were thanked for creating the time to join the panel.

**The next meeting will be held on Zoom on Wednesday 29 March 2023.**