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Secretary of State for Housing, Communities and Local Government
2 Marsham Street
London
SW1P 4DF

By post and by email to robert.jenrick.mp@parliament.uk and
mhclgcorrespondence@communities.gov.uk

31st March 2020

- EXTREMELY URGENT -

Dear Sirs/Madams,

RE: Covid-19 – Measures Urgently Required to Protect and Support Domestic Abuse Survivors

We are writing to demand that urgent measures are taken by Central Government to ensure that those who are at risk of domestic abuse are properly protected and supported during the current outbreak of Covid-19. It is widely acknowledged that during this time of nationwide lockdown, domestic abuse has, and will, increase. We are deeply concerned as to the absence of a robust response from the UK Government regarding this issue.

As you will be aware, your department has recently allocated an emergency fund worth **£3.2 million** to ensure ‘swift’ support for rough sleepers to ensure they can self-isolate.¹ Councils will be reimbursed for the cost of providing accommodation and services to rough sleepers and those at risk of rough sleeping.

Whilst this emergency fund is of course to be welcomed, your department is yet to allocate critical funding to another significant cohort of the homeless population; domestic abuse survivors.

¹ <https://www.gov.uk/government/news/3-2-million-emergency-support-for-rough-sleepers-during-coronavirus-outbreak>

Whilst we welcome the latest comments from the Home Secretary in which she acknowledges the support needed for domestic abuse victims and we welcome the £1.6 billion funding to be made available to Local Authorities to help those most in need, we are concerned that this is not specifically designed to meet the needs of domestic violence survivors. There is therefore a real danger that this fund will not be used to implement the measures required to support women fleeing abuse, and therefore a dedicated, ring-fenced fund is clearly necessary to assist this group.

Rather than accepting the increase in domestic abuse as a natural eventuality of the current crisis, we urge you to exercise your powers and allocate specific funding to house the increased number of domestic abuse survivors during this time. This will help to ensure that the adverse consequences of the Covid-19 outbreak do not disproportionately fall on women.

Heightened Risk

Under normal circumstances, spending time indoors is often unsafe for those experiencing domestic abuse, and other forms of VAWG (Violence Against Women and Girls). However, during lockdown the danger to women is exacerbated as they are unable to leave their homes. Survivors are likely to be subject to higher rates of violence and abuse and will find it increasingly difficult to obtain support from family, friends and access local services. Infection control measures such as self-isolation and social distancing will be used by perpetrators as a further tool of coercive and controlling behaviour.

Domestic abuse incidents have already risen in the UK due to nation-wide lockdown,² and will no doubt increase over the coming weeks. Indeed, China saw a threefold increase in domestic violence cases during the Covid-19 outbreak.³ Brazil, Spain, Cyprus, Italy and Germany have also reported a rise in cases of domestic abuse as countries have gone into lockdown.⁴

Women's refuges are already predominantly full and are remaining so due to the lack of move-on accommodation for residents during the current crisis. Even where spaces are available, women with children are worried about the possible health risks due to the prevalence of Covid-19 in refuges across the UK.

² <https://www.theguardian.com/society/2020/mar/26/warning-over-rise-in-uk-domestic-abuse-cases-linked-to-coronavirus>

³ *ibid*

⁴ <https://www.theguardian.com/society/2020/mar/28/lockdowns-world-rise-domestic-violence>

It appears that government officials are aware of the likely increase in domestic abuse cases and are preparing for such eventualities.⁵ Instead of *preparing*, actions should be taken to *prevent* such cases from occurring in the first place by ensuring adequate accommodation is available for women who so desperately require it.

Disproportionate Impact

Your Government acknowledges that a disproportionate number of victims of domestic violence are women, and as such it is a ‘disproportionately gendered crime’.⁶ Furthermore, it is well established that women are more likely to become homeless due to domestic abuse than men.

Discrimination may take the form of disproportionately prejudicial effects of a general policy or measure, which though couched in neutral terms, discriminates against a group and may amount to indirect discrimination.

Lockdown (and inevitable self-isolation and social distancing), whilst of course are important measures in the wake of the pandemic, are and will continue to have a disproportionate impact on victims of domestic violence (and hence disproportionately impact women) because of the increased likelihood of abuse during this time. It follows, therefore, that when enforcing such measures, the Government must also allocate sufficient funding to mitigate the unintended yet adverse consequences for survivors. The failure to do so will result in a disproportionately prejudicial impact on women.

In light of the above, we urge you to increase funding available for safe accommodation for survivors of domestic abuse and other forms of VAWG (as we note you have done for rough sleepers), and to publish guidance which seeks to ensure that Local Housing Authorities are using these resources to properly and effectively protect and support survivors during the pandemic.

⁵ <https://www.theguardian.com/society/2020/mar/26/warning-over-rise-in-uk-domestic-abuse-cases-linked-to-coronavirus>

⁶ The Government Response To The Report From The Joint Committee On The Draft Domestic Abuse Bill, Session 2017-19 HI Paper 378 / Hc 2075: Draft Domestic Abuse Bill [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/817556/CCS0619467038-001_Domestic_Abuse_Bill_Print_WEB_Accessible.pdf]

Your Commitments

The UK Government has publicly committed to strengthening local government obligations to deliver suitable services for survivors and in **2019** you outlined the Government's pledge to introduce a new statutory duty on local authorities for the delivery of safe accommodation in cases of domestic abuse:

*“[W]e want to ensure all victims of domestic abuse are able to access support within safe accommodation that meets their specific individual needs. All victims, no matter their background, should feel safe and supported as they recover from this terrible crime”.*⁷

You also highlighted the ‘importance of having a variety of different forms of safe accommodation available to them’ and the need for ‘tailored support for victims and survivors of domestic abuse.’

In addition, when introducing the new emergency funding for rough sleepers on **17 March 2020**, you stated that:

*Public safety and protecting the **most vulnerable people** in society from coronavirus is this government's **top priority**. We are working closely with councils and charities to ensure they have the support they need throughout this period... The initial funding that I've announced today will ensure councils are able to put emergency measures in place to help some of the most vulnerable people in our society to successfully self-isolate.*⁸ [Emphasis Added]

Despite the public commitment made by your Government to provide safe accommodation for survivors of domestic abuse and to protect the most vulnerable in society from the impact of Covid-19, the absence of measures, guidance and increased resources and provision for domestic violence survivors demonstrates a failure to properly fulfil these commitments.

Unless and until your department takes urgent steps to meet the needs of survivors, they and their children will continue to be trapped in abusive homes during a time where the threat of abuse and violence is all the more prevalent.

⁷ Written Statement HCWS10, Robert Jenrick MP (Secretary of State for Ministry of Housing, Communities and Local Government), 15.10.2019 [<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-10-15/HCWS10>]

⁸ <https://www.gov.uk/government/news/3-2-million-emergency-support-for-rough-sleepers-during-coronavirus-outbreak>

No Recourse to Public Funds

Needless to say, issues and concerns raised in this letter apply to all survivors of domestic violence regardless of their immigration status. In fact, those with an insecure immigration status/no recourse to public funds are likely to suffer *additional* abuse as a result of their dependency on abusive partners who use their precarious status as a further means of control. Survivors often lack the language, self-esteem and confidence to understand their rights, and as a result, control and coercion are essential features of the abuse they suffer. Many women are forced to endure financial dependency, acute isolation, domestic servitude and abandonment. Therefore, such women face additional barriers when accessing or attempting to access specialist support services, protection and accommodation.

In consideration of the above, those with no recourse to public funds (including undocumented survivors of domestic violence), must be able to access the same measures as those whose immigration status is secure, without fear of their details being shared for the purposes of immigration enforcement. If the UK government fails to adhere to this, those with no recourse to public funds will be forced to remain in abusive homes, which is all the more concerning at a time of heightened danger.

It is paramount that all survivors, regardless of their immigration status, are able to live free from abuse during the pandemic.

Action Required

In light of the disproportionate impact of lockdown (and its associated measures) on domestic abuse and other VAWG survivors, we urge the Secretary of State for Housing, Communities and Local Government to:

1. Immediately provide a separate emergency fund to Local Authorities to ensure they are able to adequately house survivors of domestic abuse in hotels or other appropriate locations, as has been allocated for rough sleepers. Any such funds must be accessible and appropriate to meet the needs of the diverse range of women fleeing abuse. This demand is in addition to the need for the Government to deliver emergency funding to refuges and guarantee their sustainable long-term funding future;

2. Introduce an urgent statutory instrument to amend the Housing Act 1996 to include within the ‘categories of person in priority need’ those who have had to leave accommodation because of violence or threats of violence from another person, without having to also satisfy the vulnerability criteria and temporarily suspend the eligibility criteria to include those with no recourse to public funds⁹;
3. Introduce a safe system of coordination, developed in conjunction with specialist VAWG providers and with Local Authorities, to allocate hotel spaces alongside specialist support to those deemed in priority need as a result of domestic abuse;
4. Publish clear information for domestic abuse survivors (in the form of targeted adverts on television and social media) to ensure the above is brought to their attention. This communication must be accessible to all communities, including in different languages;
5. Publish guidance for Local Authorities on any new measures and, vitally, on the relaxation of the Government’s guidance on ‘Staying at home and away from others (social distancing)’ to disapply it in cases of domestic abuse;
6. Provide training materials to all Local Authorities to ensure they adequately train their staff on any new policy, procedure and/or guidance; and
7. The above actions to be made both accessible and exercisable to all women regardless of their immigration status. In terms of wider concerns relating to No Recourse to Public Funds, we would endorse wider demands made by The Joint Council of the Welfare of Immigrants¹⁰ and Project 17, Migrant’s Right Network and Public Interest Law Centre.¹¹

The introduction of these measures will ensure the impact of the Covid-19 outbreak does not disproportionately fall on women. We trust you will use your powers in the above manner and to enable domestic abuse survivors to be housed safely and suitably.

We look forward to hearing from you and by no later than close of business on 3 April 2020.

⁹ This is notwithstanding our view that all survivors should automatically be considered as priority need when presenting as homeless, in any event.

¹⁰ <https://www.jcwi.org.uk/protecting-migrants-from-covid-19>

¹¹ <https://www.pilc.org.uk/wp-content/uploads/2020/03/Joint-letter-to-LAs-COVID-19-and-migrant-homelessness-BM.pdf>

In the meantime, should you have any questions, or wish to discuss further please do not hesitate to contact us either by email to helen.mowatt@pilc.org.uk / isabella.mulholland@pilc.org.uk / g.herd@solacewomensaid.org.

Yours sincerely,



Public Interest Law Centre & Fiona Dwyer (CEO Solace Women's Aid)

Advance - Women's Rights Charity
Ashiana
AVA - Against Violence and Abuse
DAHA - Domestic Abuse Housing Alliance
EACH
FORWARD
IKWRO – Iranian & Kurdish Women's Rights Organisation
KMEWO - Kurdish and Middle Eastern Women's Organisation
Latin American Women's Rights Service (Director, Gisela Valle)
Midaye Somali Development Network (Director, Filsan Ali)
NIA Ending Violence
Rights of Women
Southall Black Sisters
Standing Together
Step Up Migrant Women Campaign
Women's Aid

Ace of Clubs (Centre Manager, Sarah Miles)
AIRE Centre
Beck Fitzgerald (Director, Jennie Beck)
Bristol Refugee Rights
Camden Community Law Centre
Dawn Butler MP
Doughty Street Chambers (Management Board)
EFA London
Entraide - Mutual Aid (Chair, Felix Kupay)
Europa
Focus E15
Garden Court Chambers (Joint Heads Judy Khan QC, Stephanie Harrison QC, Liz Davies)
Glass Door Homeless Charity
Hackney Community Law Centre
Haringey Migrant Support Centre
Helen Bamber Foundation
HASL (Housing Action Southwark & Lambeth)
IWGB

JCWI (Joint Council for the Welfare of Immigrants)
Just Fair (Chair, Jamie Burton)
Labour Campaign for Human Rights
Law Centre's Network
Leeds Asylum Seekers' Support Network
Legal Action Group
Legal Aid Practitioner's Group
Legal Sector Workers United
Migrant Voice
PAFRAS (Positive Action for Refugees and Asylum Seekers)
Refugee Action York
Quaker Social Action
Sarah Sackman (Barrister, Francis Taylor Building Chambers)
Shanthi Sivakumaran (Barrister, No 5 Chambers)
Shelter
Southwark Law Centre
The Magpie Project
The Refugee Council
Unite Housing Workers Branch LE / 1111
United Voices of the World
Vesta, Specialist Family Support
Voices in Exile (Director, Mel Steel)
We Belong
Wesley Gryk Solicitors LLP