

The following briefing was prepared by CIH Scotland and sent to all MSPs in advance of the Scottish Government debate on the 27th of November 2018 on 'Ending Violence Against Women and Girls.' It is now available to download for CIH Members.

CIH Scotland notes with interest that the Scottish Government is hosting a debate in the Scottish Parliament on Tuesday the 27th of November on 'Ending Violence Against Women and Girls' and wanted to take this opportunity to provide you with some further information on the important role that housing has to play in helping to tackle domestic abuse.

Domestic abuse is one of the biggest issues we face in society today. The true scale is difficult to determine but we know that domestic abuse is disproportionately experienced by women and that two women are killed every week in the UK by their partner or ex-partner. In Scotland, there were 58,810 incidents of domestic abuse recorded in 2016-17.

Domestic abuse and housing

These statistics show that the housing sector potentially houses and employs many thousands of people who experience domestic abuse and as a sector, we have an opportunity to come together to help tackle this issue.

Many housing associations and local authorities are already doing excellent work supporting victims of domestic abuse. For example, the City of Edinburgh Council is reviewing how it could use management transfers between RSLs and council properties to move survivors of domestic abuse into safe, secure homes.

However, across the sector, many housing organisations don't have a policy framework in place which recognises and prioritises domestic abuse. Indeed, some experiencing domestic abuse may at times be made homeless by the very services that are meant to help them, with many survivors forced to leave the family home, or to move multiple times. Each move can lead to a feeling of isolation and loneliness, as well as the financial hardship of rebuilding a new life.

CIH's Make a Stand Campaign

In response to this inconsistent approach to domestic abuse policy across the housing sector, the Chartered Institute of Housing (CIH) launched its Make a Stand campaign in May 2018, in partnership with Women's Aid and the Domestic Abuse Housing Alliance (DAHA).

The campaign calls for housing organisations to take the following steps to address domestic abuse:

- Put a domestic abuse policy in place in their organisation.
- Make information about national and local domestic abuse support services available online and in other appropriate places so that they are easily accessible for residents and staff.
- Put in place, or amend an existing HR policy to support members of staff who may be experiencing domestic abuse and address abusive behaviour among employees.
- Appoint a champion at a senior level to direct activity to support people experiencing domestic abuse.

Since the launch of the campaign, 263 social landlords across the UK, including 28 in Scotland, have signed up to take these steps, and the number of homes covered by the campaign has reached more than 2.4 million, which covers almost 50% of social housing across the UK.

Next steps

National Guidance

CIH in Scotland is working hard to encourage all of Scotland's housing associations and local authorities to sign up to the Make a Stand campaign, and is also working with Scottish Women's Aid, Shelter Scotland, and the Scottish Federation of Housing Associations, amongst others, to develop new national guidance for housing organisations around domestic abuse. This guidance will aim to strengthen the rights of domestic abuse survivors to stay in their homes and prevent them from declaring as homeless whenever possible.

Local Housing Strategies

In addition to the guidance, CIH Scotland would also like to see an explicit and detailed reference which outlines how councils will support those leaving domestic abuse in all local housing strategies.

Review of Legislation

In order to better support social landlords to protect victims of domestic abuse and strengthen their rights, CIH Scotland would like to see a review of the [Matrimonial Homes \(Family Protection\) \(Scotland\) Act 1981](#). This legislation was designed to provide for the transfer of the tenancy of a matrimonial home between spouses in certain circumstances during marriage and while we recognise that some local authorities consider the existing framework sufficient to remove domestic abuse perpetrators from the home, we believe that this premise is untested.

Furthermore, research by Scottish Women's Aid into the use of the Matrimonial Homes Act identifies a number of issues in enabling female victims of domestic abuse to stay in their own homes, including:

- the ability to access legal advice and finding solicitors willing to take on these cases;
- eligibility for Legal Aid;
- the fact that women, and not landlords, have to pay for legal action;
- breaches, where abusers return to the home, often go unchallenged; and
- at the point of crisis, accessing homelessness services can be quicker than approaching a court.

We believe that the legislation should be updated to address these issues.

Emergency Funding

For those who do not move home, there is a need for survivors to be able to quickly access grants to help pay for furnishing their new homes. We believe that this funding should go beyond what is available through the Scottish Welfare Fund and would help to minimise the financial hardship

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experienced by those forced to move due to domestic abuse. This would reflect and build on the findings from the Equalities and Human Rights Committee in 2017 that called for:

"The creation of a new 'Destitution Fund' by the Scottish Government for women experiencing domestic abuse unable to access other sources of help."