



No Place to Call Home

Domestic Violence &
Homelessness The State We
Are In

SAFE Ireland, 2016

Table of Contents

1	Executive Summary - No Place to Call Home Domestic Violence and Homelessness, The State We Are In	1
1.1	Domestic Violence Services in Ireland	1
1.2	The complexities of Domestic Violence	1
1.3	Impact of the housing crisis on women experiencing DV	2
1.4	Impact of the housing crisis on services supporting women	3
1.5	Women staying in abusive relationships due to lack of options	4
1.6	Conclusions	4
1.7	Recommendations	5
2	Background	7
2.1	Making Ireland the safest country in the world for women and children	8
2.2	Prevalence of Domestic Violence in Ireland	9
3	Context	12
4	Methodology	14
5	Findings	15
5.1	Fleeing Domestic Violence is a Homeless issue	15
5.2	Domestic Violence and Housing Need	16
5.3	Emergency B&B Accommodation	17
5.4	Property ownership, lease agreements, negative equity	18
5.5	Longer stays in refuge	19
5.6	Difficulties in accessing emergency refuge	20
5.7	Alternatives to Accessing Refuge	21
5.8	Delaying Legal Processes due to Housing Concerns	23
5.9	Difficulties in securing safe suitable accommodation	23
5.10	Rising rents and shortage of rental properties	26
5.11	Women staying in abusive relationships due to lack of options	28
5.12	The need for priority access to social housing	30
5.13	The need to increase the rate of rent supplement	30

5.14	Implementing the Istanbul Convention	31
5.15	Embedding an understanding of DV and its impact in the Legal System	32
5.16	Embedding an understanding of DV and its impact in Agencies involved in Housing and Accommodation	32
5.17	Restrictive Local Authority Requirement	33
6	Conclusions	35
7	Recommendations	38

1 Executive Summary - No Place to Call Home Domestic Violence and Homelessness, The State We Are In

SAFE Ireland is the National Social Change Agency working on Domestic Violence in Ireland innovatively and strategically transforming culture and the response to gender based violence. SAFE Ireland has evolved from a network of service providers and is working in close collaboration with forty frontline domestic violence services across communities in Ireland.

In February 2016, SAFE Ireland, aware of a number of challenging situations arising for women and children as a result of the current housing crisis, undertook a consultation to gather detailed information from Domestic Violence organisations countrywide. The data collected from thirty-five telephone-based interviews with Managers, CEOs and Coordinators of Domestic Violence services forms the content of this report.

1.1 Domestic Violence Services in Ireland

Domestic violence services work to promote the safety and wellbeing of women and children experiencing domestic violence. These specialist organisations provide a range of supports and services to women and children across the country, including 24-hour crisis accommodation (refuges and safe houses) and services tailored to meet the individual emotional, practical and safety related needs for which women and children seek support, including outreach work, information and advocacy, accompaniment to state agencies such as housing officers, community welfare officers, Gardaí, social workers, courts, etc., Helplines, childcare and a range of supports for children, supported transitional housing and support groups.

Approximately 12,500 women and children access Domestic Violence services annually.

1.2 The complexities of Domestic Violence

For women living with Domestic Violence their experience of 'home' is very complex because the person who is harming them verbally, psychologically, emotionally, financially and/or physically, is often the person they are sharing their life, their children and their home with.

When a woman decides to work towards ending this abuse by leaving home or preventing further abuse through legal supports she frequently meets a range of barriers because of the particular circumstances and difficulties in disentangling an intimate relationship, moving out of home, engaging Legal Orders, establishing independent finances or separating a family unit. The crime of Domestic Violence is not straightforward. It can be embedded in a family relationship or in intimate partner relationships. Women need a range of supports to successfully exit their situation.

1.3 Impact of the housing crisis on women experiencing DV

The current housing crisis is having a disturbing impact on women experiencing domestic violence. If a woman has to leave her home, she is in effect homeless. Returning to that home puts her and her children at risk. However, a woman who is forced to leave a violent home is not explicitly defined in our law as homeless. When she comes in contact with Local Authority housing departments, she is not automatically regarded as an emergency case.

The failure of Local Authorities to recognise the seriousness of this situation has dire consequences for women and children living in, and trying to exit, domestic violence. She, and the services advocating for her, often have to spend a huge amount of time securing and justifying this basic safety need. More and more documentation, proof and qualification is needed to the point where a number of services have raised concerns that the privacy and safety of women is increasingly being invaded in making a case for her urgent housing support needs.

Women are finding it more difficult to secure adequate rent allowance if they have to leave the family home to find safety. Rent allowance has decreased and does not adequately deal with current market rental levels and deposits are harder to get from Community Welfare Officers. Some areas have very little housing stock available. Much of this is in poor condition and it may be located in an area with a lot of anti-social behaviour.

Some Local Authorities require a woman to be resident or renting in the county for six months prior to receiving rent allowance, which is very problematic, particularly for women who feel that their only route to safety is to leave the county where their abuser resides.

Some Local Authorities require that a woman is actively pursuing a legal separation before she is entitled to receive rent allowance. Waiting lists for Legal Aid can delay women in seeking a separation and recent increases in the cost of Legal Aid is an impediment for many women with no independent finances. Also for many women beginning the journey of increasing safety for themselves and their children making immediate legal decisions is not the first step they wish to make. For many others they are not in a position of safety to commence legal proceedings.

Women who jointly own properties or who share rental leases with their abusive partner/ex-partner face equally complicated barriers in this current housing crisis. In some areas, if a woman owns a house or farm with her partner or husband, she is not entitled to social housing or rent assistance. It is difficult to sell houses in the current climate, and very often, this tends to mean that many women are returning to their abuser rather than remaining homeless. Many homes are in negative equity so selling a family home post-separation does not give either party financial freedom. Many women remaining in a property after their abuser leaves is often financially unable to sustain rent or mortgage repayments.

1.4 Impact of the housing crisis on services supporting women

Women are staying in refuge accommodation longer than before. Services spoke about how admissions to refuge in 2015 were significantly lower than in 2014 because women and children's stay in refuge was longer than ever before experienced. Services spoke about women staying for months rather than weeks, unable to leave because of a complete lack of accommodation options.

Traditionally women come into refuge for temporary emergency shelter and during their time in refuge engage in the range of supports offered. Depending on each woman's individual decision, women will either return home with safety plans and other supports in place or will choose to move, which usually involves securing a new place to stay for herself and her children.

Due to the current housing crisis this journey has come to a virtual standstill. Domestic Violence services cannot work with women to develop an exit strategy support plan because of a lack of move on options. Respondents spoke about noticeable changes in the past two years, in particular the lack of suitable, affordable housing. Services confirmed that the availability of social housing, access to accommodation with Housing Associations and private rented accommodation ***“has dried up in the past two years.”***

Emergency refuge accommodation is considered by dedicated frontline services to be highly unsuitable for long-term stays for women and children due to the communal arrangements, limited space and privacy and lack of play facilities. Children staying long term in refuge are frequently out of school, missing their familiar community activities, not able to have friends and family visiting. All of these issues potentially have negative impacts.

1.5 Women staying in abusive relationships due to lack of options

Worryingly, in this current climate, many women are making decisions to stay in abusive relationships because they predict accommodation problems. Services describe how the dearth of accommodation for women thinking of leaving an abusive relationship is a big problem. Knowing their options, that refuges are full, that housing lists are endless, that the Local Authority are likely to assess that she has no housing need despite her needing to escape domestic violence and create a safe future for her children, women are choosing to stay in terrible situations.

As part of the range of support options services are encouraging women to actively use safety orders, and to apply for protection orders in an attempt to make 'staying at home' as safe as possible. Services are very aware that for women to progress with other statutory agencies they may need 'evidence' of their Domestic Violence so court accompaniment is an essential part of the support package where women apply for Legal Orders to reflect the different levels of abuse they have suffered.

Having to stay in an abusive relationship because accommodation options are unavailable puts an intolerable strain and tremendous suffering on a person. Services spoke about the economics of separation, and the difficult financial situations that arise for women. Women without independent finances and resources are trapped.

1.6 Conclusions

Domestic Violence Service providers believe that safe affordable housing should be the right of people escaping from a home where security and safety has not been present. It is evident that where home is no longer safe for women and children, when they do not have secure access to that property, they must be accommodated elsewhere.

In some cases, access to alternative accommodation may be needed in the long term, for example, where the separation of a couple's assets does not provide enough money to enable a woman to provide accommodation from her own means.

In other cases, access to housing support may be a temporary need until such time as a separation agreement enables a woman to provide alternative accommodation from income derived from the sale or division of assets or when a woman returns safely to the family home.

Either way, women and children forced from their homes because of domestic violence are effectively homeless under the Homeless Act 1988 and the state is responsible for providing alternative accommodation to them. Domestic Violence services consider that Housing Regulations require amendment to provide for this.

1.7 Recommendations

Women and children are made homeless by domestic violence. They are a unique group within the homeless sector in that they are fleeing crimes and abuse from within their own homes. This needs to be recognised and acted upon with special measures. Access to safe accommodation, including emergency provision, medium-term and longer-term housing is a critical provision for women experiencing domestic violence and their children. SAFE Ireland member services' have identified accommodation and housing as one of the major barriers to ensuring safety for women and children.

- 1. Securing access to housing and safe accommodation is complex and has many variables.**
- 2. The Irish state must act immediately in order to remain compliant with various international agreements, in particular ratifying the Istanbul Convention. Both short-term and long-term solutions are required.**
- 3. A national housing strategy to address the chronic shortage of social housing, and affordable rental accommodation, must explicitly name and prioritise women experiencing Domestic Violence and their children.**
- 4. Actions, which specifically address the particular needs of women experiencing Domestic Violence, must be included in a National Homelessness Strategy. Women experiencing Domestic Violence must be explicitly included in any homelessness strategy.**
- 5. A joint national programme to develop a partnership strategy between Local Authorities and Domestic Violence services is required which includes: relationship building, sharing of best practice models, exchange of information on what works well, exchange of training, including training on Domestic Violence.**
- 6. Priority access to social housing is essential for women fleeing Domestic Violence.**
- 7. Rate of rent supplement must be increased.**

MAIN REPORT

2 Background

Domestic violence is a crime that happens in the personal intimate space of home and seems not to be visible to the statutory and community supports designed to facilitate the effective functioning of families and communities in Ireland. At the core of most of our lives is that place we call 'home,' a house, an apartment, a trailer, a mobile home, a bedsit, a flat over a shop. Regardless of how it may appear, all too often this is a place where people are living through domestic violence.

One of the most devastating consequences of domestic violence is that home becomes the most unsafe place for a woman and her children. This 'home' may become a place people must flee from or take steps to create circumstances in which the person inflicting abuse is prompted to leave or amend his behavior significantly. Most people leaving a domestic violence situation need support to establish a safe and secure alternative to the home they are being forced to leave behind.

It is also important to note that Women also experience domestic violence outside of the home.

In 2013, SAFE Ireland, undertook a consultation on Domestic Violence and housing legislation¹. Arising from this research changes in law were recommended to enable a women fleeing Domestic Violence to access housing support from the state. These recommendations, agreed by the National Steering Committee subsequently impacted a change in law, which, when enacted allowed home owners (women affected by Domestic Violence) to be eligible for social housing assistance as per the 'Housing Miscellaneous Act 2014' (irishstatutebook.ie/eli/2014/act/21).

Recent policy and legislation developments in Ireland have been based on the premise that women will be safe in their homes with the employment of domestic violence orders.

It is not always the case that women will be safe in their homes with the employment of domestic violence orders. The majority of cases reveal that the civil and criminal justice systems are not creating adequate accountability for perpetrators or providing women and children with effective protection.

This results in many women being forced to flee their homes with their children in order to escape violence and access safety. Kearns et al. found that 55% of victims of domestic violence victims vacated the family home². Women who do not leave home

¹ SAFE Ireland Research on Housing Legislation, 2013, Pdraig Kenna.

² SAFE Ireland Research on Housing Legislation, 2013, Pdraig Kenna.

as a result of domestic violence often stay because they believe they have nowhere to go.

At the time of writing Ireland is facing an unprecedented housing crisis. Hundreds of people are being temporarily housed in unsuitable hotel and Bed & Breakfast accommodation as a result of the total lack of social housing, severe shortages of private rental accommodation, increasing rental prices and increasing numbers of private landlords unwilling to accept state payments. Many others are staying in unsustainable situations, including in over-crowded conditions with family members, and sleeping on couches in the homes of friends and family members.

Where women experiencing Domestic Violence are informed their first port of call is often a domestic violence refuge. In Ireland we have a severe shortage of refuge spaces. The Council of Europe recommends one refuge space per 10,000 people in any population to serve women and children sufficiently, which translates as 446 family refuge spaces in Ireland. Ireland currently has 143 spaces, less than one third of the recommended number. A further issue is the difficulty in establishing how many women are homeless as a result of domestic violence as data may be hidden in categories such as 'family violence', 'anti social behaviour' and 'family breakdown'.

2.1 Making Ireland the safest country in the world for women and children

SAFE Ireland is the National Social Change Agency working on Domestic Violence in Ireland. They are working innovatively and strategically transforming culture and the response to gender based violence. SAFE Ireland has evolved from a network of service providers and is working in close collaboration with forty frontline domestic violence services across communities in Ireland.

Over the past ten years SAFE Ireland has invested in leadership, governance, research and organisational development in order to create a culture in the organisation, which allows space for dialogue, creativity and innovation.

SAFE Ireland believes that Ireland can be the safest country in the world for women and children.

SAFE Ireland's forty member services respond to thousands of women and children affected by Domestic Violence in Ireland every year, offering a range of supports to women experiencing domestic violence. Twenty-three provide accommodation for women and children fleeing a violent partner or someone else with whom they are in a close but unsafe relationship.

Domestic violence services work to promote the safety and wellbeing of women and children experiencing domestic violence. They provide a wide range of supports and

services to women and children across the country, including 24-hour crisis accommodation (refuges and safe houses) and services tailored to meet the individual emotional, practical and safety related needs for which women and children seek support, including outreach work, information and advocacy, accompaniment to state agencies such as housing officers, community welfare officers, Gardaí, social workers, courts, etc., Helplines, childcare and a range of supports for children, supported transitional housing and support groups.

SAFE Ireland has a clear ambition to change culture and transform the response to Domestic Violence in Ireland. SAFE Ireland are working to achieve this transformation by changing social behaviour and attitudes, securing a whole system response to the issue of domestic violence, cultivating leadership through champions at all levels in Irish society and by deepening and communicating our understanding of the problem and enhancing all our capacity to respond.

SAFE Ireland and its members working with key allies have the capacity, knowledge, knowhow and credibility to change culture, prevent violence and transform the whole system response to the safety and well being needs of the hundreds of thousands of women and children experiencing Domestic Violence in Ireland.

SAFE Ireland, as part of its ongoing engagement and interaction with its member organisations, had been aware that a number of challenging situations were emerging for services and for women and children as a result of the current housing crisis.

Anecdotally Safe Ireland understood that many women, homeless as a result of DV, were finding it very difficult to access suitable accommodation for themselves and their children and also that the length of time women were staying in refuge had extended which had a connection to the housing crisis. Arising from this knowledge, Safe Ireland, decided it was important to gather detailed information in order to build an accurate picture of the situation countrywide.

This report shines a light on the barriers arising for women experiencing Domestic Violence and for the specialist Domestic Violence services supporting them caused by the current housing crisis and presents recommendations to deal with these barriers.

2.2 Prevalence of Domestic Violence in Ireland

The World Health Organisation (WHO) and the United Nations (UN) define Domestic Violence as a gender based violence, driven by cultures of gender inequality and gender bias across society that disproportionately affects women and children.

Tusla, the Child and Family Agency, define Domestic and/or sexual violence as the threat or use of physical, emotional, psychological and sexual abuse in close adult

relationships. This includes destruction of property, isolation from family and friends or other potential sources of support and threats to others including children. Stalking and control over access to money, personal items, food, transport and the telephone are also common examples of domestic abuse.

Domestic Violence occurs in all cultures, among all age groups and relationships. It is a largely unprosecuted, under-reported and undocumented crime in Ireland.

Our current fragmented system response falls significantly short of what victims need to increase their safety and well being. We believe it is a human right of every individual to live free from violence. By working together and developing key strategic partnerships we know we can transform the response to violence against women in this country. To achieve this, we have to challenge and change our current whole system response.

Currently in Ireland approximately 12,500 women and children access community-based Domestic Violence services annually.

In March 2015, the European Union Agency for Fundamental Rights (FRA) launched the results of the biggest ever violence against women survey in the EU³. The main objective of the study was the production of reliable and comparable primary data on women's experiences of violence, for the first time covering the entire EU. The survey findings were based on face-to-face interviews with 42,000 randomly selected women (approximately 1,500 per country) aged 18-74 years, across the 28 European Union Member States. Women were asked about their experiences of physical, sexual and psychological violence, including incidents of intimate partner violence ('domestic violence') as well as the consequences of such violence, and their experience of services contacted.

Of the 1,500 women surveyed in Ireland a quarter were subjected to abusive behavior, one third had experienced psychological violence, a quarter had experienced controlling behavior, 10% were subjected to economic violence. Only 20% had contacted the Gardaí about the abuse they were experiencing. Worryingly, 40% of the women surveyed in Ireland knew a victim of domestic violence (a family member or friend) and one third perceived the frequency of violence against women to be very common. 60% of those surveyed in Ireland were not aware of the laws and political initiatives to prevent domestic violence against women.

³ European Union Agency for Fundamental Rights (FRA) Report Violence Against Women Across the EU: Abuse at home, work, in public and online.

79% of the women surveyed in Ireland have never told anyone about the abuse they are being subjected to.

As the EU FRA study was a stratified sample of 1,500 women across Ireland, for our population size we can extrapolate national data from the study results. According to the CSO, the total population of women aged 18+ in Ireland in 2011 is 1,754,648. Therefore, we can estimate that at least 580,000 women living in Ireland will have experienced psychological violence from a partner or non-partner and at least 440,000 will have experienced physical and sexual violence. At the time of writing we have 460,000 women living here in Ireland who have not reported their experience of abuse to anyone.

3 Context

The Minister for Justice and Equality, Frances Fitzgerald TD, launched the *Second National Strategy on Domestic, Sexual and gender-based Violence 2016-2021* in January 2016. The Strategy, building on its predecessor (which concluded in 2014) envisaged a range of actions to be implemented by State, voluntary and community sector organisations aimed at preventing and responding to domestic, sexual and gender-based violence.

In the first Government strategy the Department of the Environment, Community & Local Government committed to developing guidance on responding and referring to Domestic Violence for relevant Local Authority staff. Disappointingly this was never completed. The Domestic Violence sector are very keen that this will be actioned as a matter of urgency during the lifetime of this second strategy.

The Department of Environment, Community and Local Government's six-year *Social Housing Strategy 2020, 'Support, Supply and Reform'* was approved by Government in November 2014.

The vision contained in this strategy was that 'every household will have access to secure, good quality housing suited to their needs at an affordable price in a sustainable community. The state will put in place financially sustainable mechanisms to meet current and future demand for social housing supports, ensuring value for money for tax payers while respecting the preferences of individual households to the greatest possible extent.'

The strategy was structured around three central 'pillars': the provision of new social housing (35,000 social housing units to be built in the greater Dublin area by 2020); social housing supports provided through the private rental sector through the Rental Accommodation Scheme (RAS), the Housing Assistance Payment (HAP) and Rent Supplement (RS) and; the implementation of reforms to create more flexible and responsive social housing supports, including a new rent framework, a new tenant purchase scheme, powers to counter anti-social behaviour and housing services plans and a commitment to monitor and review the Strategy to refresh and drive reform and policy development.

Since the strategy launch Ireland has experienced an unprecedented crisis in housing and an explosion in the number of people experiencing homelessness caused by a lack of social housing and private rental accommodation. There is a lack of housing in general terms and an increasing population. The growing number of people experiencing homelessness and people placed in emergency accommodation is rising and tenants in private rented accommodation are facing rent increases.

The most significant factor is the dearth of Local Authority housing in all parts of the country resulting from an ongoing lack of investment in social housing.

There is a combination of factors within the rental sector that have significantly contributed to the homeless crises including significantly fewer housing properties available, rental rates increasing with no obligation on landlords to comply with any model of regulation, Rent Supplement rates being reduced or failing to keep up with rent increases and Community Welfare Officers (CWOs) no longer having discretion to apply in emergency cases.

In most areas of the country rent increases far exceed the rental caps of the rent supplement. A further factor is the large number of previously rented properties being repossessed from owners who failed to maintain their mortgage repayments and have entered negative equity with the properties then being sold on and not returned to the rental sector.

Most rental leases in Ireland are for 6-12 months so renters lack security of tenure. Another contributing factor is the new minimum standard regulations for bedsit-type accommodation, which although welcome, resulted in many being left vacant with no replacement provision. Changes to mortgage approval processes means people are renting for longer while they save for an increased deposit. Finally, the number of houses being built is very low compared to levels in the recent past.

These factors have largely influenced the homeless crises in the country as a whole. The emergency hotel accommodation while keeping people from "sleeping rough" offers little in the way of security for families and appears to be having a negative affect on many family units by moving families from communities where children have been attending school and have grown up with their friends. There is also an unknown number of people who have returned to live with their parents or are now "couch surfers" staying with friends or family members on a temporary basis with no 'room' of their own.

4 Methodology

In February 2016, SAFE Ireland undertook a consultation with thirty-nine specialist Domestic Violence services in Ireland to capture their current experience of the impact of the housing crisis on their services and on the women and children accessing DV services in order to create a national overview of emerging issues with a specific focus on Domestic Violence and Homelessness. A study of previous SAFE Ireland reports was carried out alongside a review of existing government policy and Housing Legislation changes.

It was decided that a telephone consultation carried out with Managers or designated staff members from every service in the country would be an efficient and effective approach. An e-mail communication was sent to all SAFE Ireland member organisations giving details of the consultation and requesting participation. Services were then contacted by telephone and invited to arrange a suitable appointment to engage in the consultation. A questionnaire with a list of open-ended questions on the challenges and barriers currently facing services and the women and children supported by services and a request for suggested solutions were sent out ahead of time to enable participants to prepare and focus their responses.

Thirty-five telephone interviews took place between 8th February and 29th February 2016. Interviews lasted between twenty and seventy minutes. Notes were taken during each interview and a written account recorded for each interview afterwards. Information was then collated and analysed and forms the body of this report.

5 Findings

Domestic Violence remains a totally under-recognised housing problem. Women's length of stay in refuge has become significantly longer than before due to lack of 'move on' options, most particularly the lack of availability of social housing and private rented accommodation. Housing is the paramount issue and has been identified as a massive barrier impacting on women's access to safety.

"If a woman's chosen option is moving on from refuge, it is very problematic as there's very little availability regarding accommodation. Whereas in the past a long stay in refuge would have been six weeks. Now we'd be lucky if a woman has moved on after 3 months. Women are staying on average 6 months currently. This HAS to change. Women are staying longer due to lack of options. It is highly unsuitable".

5.1 Fleeing Domestic Violence is a Homeless issue

Respondents observed that the current homeless debate seems to be ignoring the issue of Domestic Violence despite its very negative impact on the lives of women and children and despite research showing significant links between adult homelessness and childhood experiences of Domestic Violence.

Domestic Violence is not on the homeless agenda. Local authorities and other agencies are not viewing as homeless women who are fleeing domestic violence. This is a significant barrier. According to Local Authority criteria such women are not homeless – they are simply 'out of home' as they HAVE a home but this does not reflect the reality of women's situations.

Services all agree that every woman leaving home as a result of domestic violence is homeless and express frustration and disappointment that Local Authorities and other organisations and agencies do not share this assessment. **"We have had little support from the council for women fleeing DV and even less since this issue came along."**

Several respondents considered that there appears to be a reluctance within statutory agencies to engage with the issue of Domestic Violence and its overlap with housing and homelessness. Homeless services are not naming Domestic Violence as an issue. Other organisations and agencies do not engage in identifying it as a serious problem affecting every community in Ireland.

5.2 Domestic Violence and Housing Need

To be eligible for Local Authority (social) housing people must meet certain conditions. In assessing applications, Local Authorities look at household size, household income, present accommodation, the condition of that accommodation and any special circumstances including age, disability, medical circumstances and right to live long-term in Ireland. Homes are allocated in accordance with each Local Authority Allocation Scheme, which provides a means of prioritising applicants for housing.

Domestic Violence support staff frequently either accompany women or refer them to the Local Authority to present as needing state support in accessing accommodation as a result of becoming homeless due to Domestic Violence. The effectiveness of these engagements vary significantly with some respondents describing very positive relationships and an eagerness among Local Authority personnel to be flexible, where possible. ***“We have a very good relationship with three local authorities. We don’t tell them what their job is, but we do highlight what our job isn’t and we repeat that we are NOT a homeless hostel.”***

Another response spoke about the frustration of working with inflexible systems and personnel who do not understand the dynamics of Domestic Violence and said, ***“working with the Local Authority is generally difficult. They are quite stuck in their responses. Things very much depend on individual personnel. Most don’t work outside the box. Most are quite judgmental. Most judge a woman harshly if she goes back home.”***

People are only considered for social housing if household income is less than the threshold that applies in the Local Authority’s area. Women in the process of separating from an abusive partner will often need state support in the short or medium term as their household income is often inaccessible to them. One proposal to respond to this issue was to ***“have a short term response to Domestic Violence as well as a long term response – provide short term safe accommodation while the Local Authority is processing someone’s housing needs assessment.”***

Services spoke about the requirement for women to ‘prove their experience in Domestic Violence’ to qualify for payments. The ‘necessary evidence’ can be provided by women who had been to court to get Protection, Safety or Barring Orders but not all women seek legal orders in advance of leaving their family home.

“The game has changed completely. In the past, before this current housing crisis, we could have presented a Domestic Violence case to the Community Welfare Officer who might ‘make an exception’ and grant rent allowance so a woman could find a new home for herself and her children.”

As part of their advocacy work Domestic Violence services build relationships with Housing Officers, Local Authority Social Workers and Housing Welfare Officers to enable them to connect women fleeing violence with the Local Authority. Several respondents spoke about their understanding that Local Authorities personnel are **“trying their best.”**

On behalf of service users Domestic Violence services often request that Local Authorities fast track their housing assessment processes. Domestic Violence services attach letters of support with housing applications and seek funding from the Local Authority to pay for temporary B&B or hotel accommodation for women and children. But **“currently all of this counts for very little as there is such a lack of housing and there are no places.”**

Domestic Violence services are very aware of the pressures facing many Local Authority personnel working in the current climate where requests for accommodation are many and yet most areas have minimal access to social housing and less availability of rental properties.

One respondent observed that she knew of Local Authority positions remaining unfilled for months. Another spoke of the need for Local Authorities to be properly staffed to deal with this current crisis. It was suggested that what was needed was more flexibility within Local Authority systems, including out of hours' services and more accountability, clarity and openness about Housing Lists and their regulation. More effective collaborative working between Local Authorities and Housing Associations was also proposed.

The lack of standardised responses and practices was mentioned as a difficulty, a frustration and a barrier. Services would like to see a standardised response for families experiencing Domestic Violence and suggests that, **“it shouldn't come down to local personalities and relationships,”** continuing that **“we need a proactive strategy to support women and children to break the cycle.”**

5.3 Emergency B&B Accommodation

For women in immediate danger some services pay for women and children to move into B&B's but due to suitability and funding pressures, this is only a short-term solution. One service described how, **“previously we were able to house a woman in a B&B for up to three weeks and during that time work with her using our Outreach support model, engage her with the Local Authority regarding housing and with HSE/Tusla (as required), but now that's no longer available.”**

Respondents acknowledged that Local Authorities do not have many options currently due to the housing crisis. Services spoke about limited funding for crisis situations and how **“B&Bs are out of the question most of the time”**. One respondent described how the

Local Authority effectively disengages from women experiencing Domestic Violence and gave an example of **“a woman presenting to the County Council as homeless was offered a place in a homeless hostel in another county. Moving to another county did not suit this particular person at all. The Local Authority were not interested in supporting her any further because she turned it down.”**

Services acknowledge that Local Authority staff are currently under pressure. One service described how they had referred a family to the Local Authority and shortly afterwards received a phone call from a Housing Officer, **“who said to us “What can we do? We have nowhere for her to go.”** Services spoke about their concern about women without support (those not engaged with a Domestic Violence service).

One service said, **“think about the difficulty facing women already traumatised by their experiences of DV. Women presenting to the Local Authority are being told that they have to find their own emergency accommodation. Where is a woman meant to feed her children, change a baby’s nappy, while she tramps around town in the rain trying to find somewhere to sleep that night?”**

Another respondent echoed a similar situation in which a woman, three children and a baby in a buggy being asked by the Local Authority to find B&B accommodation. **“She walks the streets of [town] and when she finds somewhere that accepts payment from the Local Authority she is told that they will pay for three night’s maximum. Then she has to move.”**

5.4 Property ownership, lease agreements, negative equity

Where a woman is co-owner or co-tenant of a property she faces significant barriers in trying to establish a new home away from the abuse. Her mortgage might be in arrears, her partner/ex-partner may be unwilling to contribute financially, there may be arrears on rent due to the Local Authority – all of these were identified by services as barriers to women wanting to flee Domestic Violence. The fact of having their name on a rental agreement, mortgage or Local Authority tenancy agreement blocks women accessing state support in seeking accommodation.

“Many women find themselves in negative equity, they are really stuck. We talk to them about their safety. We give them information about Barring Orders. She says, “I might not be able to get a barring order. If he is put out, I won’t manage the mortgage by myself.” Finance and housing are now very strongly connected. Because of the family home and trying to manage arrears and payments, women are seeking safety orders, rather than separation.”

Financial issues, some directly created by the abusive partner, often prevent women from receiving state support. One respondent explained that, **“at one point DV was an eligible reason to demonstrate housing need – that doesn’t seem to hold sway anymore.”** This

affects women with mortgages (joint owners), women in social housing (joint Local Authority tenants) and women in private rental properties (joint tenants).

“There is no consistent policy on housing women who have had their name previously on a tenancy or mortgage. It’s hard for us to deal with as we cannot risk closing doors with Local Authority staff either.”

This is a good example of the need for the system to recognise Domestic Violence as a priority housing issue. Several services spoke about their advocacy role, trying to persuade Local Authorities to disregard that a woman’s name is on accommodation or that she is a tenant/home owner in order for her to avail of state support to create a new start away from violence.

Services stated the importance of having a good relationship with local authority personnel, especially Housing Officers, whilst acknowledging that, **“there’s only so much they can do.”** It was suggested that advocacy sometimes results in more flexible responses. Services spoke also of how special provision for women experiencing Domestic Violence can be ‘fast tracked’ when survivors have successfully been granted Safety, Protection or Barring Orders.

5.5 Longer stays in Refuge

It is abundantly clear that women are staying in refuge accommodation longer than before.

In 2014, Domestic Violence services in Ireland were unable to meet 4,831 requests from women for safe accommodation in their refuges because their refuge was full. These figures are shocking and the enormity of the problem is elucidated when we consider that women and children are left with a choice involving either returning to the abuser or facing homelessness. However, in 2015 this figure increased significantly. Official figures have not yet been prepared but Refuge Managers involved in this consultation confirmed that their admissions were lower because women in refuge were staying longer.

Services spoke about not being able to **“have an exit strategy for women currently using our refuge”** and that women are now staying in refuge for **“months on end”** rather than for short emergency stays, **“which is what refuge accommodation is designed to provide.”** Respondents said **“there is no private rented accommodation available currently,” “virtually nowhere for people to rent,” “a severe shortage of Local Authority houses to rent.”**

One respondent said, **“for women who have left their home there is literally no accommodation. A glance in the local papers where there used to be columns of available houses to rent there is nothing and when something appears it’s often in very very bad condition.”**

Another shared that, **“when women come into us we know they’re going to struggle with ‘move on’ due to a severe lack of options.”**

Another said that she felt there were **“more obstacles facing women than ever before.”** Respondents spoke about noticeable changes in the past two years, in particular the lack of suitable, affordable housing. Services confirmed that the availability of social housing and private rented accommodation **“has dried up in the past two years.”**

Refuge Managers spoke about the fact that these longer stays were, in effect, creating a sense of being **“a homeless hostel”** rather than a specialist emergency response for women fleeing Domestic Violence.

“There is no rental accommodation around. Women are staying with us for months on end because of the lack of moving on options. It has been three years since anyone has got a house from this refuge. I have worked here for 30 years and it is harder now than ever. I have never seen anything like it. The biggest issue is the length of stay, women have nowhere to go from here. It is extremely stressful not being able to offer appropriate support or direct a woman towards affordable secure accommodation.”

The most significant issue created by these longer stays is concern that refuge is not suitable for long-term living. Services speak about families becoming ‘institutionalised,’ and suggest that living for weeks on end, sometimes in shared communal spaces, can be detrimental to people’s sense of autonomy, is not conducive to women’s and children’s well-being and independence and can prohibit women’s goal setting, recovery and parenting.

Refuge staff are very aware that it is totally unsuitable for children to be ‘living’ in refuge for long periods of time. Managers spoke about their concerns around the effects for children of being ‘hidden away’ in refuge, not being allowed to have friends over to play, sometimes missing school and other community-based engagements – sports, clubs, etc. [often women have to travel significant distances from home to access refuge], their lack of social engagement with peers, friends and class mates; the additional rules needed in a communal living space, which places restrictions on children, which would not be present in a usual ‘home’ environment.

5.6 Difficulties in accessing emergency refuge

An obvious outcome of women not being able to move on from refuge is that other women cannot access refuge because refuges are full. Refuge Managers spoke about the longer time frames that women are staying in refuge. This is causing difficulties for staff teams who feel under pressure, not being able to provide accommodation support to other women. Numbers of admissions were significantly lower in 2015 compared to admissions in 2014.

The refuges are mostly full. The housing problem is a serious crisis.

Refuge capacity in Ireland is very low with most refuges having less than seven accommodation units so it is unsurprising that refuges are frequently full to capacity. Respondents described that after the initial refuge support work is undertaken with women in refuge – support around medical aid, legal aid, emotional, practical and parenting support that currently women are then in a 'holding mode', where they are no longer in need of the kind of crisis accommodation and support offered by specialist Domestic Violence refuge service provision but are not able to move on and are literally in a state of 'waiting'.

“There are only six refuge places in the entire geographical region where we work. Women needing emergency refuge accommodation are totally under-served. Six family units provides NOTHING for women in emergency because they are full all the time due to such minimal places. This is very stressful and potentially very dangerous for women and children.”

Several services in areas where there is no refuge spoke about how women are likely to stay with friends and family rather than go into refuge to attempt to lessen the disruption to children regarding school, friends and access to community supports.

5.7 Alternatives to Accessing Refuge

Because of the minimal move-on options for women, accessing refuge has become more challenging and services have been engaging in a range of responses to support women experiencing Domestic Violence who cannot access refuge accommodation. Where women need safe secure refuge accommodation, services will always make contact with their nearest refuge initially, then regionally and nationally. This is not altogether a straightforward process as each refuge operates individually and there are no agreed Admissions or Referral policies.

It needs to be understood that women living in areas with no nearby refuge sometimes choose not to go into refuge to avoid disrupting their children's schooling and their access to community supports (involvement in local sports clubs, After School activities, access to friends and family). One service described it thus, ***“We work with women to stay at home with a safety plan. Quite a few don't look for refuge. They see it as a last resort. There is no refuge anywhere near us. Women consider that if they were to go into refuge their children will be so disrupted, cannot go to school, visit family, have friends over. So, we work with women to access support through their friends and families. When women engage with us we lay out all available options and follow her lead.”***

Services spoke about not referring women to other refuges as much as before, because of the lack of 'move on' options. Knowing that due to the shortage of accommodation a woman going into refuge is likely to be there for a very long protracted stay is changing the range of options offered to women receiving support from a Domestic Violence service.

Several services described that currently they are more likely to suggest women stay with family or friends and access Outreach Support from the Domestic Violence service. Services are aware that this is highly unsuitable for women who need to access safe and secure refuge but due to the dearth of refuge space there are currently no safe alternatives.

Services are using a range of alternative options to compensate for the lack of refuge space, which one described as ***"trying to think outside the box"*** and continued, ***"we work hugely at inter agency level. We work with other refuges. We work with homeless hostels – depending on a woman's situation. In absolute emergencies, we use fold up beds in the refuge playroom to manage overflow."***

Some services are using their 'Crisis Fund' to pay for private accommodation. Services are engaging with charitable and Voluntary Housing Associations and with local and regional Homeless Hostels (Usually totally unsuitable for vulnerable women and inaccessible to children). But even here options are very limited. One service put it succinctly, saying, ***"we have a very good link with our local St Vincent de Paul Homeless Hostel and, often in the past, women with no dependent children had the option of moving there and, while there, receiving ongoing Outreach support from our service. This is no longer available as their space is constantly full."***

One service has established additional accommodation for women fleeing Domestic Violence in partnership with their Local Authority in the form of a Safe House, which they have had since March 2015. It is a pilot project targeted at women who have been in refuge and, upon leaving refuge, may not be ready for total independence. ***"Women living in this Safe House are in need of supported accommodation and continue to receive support from our Outreach team. It is a council-owned property. Women pay a housing fee to the refuge and save towards a deposit for their next accommodation"***.

A number of services suggested that moving out of home was often the last option for women. One service stated that for women accessing their service there were ***"really no options"*** due to the minimal number of refuge spaces in their region which frequently were full. This service described how their work with women focuses on ***"trying to get the other person, the abuser, out of the house."***

A second respondent echoed this point, and spoke about ***"making a plan with her for a future change in her circumstance"*** concluding that this does not always work and gave an example of a court ruling going against what seemed like an appropriate and supportive plan.

5.8 Delaying Legal Processes due to Housing Concerns

Worryingly, services are reporting that women are choosing to delay commencing legal processes regarding Legal Orders or separation procedures because of concerns about accommodation.

It has been noted by many services that solicitors are recommending to many women that they should stay in the family home and not leave so as to secure their financial share of the family property following separation. It is important to consider that this advice is being given without any understanding or awareness of the dynamics and impacts of Domestic Violence.

Several services expressed concern that this is potentially putting women in grave danger. This situation is arising especially as a result of the high number of family homes currently in negative equity. This is proving to be a big problem right across the country but has a particularly nasty impact on women and children living with Domestic Violence. Women, many of whom are unlikely to be financially secure and independent, are making choices based on difficult financial challenges against a backdrop of reduced personal safety.

5.9 Difficulties in securing safe suitable accommodation

It is without doubt that longer stays in refuge are linked to lack of access to accommodation. Refuge Managers explained that they are currently experiencing great difficulties caused by lack of 'move on' and spoke about the barriers in seeking alternative accommodation for women and children if a woman's chosen option is 'moving on' from refuge due to a total dearth in social housing and lack of private rented properties.

"There is NO social housing. We are working with women who have been on the Housing List for years but without access to social housing that means nothing."

Repeatedly respondents shared their reflections that there is a serious lack of affordable and suitable housing, rent caps are unrealistic compared to rent being asked and in this present situation many landlords are not accepting rent allowance.

“The bureaucracy and paperwork required for accessing HAP and RAS is difficult, just even the layout and structure of the application forms is quite overwhelming for many women already under duress as a result of living with Domestic Violence”.

In discussing the introduction of HAP and RAS the view generally is that the schemes have not been around long enough to make an assessment of their effectiveness.

The absolute paucity of accommodation within the HAP scheme was mentioned numerous times. It is considered that many landlords do not know about it, there is a lack of information about it and about how it will work. Several respondents expressed their opinion that landlords are not inclined to sign up for long-term arrangements because of their familiarity with short-term leases.

The changeover from Rent Allowance to HAP has been difficult. It has coincided with other developments, including more people working who can pay increasing rents, less people able to raise the 20% deposit required for new mortgage holders contributing to people remaining longer in the rental market. This means that landlords have a greater choice of tenants and many are choosing not to engage in HAP tenancies.

Another finding was that many potential landlords are unwilling to offer accommodation to a woman seeking accommodation as a result of Domestic Violence due to risk of damage to property or concern about the possibility of disturbance by her abuser. Services mentioned that this is a particular barrier to Traveller women, who meet barriers based on their surnames.

“Two years ago we could fast track rent allowance for a woman accessing our service. Now it is almost impossible to find a landlord who will even accept rent allowance.”

Older women with no dependent children are very disadvantaged at the moment. Their access to the private rental market is very hampered by high rents and the cap on rent allowance and they are often placed at **“the bottom of the pile”** regarding eligibility for social housing. As a ‘single’ person their options for accommodation are limited.

Several respondents mentioned older women having to house-share after a lifetime of Domestic Violence and suggested that appropriate social housing was needed to meet the needs of lone person households, in particular, older women with no dependent children, who, after leaving a Domestic Violence relationship, may never be in a position to pay high rents or to buy property. And, they may need state support to live in safe and secure accommodation and **“to recover and heal from a life of violence.”**

“We have a particular issue with older women who have left a violent relationship with either adult children or no children. These women are very much on their own, vulnerable and trapped in their situation”.

Respondents indicated that the Department of Environment, Community and Local Government could demonstrate their commitment to ‘providing assistance to those most in need of social housing support’ by investing in safe affordable secure accommodation through constructing social housing. They highlighted the need to build social housing at a matter of urgency in every county in Ireland. This is needed to provide secure and safe accommodation now and into the future for families’ dependent on state supports.

In addition to a Social Housing building programme several respondents suggested that something could be done with the many ‘ghost estates,’ those empty unfinished properties (houses and apartments) scattered right across the country. One responded asked simply, **“Why can’t the empty properties be used?”**

Another suggested that the options of buying or leasing these empty properties needed to be investigated.

Services suggested the need for supported housing, safe houses, medium term specialised support, second stage accommodation and community support.

One respondent described how **“villages and towns to have small clusters of safe houses to be used for emergency crisis accommodation for people made homeless as a result of Domestic Violence, and for women escaping from trafficking situations”.**

It was envisaged that these houses would operate as a three-way partnership between Local Authorities who would own them, Voluntary Housing Associations who would do tenancy support and Domestic Violence services who would offer Outreach support, information and advocacy. This idea was echoed by another respondent who suggested that, **“It will be ideal for the three big towns in our area to have allocated space to us that we could move women onto for ‘Step Down’ until they can access long term accommodation.”**

Another respondent simply requested **“supported accommodation/housing for women moving on, for people most in need of support.”**

Suggested tenancy timeframes for this model of temporary medium-term supported housing varied from six months to two years. A number of respondents were very clear that **“supported housing is needed for many people who need ongoing support.”** One responded understood that **“we would very much recognise the need for supported accommodation for women with mental health and addiction issues and also for child protection and welfare issues.”**

One respondent continued the theme of community-based support proposing “**more Family Resource Centres**” and suggesting that “**new housing estates with Community Resource Centres integrated into the estate community.**” Several respondents mentioned the need for voluntary housing groups, “**because many people need additional support.**”

5.10 Rising rents and shortage of rental properties

Every respondent spoke about the rising cost of private rental accommodation and the myriad ways this is affecting service users. “**Prices for private rented accommodation are at a premium.**” Respondents were unanimous in stating that current rent rates are so much more than rent allowance caps and many suggested that women simply cannot pay the extra requested by landlords.

“Where a woman has decided not return home to her abusive partner after being in refuge, it is very problematic as there’s no available accommodation out there. Rents are not affordable for women who have left a relationship or even for lone parents who are in work. Increasing rents is currently a big problem.”

This is particularly a problem for young women (up to 23 years) homeless through Domestic Violence, receiving a state payment of €100 and not able to access accommodation.

“We work with some young women living through a legacy of a childhood of DV - third generation. These young women need significant supports including mental health supports to break the cycle.”

Several services shared examples of women already living in rented houses facing problems because of increasing rents. In these examples, women had managed to either have the abuser removed from a place they had previously rented together so now she is singularly responsible for the rent. So when it increased sometimes women ran into difficulties, began falling into rent arrears and were now facing eviction.

“Rents are rising dramatically ahead of the planned rent freeze. Landlords anticipating the freeze have raised rents. HAP payments are out of line with market rates so nothing is available for women.”

Other examples were shared of properties being taken over by another owner, due to the previous landlord's financial difficulties. One specific example shared was of Rita⁴, who took on the rental herself when her abusive partner moved out, she then lost her job and, at the time of writing, she was facing eviction because she could not pay her rent. Another example shared was of a woman living in a property, which had been taken over by NAMA. The new landlord will not deal with State Payments.

"It is a problem in the private rented sector where rents are very high – women may end up getting somewhere that they cannot really afford and are paying bills, big stress bringing them down – one woman becoming suicidal because of the stress. Others at the mercy of landlords bringing tenancies to an abrupt and unexpected end, wanting to put the rent up - saying they need her to vacate the property for a nebulous reason."

One service described how the two main urban areas within their region have seen a rise in employment and as a result of this rent has risen significantly. Women living in these communities and moving out of home due to Domestic Violence cannot stay in their local area, where their supports are, due to expensive rents. In some areas employment is returning, communities are witnessing immediate rent increases in the private rented market. In many instances, due to the severe shortage of accommodation, potential tenants are offering way more than the asking price, thereby effectively excluding all potential renter's dependent on state payments.

At the time of writing there is an unprecedented low number of available rental properties. Respondents spoke about **"queues of people around the block"** for any property coming onto the rental market. **"The stock of accommodation just isn't there."** Previously, services could negotiate and work with statutory agencies to access safe accommodation for women fleeing violence but not now. Almost every respondent echoed the comment that, **"everything to do with housing is under SO much pressure."**

"A woman in an abusive scenario seeking rental accommodation is in competition with people who are hale and hearty working full time with deposits – it's dreadful."

One Manager reflected how, **"there are 80 family homes closed up in our area. The Local Authority is awaiting central funding to prepare them for new tenants but there is no sign of it."**

Another issue mentioned was the poor condition and low standards of many rental properties. Services spoke of how people affected by lack of availability felt they had

⁴This is not this woman's real name.

little choice in accommodation and had to **“take what they can get.”**

5.11 Women staying in abusive relationships due to lack of options

Worryingly, a significant number of respondents suggest that women are making decisions to stay in abusive relationships because they are predicting accommodation problems. One service describes how **“many women have expectations of staying at home due to lack of options.”** Another said, **“this is huge. It is the biggest problem hitting the service. Because of the housing shortage I sometimes feel like I’m telling a woman to go home and deal with the abuse.”** Another stated that, **“women are staying in really difficult, dangerous situations hoping that things will change because they can’t see an alternative.”**

“Women are deciding not to leave. Knowing their options, that refuge is full, that housing lists are endless, that the council may assess she has no housing need despite her needing to escape domestic violence and create a safe future for her children, women are choosing to stay in terrible situations. It’s not a choice - it’s horrendous!”

As part of the range of support options offered to women, services are encouraging women to actively use safety orders, and to apply for protection orders in an attempt to make ‘staying at home’ as safe as possible. Services are very aware that for women to progress with other statutory agencies they may need ‘evidence’ of their Domestic Violence so court accompaniment is an essential part of the support package where women apply for Legal Orders to reflect the different levels of abuse they have suffered.

Where women go for a separation they often do not have independent finances to rent another place on their own. Having to stay in an abusive relationship because accommodation options are unavailable puts an intolerable strain and fierce suffering on a person. Services spoke about the financial situations that women find themselves in, speaking about the general economics of a situation, in which a woman without her own independent finances is economically trapped.

Case Study

Elena is eight months pregnant. When she became pregnant, her partner who drinks heavily, became emotionally and verbally abusive towards her. Elena ended the relationship but remains living in the home. Her ex-partner pays the rent and bills but refuses to give her money for food or any other items she may need. Elena is worried because she has no money to buy proper food or pregnancy supplements.

Elena's short-term work contract was not renewed when her employer realised she was pregnant. She cannot get employment because potential employers see that she is obviously pregnant.

She is living on Vincent de Paul handouts and they have told her this aid cannot continue indefinitely. Elena is trying to access a social welfare payment. When requested to produce proof of income as part of the assessment process her ex-partner refused to give her the required paperwork.

Furthermore, she has been told that payment will not be granted until she has moved out of the home. She cannot move out due to lack of independent finances and no accommodation options.

As part of the Domestic Violence support and advocacy service an informal query was submitted to Tusla's Child Protection team to see if Elena could access any support. The reply was her situation did not meet the threshold of concern. She is at her wits end. What can she do? Where can she go?

5.12 The need for priority access to social housing

Respondents proposed that priority access to social housing support be given to people presenting with Domestic Violence. One respondent said, “**domestic violence needs to be a priority in assessing housing need by Local Authorities.**” Another said, “**We would like special provisions made for women and children experiencing Domestic Violence,**” and added that “**measures to respond to women’s accommodation requests need to take Domestic Violence into account.**” As a society we need to recognise that women experiencing Domestic Violence, who are unable to remain at home, are homeless because of a crime and that statutory responses need to focus on meeting her needs and those of her children. Domestic Violence ought to be an eligibility criterion in accessing social housing.

“Women find it very difficult to get Barring Orders. Orders are frequently declined. This is having a significant impact on women’s choices. If a woman cannot get an order she is more likely to feel she has to leave home. Because of the housing crisis, she cannot leave.”

Respondents suggested an effective strategy was needed to respond appropriately and in a timely manner with the current housing crisis, proposing a “**proper well organised plan**” with “**real policy strategy decisions needed**” to “**deal with the current housing catastrophe.**”

One service proposed the undertaking of a review to examine current state of supply and demand in the rental sector to get an overview of the scale of the problem.

Another respondent considered the leadership needed to implement an effective housing strategy and suggested having “**someone with specific responsibility for managing the housing crisis, working within a framework of openness, debate and clarity.**”

Another respondent went further and proposed “**a Minister for Housing, who would have a realistic manageable budget, would develop an effective plan and make it happen.**”

5.13 The need to increase the rate of rent supplement

The majority of respondents suggested that in the short term the cap on rent allowance must be raised to deal with the current situation regarding the high rates of rent being sought by private landlords. It was acknowledged that rent allowance was only ever meant to be used as an interim measure and that in the medium to long term RAS and HAP may well deal with some of the rental issues but most respondents expressed the

view that in the short term rent allowance HAS to be increased to deal with the current crisis and in response to the different rates of rent in different areas.

A number of respondents stated their opinion that this has the potential to free up refuge spaces and improve access to safe secure accommodation for women who have left home as a result of Domestic Violence. Services feel that the current rates of rent allowance are effectively excluding swathes of people from accessing the private rental market. It is understood that the situation needs to be addressed in the medium term as it is unsustainable for the State to continue increasing the amounts being paid to private landlords indefinitely and this needs to be part of a clear focused housing strategy. One respondent simply stated, ***“the solution is give women rent allowance when there is presence of Domestic Violence”***.

5.14 Implementing the Istanbul Convention

In welcoming the signing by Ireland of the Council of Europe Convention on preventing and combating violence against women and domestic violence (commonly referred to as the Istanbul Convention) Minister for Justice and Equality, Frances Fitzgerald TD, stated in November 2015 that ***“Domestic violence is a terrible crime which should have no place in 21st Century Ireland. Regrettably, domestic violence persists and what is more stark is that too many incidents of domestic violence still go unreported. Too many victims are afraid to come forward.”***

Services are hopeful that much needed changes may be ushered in when Ireland implements the Istanbul Convention.

Ireland has signed but not yet ratified the Convention. In order to fully ratify the Convention actions are required, including legislative measures [the new Domestic Violence Bill and the Criminal Justice (Victims of Crime) Bill]; provision of education and training of public sector staff involved in this area; development and delivery of training for legal professionals; the implementation of a coordinated, integrated national helpline service provision for responding to domestic and sexual violence and the development of a Risk Assessment Matrix by An Garda Síochána.

The new Domestic Violence Bill, (currently being drafted), aims to improve the protections available to victims of domestic violence, most critically for those victims in crisis situations and will also make the courts process easier for victims of domestic violence. The new Criminal Justice (Victims of Crime) Bill will introduce statutory rights for victims of crime. It aims to *‘put victims at the heart of the Justice system’*, which is considered a step in the right direction by Domestic Violence advocates.

5.15 Embedding an understanding of DV and its impact in the Legal System

Services want all aspects of Domestic Violence to be criminalised. What is recommended is 'a legal and social system where Domestic Violence is properly addressed by solicitors and judges'. It is suggested that an effective Garda response and a judiciary that treats Domestic Violence seriously would create a landscape in which abusers are more likely to be prosecuted and removed so that women and children do not have to leave their own home.

"Barring orders are exceedingly difficult to get in this region a Judge has said to women seeking protection from a very violent man. But where is he supposed to go? Because of this, practice solicitors in this area encourage women to apply for Safety Orders (knowing that a Barring Order application is likely to fail). This puts extreme pressure on women to leave the family home. Gardaí, called to a violent home, are telling women to get a Barring Order ignoring the fact that they cannot. Gardaí do not generally enact the law where there's a breach to an order. We feel women should not be put in this situation."

Services shared accounts of men breaking court orders, reneging on court agreed maintenance agreements, custody and access orders, Safety, Barring and Protection Orders with no consequences for their behavior. One respondent described how some abusers, ***"can continue to exercise control and abuse and get away with it."***

Another participant opined that ***"we need the court system to practice what they preach so that abusers experience the legal consequences of their actions"*** and added that ***"this would make it easier for women to get free of DV situations."*** Several examples were shared in which men who breached court orders were not followed up. This is a serious issue that needs to be addressed.

5.16 Embedding an understanding of DV and its impact in Agencies involved in Housing and Accommodation

Awareness raising and specialised training so that all professionals involved in housing and accommodation would have an increased understanding about Domestic Violence and how it impacts on families was identified as essential. Services proposed that there is not enough understanding or awareness of the dynamics of Domestic Violence. One respondent explained, ***"staff in Local Authorities need to have an understanding of Domestic Violence and the needs of families emerging from Domestic Violence situations so that they can respond appropriately and empathically."***

Another respondent suggested that, ***"significant changes in attitudes are needed as there's currently lots of negative judgment towards women experiencing Domestic Violence."***

One service suggests that the hoped for outcome of training would be, **“enhanced support, far less complications and a little more empathy, staff recognise the enormity of a situation in which a woman has had to leave her home.”**

Why is it considered essential to address the lack of understanding of Domestic Violence within state agencies? One respondent explained this need by stating, **“Domestic Violence is never part of the lens through which they receive information and so they often accept at face value what abusers say without looking into the truth of the claim.”**

5.17 Restrictive Local Authority Requirement

Local Authorities are the main providers of social housing (or *housing authorities*) for people who are not in a position to buy or independently rent their own homes. Social housing is allocated according to eligibility and need. Housing associations and housing co-operatives (also known as *approved housing bodies*) also provide social housing for people who cannot independently access their own homes.

Currently people seeking inclusion on Local Authority Housing Lists are assessed using three sets of regulations, which prescribe how housing authorities handle social housing applications. Services would like to see increased flexibility shown to women who are homeless as a result of Domestic Violence exempting them from these regulations or giving them preferential treatment in recognition of them having to move out of home because of the presence of an abuser in their home.

In general, people must already be living in the area covered by that housing authority or have a local connection with the area.

Support services consider that it is very restrictive to have to prove a link to a geographical area and is a human rights infringement.

For a variety of reasons, a woman may wish to consider her options regarding her geographical location when she ends her Domestic Violence relationship. Some women upon escaping from Domestic Violence may choose to move to another area to begin anew, perhaps to be closer to a supportive family member or friend or perhaps to be a distance away from their previous abuser.

For some women in Domestic Violence situations the safest option is for them to re-locate.

Sometimes Gardaí and the courts have recommended a woman to relocate due to the extent of violence or threats of further violence by her abusive ex-partner. However, the current system states that her place on the housing list will be lost if she moves and she will not get onto another Local Authority housing list because she lacks evidence of having a local connection with the area. Refuges supporting women are often unable

to support her to process her housing application due to her being in refuge at a distance from where she had lived. In a country as small as Ireland this seems particularly restrictive and needs to be changed. Services suggested that women escaping Domestic Violence deserve freedom of movement within the country without losing access to their housing list options.

6 Conclusions

Qualitative research across thirty-five frontline domestic violence service providers highlights the disturbing impact of the current housing crisis on women experiencing domestic violence. The failure of various other agencies and sectors to recognise the seriousness of this situation has dire consequences for women and children living in, and trying to exit, domestic violence. Failure of Government action is resulting in women and children staying in dangerous situations because they cannot access any safe alternative and the situation is worsening. The way in which the state's overall response to women living with domestic violence is impeding their ability to escape and find safety is brought into sharp focus when it comes to the issue of housing and accommodation.

If a woman has to leave her home, she is in effect homeless.

Returning to that home puts her and her children at risk. However, a woman who is forced to leave a violent home is not explicitly defined in our law as homeless. When she comes in contact with Local Authority housing departments, she is not automatically regarded as an emergency case.

In fact, she and the services advocating for her often have to spend a huge amount of time securing and justifying this basic safety need. More and more documentation, proof and qualification is needed to the point where a number of services have raised concern that the privacy of women is increasingly being invaded in making a case for her urgent housing support needs.

Women are finding it more difficult to secure adequate rent allowance if they have to leave the family home to find safety.

Rent allowance has decreased, deposits are harder to get from Community Welfare Officers and overall payments from the Department of Social Protection have been reduced. In some areas, if a woman owns a house or farm with her partner/husband, she is not entitled to social housing or rent assistance.

It is difficult to sell houses in the current climate, and very often, this tends to mean that she returns to her abuser rather than remaining homeless. Some areas have very little housing stock available. It may be in poor condition and it may be located in an area with a lot of anti-social behaviour.

Some Local Authorities require a woman to be resident or renting in the county for six months prior to receiving rent allowance, which is very problematic, particularly for

women who feel that their only route to safety is to leave the county where their abuser resides.

Some Local Authorities require that a woman is actively pursuing a legal separation before she is entitled to receive rent allowance. Waiting lists for Legal Aid can delay women in seeking a separation. And it may not be an immediate legal decision she is prepared to make or indeed, is in a position of safety to make.

What is the argument for giving special priority treatment to women who have experienced Domestic Violence? Domestic Violence Service providers suggest that safe affordable housing should be the right of people escaping from a home where security and safety has not been present.

It is evident that where home is no longer safe for women and children, when they do not have safe secure access to that property that they must be accommodated elsewhere. In some cases, access to alternative accommodation may be needed in the long term, for example where the separation of a couple's assets does not provide enough money to enable a woman to provide accommodation from her own means.

In other cases, access to housing support may be a temporary need until such time as a final separation agreement enables a woman to provide alternative accommodation from income derived from the sale or division of assets or the woman returns safely to the family home. Either way, women and children forced from their homes because of domestic violence are effectively homeless under the Homeless Act 1988 and the state is responsible for providing alternative accommodation to them. Domestic Violence services consider that Housing Regulations require amendment to provide for this.

In brief the conclusion from this consultation are as follows:

Highly negative impact on women and children

The Government failure to address the chronic, housing crisis is having an immediate and highly negative impact on women experiencing Domestic Violence and their children.

Women unable to exit Domestic Violence

The lack of social housing, combined with the lack of affordable rental accommodation, is forcing women to prolong their stay in refuge or stay in dangerous Domestic Violence situations as Government failure to tackle the housing crisis means that no viable alternative currently exists.

Reduced access to safety for women

Reduced exit from refuge means no admission for other women experiencing Domestic Violence. Domestic Violence services are forced to turn away increasing numbers of women and their children.

Women delaying legal measures

Some women are delaying taking legal measures to stop Domestic Violence as they fear becoming homeless. Vulnerability to Domestic Violence is increasing as fewer women leave Domestic Violence situations.

Women staying in unsafe situations

Women are forced, in the absence of safe refuge, to stay put or access unsafe alternatives, such as staying with family or friends.

Rising rents are a barrier to women leaving DV

High rental rates are a specific barrier to women leaving Domestic Violence situations. This is particularly compounded for young women dependent on State payments aged under twenty-three years, who are trapped in dangerous Domestic Violence situations as they are only eligible for a 100-euro payment.

Failure to recognise the extent of Domestic Violence

Local Authorities and the Homeless sector's failure to recognise the extent of Domestic Violence currently is having a negative impact on women experiencing Domestic Violence.

Long term refuge stays are unsuitable

Domestic Violence Refuge accommodation is unsuitable for long stay.

7 Recommendations

Access to safe accommodation, including emergency provision, medium-term and longer-term housing is a critical provision for women experiencing domestic violence and their children. Women and children are made homeless by domestic violence. They are a unique group within the homeless sector in that they are fleeing crimes. This needs to be recognised and acted upon with special measures.

SAFE Ireland member services have consistently identified the situation with regard to accommodation and housing as one of the major barriers to ensuring safety for women and children.

Recommendations

- 1. Securing access to housing and safe accommodation is complex and has many variables.**
- 2. The Irish state must act immediately in order to remain compliant with various international agreements. Both short-term and long-term solutions are required.**
- 3. A national housing strategy to address the chronic shortage of social housing, and affordable rental accommodation, must explicitly name and prioritise women experiencing Domestic Violence and their children.**
- 4. Actions, which specifically address the particular needs of women experiencing Domestic Violence, must be included in a National Homelessness Strategy. Women experiencing Domestic Violence must be explicitly included in any homelessness strategy.**
- 5. A joint national programme to develop a partnership strategy between Local Authorities and Domestic Violence services is required, which includes: relationship building, sharing of best practice models, exchange of information on what works well, exchange of training, including training on Domestic Violence.**
- 6. Priority access to social housing is essential.**
- 7. Rate of rent supplement must be increased.**



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