

2016-17 Priorities of the Equalities, Local Government and Communities Committee

Consultation Response by Welsh Women's Aid

Names:	<i>Gwendolyn Sterk, Public Affairs Manager</i>
Organisation:	<i>Welsh Women's Aid</i>
Email address:	<i>gwendolynsterk@welshwomensaid.org.uk</i>
Telephone number:	<i>02920 451 551</i>
Address:	<i>Pendragon House, Caxton Place, Pentwyn, Cardiff CF23 8XE</i>
These are the views of:	<i>Welsh Women's Aid (Third Sector) - the national charity in Wales working to end domestic abuse and all forms of violence against women.</i>

1. About Welsh Women's Aid

- 1.1 Welsh Women's Aid is the national charity in Wales working to prevent domestic abuse and all forms of violence against women and ensure high-quality services for survivors that are needs-led, gender-responsive and holistic.
- 1.2 Established in 1978, we are an umbrella organisation that represents and supports a national federation of 23 local independent charities delivering specialist domestic abuse and violence against women prevention services in Wales, as part of a UK network of provision. These specialist services constitute our core membership, and they provide lifesaving refuges, outreach, and community advocacy and support to survivors of violence and abuse - women, men, children, families - and deliver innovative preventative work in local communities. We also deliver direct services including the Welsh Government funded Live Fear Free Helpline; a National Training Service; refuge and advocacy services in Colwyn Bay and Wrexham; and the national Children Matter project which supports local services to help children and young people affected by abuse and to deliver preventative STAR group-work in every local authority in Wales.
- 1.3 We have been at the forefront of shaping coordinated community responses and practice in Wales, by campaigning for change and providing advice, consultancy, support and training to deliver policy and service improvements for survivors, families and communities. As a national federation, our policy work, consultancy, training and advocacy is all grounded in the experience of local specialist services and service users. Our success is founded on making sure the experiences and needs of survivors are central to all we do.

2. Welsh Women's Aid's Response to the Consultation on Committee Priorities

- 2.1 The Committee proposes to prioritise post-legislative scrutiny of the implementation of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 in the short term and we welcome this intent. We will be providing evidence to inform the scrutiny review, and we would welcome the opportunity to provide oral submission to the Committee, on behalf of specialist domestic abuse/violence against women services in Wales.

- 2.2 In addition to scrutinising the implementation of the Act, we would also like to see the Committee focus more on how Welsh Government and Public Authorities propose to prevent violence against women, domestic abuse and sexual violence in the short and medium term. There is a correlation between the prevention of violence against women and the promotion of women's human rights and achieving equality between women and men. So we recommend the Committee should also scrutinise, for example, how violence against women prevention and gender equality is embedded into the core business and spending plans of all Welsh Government Departments and strategic priorities and commissioning plans of Public Authorities. This would be consistent with the Committee's remit of addressing equality and human rights.
- 2.3 Violence against women cannot be reviewed in isolation and the support and protection of survivors does not occur in silos. Violence against women is a truly cross cutting issue and its prevention should also be considered at the same time as other areas of scrutiny suggested by the committee. In particular homelessness, welfare reform and tackling poverty are pertinent areas that are having a critical impact on survivors and the violence against women sector. It is critical that in the scrutiny of these policy areas, this cross-cutting impact is recognised, to enable a holistic approach to the violence against women prevention, protection and support of survivors.
- 2.4 The Committee also proposes to prioritise scrutiny of the following policy areas in the medium term:
- EU funding of tackling poverty programmes - ideas for the way forward for tackling poverty programmes beyond EU membership.
 - In-work poverty – how to successfully reduce and prevent in-work poverty.
 - Poverty and welfare reform – implications of benefit changes, effectiveness of Welsh Government responses, with a focus on housing benefit social housing under-occupation measure; universal credit; and the replacement of disability living allowance with the personal independence payment.
 - The effectiveness of Communities First – achievements and value for money.
 - Post-legislative scrutiny of the new homelessness duties imposed by the Housing (Wales) Act 2014 – impact and effectiveness.
 - Housing supply – to tie in with the Right to Buy Bill, which is expected in the autumn term.
 - Local government reorganisation and reform.
- 2.5 Welsh Women's Aid supports the Committee's suggested priority areas, and we would welcome the opportunity to provide evidence to inform these reviews. However we would like the scope of the reviews to consider the following critical issues detailed in paragraphs 3-5 below.

3. Poverty and welfare reform

- 3.1 Welsh Women's Aid agrees that this is a priority for the committee to consider. Throughout the review it is vital that the interrelation of poverty, welfare reform and the role they play in the lives of those affected by violence against women is recognised. The welfare changes currently underway are having direct and immediate impacts on survivors of violence against women, domestic abuse and sexual violence, as well as having an impact on the funding of specialist services. We recommend that the following areas of welfare reform be included within any scrutiny process to ensure the impact these changes are having on survivors of violence and abuse, and the specialist services that support them, is recognised.

3.2 Universal credit

3.2.1 This should be included in the scope of the review because Universal Credit poses significant problems for violence against women survivors as its model and methods of payments are likely to impact their ability to be financially independent, both due to the reduction of available benefits to them and the plans for universal credit joint claimants.

3.2.2 The plan for joint claimants to receive one single payment presents a significant concern as this increases the opportunities for financial abuse and coercive and controlling behaviour by perpetrators. Alternative payment arrangements have been proposed, however this will depend on a disclosure of abuse to a universal credit coach at the job centre which is unlikely to be the place or person a survivor would wish to disclose to. It also presents a risk of escalating the abuse experienced by the survivor and their children as it will alert the perpetrator to the fact that a disclosure has been made. Joint payments and the impracticality of alternative payment arrangements will reduce the financial independence of women and increase the number of women and children living in poverty unless action is taken to mitigate these unintended consequences.

3.3 Child tax credits

3.3.1 We would also like to see this included in the scope of the review. The reduction in child tax credits to the first 2 children is likely to lead to an increase in child poverty for those in larger families, discriminating against those that may have larger families in some cases due to religious and cultural reasons. In regards to violence against women the policy does not recognise the role of coercive control within the context of a woman's choice over numbers of pregnancies and children she has.

3.3.2 The proposed rape clause suggests that if the mother discloses that the third child was a result of rape, child tax credit will be paid to cover the additional child. However a woman whose third child is conceived after rape will have to offer proof of the crime in order to qualify for an exemption. We remain concerned that this proposed clause is unworkable, women are unlikely to want to disclose rape to government officials and the burden of proof will be untenable, and as such the proposal needs urgent review.

3.4 Local Housing Allowance Cap

3.4.1 We strongly recommend the reforms to the way supported housing is funded be included in the scope of this review, which includes the UK Government announcement in autumn 2015 that housing benefit paid for social and supported housing would be capped at the Local Housing Allowance level. There are significant concerns amongst supported housing providers, including domestic abuse refuges, about how this will impact clients of refuges and other supported accommodation. Welsh Women's Aid has serious concerns about the potential impact of housing benefit being capped at Local Housing Allowance levels on refuges across Wales: 86% of refuges said that a cap to housing benefit levels would have very serious consequences for their services; 50% said it would be catastrophic and would likely result in closure of their refuges.

3.4.2 A cap to housing benefit for residents of supported housing would have devastating consequences for survivors and for specialist refuge services across Wales. Housing benefit is critically important to survivors who use refuge services as it funds that element of the rental costs associated with housing management support services. Based on current rent levels charged by

refuges, the subsequent loss of income for refugees in Wales will likely range from tens to hundreds of thousands of pounds a year.

3.4.3 In addition, the reduction in housing benefit for private renting is already having an impact on survivors. Survivors are struggling in some places to find tenancies they can afford after moving on from stays in refuges. This is particularly a problem for survivors under 35 years old because of their reduced benefit entitlement. This results in some survivors having to stay longer in refuges, essentially bed blocking spaces at a time when we are seeing a year on year rise in women being turned away from refuges in Wales due to no space being available when they needed support (370 survivors last year alone were unable to access refuge support when they needed it).

3.6 All of the above welfare reforms are or have the potential for increasing poverty for those impacted by violence against women, in particular women and children. The detrimental impact of welfare reforms on survivors of violence against women is a factor in the gendered nature of poverty and its different impact on men and women.

3.7 We also recommend that any scrutiny of poverty and welfare reform needs to include gender budgeting analysis to expose any unequal distribution of resources as a consequence of the current welfare policies that are perpetuating gender inequality.

4. Post-legislative scrutiny of the new homelessness duties imposed by the Housing (Wales) Act 2014; Part 2 of the Housing (Wales) Act 2014 changed homelessness legislation in Wales, with the focus moving to prevention.

4.1 There are significant links between violence against women and homelessness. It has long been recognised that domestic abuse and other forms of violence against women is a leading cause of homelessness for women. In preventing homelessness it is critical that the duties imposed by the new legislation enable survivors to access refuge and other accommodation options swiftly, or where appropriate, to stay safely within their own homes.

4.2 Welsh Women's Aid welcomes the committee's plan for a post-legislative scrutiny of the new act. Key concerns with regards to the implementation of the Housing Act (Wales) 2014 which we would welcome being covered within the terms of reference of the post legislative scrutiny include:

4.3 Scrutiny of the overlap of duties between the Housing Act (Wales) 2014 and the Violence against Women, Domestic Abuse and Sexual Violence Act (Wales) 2015:

4.3.1 The scrutiny needs to ensure that the tackling violence against women is not treated as an 'add on' to other duties occurring in the Housing Act (Wales) 2014. Scrutiny is needed of the interaction of measures and duties so that they are aligned to ensure a strategic and holistic approach that is joined up across implementation of the two acts. A collaborative, cross departmental approach is vital in achieving the aims of both legislative agendas. Welsh Women's Aid would suggest that the scrutiny of these areas of legislation and their impact on the role of housing services in the prevention of abuse and provision of support to violence against women survivors should be considered as critical by the committee when setting out their terms for the post legislative inquiry.

4.3.2 Scrutiny of part 2 of the Housing Act (Wales) 2014 requirement that any underlying issues are identified and built in to the response by housing services: Welsh Women's Aid would welcome the committee including the scrutiny of housing services role in identifying need and how this plays a role in the broader context of local needs assessments and commissioning planning of Local Authorities within the post legislative scrutiny.

4.3.3 Recent needs assessments carried out to inform the commissioning of violence against women, domestic abuse and sexual violence services have identified gaps in the identification of domestic abuse as the cause of homelessness by local authority housing teams. Domestic abuse is not always being effectively identified as the cause of homelessness as survivors presenting as homeless often have multiple support needs that could include debt, substance misuse, mental health support needs, as well as support to recover from the debilitating impact of domestic abuse. This raises the concern that the full extent of need is not being recorded to inform the evaluation of support provided and the commissioning of relevant provision in a locality.

5. Equalities and Human Rights

- 5.1 Equality and human rights should also be addressed as a scrutiny priority area – as evidenced above, this is cross cutting against all areas for the committee and is fundamental in understanding and addressing violence against women, which is both a cause and consequence of gender inequality, and is impacted by both poverty and welfare reform.
- 5.2 Welsh Women’s Aid would also welcome the committee to scrutinise adherence to the Council of Europe’s Convention on preventing and combating violence against women and domestic violence, known as the Istanbul Convention in the future, and call for its ratification by the UK parliament.
- 5.3 Further, Welsh Women’s Aid recommend that the committee scrutinise development and any implementation of the proposed British Bill of Rights, to replace the Human Rights Act 1998 with a new piece of primary legislation.

6. Conclusion

6.1 Welsh Women’s Aid welcomes the proposed priorities as set out by the Equality, Local Government and Communities Committee. Further to this we would welcome the committee prioritising its remit regarding equalities and human rights within its scrutiny programme, particularly regarding gender inequality, as a cause and consequence of violence against women. We are keen to support the priorities of the committee where there is relevance to violence against women. In particular, we would recommend that the above areas be considered when the committee considers the terms of reference for the inquiries and their calls for evidence. Welsh Women’s Aid would welcome the opportunity to provide evidence to the committee on these areas outlined above. We would be able to consult with survivors and specialist service providers to provide quantitative and qualitative evidence to the impact of the policies being scrutinised. We look forward to supporting the committee in these inquiries.

Welsh Women’s Aid would like to thank the Equality, Local Government and Communities Committee for the opportunity to comment on this important consultation and we look forward to working together in future.

Any comments or questions regarding our response can be directed to:

Gwendolyn Sterk, Public Affairs Manager

02920 541 551

gwendolynsterk@welshwomensaid.org.uk