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Welsh Women's Aid

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| 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> |

About Welsh Women's Aid

Welsh Women's Aid is the umbrella organisation in Wales that supports and provides national representation for independent third sector violence against women, domestic abuse, and sexual violence (VAWDASV) specialist services in Wales. Our membership comprises of 20 specialist support services. These services deliver lifesaving and life-changing support and preventative work in response to violence against women, including domestic abuse and sexual violence against children and young people, men and boys, trans and non-binary people, as part of a network of UK provision. As an umbrella organisation, our primary purpose is to prevent domestic abuse, sexual violence, and all forms of violence against women and ensure high quality services for survivors that are needs-led, gender responsive and holistic. We collaborate nationally to integrate and improve community responses and practice in Wales. We also award the Wales National Quality Service Standards (NQSS), a national accreditation framework for domestic abuse specialist services in Wales (supported by the Welsh Government) as part of a UK suite of integrated accreditation systems and frameworks. (More information on the NQSS can be found [here](#)).

Welsh Women's Aid welcome the Welsh Governments Green Paper on securing a path towards adequate housing and the ability to comment on this Paper. In our response we have answered the questions that are relevant to our sector and our expertise. In our previous response to the Local Government and Housing Committee's consultation on The Right to Adequate housing¹, we clearly highlighted the myriad of obstacles that survivors of violence against women, domestic abuse, and sexual violence (VAWDASV) face when trying to access housing in Wales. Whilst there are many

¹ <https://welshwomensaid.org.uk/wp-content/uploads/2023/03/WWA-The-Right-to-Adequate-Housing-consultation-response.pdf>.

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barriers to accessing suitable and affordable housing, these are further exacerbated for those fleeing abuse and/or violence. As highlighted by the United Nations Human Rights Office of The High Commissioner, the right to adequate housing remains unmet particularly for vulnerable groups of women².

The intersection between VAWDASV and housing must not be under-estimated³. Following the Covid-19 pandemic the demand on specialist services has not slowed down with gendered-based violence being at epidemic levels, it was estimated that over 2.4 million experienced domestic abuse in the year ending March 2022⁴. The actual figure is most likely to be significantly higher, due to many survivors not reporting to the police due to concern of not being believed, a lack of faith in the police⁵ or due to institutional barriers⁶. One of the biggest barriers for survivors to be able to flee abuse and/or violence is the lack of appropriate and secure housing. Refuge provision is only ever intended to be short term emergency accommodation, however in the last year specialist services in Wales have had a significant number of survivors stay in refuge over 6 months. This is due to the lack of suitable move on accommodation. Women and children should feel safe within their home; however, this is one of the places that abuse is often perpetrated. Many women do not flee, or delay fleeing due to their concerns of their future housing options and often contemplate staying with the perpetrator due to the concern of having unsafe and insecure housing⁷. The impact of gender-based violence must be at the forefront of policy and decision making when it comes to ensuring that everyone in Wales has a good quality affordable home⁸.

We strongly believe in the importance of the right to adequate housing in Wales, and without this survivors will continue to face significant difficulty when trying to access suitable, affordable and adequate private rental accommodation. Whilst we appreciate the security of tenure that The Renting Homes Wales (Act) 2016 brings to private renters, we believe more must be done to ensure that the significant challenges in Wales are addressed. As highlighted by Cymorth Cymru, the basic

² https://www.ohchr.org/sites/default/files/Documents/publications/WomenHousing_HR.PUB.11.2.pdf, page 6.

³ <https://welshwomensaid.org.uk/wp-content/uploads/2021/11/Cross-Party-Groups-on-Housing-and-on-Violence-against-Women-and-Children-on-housing-and-sexual-violence.pdf>.

⁴ <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/articles/domesticabuseprevalenceandtrendsendlandandwales/yearendingmarch2022>.

⁵ https://www.endviolenceagainstwomen.org.uk/wp-content/uploads/2021/11/EVAW_SexualViolence_211028-1.xls-Compatibility-Mode.pdf.

⁶ <https://www.endviolenceagainstwomen.org.uk/wp-content/uploads/2023/02/Snapshot-2022-23-final-140223.pdf>, page 1.

⁷ <https://www.womensaid.org.uk/wp-content/uploads/2020/06/The-Domestic-Abuse-Report-2020-The-Hidden-Housing-Crisis.pdf>, page 5.

⁸ <https://www.gov.wales/sites/default/files/publications/2021-02/future-wales-the-national-plan-2040.pdf>, page 50.

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principles are not being met for many people in Wales⁹. We believe that delivering a right to adequate housing will require investment and a commitment to making house a priority area by Welsh Government¹⁰.

Q1. Do you think that the 7 factors of adequacy are something to aspire to achieving in Wales? If so, what mechanism or combination of mechanisms do you think are required to achieve the 7 factors of housing adequacy in Wales?

Q2: What consideration should be taken into account when establishing a minimum core for Wales against the 7 factors of housing adequacy?

As highlighted in the submission by the 'Back the Bill Partners'¹¹, we strongly believe that at the core of any housing crisis solution must be a commitment that everyone has a human right to access adequate and sustainable housing, and that this commitment is underpinned by law¹². During the covid-19 pandemic, messaging from Governments focused on staying safe and staying at home, with the lack of regard that not everyone has a safe and adequate home environment, especially those who are survivors of VAWDASV. Implementing a rights-based approach recognises that adequate housing goes beyond having a 'roof over your head' and the recognition of the wider impact inadequate housing or having inadequate housing options has.

The Right to Adequate Housing is recognised in International Human Rights Law, and the Covenant on Economic, Social and Cultural Rights¹³ is recognised as the most important legal framework. The Green Paper states that there is no UK wide agreed definition, and we believe that it must be aligned to the United Nations 7 criteria, which must be met in order for accommodation to be deemed as adequate. We believe that incorporating the 7 factors into devolved legislation will allow for joined up policy and strategy to implement long term and long-lasting change¹⁴. However, the initial question uses the term "aspire" which suggests a lack of urgency or importance to achieve these factors, even though the treaty was ratified by the UK in 1976 with the intention of it being enforceable and duty bound. We also believe that there must also be more onus on progressive realisation and the fundamental recognition that Right to Adequate Housing is a long-term policy that

⁹ <https://business.senedd.wales/documents/s134577/RHA%2011%20-%20Cymorth%20Cymru.pdf>, section 1.6.

¹⁰ <https://senedd.wales/media/mfmlwuqb/cr-ld15943-e.pdf>, page 26.

¹¹ https://mcusercontent.com/7b899f1d7f2e57f75ee317be2/files/f1cab2fa-2bb0-5e59-531a-d3db6f52c975/RAH_GP_Final_Word_21.8.23.pdf.

¹² *ibid*, page 2.

¹³ International Covenant on Economic, Social and Cultural Rights.

¹⁴ https://mcusercontent.com/7b899f1d7f2e57f75ee317be2/files/f1cab2fa-2bb0-5e59-531a-d3db6f52c975/RAH_GP_Final_Word_21.8.23.pdf, page 8.

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will take time to implement. There must be a step-by-step roadmap to ensure that the right to adequate housing is achieved over time and the lack of housing supply does not act as a stop gate.

Q5. Do you agree with the proposal to define “fair” in its broader context?

Q6. What considerations do you think should be taken into account when defining what is meant by fair rents and how might we avoid unintended consequences?

Q8a. What measures should be used to assess affordability and why?

We have decided to answer these questions together, as we believe that these areas of fair rents and affordability intersect. Whilst Welsh Government have acknowledged that there is a large disparity between ‘actual rent’ and housing related benefits¹⁵, there has been no sort of commitment to liaise with the UK Government in regard to the Local Housing Allowance rates, as this is a reserved matter. When discussing ‘fair rent’, the Welsh Government have proposed that ‘fair’ should be taken in the context of it being ‘equitable’ and that it is affordable to those involved¹⁶. However, it is unclear how equity will be achieved, when there are many barriers to accessing private rented accommodation that need to be dismantled first.

Survivors are not only having to steer a difficult housing market, but they also have to navigate years of austerity and the cost-of-living crisis, whilst also living with the trauma of their experiences. The cost of food has risen by 12.6% in 2022, the Local Housing Allowance (LHA) rates are still based on 2020 levels and the cost of energy has sharply increased¹⁷. Black, Asian and minority ethnic women are more likely to be living in poverty, those who are Black are more likely to have single parent families (headed by the mother) and some ethnic minority groups are less likely to own their own home¹⁸. Those who are from minority backgrounds are disproportionately affected by gender-based violence and Black, Asian and minority women and migrant women experience higher rates of domestic homicide¹⁹. Some of the LGBTQ+ community are more likely to live in poverty and are more likely to experience poor mental health, a risk of domestic violence and homelessness²⁰. If the Welsh Government want to focus on equitable rent, there must be an understanding of the barriers that

¹⁵ <https://www.gov.wales/sites/default/files/consultations/2023-06/housing-adequacy-fair-rents.pdf>, page 19.

¹⁶ *ibid*, page 23.

¹⁷ <https://wbg.org.uk/wp-content/uploads/2022/03/The-gendered-impact-of-the-cost-of-living-crisis.pdf>, page 3.

¹⁸ <https://wbg.org.uk/wp-content/uploads/2018/08/Intersecting-Inequalities-October-2017-Full-Report.pdf>, pages 1, 10 and 11.

¹⁹ <https://www.ohchr.org/en/statements/2014/04/special-rapporteur-violence-against-women-finalizes-country-mission-united?LangID=E&NewsID=14514>.

²⁰ <https://www.stonewall.org.uk/impact-lgbt-communities>.

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marginalised groups face and how these prevent them from accessing 'fair rent'. There must also be recognition of intersectionality.

In order to avoid unintended consequences, there must be a commitment to ensure that the introduction of fair rents and the assessment of affordability is underpinned by the understanding and acknowledgment of the different barriers that survivors of VAWDASV face when trying to access adequate housing. The housing process must not traumatise or further traumatise a survivor. As highlighted earlier, although the LHA is determined by UK Government, this has a direct impact on the ability of survivors to be able to access adequate housing. Research from the Bevan Foundation has highlighted that between the 3rd of February and 7th February 2023, out of 2,638 properties advertised to rent in Wales, only 1.2% were advertised as rents that were at or below the LHA allowance²¹. This has a significant impact on those with low-incomes, and with low pay being a gendered issue; more women are likely to earn below a real living wage, whilst low pay is even greater for women from Black, Asian, and Minority Ethnic groups²². This is then further intensified for migrant survivors and those with no recourse to public funds. It remains unclear how the Welsh Government are going to ensure that LHA rates are aligned with the private rental sector in Wales and to ensure the gap does not continue to grow.

Fair rent is not the only barrier to accessing adequate housing. Many survivors face financial hardship when fleeing abusive and/or violent relationships and 1 in 6 women in the UK have experienced economic abuse by a current or former partner²³. Survivors often flee with little possessions and on top of finding adequate rental properties, they also have to manage the possibility of furnishing the new property²⁴ and to afford deposits that are more than one month's rent. Some survivors find themselves relying on credit cards and possibly ending up in further debt to manage paying housing costs or important bills²⁵. Many private renters do not accept tenants who are in receipt of housing benefits²⁶, and alongside the lack of affordable adequate housing, this creates significant barriers to any survivor wanting to flee. Some survivors end up in sub-standard, overcrowded housing

²¹ <https://www.bevanfoundation.org/wp-content/uploads/2023/03/Wales-Housing-Crisis-Winter-2023.pdf>, page 2.

²² <https://www.livingwage.org.uk/news/women-have-long-been-trapped-essential-work-pays-too-little-its-time-make-amends>.

²³ <https://survivingeconomicabuse.org/what-is-economic-abuse/>.

²⁴ <https://survivingeconomicabuse.org/wp-content/uploads/2021/04/bristol-uni-housing-and-dva-briefing-final-210819-report.pdf>, page 5.

²⁵ *ibid.*

²⁶ <https://www.womensaid.org.uk/wp-content/uploads/2020/06/The-Domestic-Abuse-Report-2020-The-Hidden-Housing-Crisis.pdf>, page 5.





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conditions, whilst those with accessibility needs have to decide whether to leave a home that has been adapted for their functionality²⁷, due to the risk of not finding a home suitable for their needs.

Fair rent and affordability must consider the specific circumstances of survivors of VAWDASV. Housing is a vital factor in a survivor and their family's journey of fleeing an abusive and/or violent situation. Consideration of the different barriers that survivors face when accessing adequate rental properties must be considered, and that the "rent" is not the only financial burden that is placed on a survivor; other factors such as deposits, credit checks and furnishing must be considered. There must also be recognition that if the wider scope of 'equity' is going to be used, that there must be an extensive understanding of intersectionality and the different barriers that marginalised groups face when accessing housing. The notion of fair rent, and affordability must be not looked at in silo, it must address and recognise the numerous different circumstances that survivors and their children are having to navigate, especially those with no recourse to public funds.

Q12. Are there other considerations and potential impacts you wish to highlight in regard to the current and future private rental market?

As we have highlighted above, navigating the Welsh housing system is tiresome for survivors of VAWDASV. Research from the Bevan Foundation has highlighted that many landlords have concerns that they do not have the correct skills to support tenants who have additional needs, and therefore would prefer to let to individuals who are not in receipt of benefits²⁸. We believe that in order to work towards to achieving the right to adequate housing, there must be a commitment to ensure that those within the private sector understand the impact that only renting to specific tenants can have on groups that are already marginalised. There must be a wider understanding by Welsh Government on how the right to adequate housing in Wales can tackle inequalities that are faced by people in Wales²⁹ and can work to prevent homelessness. Housing must be seen as a priority area for Welsh Government, but we believe that this must not be in isolation. The right to adequate housing can bind together already existing plans, commitments, and policies to create a whole-system approach to ensure that everyone has an undisputed right to adequate housing. This must include and recognise the barriers that survivors of VAWDASV face, explicitly including survivors with no recourse to public funds.

²⁷ *ibid*, page 21.

²⁸ <https://www.bevanfoundation.org/wp-content/uploads/2022/08/Bevan-Foundation-NRLA-joint-call-for-action.pdf>, page 2.

²⁹ https://mcusercontent.com/7b899f1d7f2e57f75ee317be2/files/f1cab2fa-2bb0-5e59-531a-d3db6f52c975/RAH_GP_Final_Word_21.8.23.pdf, page 29.

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