

Scottish Women's Convention
response to the Scottish
Parliament's consultation on:

Housing (Scotland) Bill: Call for Views



May 2024

Premise

The Local Government, Housing and Planning Committee and Social Justice and Social Security Committee have sought views on the Housing (Scotland) Bill, with the former leading this call for views. The latter, however, shall focus on Parts 5 and 6, with these areas being under this committee's remit.

The Bill itself has six parts, with the following SWC response focusing on Parts 1, 5 and 6. The overall Bill aims to improve the experiences of those in the rented sector, while also incorporating elements of the Housing to 2040 strategy and ending the risk of homelessness for citizens across Scotland.

After the Scottish Parliament has received consultation responses, they shall consider alterations that are required and rectify plans accordingly – incorporating suggestions made where possible.



The Scottish Women's Convention (SWC)

The SWC is funded to engage with women across Scotland to ensure that their views are represented in policy and decision-making processes. The SWC uses the views of women to respond to a variety of parliamentary, governmental, and organisational consultation papers at Scottish, UK and international levels.

The SWC gathers information using different methods, including roadshows, thematic conferences, surveys, and both in-person and online roundtable events. This submission presents the views of a range of women, reflecting their opinions, ideas and lived experience. Working together with many other equalities organisations and community groups, we use our broad network to ensure that women from a range of backgrounds are heard and acknowledged. We are continually reviewing innovative ways of engaging with women and developing our trauma-informed and culturally sensitive practice to support vital contributions from as many women as possible.

Rent

Do you support the proposals in Part 1 of the Bill allowing rent control areas to be designated?

Yes

Do you have any further comments to make on Part 1 of the Bill, dealing with rent for private tenants?

We support the inclusion of tenants' views prior to issuing guidance under subsection (1), as stated in section 10. However, the wording chosen is open to abuse - 'persons who *appear to them* to represent the interests of tenants and landlords' – through the usage of 'appear[s] to them', Scottish Ministers may interpret this in a multitude of ways, with the concept of subjectivity being clear. We also propose that this may result in the viewpoints of women and marginalised groups being missed, as is often the case in relation to consultation with the public. These groups can commonly experience disempowerment through their continued societal disadvantage and may lack the advocacy skills required to effectively communicate problems. Therefore, special consideration must be given to include a range of voices, while simultaneously providing expert advice and guidance to assist in empowerment.

Homelessness Prevention

Overall, do you support the Bill's proposals in Part 5 of the Bill that deals with homelessness prevention?

Yes

What are your views on the 'ask and act duty' for relevant bodies in relation to prevention of homelessness in Part 5 of the Bill?

Overall, the SWC supports the inclusion of an 'ask and act' duty for relevant bodies, in relation to prevention of homelessness. Through the creation of such a duty, effective solutions can be more quickly found for those at risk of homelessness and may reduce associated negative outcomes. We would however highlight that due to ongoing stigma, women may be reluctant to openly state that they are experiencing homelessness, with this being of particular concern for mothers. Women have explained that they may minimise the level of their hardship to public bodies, due to a fear of losing their children. It is also of note that women generally experience homelessness differently from men, as they are much more likely to 'sofa-surf' than men. This form of 'hidden' homelessness is harder to define, and many women are not aware that this constitutes as a form of homelessness. Therefore, questions within the 'ask and act' duty must include consideration of women's unique experience, through specific questions on temporary sleeping arrangements.

- "And if you have children, going and saying to social work that you need help, it's more likely they'll take your children from you, than actually getting the help you need...there's no safety net for women."
- "...women's experiences of housing and homelessness are very different from men's, and that means that housing needs for women and girls will also be very different."

Furthermore, despite the development of an ‘ask and answer’ duty, fundamentally there is a lack of prevention services, which are key to address the underlying causes of homelessness. For example, a good range of affordable housing, when financial limitations are the cause, support services for those experiencing domestic violence, mental health crises and/or substance use. Through insufficient provision for these vital services, asking individuals for their reasoning behind homelessness, will do little to resolve problems.

Domestic Abuse

What are your views on the provision in Part 5 of the Bill that relates to domestic abuse?

The creation of provision in relation to domestic abuse is commendable. Through the proposed changes, a greater protection duty has been established for those at risk/experiencing domestic abuse while residing in social housing. Housing insecurity can contribute to the continuation of domestic abuse, with this being a significant factor for mothers. Mothers have explained that leaving abusive situations can be made more difficult when housing precarity is considered, remaining rather than risk homelessness for themselves and their children.

They have also highlighted that some women who have left abusive homes with their children can be forced to return, due to poor accommodation offerings from the public sector. Poor housing has regularly been emphasised by women who have experienced domestic abuse, with alternative provision not considering previous trauma. Data shows that there has been a 9% increase in households with children being placed in temporary accommodation between 2022 and 2023¹. This temporary accommodation actively worsens women and children’s wellbeing, contributing to stress; poor diets due to a lack of kitchen facilities; and isolation. Therefore, it would be beneficial for the proposed Bill to include consideration of alternative accommodation for those affected by domestic abuse. We would recommend the inclusion of a more comprehensive duty to prevent those affected by domestic being placed in unfit accommodation, to further ensure the safety of survivors, while also embedding a trauma-informed approach across social housing providers. This duty must be assisted through effective resourcing to local authorities, with current funding streams from Scottish Government being insufficient to support those in unsuitable accommodation.

- “I was rehoused after fleeing a very violent marriage...despite knowing my background I was housed below a flat tenanted by an extremely chaotic family, where addiction and violence was rife...In fact, as a result of my housing situation I was left experiencing awful PTSD and flashbacks to childhood rape”

Moreover, due to the role financial/economic abuse can play in relationships, housing remains tied to the overall issue of domestic abuse. Financial abuse can be defined as abuse whereby an individual is dependent on someone financially or their income is controlled by a partner/ex-partner. Economic abuse is a broader definition which highlights how certain methods, such as taking debt out in a person’s name, ruining their credit rating and/or sabotaging employment options can trap someone in a relationship. Utilising incomes and assets, including housing, is a key way in which abusers control and manipulate victims, and therefore, direct action must be

¹ Scottish Government. (2023). Homelessness in Scotland 2022-2023. Available at: <https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2023/08/homelessness-in-scotland-2022-23/documents/homelessness-in-scotland-2022-23/homelessness-in-scotland-2022-23/govscot%3Adocument/Homelessness%2Bin%2BScotland%2B2022-23.pdf>

taken within the Housing (Scotland) Bill, to include the broader definition of economic abuse. This should include consideration of the delay in receiving benefits many women experience after fleeing domestic abuse. It can take up to 12 weeks to individualise a joint claim of Universal Credit, adding an additional barrier to women attempting to leave an abusive relationship. We would also therefore recommend improved training for social housing providers, ensuring empathy and understanding, as well as improved financial advice for those in this difficult situation.

Additionally, we would urge the Scottish Parliament to place obligations on private landlords, with this group playing a key role in the prevention of domestic abuse. There has been an increase in the number of households becoming homeless from the private sector compared to 2022 – 22%¹. Despite continued misunderstanding surrounding domestic abuse – that financial precarity is a cause of domestic abuse, rather than recognising the role men often play as active participants – an additional barrier is placed against women who privately rent. This ongoing stereotype contributes to a lack of support from private landlords, which when partnered with no clear obligations on a service-provision level, further worsens survivor's/victim's living situation. We would therefore suggest that private landlords are encouraged to take part in training, provided by local authorities, which includes spotting signs of domestic abuse and how to effectively support private tenants.

Fuel Poverty

What are your views on the provisions in Part 6 of the Bill relating to fuel poverty?

With regards to Part 6, we propose that modification of section 7 of the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Act 2019 should go further. Currently, multiple groups are included, such as disabled people and older people, however, we believe that direct mention of women would assist in creating an accurate picture of fuel poverty in Scotland. Women are often 'shock-absorbers' of poverty, actively struggling to ensure better outcomes for their children and families, regardless of their own personal wellbeing. This behaviour is mirrored in accounts from women, with some explaining to the SWC that they have skipped meals while experiencing financial difficulty, usually to provide food and warmth for their children. As a result, women's poverty is closely tied to children's poverty, with this being worsened by gendered expectations on mothers and women's economic disadvantage. Therefore, if child poverty targets are to be met, full consideration of women's persistent burden must be made throughout poverty-related legislation.

- “...if we looked after that single mum who is...struggling, she's living in a deprived area, very limited income...she cannae clothe them [her children] or feed them the way she would like to...The mother's exhausted...if we looked after both then maybe that would help”
- “15 years as an unemployed, single parent, means I have struggled at times to feed myself and my kids...I link it to misogyny because I link it to women's inequality”
- “[I am worried about] not being able to feed my children or heat the house or afford my rent due to paying ridiculous bills for electric and heating.”

Conclusion

Having listened to women, our three key recommendations on this topic are:

- Effectively incorporate the differing experience of women's homelessness throughout the development of the 'ask and act duty'.
- Provide additional resources to local government housing departments, to ensure the delivery of proposed changes.
- Training should be given to all housing staff, public and private, surrounding domestic and coercive abuse.

The SWC is grateful for the opportunity to respond to the Scottish Parliament's consultation on '**Housing (Scotland) Bill: Call for Views**'. As an organisation, we will continue to work with women from across Scotland to gather voices and experiences relating to this topic and its effects on women's equality.

For further information or to share your views, please contact:

Email - info@scottishwomensconvention.org

Telephone - 0141 339 4797

Website – www.scottishwomensconvention.org

Facebook, X & Instagram - @SWCwomen



Scottish Women's Convention is a charitable company limited by guarantee. Registered in Scotland No. SC0327308. Registered office 2nd Floor, The Albany Centre, 44 Ashley Street Glasgow G3 6DS.

The Scottish Women's Convention is a Charity registered in Scotland No. SC039852.