

Engender Response to the Scottish Parliament Local Government, Housing and Planning Committee and Social Justice and Social Security Committee Call for Views on the Housing (Scotland) Bill

24th May 2024

1. INTRODUCTION

Engender is a leading feminist policy and advocacy organisation, working to secure women's social, political and economic equality and realise women's rights in Scotland. We aim to make visible the impact of sexism on women and wider society and work at Scottish, UK and international level to produce research, analysis, and recommendations for intersectional feminist legislation and programmes.

Our View on the Bill's Provisions

Rent Controls:

- We support the proposals on allowing rent control areas to be designated, as women are more likely to struggle to meet the rising costs of rents.
- We agree that rent control measures should be carried over from tenancy to tenancy, to avoid incentivising eviction.
- We share concerns that rent control measures will only be effective if local authorities are properly resourced to gather data required to designate rent control areas.
- Further work is required by the Local Government, Housing and Planning Committee to ensure rent control enforcement does not create undue burdens on tenants to challenge breaches. Advice and support must also be available to tenants to make such challenges.

Evictions:

- We broadly support further protections for tenants facing eviction in private and social rented housing, as women are more likely to rent than own their own homes.

- However, further work is required to understand women's experiences of eviction and how best to support women tenants to be safe and secure in tenancies.
- The Local Government, Housing and Planning Committee should work with Scottish Women's Aid to ensure proposals on evictions adequately reflect existing work to protect women and children from domestic abuse.

Homelessness prevention:

- We welcome the intention behind stronger homelessness prevention duties and the expansion of these across a wider range of public bodies.
- However, we do not think the Bill's proposals on homelessness prevention as currently drafted will effectively address women's homelessness.
- Further work is required to amend the 'ask and act' duty to ensure that women and children experiencing domestic abuse are not put at risk. We ask that the Social Justice and Social Security Committee works with Scottish Women's Aid to scrutinise this further.
- Homelessness prevention must be closely aligned with the delivery of Scotland's Equally Safe Strategy to eradicate and prevent violence against women and girls.
- We welcome the change from 2 to 6 months to the period for councils to assess whether a household is threatened with homelessness.
- However, change in the assessment period does not address the lack of gendered approaches in preventing homelessness for women by councils.
- We ask that the Social Justice and Social Security Committee look at the further work required to build an effective system of homelessness prevention that understands and addresses the gendered factors behind women's homelessness.

Domestic abuse:

- We welcome the Bill's provisions to support tenants affected by domestic abuse, as this continues to be a major factor in causing women's homelessness.
- We particularly welcome efforts to introduce pre-action requirements for social landlords to consider domestic abuse before commencing legal action.
- We point both Committees to evidence from Scottish Women's Aid to ensure new provisions on domestic abuse are most effective for women impacted.

2. GENERAL

Q1. To what extent do you agree that the measures in the Bill meet the Scottish Government's stated policy objectives?

Agree.

Q2. What are your main reasons for your views on Q1? (please note we have asked more detailed questions on the Bill below)

We agree with the broad policy intention underpinning the Housing (Scotland) Bill, that there is ‘urgent need to improve the housing outcomes in Scotland for people who live mainly in rented accommodation or face homelessness.’¹

Scotland is currently experiencing a housing emergency² and a worsening homelessness crisis. In Scotland, average rents in the private rented sector have increased by 25.1% since 2010, above the cumulative rate of inflation.³ The combined impacts of austerity, the Covid-19 pandemic and the cost of living crisis mean many people cannot meet rising housing costs.

These issues are disproportionately impacting women, who are already more likely to live in poverty and be unable to meet rising housing costs as they typically have lower average incomes than men.⁴

We have seen welcome moves by the Scottish Government to create emergency legislation that protects tenants with the Cost of Living (Tenant Protection) (Scotland) Bill 2022 introducing temporary rent freezes and moratoriums on evictions. However, these protections are no longer in place and this Bill should be an opportunity to build longer-term solutions.

We need the Housing (Scotland) Bill to address the longer-term, underlying issues of increasingly unaffordable rents in the private sector and sustainably strengthen tenants’ rights across private and social renting. This can only be achieved by understanding the gendered differences in experiences of housing security and homelessness.

Women’s Housing Inequality in Scotland

When considering this Bill, we urge both the Local Government, Housing and Planning Committee and Social Justice and Social Security Committee to incorporate the different experiences of housing and homelessness that women in Scotland experience due to gender inequality and other intersectional forms of oppression.⁵

Women’s experiences of housing are different from those of men because they are shaped by their unequal access to resources and safety. This influences their routes in

¹ Housing (Scotland) Bill (2024) Policy Memorandum. Available at: <https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/housing-scotland-bill/introduction/policy-memorandum-accessible.pdf>.

² Shelter (2024) “What is the housing emergency in Scotland” https://scotland.shelter.org.uk/campaigning/what_is_the_housing_emergency.

³ SPiCE (2022) “Rent freeze background”. Available at: <https://spice-spotlight.scot/2022/09/21/the-scottish-governments-planned-rent-freeze-background/>.

⁴ Engender (2022) Women and the Cost of Living. Available at: <https://www.engender.org.uk/content/publications/Women-and-the-cost-of-living---updated-copy.pdf>.

⁵ Engender (2020) A Woman’s Place: Gender, Housing and Homelessness. Available at: <https://www.engender.org.uk/content/publications/A-WOMANS-PLACE---GENDER-HOUSING-AND-HOMELESSNESS-IN-SCOTLAND.pdf>.

and out of homelessness, interactions with housing services, and barriers and access to affordable and adequate housing standards, including in the private rented sector.

Specific groups of women are more likely to experience housing instability, poor housing, homelessness or negative treatment by housing services, such as women experiencing poverty, BME, disabled and refugee women, women who have been in the criminal justice system, LGBTI (particularly transgender) women, older and younger women, women who sell sex, lone parents and women with other caring responsibilities.

We ask both Committees to recognise in their scrutiny of the Bill that women have less access to safe, secure and adequate housing because:

- **Women are less likely to be homeowners and are more vulnerable to housing insecurity.** For example, a woman on the median income applying for a mortgage based on the average (mean) house price will need to borrow 15.4 times their salary, compared with a figure of 10.1 for men.⁶
- **Women are disproportionately dependent on the social housing sector.** In Scotland around a third of households with a female head of household are in the social rented sector (30%), compared with fewer than one in five households with a male head of household (17%).⁷
- **Women are forced to rent in the private sector in less advantageous housing circumstances** due to having lower incomes on average. This is especially true as options for social housing reduce, and we see under-investment in building new social homes.
- **Women are more likely to depend on social security to cover housing costs;** 60% of adults in households claiming Housing Benefit in the UK are women.⁸
- **Women spend a higher proportion of their income on rent than men,** for example, average rents in England use up 43% of a woman's median earnings and only 28% of a man's.⁹
- **Women are less likely to be able to access adequate housing,** for example in Scotland, data suggests that there is a greater likelihood for women with children to be in overcrowded housing compared to men.¹⁰

⁶ Women's Housing Forum (2019) Women, money and housing report 2019 WHF. Available at: <https://womenshousingforum.squarespace.com/s/Womens-Housing-Forum-report-2019-digital.pdf>.

⁷ Engender (2020) Gender, Housing and Homelessness: A Literature Review. Available at: <https://www.engender.org.uk/content/publications/GENDER-HOUSING-AND-HOMELESSNESS---A-LITERATURE-REVIEW.pdf>.

⁸ Women's Budget Group (2022) Housing and gender. Available at: <https://wbg.org.uk/wp-content/uploads/2022/03/Housing-and-gender-PBB-Spring-2022.pdf>.

⁹ Ibid.

¹⁰ In the Scottish Household Survey for 2005 and 2006, and the Scottish House Condition Survey for 2005/06 to 2007/08, as reported in EHRC - 10% of female-headed households with children in Scotland compared to 6% for male households with children were shown to reside in overcrowded housing.

- **Women’s experiences of homelessness are much more hidden** as they are more likely to seek out less visible temporary or unstable emergency accommodation to avoid sleeping rough.¹¹
- **Women’s homelessness and housing insecurity are strongly linked to experiences of men’s violence**, with one in three survivors having to give up their homes as a result of domestic abuse.¹²
- **In Scotland, domestic abuse is the most common, primary reason given by women on homeless applications.**¹³

Although the evidence outlined is stark in showing the gendered differences which exist in housing experiences and outcomes, we would like to stress to both Committees that there continues to be a severe lack of sex-disaggregated data and gendered research available. Further work is required to gather and understand evidence of women’s experiences in Scotland. This is crucial to the design of gender-sensitive homelessness interventions and models of prevention that ensure women are protected from homelessness.

Coherence with Existing Equality Policy and Commitments

To address women’s unequal access to and experience of housing, both Committees should examine how the Bill’s provisions will impact women’s specific housing outcomes. We urge members of both Committees to link scrutiny of the Bill’s provisions with the Scottish Government’s existing equality commitments. The public sector equality duty of the Equality Act 2010 requires public bodies to address discrimination and promote equality for protected groups, including in terms of sex. This means that developing policy and legislation on housing and homelessness must include proactive work to tackle gender inequality.¹⁴

The Bill must also contribute to the realisation of Scotland’s Equally Safe Strategy, which states: ‘A safe, secure, and affordable home is a major protective factor for women experiencing all forms of VAWG. Only by addressing the links between housing and the

¹¹ Engender (2020) A Woman’s Place: Gender, Housing and Homelessness. Available at: <https://www.engender.org.uk/content/publications/A-WOMANS-PLACE---GENDER-HOUSING-AND-HOMELESSNESS-IN-SCOTLAND.pdf>.

¹² Women’s Aid (2019) The Economics of Abuse. Available at: <https://www.womensaid.org.uk/wp-content/uploads/2019/12/Economics-of-Abuse-Report-2019.pdf>.

¹³ Scottish Women’s Aid (2020) Improving housing outcomes for women and children experiencing domestic abuse. Available at: <https://womensaid.scot/wp-content/uploads/2020/12/Improving-Housing-Outcomes-for-Women-and-Children-Experiencing-Domestic-Abuse-Report.pdf>.

¹⁴ Engender (2022) ‘A new look for the Public Sector Equality Duty’. Available at: <https://www.engender.org.uk/news/blog/a-new-look-for-the-public-sector-equality-duty/>.

range of ways in which VAWG may be experienced, can we truly respond to the housing needs of all women.’¹⁵

We echo the response of Scottish Women’s Aid, who also point to outstanding gendered commitments in the Housing to 2040 Strategy. Action 9 to ‘Prevent and end homelessness and eradicate rough sleeping’ states that the Scottish Government will implement recommendations from the Scottish Women’s Aid ‘Improving Housing Outcomes for Women and Children Experiencing Domestic Abuse’ report.¹⁶ This 2020 report contains extensive evidence relevant to the areas covered in this Bill, such as actions to address homelessness prevention for women experiencing domestic abuse – but also includes actions not within the remit of the drafted Bill. We join Scottish Women’s Aid in recommending that both Committees revisit the actions in the report as part of scrutinising the effectiveness of this Bill.

Resourcing and Implementation Concerns

We share widely held concerns that the provisions in the Bill will require the Scottish Government to adequately equip local authorities and related public bodies with the necessary financial resources and capacity-building to enact new duties. There are specific examples of where the policy intention stated will only be possible with a greater degree of allocated resources. For example, the capacity of local authorities to collect adequate data for designating rent control areas and improving the data collected about landlords in the private rented sector.

Our concerns extend to not only a lack of resources but also a deeply entrenched culture within services and support for housing and homelessness which does not recognise women’s specific experiences, which creates and upholds systemic barriers and inequality. Without addressing this specifically in the Bill’s implementation, for example via an express commitment for gendered supporting guidance, women will not experience the potential positive impacts of the proposed changes equally.

3. RENT

Q3. Do you support the proposals in Part 1 of the Bill allowing rent control areas to be designated?

¹⁵ Scottish Government (2023) Equally Safe: Scotland’s Strategy for Preventing and Eradicating Violence Against Women and Girls. Available at: <https://www.gov.scot/publications/equally-safe-scotlands-strategy-preventing-eradicating-violence-against-women-girls/documents/>.

¹⁶ Scottish Women’s Aid (2020) Improving housing outcomes for women and children experiencing domestic abuse. Available at: <https://womensaid.scot/wp-content/uploads/2020/12/Improving-Housing-Outcomes-for-Women-and-Children-Experiencing-Domestic-Abuse-Report.pdf>; Scottish Government (2021) Housing 2040. Available at: <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2021/03/housing-2040-2/documents/housing-2040/housing-2040/govscot%3Adocument/housing-2040.pdf>.

Yes.

Q4. Do you have any further comments to make on Part 1 of the Bill dealing with rent for private tenants?

We strongly agree with the intention of Part 1 to introduce mechanisms for creating rent control areas, to ensure tenants can be protected from rent hikes, which can lead to homelessness or 'no fault' evictions. The introduction of rent control protections is more vital than ever, as the number of people reliant on the private rented sector has steadily increased over the past decade.¹⁷ It has slowly overtaken social housing, comprising 19% of housing tenure in England, Wales, and Northern Ireland, and 15% here in Scotland.¹⁸

We know that women are more likely to struggle to meet the rising costs of rent in the private rented sector and are more vulnerable to unaffordable existing rents and rent increases. This is due to a gendered 'crisis of incomes'¹⁹ across the UK that ensures women do not have equal access to financial resources compared with men. There is an evidenced gender property gap in terms of women's ability to rent and buy homes, with a higher proportion of women's incomes being spent on rent.

There is strong evidence from research on the cost of living crisis that high rent increases, even when the temporary rent cap was in place for existing tenancies, have caused widespread financial difficulty for many.²⁰ For example, Scottish Government figures on the private rented sector from 2022-23 show that the average rents for 2-bedroom properties, the most common size of property in Scotland's private rented sector, increased by 14.3% in the year to end of September 2023, reaching an average of £841 per month.²¹

On average, women have lower incomes and less capital than men and are more likely to be renters or in less advantageous housing circumstances in the private market. Partly due to the gender pay gap, there is a distinctly gendered difference in the proportion of individuals' incomes spent on rent - with women using a larger percentage of their income than men on rent.²² Across a lifetime, this leaves women with much less disposable income, more difficulty saving for a deposit, and less financial security.

¹⁷ Women's Budget Group (2022) Housing and gender. Available at: <https://wbg.org.uk/wp-content/uploads/2022/03/Housing-and-gender-PBB-Spring-2022.pdf>.

¹⁸ Family Resources Survey (2021) Tenure data, Table 3:1 <https://bit.ly/2YhMfES>.

¹⁹ Women's Budget Group (2022) The gendered impact of the cost of living crisis. Available at: <https://wbg.org.uk/wp-content/uploads/2022/03/The-gendered-impact-of-the-cost-of-livingcrisis.Pdf>

²⁰ Engender (2022) Women and the Cost of Living. Available at: <https://www.engender.org.uk/content/publications/Women-and-the-cost-of-living---updated-copy.pdf>.

²¹ Scottish Government (2023) 'Private Sector Rent Statistics, Scotland, 2010 to 2023'. Available at: <https://www.gov.scot/publications/private-sector-rent-statistics-scotland-2010-to-2023/documents/>.

²² Women's Budget Group (2022) Housing and gender. Available at: <https://wbg.org.uk/wp-content/uploads/2022/03/Housing-and-gender-PBB-Spring-2022.pdf>.

This is why we agree with the view of the tenant's union Living Rent²³ in welcoming the following proposals in Part 1 of the Bill dealing with rent for private tenants:

- the ability to designate entire local authority areas as rent control areas,
- the ability for caps to be as low as 0% in those areas,
- the statutory duty for all local authorities to assess whether or not rents are increasing in a local authority,
- the requirement for landlords to advertise the previous rent,
- and the carrying over of rent control measures from tenancy to tenancy.

We agree with Living Rent that the carrying over of rent control measures from tenancy to tenancy is vital as part of the Bill, to avoid repeating the unintended consequences of previous emergency legislation capping rents. As Living Rent has evidenced, via their work with tenants experiencing evictions during the rent cap, landlords were incentivised to increase rents between tenancies – or to evict tenants to be able to start a new lease with a higher rental rate.

However, we share concerns that without additional resources and capacity, local authorities will be unable to collect new data on the private rented sector required for designating a rent control area. The processes put in place by local authorities to assess rent increases and understand the need for rent control areas must be effective, timely and deliverable to protect tenants. Otherwise, we risk creating new statutory duties for local authorities that cannot be implemented in practice.

The Local Government, Housing and Planning Committee must also scrutinise how current provisions in Part 1 of the Bill will create a burden of responsibility on tenants to challenge breaches of any rent controls by landlords. It is already incredibly challenging for tenants to understand their existing housing and homelessness rights and receive redress for violations. Any options the Bill does create for tenants to challenge breaches of rent controls must come with access to free rights-based advice, including legal support, to seek redress where required.

4. EVICTIONS

Q5. What are your views on Part 2 of the Bill that deals with evictions?

We welcome provisions in Part 2 of the Bill which allow for the consideration of delays to evictions for tenants in private rented and social housing. As previously outlined, women are much more likely to rent rather than own their own home and, as a result, may benefit from increased protection from eviction. We especially welcome the consideration of

²³ Living Rent (2024) Organisational Response to Parliament's Consultation - April 2024. Available at: https://assets.nationbuilder.com/livingrent/pages/1780/attachments/original/1715964750/Organisational_response_Parliament_consultation_%281%29.pdf?1715964750.

delays being available to renters in social housing, as women make up the majority of those living in social rented housing.

However, when developing changes to eviction processes, further work needs to be undertaken to understand how women experience eviction. Both in the private and social rented sectors, most of the data around access is not disaggregated by sex and does not take account of men's and women's gendered experiences, meaning that little is known about the impact of housing trends and challenges – including key issues around evictions and rent arrears – on women.

We also echo the call from Scottish Women's Aid for the Local Government, Housing and Planning Committee to review how sections in Part 2 of the Bill on the duties to consider delay for evictions can include recognising the risk to tenants experiencing domestic abuse. We agree with their view that the decision to delay eviction should include explicit consideration of how bringing a tenancy to an end would create risks to tenants who are experiencing domestic abuse.

We ask the Committee to work with Scottish Women's Aid to ensure the sections detailing grounds for eviction delay, and grounds for exemptions, reflect the work already progressed on women and children experiencing domestic abuse.²⁴

We also call for the Committee to ensure clear lines of accountability on the provision of information and support to tenants making representations for eviction delay.

5. HOMELESSNESS PREVENTION

Q9: Overall, do you support the Bill's proposals in Part 5 of the Bill that deal with homelessness prevention?

No.

Q10: What are your views on the 'ask and act duty' for relevant bodies in relation to preventing homelessness in Part 5 of the Bill?

We welcome the intention behind stronger duties for a wider range of public bodies and services to proactively 'ask and act' to remove the risk of homelessness for households. However, in line with Scottish Women's Aid (SWA)'s response, we share serious concerns that the current drafting of the 'ask and act' duty will create significant risks for women and children experiencing domestic abuse. This also does not address the existing gendered gaps within services to appropriately respond to women's needs.

²⁴ Scottish Women's Aid and CIH (2023) Policies Not Promises. Available at: <https://womensaid.scot/wp-content/uploads/2023/04/SWA-and-CIH-Scotland-Policies-Not-Promises-Report-April-2023.pdf>; Scottish Women's Aid (2020) Improving housing outcomes for women and children experiencing domestic abuse. Available at: <https://womensaid.scot/wp-content/uploads/2020/12/Improving-Housing-Outcomes-for-Women-and-Children-Experiencing-Domestic-Abuse-Report.pdf>.

As outlined in SWA's response, there are grave risks to women leaving an abusive partner, with 38% of women killed by their ex-partner from 2009 to 2018 being killed within the first month of separation and 89% in the first year.²⁵ For the relevant bodies with the 'ask and act' duty, there is a need for significant improvement in levels of expertise and capacity-building on primary prevention of domestic abuse. Without provision of additional resources, this would be difficult to guarantee for local services already struggling with budget cuts and delivery of existing duties.

Increasing responsibility for homelessness prevention across a wider range of actors, via 'ask and act' could be incredibly beneficial for women and children experiencing domestic abuse. Especially if this included further funding for specialist services that deal with violence against women and girls (VAWG). However, this can only be achieved if such responsibilities to act are designed and delivered in partnership with women's organisations and experts.

Also, any new duties related to homelessness prevention must align with the work underway as part of Scotland's Equally Safe strategy, which already commits local authorities to building services and capacity to eradicate and prevent violence against women and girls. This strategy prioritises primary prevention of VAWG, which means stopping violence before it occurs by tackling its root cause: women's inequality.

As previously mentioned, women's unequal access to safe and secure housing can increase their risk of experiencing this violence. Therefore, it is vital for women's safety that any proposed homelessness prevention duties support the aims of the Equally Safe Strategy and are aligned with the Scottish Government's intention to create a sustainable funding model for VAWG services.²⁶ The Strategy's Delivery Plan is due to be published in spring 2024 and we would urge the Social Justice and Social Security Committee to seek clarity on how the actions in this plan can support the aims of this Bill.

We also ask the Social Justice and Social Security Committee to engage with the written evidence submitted by Scottish Women's Aid for further details of their concerns. We support their call for alternative proposals for the 'ask and act duty' to ensure there are no unintended risks for women at risk of homelessness who are experiencing domestic abuse and leaving an abusive partner.

Q11. What are your views on the requirement on councils to act sooner to prevent homelessness by taking reasonable steps in Part 5 of the Bill?

²⁵ Femicide Census (2020) Femicide Census 2020. Available at: https://www.femicidecensus.org/wp-content/uploads/2022/02/010998-2020-Femicide-Report_V2.pdf.

²⁶ Scottish Government (2023) The Independent Strategic Review of Funding and Commissioning of Violence Against Women and Girls Services. Available at: <https://www.gov.scot/publications/violence-against-women-girls-independent-strategic-review-funding-commissioning-services-report/>.

We agree with the proposed changes to existing legislation to require local authorities to act sooner to prevent homelessness. We welcome the proposed change from 2 months to 6 months to the period for assessing whether a household is threatened with homelessness. This will allow the local authority more time to consider the support required to prevent homelessness.

However, as with the proposed ‘ask and act’ duty, this change to the assessment period does not address the lack of targeted action by local authorities and the Scottish Government to prevent homelessness for women. Current provisions in Scotland are on the whole failing to cater to the needs of women and seldom delivered using a gender-sensitive approach.

Addressing Causes of Women’s Homelessness in Prevention

There is increasing recognition that different structural and individual factors push men and women into homelessness. These include the health, safety and wellbeing impacts of homelessness, gendered experiences with homelessness support services, and different barriers to resolving housing crises.

Gendered factors such as women’s poverty, health, responsibilities for unpaid caring, experiences of violence, abuse and exploitation, bereavement, imprisonment, pregnancy and motherhood all heavily influence women’s journeys into, through and out of homelessness.

Much of the available research²⁷ also suggests that women tend to have shorter episodes of ‘absolute homelessness’, or sleeping rough, than men - in part because they take additional, and at times, extreme, measures to avoid street sleeping. However, many women have been homeless on multiple occasions, moving in and out of homeless services over prolonged periods.

These structures and experiences are also heavily influenced by other intersecting inequalities. For example, women from minority ethnic groups are overrepresented among hostel and B&B residents, the proportion of BME women turned away from domestic violence refuges is higher than for white women, and trans women are vulnerable to negative treatment and harassment when accessing housing services.

We have long argued that policies that seek to prevent women’s homelessness must take a broader approach to address gender and intersecting inequalities.²⁸ We know that a lack of access to employment opportunities, women’s higher likelihood of financial insecurity, delayed and inadequate social welfare payments, long waiting lists for specialist services (e.g., mental health, drug and alcohol treatment), and societal

²⁷ Engender (2020) A Woman’s Place: Gender, Housing and Homelessness. Available at: <https://www.engender.org.uk/content/publications/A-WOMANS-PLACE---GENDER-HOUSING-AND-HOMELESSNESS-IN-SCOTLAND.pdf>.

²⁸ Ibid.

attitudes towards women all have particular impacts on women's risk and experiences of homelessness.

To help establish how homelessness prevention can be improved for diverse groups of women, in addition to making the system more responsive to their needs, the Scottish Government should invest in a programme of research on women's housing and homelessness. We recommend that such a programme includes an overarching focus on structural gender inequality and intersections with other forms of inequality and discrimination, specifically:

- The impact of recent policy, budgeting and economic changes on women's housing status in Scotland, particularly concerning tenure type and relative housing security, living standards and housing location.
- Homeless women's experiences of services, including domestic abuse services, and assessment of how integrated these are with other more gender-informed services.
- Analysis of the comparative effectiveness of different policy approaches for women, including temporary shelter, specialist support services, and social housing and private sector access schemes.
- Access and suitability of housing services for single women and female-headed households.
- Longitudinal studies on women's pathways into securing long-term sustainable housing.
- Gender-sensitive, affordable housing design models, the role women are playing in community-led housing projects, and any impacts this has on the nature of the housing environment established.

Gender-Sensitive Approaches and Services

As outlined, part of effective homelessness prevention for women is providing services designed with their needs in mind, which understand and address gendered experiences of homelessness. For example, recent research and best practice guidance published by the Homeless Link charity show how to design homelessness services to respond to women effectively.²⁹ The 'Gendered Lens Framework' is just one example of the resources available to build better approaches to supporting women at risk of or experiencing homelessness.

We also urge the Social Justice and Social Security Committee to engage with recent research from I-SPHERE,³⁰ which outlines the current failures of support services and

²⁹ Homeless Link (2024) 'The Gendered Lens Framework for Homelessness Services'. Available at: <https://homeless.org.uk/knowledge-hub/the-gendered-lens-framework-for-homelessness-services/>.

³⁰ Johnsen, S and Blenkinsopp, J (2024) Hard Edges: The reality for women affected by severe and multiple disadvantage. Heriot-Watt University. Available at: <https://doi.org/10.17861/6nrm-jb28>.

contains solutions for improving support for women facing homelessness. The study included exploring women's experiences in Glasgow.

'Hard Edges: The Reality for Women Affected by Severe and Multiple Disadvantage' highlights how women are repeatedly failed by support services, which are often poorly coordinated and unable to meet complex needs. The report details how many women hid their difficulties until hitting the crisis point due to fear, stigma, and a lack of trust, and this creates further barriers to seeking support. Even when women in the study engaged with support, they were often moved between services catering to different issues, with no access to expertise to support their overlapping challenges.

We ask the Committee to consider how homelessness prevention can incorporate the recommendations of the I-SPHERE study:³¹

- 'Share responsibility and risk across health, housing, justice and women's sectors so women are not passed between services. This will require strong leadership from central and devolved governments.
- Create an environment where services are adequately equipped to respond to the gendered trauma and abuse affecting women. There is a need for more women-only services.
- Acknowledge the magnitude of adversity these women face, challenge the stigma affecting them, and recognise that they remain a target for predatory men even after recovering.
- Earlier intervention and prevention, particularly around critical junctures like leaving care, the threat of child removal and prison release.
- Valuing the expertise of frontline workers to engage women considered "hard to reach" with proper workforce support and remuneration.'

Homelessness Prevention must Address Domestic Abuse

We also know that while domestic abuse is often cited as a cause of women's homelessness, rarely do we see policy responses which look to understand why women become homeless when they leave an abusive partner. When developing approaches to homelessness prevention, there must be an understanding of the wider economic and social constraints that can leave women dependent on a male partner, as well as the nature of the housing system and services provided.

³¹ Ibid.

For example, most women in a 2015 study by Scottish Women’s Aid in Fife³² described that they not only felt like they had no choice about moving out but also that their abusive partner held control over the situation and a sense of entitlement to the home.

This same study also found that local authority staff questioned the validity of women’s experiences of abuse and homelessness and failed to challenge their partner’s entitlement to remain in the family home or offer safe alternatives to moving out (e.g., tenancy transfer or additional home security). There continues to be a lack of resources and change in culture in local authorities, meaning that knowledge about domestic abuse amongst housing sector staff remains a critical issue, both in generic and specialist services. We point the Social Justice and Social Security Committee to the evidence from Scottish Women’s Aid to understand how best to prevent homelessness for women and children experiencing domestic abuse.

6. DOMESTIC ABUSE

Q12. What are your views on the provisions in Part 5 of the Bill that relate to domestic abuse?

We strongly welcome the inclusion of specific provisions to support tenants affected by domestic abuse within the Bill. A large body of evidence shows domestic abuse as a major cause of women’s homelessness in Scotland, with high proportions of homeless women reporting domestic abuse as either a chronic factor in their lives or as an immediate cause for their experience of homelessness.

Homelessness can also render women more vulnerable to further violence. In addition, homeless women are more likely to have experienced greater levels of sexual abuse and emotional abuse than men in childhood, as well as into adulthood. The impact of homelessness resulting from domestic abuse creates cumulative and long-lasting health problems for women and children.³³

We particularly welcome the action to realise the recommendation in the ‘Improving housing outcomes for women and children experiencing domestic abuse’³⁴ report to introduce new statutory pre-action requirements for social landlords to consider domestic abuse before commencing legal action. We ask the relevant Committee to engage closely with Scottish Women’s Aid’s evidence to ensure the sections in Part 5 of the Bill which relate to domestic abuse are most effective for women impacted.

³² Scottish Women’s Aid (2015) Change, Justice, Fairness: Why should we have to move everywhere and everything because of him? Available at: <https://womensaid.scot/wp-content/uploads/2017/07/Change-Justice-Fairness.pdf>

³³ Ibid.

³⁴ Scottish Women’s Aid (2020) Improving housing outcomes for women and children experiencing domestic abuse. Available at: <https://womensaid.scot/wp-content/uploads/2020/12/Improving-Housing-Outcomes-for-Women-and-Children-Experiencing-Domestic-Abuse-Report.pdf>.

7. OTHER

Q15. Do you have any additional comments on the other measures the Bill deals with or any other general comments?

We encourage both the Local Government, Housing and Planning Committee and Social Justice and Social Security Committee in their scrutiny of this Bill to highlight the continuing need to recognise and address the gendered differences in experiences of housing and homelessness for women and men in Scotland.

We are working in a context where legislative and policy initiatives on housing and homelessness have been developed without proper acknowledgement of the impact of women's social and economic inequality. Within recent policy and operational frameworks, the extent to which women's inequality is considered is limited to domestic abuse, pregnancy and motherhood.

Recognition of the specific realities of women who face multiple discrimination, including disabled women, women from black and ethnic minority communities, refugee and asylum-seeking women, LGBT women, younger and older women, and women from deprived and rural areas are absent entirely from the housing and homelessness landscape in Scotland.

In this regard, we echo Scottish Women's Aid in calling for further action from the Scottish Government to support women with No Recourse to Public Funds (NRPF), who continue to have very limited accommodation options. With reform required at the UK level, we understand there are limitations on what can be achieved within devolved competencies. However, we urge both Committees to raise the situation for women and children impacted by NRPF when scrutinising how this Bill will impact homelessness in Scotland.

FOR FURTHER INFORMATION

Contact: Lucy Hughes, Policy and Parliamentary Manager, Engender

Email: lucy.hughes@engender.org.uk

ABOUT US

Engender is Scotland's feminist policy and advocacy organisation, working to increase women's social, political and economic equality, enable women's rights, and make visible the impact of sexism on women and wider society. We work at Scottish, UK and international level to produce research, analysis, and recommendations for intersectional feminist legislation and programmes.