Positioning Paper

Homelessness prevention for women and children who have experienced domestic and family violence: innovations in policy and practice

authored by

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CONTENTS

LIST OF FIGURES

EXECUTIVE SUMMARY

This Positioning Paper makes up the first output of a research study entitled *Homelessness prevention for women and children who have experienced domestic and family violence: Innovations in policy and practice*. The purpose of this very specific project is to explore the value and implementation challenges of innovative staying at home homelessness prevention measures, such as Staying Home Leaving Violence schemes in Australia, and Sanctuary schemes in England and Wales. As such, it is an important and timely piece of research because the White Paper on homelessness, *The road home* (Commonwealth of Australia 2008), specifically identified and promoted the need to expand programs that allowed women and children to remain in the home once the perpetrator has been removed.

The research will fill our gap in existing knowledge concerning two research questions:

1. How and to what extent have innovative homelessness prevention measures introduced in Australia and England since the mid-1990s been successful in enabling women and children to remain in their homes and localities?

2. What are the implications of these findings for policy on housing and homelessness in Australia and for improvements to practice?

The focus of the research is deliberately selective, and the research approach and methods have been designed to achieve answers to these questions. Stage one is a desk-based review of the relevant literature. This paper is based on this stage and contains an international and national academic and policy review of the literature.

In stage two a comparative methodology using two case studies, England and Wales and Australia, will allow investigation of 'joined up' approaches to homelessness prevention for women and children who have experienced domestic and family violence. These approaches, consisting of housing, legal and support services working together to enable women and children to remain within their homes, are illustrated within the conceptual framework that we have developed for this project and which is detailed within this paper.

Following the fieldwork, which is to be undertaken in the case study areas, a discussion paper will be produced on the findings to date. These will be presented to invited policy and practitioner delegates at facilitated workshops to be held in Queensland, South Australia and Victoria, in order to learn more of the policy implications regarding context, applicability and relevance of such schemes in these jurisdictions.

A Final Report will then be compiled based on the learning from the critical review of the literature, the primary research in the case study locales and the information obtained from the workshops. This will set out the opportunities and challenges of preventing women and children who have experienced domestic and family violence from having to leave their homes.

This Positioning Paper consists of six chapters as follows.

Chapter 1 introduces the project, including the context, aims and research questions.

In Chapter 2 we review what it means for women and children to experience domestic and family violence, and consider what losing their home for this reason can entail. We explore the historical links between domestic and family violence and homelessness for women and children and review the concepts of homelessness prevention.

Chapter 3 presents the policy contexts of domestic and family violence and homelessness services policy responses in England and Wales and Australia. We examine how past and present discourses on these issues can impact on present and future policies regarding expectations as to who should leave the family home following breakdown of a violent relationship.

In Chapter 4 we present our conceptual framework for the research study and explore the range of integrated homelessness prevention measures that have been developed in Australia and elsewhere.

Chapter 5 details the case study research methodology, literature review, fieldwork, workshop and synthesis research methods of this project. Included here is information on a companion piece of research that has been funded by the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) to dovetail with this AHURI project and is to be conducted concurrently by the same Chief Investigator.

Finally, Chapter 6 presents our conclusions to date:

→ Staying Home/Leaving Violence homelessness prevention schemes have started to be developed in a piecemeal fashion in Australia in recent years whilst Sanctuary Schemes in the UK have become mainstream policy.

→ Women and children who have experienced domestic and family violence have few options. These are to; remain in the family home with the perpetrator, remain in the home with the perpetrator removed, leave the home until the perpetrator is removed, or to leave the home permanently (ODPM 2004).

→ Women who are undergoing the stress of a relationship break-up following domestic and family violence need to have a choice as to whether it is best for them and their children to remain in the family home or to start again somewhere else.

→ Women cannot easily exercise their right to remain in their homes unless there is an understanding in the community and from professionals and policy-makers about what constitutes domestic and family violence and how it can impact on women and children, and that the historical and current links between domestic and family violence and women and children's homelessness and the reasons for them are accepted and understood.

1   INTRODUCTION

1.1   Context

Domestic and family violence is one of the main reasons why women and children in Australia lose their homes. However, for the last decade, both nationally and internationally, there has been a growing discourse that this is both unjust to the people concerned, and costly to the public purse in terms of welfare and homelessness provision. This led to a growing expectation that attempts should be made to break this link between being a victim of the crime of domestic and family violence, and becoming homeless. This expectation has led to innovations to prevent homelessness of such women and children, by devising ways in which they can safely remain in the family home.

Domestic and family violence is made up of many controlling and intimidating coercive behaviours, often much wider than physical violence alone. These can include emotional, sexual, financial and spiritual abuse and enforced social isolation which are used by perpetrators to exert power and control in order to dominate another person, often within the context of an intimate relationship or ex-relationship. For Indigenous Australians, domestic and family violence can also include the loss of cultural and religious connections to land, and can be wider than spousal abuse to include extended families and communities. For this reason, the term 'domestic and family violence' is used in this Positioning Paper in order to encompass a term that all Australian communities can relate to and identify with.

The effect of living in a situation of domestic and family violence can be devastating for both mothers and children. Women may be killed, raped or seriously physically injured. They may become seriously mentally ill and, at the very least, will lose confidence and self-esteem if they are constantly belittled or controlled. Their children will be living with an aggressive perpetrator and a subdued mother, and this can impact on their emotional and cognitive development, with long-term consequences on their life chances and expectations.

Women and children who experience domestic and family violence frequently lose a sense of having a 'home' even before the relationship comes to an end, and the family all still remain in their accommodation. This is because women's sense of safety and belonging is destroyed if they feel unsafe and are unable to conduct life normally at home. They may be unable to invite friends and family around, carry out hobbies or work, go to bed at the time they want, cook the food they like, or have money to buy things for the home. Children will feel frightened and constrained, may not get the attention they need, be able to get their toys out, or have friends around to play or sleepover.

Since the 1970s, domestic and family violence refuges have been the mainstream service provision for women and children who have left these abusive situations. They have played a pivotal role in keeping women and children safe and in helping them with the skills to restart their lives. For 30 years or so it became normalised that women and children were the ones who were expected to lose their home in order to leave an abusive relationship, but gradually during the last decade there has been a growing feeling that this is unjust, and sometimes unnecessary, and that when possible it is the perpetrator who should be forced to leave and the women and children enabled to safely remain in their home. The growing policy interest in the right of women and children to remain has led both nationally and internationally to the development of service responses designed to prevent their homelessness.

Domestic and family violence are a major reason why women and children need to leave their homes in Australia. When they do so, they almost inevitably become poorer and their housing conditions deteriorate as they struggle to access private rental accommodation or public housing where, in both cases, demand is far greater than available supply.

Homelessness prevention involves preventing people at risk of homelessness from becoming homeless. Measures to assist this can include tenancy sustainment initiatives such as outreach and crisis intervention services and, for the client group of this research, Staying Home Leaving Violence and Sanctuary schemes. These are designed to combine judicial, housing and welfare measures in a coordinated manner in order to enable women and children to remain in their homes safely, and for the perpetrator to be removed and deterred from returning. Legal and judicial measures can involve such things as improving police attitudes and responses to breaches of court orders, law reform and family violence courts. Housing and welfare policies can involve the provision of outreach support, financial assistance, incentives for perpetrators to leave, and assistance with the provision of safety equipment within the home (such as stronger doors, bars on windows and direct telecommunications with the police).

Up to now, policy-makers and practitioners have not had available to them large-scale research findings on the success of homelessness prevention schemes in enabling women and children to remain in their homes, and what this could mean for improvements to both Australian policy and practice. This project has been designed to fill that gap in knowledge.

1.2   Aim and research questions

This research project is specifically about exploring the value and implementation challenges of innovative staying at home homelessness prevention measures. Its overall aim is to investigate and assess some of these innovations in policy and practice to prevent homelessness among women and children who have experienced domestic and family violence. This research will consequently contribute to the growing normalisation of expanded housing choices for these women and children after their separation from the perpetrator. The project is intentionally selective. It will identify and investigate key examples of innovative policy and practice through an international literature review and case studies from Australia, England and Wales, examining their context, objectives, modus operandi and outcomes in order to assist policy-makers and practitioners who are considering the merits and difficulties of developing Staying Home Leaving Violence type homelessness prevention schemes in their own jurisdictions. The research will consider to what extent the efficacy of such initiatives is dependent on local conditions, and the benefits and risks associated with transferring them between countries or local contexts.

The project responds to AHURI's Strategic Research Issue No. 1: Housing and related systems that prevent homelessness and promote wellbeing and stable housing outcomes, and the challenges outlined in the White Paper, *The road home: a national approach to reducing homelessness* (Commonwealth of Australia 2008), which highlights prevention and early intervention as the most efficient and effective ways to reduce homelessness, and which are also embodied within National Affordable Housing Agreement objectives. Much of the prior research into family homelessness in Australia has been about pathways into homelessness, or interventions once homelessness has occurred. This project, however, will make a contribution to the research evidence base about policies and practices aimed at preventing homelessness among women with children who have experienced

domestic and family violence, thus minimising adverse consequences for families and communities and the high financial costs incurred by governments in providing accommodation and support once families become homeless.

The broad research questions that have been agreed with AHURI are:

1. How and to what extent have innovative homelessness prevention measures introduced in Australia and England since the mid-1990s been successful in enabling women and children to remain in their homes and localities?

2. What are the implications of these findings for policy on housing and homelessness in Australia and for improvements to practice?

In order to answer these questions a multiple case study method will be deployed, using two cases: England and Wales, and Australia, where two states who lead good practice in this area have been selected, plus some individual examples of good practice. England and Wales have been selected as an international case study because they have similar histories regarding the use of domestic and family violence refuges and because they share an emerging expectation that women and children should not become homeless when leaving a violent relationship. In England and Wales these changes in discourse have led to national policies designed to promote homelessness prevention for women and children who have experienced domestic and family violence. The findings of this project will contribute to existing knowledge on the opportunities and challenges of preventing homelessness in women and children who have experienced domestic and family violence in Australia.

This Positioning Paper is the first of two reports, and makes up stage one of the research project, before the primary research has been undertaken. It consists of a very specific desk-based update review of the relevant international and national literature in order to begin to inform discussion of what is known about the issues for women and children who feel able to choose to remain in the family home while the perpetrator is removed. Literature from Australia, England and Wales, where the case studies for stage two will be conducted, is particularly examined in order to develop a conceptual framework for the study.

The project involves international collaboration between two universities (Swinburne University of Technology in Melbourne, and Leeds University in the UK). The Chief Investigator, Dr Angela Spinney, has many years experience as a senior social housing and homelessness manager in the UK and considerable qualitative academic research experience both in the UK and Australia. Ms Sarah Blandy is a senior law lecturer at Leeds University and has previously worked as principal officer for Hostels and Homelessness and as principal policy officer at a large English metropolitan authority. Associate Professor Kath Hulse has an excellent track record in contributing to AHURI research projects.

1.3   Structure of the Positioning Paper

The following chapter first reviews definitions of domestic and family violence and suggests a succinct definition appropriate for those working in the field of homelessness prevention. This is followed by a consideration of concepts of home and what it can mean to this client group to lose a sense of having somewhere safe to be. We then explore the historical links between the end of a violent relationship with the loss of home for women and children, followed by a discussion on how these issues separately and together negatively impact on both women and children. Finally, explanations of concepts of homelessness prevention, and specifically of the prevention of homelessness for women and children who have experienced domestic and family violence are considered.

Chapter 3 presents the policy contexts of domestic and family violence and homelessness service policy responses in Australia and in England and Wales. These are discussed in order to aid understanding of how past and current policy provision has evolved and how this has both shaped, and been shaped by, societal attitudes concerning women's and children's rights to remain in their home. This is needed to identify how these issues might influence the development of homelessness prevention service provision for this client group in the future.

Chapter 4 reviews innovations and developments in judicial, housing and welfare policy responses working together to prevent some women and children who have experienced domestic and family violence from becoming homeless. These include examples of international and Australian legislative and criminal justice responses. Here we also present the conceptual framework developed for this research project.

Chapter 5 details the case study research methodology, literature review, fieldwork, workshop and synthesis research methods to be used, including information on a companion research project.

Finally, Chapter 6 presents our conclusions to date.

2   DEFINITIONS AND CAUSES

This chapter sets the scene for the Positioning Paper and the research project by examining what domestic and family violence comprises, how it can lead to homelessness for women and children, and the impact both can have on children. This is followed by defining what homelessness prevention for this client group might entail.

2.1   Domestic and family violence

Our readings from the international literature reveal that domestic and family violence is an international phenomenon that occurs in all cultures, races and religions. It is found in all communities and across all demographics including age, gender, culture, socio-economic status, religion and educational attainment. The field of domestic and family violence is a contentious area, and people have strongly held and differing views. As a consequence, there are many definitions in widespread use, but what is immediately apparent is that domestic and family violence is made up of many controlling and intimidating behaviours, often much wider than physical violence alone. This is important for the matters focused on in this Positioning Paper because in some cases these behaviours can be controlled by the relationship being brought to an end and by having in place a strong judicial system that removes the perpetrator from the family home and prevents him contacting or approaching the victim of these crimes. This does not mean that homelessness prevention is the best option for all women and children, but it does mean that, for many, if the correct justice and welfare systems are in place, the abuse can be brought to an end without the women and children having to leave their current homes.

In their seminal work, *Home Safe Home: The Link Between Domestic and Family Violence and Women's Homelessness*, Chung et al. (2000) used the 1997 definition of the South Australian Domestic Violence Unit:

> Any form of abuse, violence/or coercion by a partner or previous partner that serves to establish and maintain power and control over another person, is enacted in a context of unequal power or privilege, and has the potential to cause harm to the physical and or emotional well being of that person. The behaviours which constitute [this] violence include actual or threatened physical assault, sexual assault, verbal, social, spiritual and economic abuse.

Tually et al. (2008) use the definition of domestic violence developed by the Australian Government's Partnership Against Domestic Violence initiative which brings in the gendered nature of the abuse, that it occurs in both heterosexual and homosexual relationships and that the violence can continue to occur after the end of the relationship:

> Domestic violence occurs when one partner in a relationship attempts by physical or psychological means to dominate and control the other. It is generally understood as gendered violence, and is an abuse of power within a relationship (heterosexual & homosexual) or after separation. In the large majority of cases the offender is male and the victim female. (Office of Women's Policy 2001, p.7)

In 1993, Australia was one of the sponsors of the United Nations Declaration on the Elimination of Violence against Women:

> Recognizing that violence against women is a manifestation of historically unequal power relations between men and women, which have led to

domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men. (United Nations 1993)

This definition emphasises the historical facet of the abuse and that domestic and family violence has been one of the major ways in which women have been kept in subordination to men. Such male domination has led in the past to a societal expectation that it was women and children who should leave the family home if they wish to leave a situation of domestic and family violence, rather than the criminal perpetrator being removed.

A UK definition gives an international example that also embodies the range of elements used to exert power and control:

Domestic Violence is essentially about the misuse of power and the exercise of control by one adult person, usually a man, over another adult, usually a woman, within the context of an intimate relationship. Such abuse may manifest itself in a variety of ways including physical violence, emotional or psychological abuse, sexual violence and abuse, financial control and abuse and the imposition of social isolation or movement deprivation. (Greater London Authority 2001)

We consider the following to be a useful definition of domestic and family violence for this research project because it succinctly summarises some of the range of behaviours that are included in the term:

A pattern of coercive behaviour used to maintain control over a partner, through a combination of physical, emotional, sexual or financial abuse, enforced social isolation and intimidation. (Cunningham & Bake 2004)

The domestic abuse intervention programs in Duluth, Minnesota devised a power and control wheel to graphically illustrate what can constitute domestic and family violence. The information was obtained by asking 2000 women what their situation of abuse had involved, and has become a widely recognised training tool. Again, what is striking is the wide range of power and control techniques used by perpetrators to exert their domination over another. These can include threats, intimidation, emotional abuse, enforced isolation, denying and blaming, using children, asserting male privilege and economic abuse, and include far more than physical violence alone.

Figure 1: Power and control wheel

VIOLENCE — PHYSICAL — SEXUAL

USING COERCION AND THREATS
Making and/or carrying out threats to do something to hurt her • threatening to leave her, to commit suicide, to report her to welfare • making her drop charges • making her do illegal things.

USING INTIMIDATION
Making her afraid by using looks, actions, gestures • smashing things • destroying her property • abusing pets • displaying weapons.

USING ECONOMIC ABUSE
Preventing her from getting or keeping a job • making her ask for money • giving her an allowance • taking her money • not letting her know about or have access to family income.

USING EMOTIONAL ABUSE
Putting her down • making her feel bad about herself • calling her names • making her think she's crazy • playing mind games • humiliating her • making her feel guilty.

POWER AND CONTROL

USING MALE PRIVILEGE
Treating her like a servant • making all the big decisions • acting like the "master of the castle" • being the one to define men's and women's roles

USING ISOLATION
Controlling what she does, who she sees and talks to, what she reads, where she goes • limiting her outside involvement • using jealousy to justify actions.

USING CHILDREN
Making her feel guilty about the children • using the children to relay messages • using visitation to harass her • threatening to take the children away.

MINIMIZING, DENYING AND BLAMING
Making light of the abuse and not taking her concerns about it seriously • saying the abuse didn't happen • shifting responsibility for abusive behavior • saying she caused it.

VIOLENCE — PHYSICAL — SEXUAL

Source: Domestic Abuse Intervention Programs, Duluth (1984)

In summary, it can be said that domestic or family violence occurs when a family member, partner or ex-partner attempts to physically or psychologically control or dominate another. The term can refer to violence between spouses, but also between cohabitants and non-married intimate partners. Women who suffer domestic or family violence can experience abuse in many forms: being killed, seriously hurt, raped, isolated, frightened, depressed and kept in poverty.

The term 'family violence' is preferred by many Indigenous communities because it includes all forms of violence in intimate relationships, covering a broad range of family relationships. Perpetrators and victims can include extended family such as aunts, uncles, cousins, and children of previous relationships, as the term 'family' covers a diverse range of reciprocal ties of obligation and mutual support (Victorian Government 2004). For this reason, the term 'domestic and family violence' is used throughout this report. More latterly the issue of spiritual abuse, including denying access to ceremonies, land or family, preventing religious observance and forcing victims to do things against their beliefs, or using religious teachings or cultural

tradition as a reason for abuse, has also been evidenced by researchers (Office of the Status of Women and Department of Family and Community Services 2001).

Domestic or family violence is a learned (rather than inherent) behaviour, and is never justified by the behaviour of the victim, whatever she has or has not done. It is also never caused by anger, stress, drugs or alcohol or any other external factors or pressures; these are excuses for the behaviour, not the causes, and many families face such issues without one partner resorting to issues of domination, power and control in order to feel 'better'. As such, domestic and family violence is always the responsibility of the perpetrator (Cunningham & Baker 2004).

Living with domestic and family violence, in whatever form it takes, has an extremely negative impact on women and, as we discuss below, on their children also. The murder of victims is one of the leading causes of death for women aged under 45. Physical injuries to women impact on their ability to work and look after their children, and generally to participate in society. Living in a situation of fear, intimidation, isolation and subjugation, of constant worry about 'keeping a lid on things' and of keeping themselves and their children safe, can mean that women and children lose a sense of having a home (in the sense of a safe place to be, where they can relax and be themselves), even before they leave their physical dwelling (Tomas & Dittmar 1995). This is why it is important that women and children are given enhanced choices about whether or not they should remain in the family home—for some, staying will be an empowering decision; for others, it would mean remaining somewhere that they can never feel at home in.

2.2 Defining home and homelessness

The concept of home is a difficult issue (Watson & Austerberry 1986; Neil & Fopp 1993), but it is not possible to begin to empathise with what it is like to be homeless, or to devise effective policy strategies to deal with the problem, if we do not recognise the importance of 'home' to human beings. 'Home' can be perceived in many different ways, but it is always a particularly significant type of place (Easthope 2004), a concept that allows for its significance to vary with the individual and their culture.

The quality and security of our homes has much to do with how we deal with the outside world. A home that is inadequate for whatever reason can impact on the extent to which we are able to be included in society, as 'there is a difference between living in a dwelling and having a home' (Hulse et al. 2010, p.25). It is not only the physical structure, but rather the meaning with which such spaces are inscribed that makes it home (Easthope 2004), and the meaning attributed to home regarding a sense of belonging and basis for personal identify can be negated by domestic violence (Nunan 1995). The use of home as a base from which to run life is expanded on by Vaiou and Lykogianni (2006, p.732):

> Everyday life is connected to places where women and men live, work, consume, relate to others, forge identities, cope with or challenge routine, habit and established codes of conduct.

These thoughts on the meaning of home assist with coming to grips with what homelessness involves, especially for women and children who have experienced domestic and family violence. 'Homelessness is a historically and culturally specific concept' (Watson & Austerberry 1986, p.10) and although both Australia and England have defined homelessness in legislation (e.g. *Housing Act* 1996 in the UK, *Supported Accommodation and Assistance Act* 1994 in Australia), it is only England that currently gives enforceable legal rights to permanent housing for individuals who fall within the definition of statutory homeless, including those who are vulnerable

because of having experienced domestic and family violence. There is no such right of housing for homeless people in Australia and, because of this, the legislative definition of homelessness is not nearly so important here as it is in England. Rather, it is Chamberlain and Mackenzie's (1992) three levels of homelessness that is the most consistently used definition. They contend that homelessness only makes sense in a particular community at a given time and suggest that before deciding if somebody is homeless, it is necessary to identify shared community standards about the minimum housing that people have the right to expect, in order to live according to the conventions and expectations of a particular culture. Their cultural definition of homelessness leads to the identification of three segments of the homeless population. The primary homeless are those people who are living on the streets, in deserted buildings, cars or improvised dwellings. Secondary homeless people move between various forms of temporary shelter, including friends, relatives, emergency accommodation and boarding houses. The tertiary homeless live in single rooms in private boarding houses on a long-term basis (usually three months or more) and are without their own bathroom, kitchen or security of tenure. They are homeless because their accommodation does not have the characteristics identified in the minimum community standard.

2.3   Women with dependent children and homelessness

There has been a long-running debate on whether or not there are gendered routes into homelessness (Smith 2005, p.143). We know now that women in Australia are disadvantaged in their ability to access housing compared to men, and their experiences of the housing system are different, partly because women are more vulnerable to poverty due to a weaker position in the labour market. Relationship breakdown almost always leads to women becoming poorer. Women are particularly vulnerable to homelessness because of their economic position (Chung et al. 2000; Cramer & Carter 2002; Smith 2005), and gender remains an important factor in determining which housing options are available and which choices can be made (Cramer & Carter 2002).

The majority of households require two incomes to enter owner-occupation (and increasingly to privately rent), and relationship breakdown for any reason can lead to a major risk of housing instability (Adkins et al. 2003). Women who are responsible for children have a specific need for safe shelter and tend to value their homes in a distinctive way because they associate them with important life events as well as security. However, women can also face their deepest threats from within the home (Smith 2005), and it is preventing the homelessness of these women and children which is the focus of this Positioning Paper.

Homelessness among women reflects personal circumstances, but also wider societal and economic structural issues. Domestic and family violence is a reason why women and their children need to leave home (or why the perpetrator must be removed), but it is not one of the causes of homelessness, which are wider and more systemic than individual relationship breakdown due to family or domestic violence (Adkins et al. 2003). In order to understand the growth of family homelessness in Australia and in other developed countries, we need to understand that the opportunities available to women to negotiate and enter various housing opportunities and tenures are different from those of men. There is a new context to homelessness here in Australia (that is, the extent of demand in excess of supply in most metropolitan areas) that has dramatically increased the chances of women and their children who have experienced domestic and family violence becoming homeless. Such 'situational homelessness' is experienced by women who are capable of maintaining a home, but who become homeless as a result of a crisis in their lives. Domestic violence is

therefore the primary factor associated with their homelessness, but not the cause (Anderson & Christian 2003; Adkins et al. 2003). It is women such as these who present in larger and larger numbers to support services for assistance, and in even greater numbers attempt to manage their own situation. That they are enabled to do so successfully is important because homeless women and their children have a powerful need for both material and ontological security, as discussed in the following section.

2.4   The links between domestic violence and homelessness

Nunan (1995) maintains that women's homelessness through domestic violence is a manifestation of structural inequalities within society. She identifies that most women using homelessness services designed for victims of domestic violence in Australia do have a dwelling, but cannot live there because of violence, and that this is due to the inability of society to prevent men's violence and abuse. Nunan categorises homelessness for this group of women as a symptom of the problem.

Chung et al. (2000) made explicit links between homelessness and domestic violence. They found that a key issue arising from their research was that if rigorous and enforced legal sanctions were in place, women and children would be able to remain in their homes, and that the removal of perpetrators would prevent some homelessness. They argue that in order to live without violence from intimate partners women are forced, or encouraged, to leave their home and seek alternative accommodation. They also found that as a result of leaving the home, women (and their children) experienced considerable social and personal disruption and financial disadvantage, and that in Australia female headed households are among the most disadvantaged when it comes to securing appropriate housing. Chung et al. concur with Nunan in finding that homelessness for women and children who have experienced domestic violence is the result of social failure to fully accept and deal with the criminality of the perpetrators' behaviour.

Women and children who are subjected to domestic violence are vulnerable to homelessness in two ways: first, because violence disrupts and violates the sense of safety and belonging that is associated with the home and second, because when women and children make the decision to leave a family violence situation, they are usually required to leave their homes (Southwell 2002). Relationships with support networks are often severed in the process, and women can face isolation, emotional trauma and acute economic disadvantage as a result of their decision. When women are forced to leave their homes because of violence, the loss of home in itself will often have a traumatic impact (Malos & Hague 1997). Chung et al. (2000) recommend challenging the orthodoxies that women and children should leave the family home in order to escape domestic violence, and the police view that the combination of concerns about safety for women and children and the availability of refuges made a woman's removal from home the easiest, most practical and most efficient option.

Domestic and family violence is currently the major reason for women seeking assistance from homelessness support services in Australia (Tually et al. 2008, p.13). Approximately half these women are unable to obtain immediate accommodation because there is insufficient accommodation available, and most are aged 25 to 45 and have children with them (see Tually et al. 2008 for more detailed information). The White Paper, *The road home: a national approach to reducing homelessness* (Commonwealth of Australia 2008), acknowledges that domestic and family violence continues to be the major driver of homelessness and that escaping violence is the most common reason provided by people who seek help from specialist homelessness services (22% of all requests for assistance and 55% of women with

children do so to escape violence), and that many do not approach services for help at all.

2.5 How domestic and family violence and homelessness impact on children

Living with domestic and family violence, and the homelessness that is so often associated with it, can have adverse impacts on children. Living with domestic violence can affect their emotional and cognitive development, and one in four children who have experienced domestic violence have serious social and behavioural problems (Weeks & Oberin 2004; Spinney 2010). Living with tension, aggression and violence damages children's developing brains by influencing the ways in which their neural pathways link together, particularly in the first three years of life (see Spinney 2008 for more information).

The ways in which a child can be changed by experiencing domestic and family violence include (Cunningham & Baker 2004):

→ Children are denied a good father and positive male role model.

→ Abuse can harm the mother/child bond.

→ Children can develop negative core beliefs about themselves.

→ Children can be isolated from helpful sources of support.

→ Unhealthy family roles can evolve in homes.

→ Abuse destroys a child's view of the world as a safe and predictable place.

→ A child's style of coping and survival may become problematic.

→ Children may adopt some of the rationalisations for abuse.

→ Children can believe that domestic or family violence is inevitable or normal.

Furthermore, the homelessness that is so often associated with leaving situations of domestic and family violence can be a severe source of stress for children who experience it (Dockery et al. 2010, p.18) and these children are more likely to exhibit significant psychological distress, and health problems, which include poor nutrition from the lack of cooking facilities in motels, boarding houses and caravan parks etc., and the poverty that this type of high cost accommodation causes. Lower rates of immunisation have also been recorded as a result of the high rates of mobility leading to disruption in medical services (Hulse & Spinney 2010; Kirkman et al. 2009). These circumstances can lead to children being more likely to experience illness. Homeless children commonly have to leave friends, familiar neighbourhoods, schools and extended family and, as a result, can become 'withdrawn, unsettled, angry even suicidal and suffer sleeping difficulties and bedwetting' (Kirkman et al. 2009, p.11). The disruption in education caused by the trauma of becoming homeless makes succeeding at school more difficult, particularly perhaps if homeless families have to stay in a motel or boarding house with limited room to do homework in a quiet setting. The upset at moving school (sometimes several times as families move from the family home, to crisis accommodation, to transitional accommodation, to a permanent home) also accentuates the problem and can lead to children refusing to go to school, as their routines and friendships are disturbed. For children, then, domestic violence and homelessness can cause a 'double whammy' of disadvantage. As a result, families facing multiple problems such as domestic and family violence and homelessness do not just have an impact upon themselves, but also involve a high cost to society through support services, lost productivity and policing anti-social behaviour (Social Exclusion Task Force 2007). It is because of these factors that

Tually et al. (2008) stress the importance of minimising the number of times women (and their accompanying children) must move before being housed permanently. More than half of women in domestic violence related homelessness present to supported accommodation services with children. Moving is stressful for us all—it is particularly so for homeless children.

We know that when women and children have to leave the family home because of experiences of domestic and family violence, their housing conditions deteriorate significantly in terms of affordability, length of stay, physical condition of the housing, the neighbourhood, safety and the availability of maintenance (Champion et al. 2009, p.3). Sometimes their new housing conditions (e.g. sleeping in cars) puts mothers at risk of having their children removed by child welfare agencies, and this is one of the reasons why this type of homelessness is so invisible. Whether or not families seek help from service providers, they often face multiple moves between motels, boarding houses and caravan parks (Hulse & Spinney 2010).

The research evidence base currently indicates that:

→ More than half of all women with children seeking assistance through SAAP give domestic violence as the primary reason for doing so.

→ The majority of those accommodated in domestic or family violence refuges and other crisis and transitional accommodation are children.

→ Almost one in ten of all homeless Australians are aged under 12, and three-quarters of these are under 10.

→ Homelessness affects children in quite profound ways, e.g. they are more likely to experience emotional and behavioural problems such as distress, depression, anger and aggression.

→ Experiencing homelessness as a child makes adult homelessness more likely (Australian Institute of Health and Welfare 2007).

The White Paper on homelessness confirms this, stating that children face disrupted schooling and 'other important opportunities to build resilience' as a result of becoming homeless and are more likely to experience emotional and behavioural problems such as 'distress, depression, anger and aggression' that may lead them into a cycle of 'intergenerational disadvantage' (Commonwealth of Australia 2008).

2.6   Homelessness prevention

There are several ways that homelessness prevention can be interpreted. Some of the literature centres on tertiary prevention, which includes rapid rehousing so that homelessness is ended as quickly as possible. The 'preventative' element of this is avoiding repeat homelessness by stopping new homelessness episodes (Busch-Geertsema & Fitzpatrick 2008). This is more commonly known in the UK and Australia as resettlement. Although there will be some discussion of resettlement measures in this Positioning Paper, measures that prevent 'someone who is at risk of homelessness from becoming homeless' (AHURI 2009) will be concentrated on in this research project, along to a lesser extent with some measures that enable women to leave their homes in a 'safe and planned way' (Pawson, Netto & Jones 2006). We want to learn how women and children who have experienced domestic and family homelessness can be prevented from becoming homeless because they have no option but to leave their home in order to escape the abuse.

This project involves a comparison with England and Wales where there has been a longstanding legal duty to take reasonable steps to prevent those threatened with homelessness from losing their homes. This includes preventing illegal evictions by

private landlords and enabling women to gain injunctions barring perpetrators of domestic and family violence from the home. However, until the *Homelessness Act* 2002, the emphasis in England and Wales was always on dealing with homelessness, rather than preventing it (Busch-Geertsema & Fitzpatrick 2008). Changes came about because of the ever-rising number of statutorily homeless persons who were entitled to permanent rehousing under the legislation. Local authorities were given a duty to produce a strategy for preventing homelessness, and goals were set to lower levels of repeat homelessness and to halve the number of statutorily homeless people in temporary accommodation by 2010. It was in this environment that homelessness prevention measures for women and children who had experienced domestic and family violence came into the policy mainstream. As in Australia, they are one of the largest client groups of homelessness services, and therefore effective homelessness prevention for this group has the potential to influence target achievement.

Such measures include tenancy sustainment initiatives such as floating support, crisis intervention services and Sanctuary schemes, which are discussed further in Chapter 4. Pawson, Netto and Jones (2006), who conducted the evaluation of homelessness prevention measures, argue that it is highly likely that a substantial part of the dramatic fall in homelessness acceptances since 2003 in England and Wales is 'attributable to homelessness prevention activities'. However, they also note that 'policy transfer between countries must be undertaken with great care' (Pawson, Netto & Jones 2006, p.8 & p.89). The aim of the fieldwork for this project will be to establish what are the barriers to success of these measures in Australia where there is no legal duty to prevent homelessness or to provide temporary or permanent accommodation for those who have left home because of domestic or family violence.

What is true of Australia, as elsewhere, is that the cost of providing crisis accommodation is often more expensive than providing housing support (AHURI 2009). When considering the effectiveness of homelessness prevention measures, the extent to which they achieve improved outcomes for women and children needs to be fully taken into account alongside any cost savings (Flatau et al. 2006). The fieldwork for this project will enable some of the gaps in our knowledge about effective homelessness prevention for women and children who have experienced domestic and family violence to be filled.

This chapter has reviewed the issues we are discussing when considering homelessness prevention measures for women and children who have experienced domestic and family violence, and why it is worthy of research. The literature confirms that experiencing domestic and family violence is dangerous and traumatic for both women and their children, and that it is one of the major causes of homelessness in Australia.

The following chapter identifies the historical and current policy context in which homelessness prevention initiatives have begun to operate. This is done bearing in mind that currently many victims of domestic and family violence leave their homes before they first make any contact with services. This, of course, adds to the complexity of preventing their homelessness (Pawson, Netto & Jones 2006). In order for this situation to change, a new approach that encourages women to feel it is worthwhile to contact services before making a planned decision to leave the home will need to become the norm.

3 THE POLICY CONTEXT

This chapter explores the historical policy context of domestic and family violence and their links to homelessness. We identify that this context has both shaped, and been shaped by, attitudes concerning whether women and children who have experienced domestic and family violence have the right to remain in the family home. This is an important and relevant issue because homeless families in Australia are mostly made up of this group of women and children—one of the most overlooked and marginalised groups in society (Hulse & Spinney 2010).

3.1 Domestic and family violence refuges

The first women's feminist refuge in Australia was established in Sydney in March 1974, and by June 1975 eleven further refuges had opened. Until the formation of the feminist Women's Liberation groups in the early 1970s, the organisations aimed at helping homeless women had not questioned the social context within which women became homeless, and instead they had seen individuals as being responsible for their own situation. However, from the early 1970s, feminist explanations of the causes and solutions of domestic violence began to be heard as the second wave of feminism gained momentum. As a result, domestic and family violence refuges began to open and, for the first time, women had an element of choice as to whether they continued to endure their situations or to leave (Spinney 2007).

At first the refuges received no systematic Commonwealth or state funding, and ran only on voluntary contributions, but funding has been constant since the re-election of the Commonwealth Labor government in 1983 which almost immediately granted $4 million to the Women's Emergency Service Program (WESP). When all the Commonwealth crisis accommodation services were brought together under the Supported Accommodation and Assistance Program (SAAP) in 1985, WESP was included as a sub-program. There was some concern from women's groups about this as they were worried that funding for domestic and family violence issues would be restricted to crisis accommodation only. A compromise was reached whereby it was agreed that non-accommodation services for women who had experienced domestic and family violence would also be funded through SAAP. This created the anomalous situation whereby the provision of non-accommodation services was funded through an accommodation program (Spinney 2007). The reason why almost all domestic and family violence services were funded through SAAP throughout the entire time of the program can therefore be derived from Australian feminists' decision in the 1970s to seek public funding to develop a homelessness response rather than to tackle other issues, such as the criminality of perpetrators or public perceptions of domestic violence. They did this because they recognised that, at that time, the plight of homeless women and children would be more likely to gain political recognition and sympathy than the criminalisation of perpetrators (Hopkins & McGregor 1991).

Domestic and family violence refuges have played a pivotal role both in Australia and internationally in keeping women and children safe, and in empowering and enabling them to restart their lives. However, an unintended impact of this has been to 'normalise' the situation where women and children were the ones who were expected to become homeless in order to leave a violent relationship. This became the dominant perspective for over 30 years, and has coloured how policy responses to domestic and family violence have been developed during that time. It is only relatively recently that the 'inevitability' of leaving the home in order to leave a violent relationship has begun to be questioned. Our review of the literature has revealed that, during the last decade, three important reports have been published by the

Commonwealth of Australia that have sought to reconceptualise the linking of domestic and family violence with homelessness for women and children. Tually et al. (2008) reiterate the recommendations from Chung et al. (2000) and Weeks and Oberin (2004), and these three publications are recommended reading for those with an interest in this topic. Tually et al. endorse the need for homelessness and violence against women to be placed within a formalised human rights framework, with access to appropriate and safe affordable accommodation and freedom from violence a basic right for all regardless of background, economic status, gender or disability. We also take a stance that it is in no-one's interest for women and children to either live with violence or to have no other option than to become homeless.

3.2 Reasons why women do not seek refuge

As far back as 1998, the Commonwealth government commissioned research in order to question why relatively few women sought assistance from police or from homeless crisis services, and to identify the alternative strategies and services women used to manage or cope with domestic violence. The reasons given for not using services included fear, shame, guilt, embarrassment and a lack of knowledge of services. Women also reported being scared that the only option they could be given was a place in a refuge, and that the rules and communal living in some refuges deterred some from using them (Keys Young 1998; Tually 2008). Women can also be reluctant to leave their homes because their relationships with support networks can be severed as a result, and they can face isolation and emotional trauma as well as economic disadvantage as a result of their decision to leave. Fear of these losses can trap women in abusive relationships (Southwell 2002).

SAAP-like services are not designed to solve permanent housing needs and their effectiveness depends very much on the ability of their clients to move on to other housing options, such as private rental, public housing or owner-occupation after they have received temporary accommodation and services while in crisis. As a consequence, many homelessness services clients, including women and children who have experienced domestic or family violence, return to a homeless situation after receiving temporary assistance. Women and children are in the top bracket of 'unmet demand' from homelessness services, as many more people try to access crisis and refuge accommodation than there is room for. This has been acknowledged in the White Paper on homelessness (Commonwealth of Australia 2008) as a reason why some do not seek help from refuges and other crisis accommodation.

Whether or not women and their children do seek help from homelessness services can sometimes have little impact on the quality accommodation available to those who leave the family home in order to leave a violent relationship:

> Families who experience homelessness can find themselves in inappropriate and insecure situations whether or not they seek assistance from welfare agencies, and the assistance often offered by welfare agencies does little to alleviate, in the short to medium term, the family's stress or to make them feel any greater sense of control. Furthermore, such assistance does not enable their participation in society, as the carers of children, friends, neighbours or friends, or participants in the workforce. (Hulse & Spinney 2010, p.2)

In the longitudinal study, *Families on the Edge*, women and children were (or had recently been) staying in motels, rooming houses, caravan parks, refuges, backpackers' hostels, cars, short-term transitional self-contained accommodation, or were with inappropriate partners or staying with relatives and friends. They frequently had to move between different types of temporary accommodation and, as a result, suffered an inability to exercise the rights and responsibilities that other Australian

citizens take for granted, such as being able to seek work or to feed their children in the way they wished (Hulse & Spinney 2010). Women are also sometimes reluctant to leave because they do not want to disrupt their children's schooling (Tually et al. 2008). Sometimes women who are faced with a decision to either leave the family home and enter the homelessness system, or remain with the perpetrator, have difficulty in ascertaining which of these will do less damage to their children. It is therefore important that appropriate opportunities to remain while the perpetrator is removed are also made available.

3.3   The right to remain in the home

A critical review of the research and policy literature reveals a growing policy interest at both Commonwealth and state levels in forcing the perpetrator to leave and enabling women and children to remain in their homes. This policy direction has been reflected in the choice of research commissioned—for example, the seminal report *Home Safe Home* (Chung et al. 2000) called for a change in service orthodoxy and for appropriate legal, judicial, police and housing responses to ensure women's and children's safety in their homes:

> A key issue in the research around domestic violence and homelessness is that if rigorous and enforced legal sanctions were in place women and children would be able to remain in the home and the perpetrator removed. (Chung et al. 2000, Introduction)

The same year, *Reshaping Responses to Domestic Violence* found that all the female participants expressed 'a strong preference for the perpetrator to be removed and the women and children to be allowed to stay in the home safely (Bagshaw et al. 2000, p.23). The Domestic Violence and Incest Resource Centre discussion paper *Family Violence and Homelessness: Removing the Perpetrator from the home* (Southwell 2002), noted that there were patriarchal reasons preventing women from remaining in the family home, including the ineffective enforcement of intervention orders by the police and courts:

> Many magistrates appear to view the exclusion of a man from his home as too serious a penalty to be justified on the balance of probability that violence or threats of violence have been perpetuated.

The report recommended policy responses including improving police responses to breaches of court orders, providing court-based domestic violence advocacy services, accommodating perpetrators, establishing domestic violence courts and undertaking law reform. Several of these responses designed to remove barriers to women remaining in the family home have since been implemented to some degree, as discussed in Chapter 4.

Edwards (2004) explored how women leaving a violent relationship could remain safely in their own homes with their children, with the violent partner being removed. She found that there were three factors critical in enabling the New South Wales' women in her study to remain in their homes. These factors were first, that the women had a strong attachment to their homes and felt that they had a right to remain in the home; second, that the violent partner was removed by the authorities (i.e. police & courts) or went voluntarily because he had other housing options; and third, that while the women had concerns for their safety, they were not overwhelmed by fear and had developed a range of safety measures to help them feel safer at home. The nine women who remained at home (out of a total of 24) adopted safety strategies such as taking out apprehended violence orders with exclusion conditions, making the house more secure, and ensuring contact arrangements for children did not happen at the

family home. These types of measures are examined in more detail in Chapter 4. None of the women who remained in their homes reported a violent incident from their ex-partner, although some did attempt to make unwelcome visits. The women found that the benefits of remaining at home were that their lives could continue with minimum disruptions and that there was a shift in the power relationship between the victim and the perpetrator.

As a result of the key learning in these research studies, a new policy context aimed at enabling women and children leaving domestic and family violence to retain their housing has emerged in Australia, which has been embodied in the White Paper discussed below. This AHURI project, *Homelessness prevention for women and children who have experienced domestic and family violence*, will contribute to this emerging area of public policy interest by investigating in detail what it is that makes Staying Home Leaving Violence type schemes work effectively both internationally and in Australia, and what are the barriers to them becoming more widespread across the states and territories.

3.4   Changes brought about by the White Paper: *The road home*

The White Paper (2008) altered the policy context by specifically identifying and promoting the need to expand programs that allow women and children to remain in the home once the perpetrator has been removed. It identifies both the expansion of Staying Home Leaving Violence type models and the continuation of crisis accommodation as the main policy responses to homelessness attributed to domestic and family violence. It sets a specific interim target to increase by 2013 the number of families that have experienced domestic and family violence who maintain or secure safe and sustainable housing by 20 per cent. The White Paper acknowledges that remaining in the family home is not a viable option for all women and children and that there must also be a focus on transitioning them out of refuges into long-term safe and secure housing. However, it also specifies that violence will continue to have a major association with homelessness unless rates of domestic violence fall significantly, or new strategies are found to keep victims safer in their homes, and that homelessness prevention services and services are good investments of public money.

We have illustrated that policy responses to homelessness caused by domestic violence have increasingly started to move away from refuge provision to alternative non-accommodation based services such as outreach work. However, it is still the case that the vast majority of current programs rely on the provision of temporary accommodation and support services for women and children who are homeless after they have left their homes in order to escape domestic and family violence (Tually et al. 2008). The literature reveals that there are new and emerging groups of women who have experienced domestic and family violence who are in need of assistance from services. These include home owners, women with male older children, those living in rural and remote and mining communities, those in same-sex relationships, and those who have a disability or are elderly. The later stages of this project will investigate whether they could be more ably assisted by having a choice to utilise homelessness prevention measures, rather than homeless crisis accommodation.

3.5   Indigenous Australians, domestic and family violence and homelessness

As Tually et al. (2008) confirm, we know that a significant number of the women who become homeless in order to leave situations of domestic and family violence are

Indigenous Australians. We also know that, for Indigenous Australians, domestic and family violence and homelessness can be different from that of white mainstream interpretations. The causes of family violence in Indigenous communities are now increasingly accepted as stemming from the history and impact of white settlement in Australia. These include dispossession of land, breakdown of community kinship systems, marginalisation, entrenched poverty, racism, alcohol, and the effects of institutionalism and removal policies (Office of Women's Policy 2001; Victorian Government 2004).

> Situating family violence as an effect of colonialism provides a platform from which all members of Indigenous communities can address loss and grief issues and take responsibility for current behaviours in a 'no blame' framework. (Yarram 2003, p.13)

In an Indigenous community context, family violence is wider than spousal violence and can encompass a mix of harmful, violent and aggressive behaviours that can occur within families, extended families, kinship networks and communities (Victorian Government 2004). The experience of homelessness for Indigenous Australians can also be different from mainstream definitions because it can include the loss of cultural and religious connections to land, in addition to the stress factors that affect all homeless people (Berry et al. 2001).

Within the last decade there has been a growing recognition that white feminist approaches to family violence such as refuge provision can be perceived within Indigenous communities as pressurising women to leave violent men and their families, and increasing the criminalisation rates of Indigenous males. As a result, culturally specific Indigenous responses have been developed to help prevent relationships breaking down, and therefore prevent homelessness (ATSIC 2003; Tually 2008). These include:

→ Family healing centres where families can be counselled and supported.

→ Night patrols: remove drunken men temporarily, but not into the criminal justice system.

→ Substance abuse mentoring.

→ Safe houses: places for women to go and stay for a while without separating from their partner.

→ Cooling-off houses: supportive places for perpetrators to move to for a respite period (Weeks & Oberin 2004, p.24).

Schemes such as these will be further investigated in the later stages of this research, in order to ascertain their effectiveness at preventing homelessness.

3.6   Policy in England and Wales

As in Australia, since the 1970s domestic and family violence refuges became the primary policy response in England and Wales to assist women and children who had experienced domestic and family violence. However, also as in Australia, there has been an increasing awareness of the needs of women and children and their rights, and of how important for their wellbeing it is that they are enabled to remain in their home when appropriate. In both Australia and the UK, new guidance and targets for the police on pro-arrest policies and performance indicators on repeat victimisation of domestic and family violence have impacted on women's and children's ability to remain at home (Cabinet Office and Home Office 1999). From the late 1990s police began to no longer automatically remove the women and children to a place of refuge but instead increasingly looked to change the behaviour of the perpetrator through

justice system sanctions. This change of policy impacted on where some women and children lived in the long term. Once removed to a refuge by the police in the immediate aftermath of a violent incident, it can be very difficult for them to return to the home, even following the removal of the perpetrator, for both psychological and practical reasons, especially if the perpetrator has remained in situ during the time they are away.

This section looks at some of the legislative and policy changes that have occurred in England and Wales as a result of the changing discourse around the removal of the perpetrator. In the next chapter, the specific policy responses that were initiated as a result of these changes are examined in order to begin to ascertain how effectively they have enabled women and children who have experienced domestic and family violence to remain in their homes.

In the UK, the 1997 New Labour government targeted the reduction of homelessness (first, single rough sleepers, followed by families) as one of its principal policy drivers, from which the *Housing Act* 2002, the Supporting People funding regime, and increased capital funding for affordable housing came about (ODPM 2003a). Before Labour was elected, however, the *Housing Act* 1996 brought in by the Conservative government had also initiated changes in policy. Unlike Australia, since 1977 some vulnerable homeless persons in the UK have been protected by a statutory duty on local housing authorities to permanently rehouse those who were in priority need and unintentionally homeless. This has always included some women and their children who had experienced domestic and family violence. However, the 1996 Act created an explicit duty on local housing authorities to secure suitable permanent accommodation for households experiencing domestic violence who were unable to remain in the family home and who were assessed as unintentionally homeless and in priority need.

Domestic violence in this Act was defined by reference to the relationship between the perpetrator and applicant, and their association, as opposed to a residence-based test. The Act also gave social landlord[1] powers to seek repossession of permanent tenancies against perpetrators of domestic violence. Landlords could use this procedure as a management tool when they had rehoused women and their children, and the perpetrator remained alone in the former family home. At this time it was still the norm that women and children were the ones who left the home, but it was becoming increasingly thought of as unreasonable that perpetrators were the ones who remained. It is important that the legislative differences between England and Wales and the states and territories of Australia are taken into account when examining differing policy responses and service provision. The viability and success of importing ideas from elsewhere is dependant on taking into account the situational context of both locations.

The *Homelessness Act* 2002 had major consequences for people made homeless due to domestic and family violence because domestic violence became classified as one of the causes that could make a homeless person vulnerable, and therefore have a priority need for housing. The legislation also extended the type of situation in which it was unreasonable to remain in occupation and now encompassed any violence or threats of violence. Most importantly in the context of homelessness prevention policy responses, the Act also strengthened the assistance available to people who were homeless or threatened with homelessness by ensuring that a more strategic approach to tackling and preventing homelessness was taken, by requiring a written homelessness strategy for every housing authority district (ODPM 2002). The

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[1] Local housing authorities and housing associations.

strategies had to be based on a review of all forms of homelessness, and this had the effect of bringing to the fore the extent of homelessness caused by domestic violence in England.

The *Good Practice Guide for Local Authorities* (ODPM 2003b), published to accompany the Act, stressed that:

> Relationship breakdown is a major cause of homelessness and early intervention can help to prevent one or both partners becoming homeless … Advice and assistance can help to ensure that one partner, usually the one with children living with them, can keep the family home, or move to a more suitable one if, for example, there is a continuing threat of violence. (ODPM 2003b, p.44)

It was these factors that created the policy driver for local housing authorities to initiate mainstream strategies designed to prevent homelessness among women and children who had experienced domestic and family violence. At first some of these were criticised by Shelter and other advocacy groups as being primarily designed to prevent statutory homelessness acceptances by local housing authorities, rather than to prevent women and children actually becoming homeless. This is further discussed in Chapter 4.

The Supporting People program, which is designed to provide housing related support to vulnerable people in order to prevent homelessness, hospitalisation or institutional care, and to help a smooth transition to independent living, commenced in April 2003 (ODPM 2004). Unlike Australia, up to this point English policy had not prioritised providing support to homeless persons but had focused mainly on the provision of actual housing. Those eligible to be assisted by the Supporting People program included those at risk of domestic violence. Support for such women could be facilitated from within domestic and family violence refuges or in other emergency accommodation, but it could also include support and safety measures to prevent further violence to women who wished to remain in the original family home or who were living in alternative permanent accommodation (ODPM 2002). Importantly in terms of homelessness prevention measures, Supporting People services were fundable regardless of the tenure in which the recipient lived.

The five-year strategy, *Sustainable Communities: Homes for All* (ODPM 2005a), laid out plans to tackle homelessness and to halve the number of households living in temporary accommodation by 2010. The strategy involved spending £60 million on preventing homelessness, including offering security measures for domestic violence victims. Two months later, in March 2005, *Sustainable Communities: Settled Homes: Changing Lives* (ODPM 2005b) stated how the government would tackle social and personal, as well as structural, causes of homelessness. This document detailed how the heart of the government's strategy was the continued investment in homelessness prevention: £200 million was to be spent over the next three years on homelessness prevention schemes, including Sanctuary schemes designed to provide security measures that allowed some victims of domestic violence to remain in their own homes. Between 1997 and 2004 more than 146 000 households were rehoused by local housing authorities because of domestic violence. Preventing homelessness attributed to domestic violence was therefore seen by the government as having the potential to have a major impact on reducing statutory homelessness figures, and indeed during 2005 homelessness acceptances reached their lowest level for over 20 years.

3.7 Conclusion

What we can take from this overview of the policy context is that both case study jurisdictions have a history of normalising the 'solving' of domestic and family violence situations by removing the women and children from the place where the crime has occurred—their home. Our critical reading of the academic and policy literature has identified that this has created, in both locations, an enormous service and welfare provision designed to deal with the women and children who become homeless as a result. Although the policy contexts of the two case study jurisdictions have some important differences in terms of legislation and specific policy provision for Indigenous Australians, for instance, but both have started to break the link in association between domestic and family violence and homelessness, and to create a new discourse concerning the removal of perpetrators. In England and Wales, policy approaches designed to prevent homelessness for women and children have led to major changes in practice, and in Australia new approaches are also being both piloted and, recently, mainstreamed in some areas. Staying Home Leaving Violence schemes are still under development in Australia, but in England and Wales there are six or seven years of experience with policies and programs directed at this issue. This project will assess these policies and programs to determine whether, and how, they would be able to work effectively in our Australian context. The next chapter looks in more detail at some of the measures already operating in Australia.

4   HOMELESSNESS PREVENTION MEASURES

This chapter looks at some Australian and international examples of approaches that use a combination of legal/judicial, housing and welfare policy and practices to improve women's and children's safety, both if they leave or if they chose to remain in their existing home, but end their relationship with the perpetrator. Our review of the literature reveals that the most effective measures often combine these into a 'joined up' approach which we have developed as a conceptual framework for this study. This chapter therefore looks particularly at innovations and developments in Australia, England and other countries that rely on coordination of all of the three approaches illustrated in Figure 2 below in order to enable women and their children who have experienced domestic and family violence to remain safely in their homes after the perpetrator has been removed. These include:

→ *Legal/judicial*: improving police responses to breaches of court orders, providing court-based family violence advocacy services, domestic violence courts, law reform.

→ *Housing*: the alleged perpetrator being given short-term emergency accommodation to encourage him—rather than the victim—to leave the family home, private rental brokerage programs for women who have experienced family violence, 24-hour response services by housing agencies.

→ *Welfare*: outreach services, 'Sanctuary' type schemes.

Figure 2: Interrelated approaches to homelessness prevention for women and children who have experienced domestic and family violence
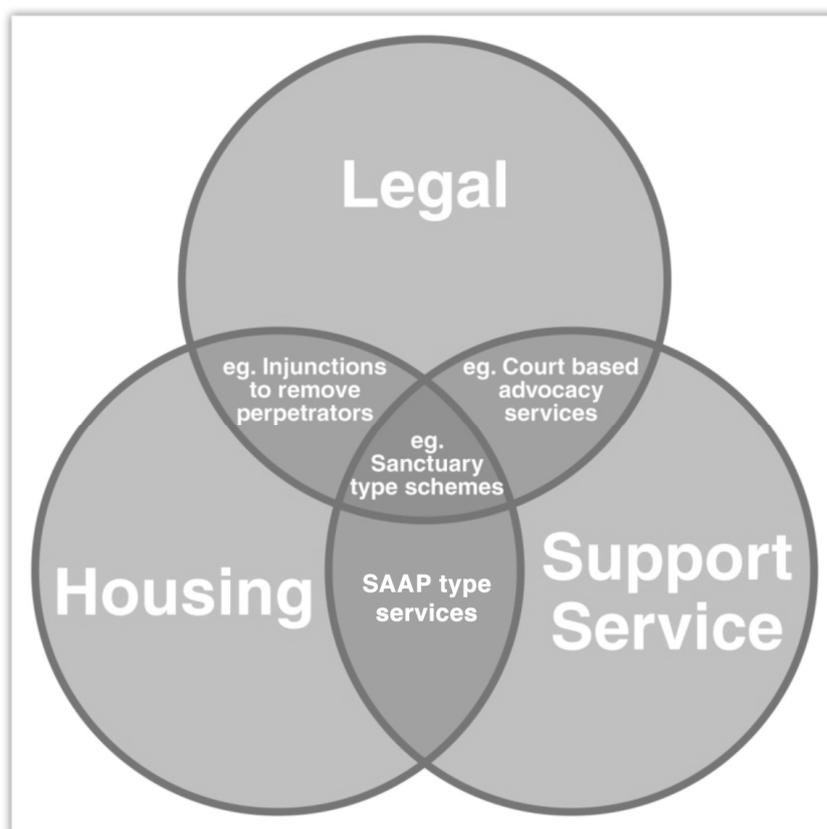
The attitude of the police and justice systems, legislative and criminal justice responses, family violence courts, outreach services, incentives to encourage

perpetrators to leave and early intervention policies are discussed, before looking specifically at programs that integrate housing, support service, and justice policies together in victim-centred initiatives designed to enable victims of domestic violence to remain in their own homes more safely. Australian schemes such as Staying Home Leaving Violence Projects and the UK's Sanctuary schemes, for instance, operate to reduce the risk of homelessness and the trauma of relocating for victims of family violence. Central to such models are that the perpetrator of the violence should be removed from the home (Tually et al. 2008), either through judicial measures such as injunctions or by incentives to leave, and that the justice system should strongly deter him from returning. Women and children should not be penalised by losing their homes because they have been the victims of criminal activity.

4.1 Attitudes of the police and the judicial system, and their impact on enabling women and children to remain in their homes

In the past, domestic and family violence was rarely publicly discussed and women who sought assistance because their partner was violent were often told it was they who should change their behaviour (the way they looked, talked and acted etc.) or were prescribed tranquilisers by medical practitioners (Gale, Heyworth & Mulley 2006, p.199). Perpetrators of violence were not normally arrested. Such views had an impact on women's expectations and abilities to both end a violent relationship and to remain in their homes. As Tually et al. (2008) have noted, the police and judicial system have an important role to play in terms of homelessness prevention. In the past, there was a tendency for the police and the courts to treat domestic assaults as a social rather than a criminal or legal problem, and to be reluctant to intervene. Male violence was aimed at reinforcing men's authority, and the patriarchal police and courts were sometimes reluctant to reduce this authority (Barron 1990). The effectiveness of the law was therefore sometimes limited by police practice.

Attitudes towards women and children who approach the police for help have altered in the last decade or so. Importantly, this cultural change has been acknowledged in the mass media. This has impacted not only on women's ability to remain in the home, but also on community understanding that if women ask the police for assistance they will no longer be required to leave their home against their wishes:

> The seriousness of family violence has not always been recognised. In the past a man's home was seen as his castle and calls for help from frightened women could be dismissed by police as 'just a domestic'. (The Age, 3 September 2004, editorial)

In the last few years, several Australian police forces have conducted internal reviews on their treatment of women and children who have experienced domestic and family violence, and these have led in most jurisdictions to more women-friendly services. These include enhanced training, new codes of practice on how to respond to domestic violence, improved data collection, streamlining access to intervention orders, developing the role of family violence liaison officers to work in partnership with other agencies, and increasing accountability when responding to incidents of violence against women (Drysdale 2002). In Victoria, police must follow a step-by-step process that allows for three options (criminal law, civil law or referral to a specialist agency) of which they must carry out referral as a minimum (Drysdale 2002). Our review of the literature reveals that police attitudes to investigating breaches of an intervention order are a major factor in whether women can safely remain in their homes. Pro-arrest policies can force perpetrators of domestic and family violence to adhere to orders keeping them away from their former home. Without appropriate

legislative and criminal justice response diligently actioned, women and children are at much greater risk, and a vital component of successful schemes seems to be both the creation of deterrents to perpetrators and the cooperation of the police. This will be further investigated during the fieldwork.

4.2   Legislative and criminal justice responses

> Appropriate and timely interventions by first response agencies such as the police and courts are essential to ensure the safety of women. The use of intervention and sole occupancy orders can assist women to safely remain in or return to their home and are key legal responses to addressing the disenfranchisement and isolation brought about by domestic violence. (Department of Human Services 2002)

Exclusion and sole occupancy orders that give the other household member the right to occupy premises for the duration of the order are found in several countries. This section takes a brief look at the relevant legislation in the UK and Australia in order to begin to ascertain what role they play in assisting or hindering women and children to remain in their homes. Legal context is important because 'Law is a powerful normative discourse which distinctively brings into existence that which it utters' (Blandy & Robinson 2001). Laws demonstrate what society does and does not find acceptable behaviour and therefore set the framework through which policy responses are created.

In the UK, the *Domestic Violence, Crime and Victims Act* 2004 made breaches of a non-molestation order (which is used to deter someone from causing or threatening violence to the applicant or to any children) a criminal offence, which meant that the police can arrest without a warrant. The Act also places a duty on the court to consider making a non-molestation order when it considers making an occupation order. Because of this, the Act has the potential to be a disincentive to perpetrators of domestic and family violence attempting to return to their former home, and therefore can work to keep women and children safer.

In Australia, the federal system means that there are two avenues with which to invoke the law and to have perpetrators removed from jointly occupied premises. Applications can be made under the *Commonwealth Family Law Act* for an injunction to exclude the perpetrator from the matrimonial home, or women can apply under state legislation for an intervention order or similar measure that prohibits the perpetrator from accessing the premises (Southwell 2002). Commonwealth and State legislation that impacts on preventing women and children who have experienced domestic and family violence from becoming homeless will be reviewed in the next stages of this research.

4.3   Integrated justice system responses

In Tasmania, the *Safe At Home* integrated response to domestic and family violence comprises 16 initiatives across the Departments of Justice, Police and Public Safety, Health and Human Services and Premier and Cabinet. There is no specific objective to reduce homelessness caused through domestic and family violence, but the objectives and principles of *Safe At Home* include 'wherever possible, victims should be able to choose to remain in or return (as soon as possible) to their own homes' (Department of Justice 2009, p.10).

Police sergeants and authorised constables can issue police family violence orders to perpetrators following a family violence incident. This limits the offender's behaviour and may specify that they not reside in or return to the victim's residence. These

orders normally last for 12 months. If the conditions are breached, the offender can be arrested. The Department of Justice has responsibility for implementing *Safe At Home*. One of the central tenets is that domestic and family violence is seen as a criminal act deserving a criminal justice response the same as any other act of violence.

In New Zealand, the Family Violence Interagency Response System (FVIARS) is designed to ensure a shared response to all police family violence reports through improved information sharing between agencies. Likewise, the ACT has an integrated justice system response. The impact of these integrated responses on preventing homelessness will be further investigated during the fieldwork stage of this research.

4.4   Family violence courts

Both in Australian jurisdictions and elsewhere, specialist family violence courts have been established with the aim of making the court process less intimidating, more accessible and responsive to all those who have experienced domestic and family violence, including Indigenous Australians (The Australian, 2 May 2002). In Victoria, such courts were trialled in 2005 in Ballarat and Heidelberg. In the UK, they have been established since 2006. The courts form the core of an integrated response to family violence which goes beyond legal remedies to also make referrals (when appropriate) to agencies dealing with housing, employment and health matters. They can prevent the victim having to attend both civil and criminal courts, and can assist agencies such as the police, prosecutors, court staff, probation staff and specialist agencies to work together to share information and to track and risk-assess domestic and family violence cases (DCLG 2007).

There appear to be two types of domestic and family violence courts in operation internationally. In some, all cases are grouped together in sessions and dealt with by specially trained staff and magistrates, with specialist support services being present. In others, cases are fast-tracked with specialist pre-trial review sessions. A 2006 evaluation found that these courts enhance the effectiveness of support services for the victims of family violence crimes (Home Office 2005). The fieldwork for this project will examine in more detail their potential in helping to prevent homelessness for women and children.

4.5   Outreach services

Outreach services, or floating support as they are also known, are services where workers provide flexible support by visiting people in their own home (DCLG 2010b). Both in Australia and internationally, these schemes appear to have an important role to play in helping to prevent women and children who have experienced domestic and family violence from becoming homeless. These women and children can suffer far-reaching impacts on their health, social and economic wellbeing (ODPM 2004), and the support provided by these services can assist women to build up their skills and confidence is such things as budgeting, benefit claiming, assertiveness and job seeking. All of these are important if the women are to successfully sustain remaining in the family home, and such support may be required for several years. This can be crucial in preventing a return to the violent relationship. In Victoria, outreach workers have been linked into the judicial system so that they are immediately available to women when the perpetrator is removed from the home by a court order. Placing a dedicated domestic violence support worker in courts can ensure women have the appropriate exclusion provisions in their intervention orders (Tually et al. 2008). In Tasmania, non-uniformed court support liaison officers assist women through the legal process. Their work means that victims are more likely to remain involved with the court system and be willing to give evidence (Department of Justice 2009).

4.6 Incentives to encourage perpetrators to leave

As previously discussed, there has been a growing discourse that it is the perpetrator who should leave the family home, rather than the women and children who have been abused. In Victoria in 2005, some police officers and courts were still finding the concept of the removal of men difficult and, in order to rectify this, an innovative policy response in which perpetrators were given inducements to leave was introduced by the Department of Human Services. Police or social workers could give eligible perpetrators vouchers of up to $300 to set them up in inexpensive accommodation such as a hostel, rooming house, motel or caravan park for up to three nights. The policy initially cost $600 000 over four years and was funded through the Victorian SAAP. This pragmatic, if controversial, response was cautiously welcomed by women's groups as removing an obstacle to police and courts barring violent partners, in spite of fears that it could be seen as a reward for violence (Bachelard 2005).

Victorian Assistant Police Commissioner Mahoney reiterated the new culture that now permeated throughout the police force:

> Before we would take the women and children to a refuge. The message now is that it makes sense to leave the women and children if they are safe. (Horin 2005)

A month later, Acting Premier John Thwaites said on this issue:

> In the past, the women and children have had to move out into a refuge while the perpetrator of the violence stays in the home. Often that's because the man has said there is nowhere for him to go. (Tomazin & Murphy 2005)

The three days of accommodation for the perpetrator funded through SAAP allow women a window of opportunity to gain a court order removing the perpetrator from the home on a more permanent basis. This, and the fact that the police are no longer automatically removing the women and children in order to stop a crime occurring, has the potential to have a positive impact on whether it is the perpetrator or the women and children who leave. This is because what happens in the immediate hours and days following a domestic and family violence incident can have a lasting implication on who it is that remains in (or returns long term to) the family home.

Similarly, in Tasmania, the *Safe At Home* integrated justice system response has provided funding for the Department of Health and Human Services to pay for alternative accommodation for offenders who are removed from the family home and are not able to find accommodation elsewhere (Department of Justice 2009, p.10). The efficacy of financial and other incentives to encourage perpetrators to leave will be further investigated in the second stage of this study.

4.7 Early intervention policies to prevent long-term homelessness

Current crisis accommodation for women and children escaping domestic and family violence has evolved from the women's refuge movement and can range from high security models to clustered units to dispersed units. A central feature of the refuge type model is that it has always involved the relocation of women away from the situation of violence and therefore away from their homes, support systems and communities. Such accommodation is often a domestic violence refuge, but increasingly it is also motel rooms, caravan parks or boarding houses, which can be both isolating and frightening (Hulse & Spinney 2010). Although this paper is mostly focused on policy responses that prevent homelessness by enabling women and children to remain in the family home, there are also examples of good practice

projects that aim to circumvent or shorten the period in crisis accommodation and establish women and children in new independent housing back in their community as quickly as possible. These are often used alongside policy responses to promote and support a woman's right to remain in her home when this is not appropriate, either because she does not wish to return or will not be safe. These new approaches have been based on more flexible models that recognise diversity and are based on individual need (Victorian Government 2004). Such models include:

→ Transitional housing management (THM) units are medium-term (three to 12 months) social housing tenancies that aim to allow households in crisis to live in more independent and self-contained accommodation while they seek move-on accommodation.

→ Accelerated access to long-term public housing through segmented waiting lists.

→ Placement of specialist housing referral workers in family violence outreach services.

→ Housing establishment funds that give flexible financial assistance to households in crisis to pay for such things as rent arrears, rent in advance, removalist costs, buying essentials for the new home or getting belongings out of storage. The aim is to allow people to remain or move into the private rental sector.

→ Private rental brokerage programs to help homeless victims of domestic violence access or remain in long-term affordable housing. This can be used for such things as subsidising rent for the first few months or paying the first few months rent (Drysdale 2002).

Other non-housing measures that can help to prevent homelessness include:

→ Centrelink crisis payments for women leaving situations of domestic and family violence.

→ Behaviour change programs for perpetrators.

→ Indigenous family reconciliation programs.

The case studies will examine the effectiveness of these schemes when run alongside homelessness prevention schemes to ascertain if they play any part in enabling women and children to return to their homes after the perpetrator has been removed.

The next section looks at the focus of this project, that is, schemes that are designed to explicitly prevent homelessness in women and children who have experienced domestic and family violence by enabling them to remain in their own homes.

4.8 Sanctuary schemes in England and Wales

The role of Sanctuary schemes has to be understood in the context of the overlapping statutory options discussed in Chapter 3 that are available to people (the vast majority of whom are women) at risk of domestic violence in England and Wales. Around 13 per cent of the households accepted for rehousing as homeless in England have had to flee their homes due to domestic violence (DCLG 2010a). Another option for such households is finding safe temporary accommodation in an emergency refuge which is available in most areas. Some are run by the local authority and others by voluntary organisations such as Women's Aid. A third potential option is for the victim to make use of the range of legal protective measures, both civil and criminal, intended to safeguard the home and the person against domestic violence. These possible options are not mutually exclusive.

Sanctuary schemes provide another option. They offer someone who is experiencing domestic violence the prospect of staying safely in their own home through enhanced

security (DCLG 2007). The security measures take two main forms. An existing room can be converted into a 'safe room' by installing an outward-opening reinforced door with a door viewer and additional locks and bolts, where household members could phone and wait safely for the police in an emergency. Additionally or alternatively, safety devices can be installed in the rest of the property, for example, reinforced front and back doors, fire safety equipment, emergency lights and reinforced windows. Sanctuary scheme providers (usually partnerships that invariably include the local authority) offer these measures free of charge. They can be installed in any type of property regardless of tenure, although in rented accommodation the landlord's consent is needed.

There are a number of reasons why it is in the interests of local housing authorities to adopt Sanctuary schemes, apart from the obvious one of providing protection to vulnerable residents. Their cost is less than the cost of rehousing the same household as homeless. Local authorities have a statutory responsibility under the *Crime and Disorder Act* 1998 to work with other agencies to reduce 'crime and disorder', which includes domestic violence. They must also meet national performance indicators (NIs), two of which are particularly relevant: NI 34 concerns the rate of murder connected to domestic violence and NI 3221 concerns the rate of repeat incidents of domestic violence (DCLG 2007; HM Government 2009). Sanctuary schemes can therefore help local authorities fulfil their statutory obligations, reduce the costs associated with accommodating homeless households, and meet performance targets. This somewhat cynical view is clearly illustrated in a county-wide protocol for establishing Sanctuary schemes in Devon, which states its main aim as enabling 'victims of domestic violence and abuse to feel safe and remain in their own homes'. The protocol then continues that the scheme will also assist to 'prevent homelessness wherever possible in cases of domestic violence; minimise the use of emergency bed and breakfast accommodation; and help achieve a 50 per cent reduction in the use of temporary accommodation by 2010'. To underline these secondary aims, the scheme is only made available to applicants who 'would otherwise be likely to become homeless' (Devon Strategic Housing Group 2008), rather than to any resident in need of such protection.

4.9   Development of Sanctuary schemes

The first Sanctuary scheme was launched in 2002 by Harrow police's Crime Reduction Unit in partnership with the London Borough of Harrow Housing Department (Metropolitan Police and London Borough of Harrow 2007). Some authorities, but by no means all, were already providing security measures such as alarms. In many cases, court orders were found to have proved ineffective in keeping a violent ex-partner away from the former shared home.

In 2003, the UK government introduced the Supporting People program that provides funding for local authorities to deliver housing-related support services based on assessment of local need. Using this program, Authorities could support households experiencing domestic violence, in particular, provide Sanctuary schemes enabling them to stay safely in their own homes (Pawson, Netto & Jones 2006). A variety of funding sources exist for Sanctuary schemes in addition to the Supporting People program, including Local Authority Homelessness Prevention Funds, Private Sector Housing Renewal Grant, funding from Crime and Disorder Reduction Partnerships, and Registered Social Landlords (Devon Strategic Housing Group 2008.)

The 2006 Guidance on Sanctuary schemes suggests that schemes should be developed alongside specialist legal and other support services, and should complement court orders including occupation orders that define or regulate rights to

the home (DCLG 2007). This recommended multi-agency approach is in line with another non-statutory intervention that focuses specifically on the safety of high-risk domestic violence victims. The first multi-agency risk assessment conference (MARAC) was convened in 2003 and over 240 MARACS are now operating in England and Wales (HM Government 2010).

The growth and success of Sanctuary schemes is indicated by local authorities reporting in 2008–09 that such schemes had enabled 3820 people to remain in their existing homes (DCLG 2009, p.6). However, this must be considered in relation to the figure of 16 750 women and 19 005 children accommodated by Women's Aid emergency refuges during the course of 2008–09 (estimate based on Barron 2009). Of course, it is possible that a household might seek refuge in an emergency and then return home once security measures have been installed by a Sanctuary scheme, thus being included in both sets of data.

4.10 Recent evaluations of Sanctuary schemes

The results of two research projects were published by the government in 2010. Their findings are summarised below.

1. Jones, A. et al. (2010a), *The effectiveness of schemes to enable households at risk of domestic violence to remain in their own homes*.

This was primarily a qualitative study, based on eight case study areas (Tameside, Southend, Hull, Middlesbrough, Nottingham, Greenwich, Solihull & Calderdale) that had installed over 1000 Sanctuaries between them, preventing more than 5000 victims of domestic violence (including children) from becoming homeless in the previous year. The main reported reasons for developing the schemes included relieving pressure on housing in that area, prevention of homelessness, cost savings and the wish of local authorities to respond more effectively to significant levels of domestic violence. The providers also wanted to offer more choice for households fleeing violence, and to meet the expressed needs and preferences of those households that included the desire to remain in their homes to minimise disruption to the family and to avoid having to move to possibly less desirable accommodation in an unfamiliar area.

The research found a number of challenges to the effectiveness of Sanctuary schemes, including the unresolved problem that some victims continued to be or to feel unsafe *outside* their homes. Service users were generally reluctant to pursue legal remedies to their problems, despite the provision of specialist legal advice. Endemic inter-agency difficulties included problems with information sharing and a reported reluctance by some housing associations to make a contribution to the costs of Sanctuary schemes. Ensuring funding was generally a cause for concern, as was the linked issue of poor maintenance and repair services once security measures had been installed.

The benefits of Sanctuary schemes for the agencies involved included cost savings and a reduction in homelessness caused by domestic violence. However, there was no evidence that service users were pressured into accepting a Sanctuary scheme rather than other alternatives, such as being accepted as homeless which would lead to the offer of different accommodation by the local authority. The research estimated the gross benefits of a Sanctuary scheme (assuming 54 properties) as the sum of the rehousing cost reduction benefits and the violence reduction benefits, namely, a total of £36 000 + £53 280 = £89 280. The costs of the Sanctuary scheme itself, namely, £47 064, offset these gross benefits to give a net benefit of £42 216 or 86 per cent 'return' on the original investment. The researchers reported that the number of

domestic violence offences had reduced in the case study areas between 2007–08 and 2008–09 but no causal relationship could be proved, although this is suggestive that the installation of Sanctuary schemes leads to better outcomes. However, qualitative evidence did indicate that re-victimisation rates were reduced for those living in a Sanctuary. During the fieldwork for this study, interviews will be conducted with the English evaluation team in order to probe more deeply into which aspects of particular schemes make them more effective.

2. Quilgars, D. and Pleace, N. (2010), *Meeting the needs of households at risk of domestic violence in England: the role of accommodation and housing-related support services*.

This study addressed not only Sanctuary schemes but the whole range of services available to households at risk of domestic violence. The results of a nationwide survey established that schemes were being provided in 77 per cent of local housing authority areas, and most of these were installing security measures in homes of all tenures. The most widespread use of Sanctuary schemes was in the North West, Yorkshire and the Humber and within London. Relatively lower levels were reported in the North East, the Midlands, the East of England and the South East and South West. The most commonly reported services provided were extra locks and bolts, fire safety equipment, external security lights and alarms, with less than half of the schemes providing video entry systems.

Most Sanctuary scheme providers took a multi-agency approach, with 68 per cent offering an accompanying support service for households, including those with severe mental illness and/or substance misuse problems. Forty-nine per cent of schemes also offered specific legal advice and support. A small number (8%) reported that it took more than one week to install sanctuary for a 'high risk' household, but 48 per cent took one week or less to do so.

The survey found that 40 per cent of providers considered that the needs of service users were met 'very well' while only 2 per cent assessed the scheme as working 'not very well'. Forty-three per cent of providers reported that households' needs were met 'quite well', and 16 per cent reported 'mixed success' in meeting needs. The last two categories of response centred on three factors. The first was that it had not always been possible to provide the level of security that households wanted. The second was that, despite the provision of additional security, some households still did not feel sufficiently safe and secure (sometimes because of safety issues outside the home) and, as a result, took the decision to move on. The third factor was that security measures could sometimes have a negative impact on how safe children in a household felt. The study also included interviews with women living in refuges who felt that a Sanctuary scheme would not have worked for them. Most felt that they had no choice but to leave their homes, with some literally fearing for their lives if they had remained there. They felt that even with a Sanctuary scheme in place, the perpetrator would have found ways around the security measures and/or they still would not have felt safe outside the home.

Providers reported 30 breaches of Sanctuary schemes, a very small number, although possibly unreliable as the study found inconsistency in data collection across the different schemes. The other evaluative study (Jones et al. 2010b) reported some attempted breaches, although in all but three incidents the security measures had deterred or prevented perpetrators from forcing their way into the property. Quilgars and Pleace (2010) comment that the recording of breaches should be a fundamental indicator of service effectiveness, and recommend that, at a minimum, Sanctuary scheme activities should be monitored nationally.

Both reports include a number of examples of good practice, for example, the Hull Domestic Abuse Partnership which manages its local Sanctuary scheme. This is a multi-agency service that addresses a wide range of needs in members of households at risk of domestic violence. Notably, it also assists perpetrators in finding alternative accommodation, alongside a support program to address their violent behaviour as well as related drug and alcohol issues. The partnership also facilitates and offers access to temporary accommodation and to its own safe properties. To date, it has provided Sanctuary scheme measures for 2628 victims, with 3567 children, who would otherwise have had to apply as homeless to the local authority (Hull City Council 2010).

4.11 Good practice guidance

The guidance referred to earlier (DCLG 2007), has now been replaced by *Sanctuary Schemes for Households at Risk of Domestic Violence: Practice Guide for Agencies Developing and Delivering Sanctuary Schemes* (Jones et al. 2010b), which is based on the same authors' evaluative study of Sanctuary schemes outlined above.

The central recommendation is that the installation of security measures should be part of a multi-agency response to households at risk of domestic violence. The guide suggests that Sanctuary schemes should include a wide range of partner agencies from both statutory and voluntary sectors, and underlines the importance of key partners continuing to meet regularly to discuss the scheme. It strongly advises that there should be a dedicated coordinator with specialist knowledge of domestic violence.

The guide recommends that Sanctuary schemes should be widely advertised and should accept referrals from all local agencies, as well as self-referrals. Schemes should offer their services free of charge to anyone at risk of domestic violence, regardless of tenure or gender. Following a referral, a risk assessment should be undertaken, comprising two main elements: assessment of the needs, preferences and circumstances of the service user and of the risk posed by the perpetrator (including outside the home); and an assessment of the property by a crime reduction officer and/or fire safety officer. If the service user agrees to the installation of Sanctuary measures, this should be seen as part of a package of support and safety that may include referral to specialist support providers and legal advisers. A 'support plan' should then be drawn up and reviewed regularly, particularly to reflect any change in the user's circumstances.

The guide stresses that service users must be advised of their options if security measures are not the best course of action. It should be explained that, subject to their circumstances, they may be entitled to assistance under the homelessness legislation. Local housing authorities cannot defer making statutory enquiries under the legislation while they wait to see whether the service user will opt for the installation of Sanctuary measures. The types of equipment and other safety measures available for use in Sanctuary schemes are detailed in the guide, which makes the point that these cannot be installed until the perpetrator is no longer living at the property. A final recommendation is that schemes should be monitored and continuously evaluated by providers.

4.12 Concerns about Sanctuary schemes

Groups representing women experiencing domestic violence (Womens Aid 2006), and those in housing need (Shelter 2007), have stressed from the outset that Sanctuary schemes should be voluntary and integrated with a range of support measures, including legal advice and the offer of temporary accommodation in a refuge or social

housing. They have expressed concern that the offer of additional security under a Sanctuary scheme should not be presented as an alternative to the homelessness duties of local authorities. More specifically, women offered Sanctuary provision should be made aware that if they leave their home in fear of domestic violence, the local authority may be under a duty to rehouse them. Netto, Pawson and Sharp (2009) have raised the broader question of how far the options now open to women facing domestic violence have actually addressed the power imbalances that lie behind the phenomenon.

Recent research findings do not necessarily allay these concerns. For example, Jones et al. (2010a) report that, in practice, Sanctuary schemes are not always provided as just one element in a package of measures to support households at risk of domestic violence. In their *Practice Guide*, they suggest that Sanctuary rooms may actually pose a danger to women, particularly where there is a subsequent reconciliation with the perpetrator. It would be possible for the perpetrator to hold household members hostage there, although there was no evidence to suggest that this had happened. Sanctuary rooms were unpopular with some service users who disliked the appearance of the reinforced doors and refused to have them installed. This report also raises the question of the psychological impact on children of growing up in a home with such visible security features. These matters will be more closely investigated during the fieldwork.

4.13 The future for Sanctuary schemes

The two evaluation studies (Quilgars & Pleace 2010; Jones et al. 2010a) broadly paint a picture of Sanctuary schemes as a success, and were welcomed by the current Minister for Housing, Grant Shapps. The new UK Coalition government is taking seriously the issues of homelessness and domestic violence that the Sanctuary schemes address. An interdepartmental Homelessness Working Group has been established but has not yet reported. The Home Office has published a paper entitled *Call to end violence against women and girls* (HM Government 2010). Its emphasis is on domestic violence as criminal behaviour, and there is no mention of Sanctuary schemes. However, it is encouraging that the paper includes the example of the Sheffield Domestic Abuse Partnership, a multi-agency team that provides coordinated support to victims of domestic violence.

In the current economic climate, funding for Sanctuary schemes is at risk. The Supporting People program funded over £64.5 million of housing-related support services to women at risk of domestic violence in 2007–08, and they continue to be one of its primary client groups (HM Government 2009; DCLG 2010b). In the Comprehensive Spending Review, October 2010, the government reduced Supporting People funding by 12 per cent over the next four years, a relatively small cut in recognition of the benefits that it brings to vulnerable people. However, from April 2009, Supporting People funding has no longer been ring-fenced (Home Office 2010), meaning that local authorities are free to decide how to spend this money. There is a possibility that Sanctuary schemes and other services for the victims of domestic violence will not be seen as a priority, in competition with other hard-pressed local services.

For example, the East Sussex County Council discussed in November 2010 a report on the progress of its commissioning strategy for services to address domestic abuse and sexual violence. The council's Director of Governance and Community Services reported that 'the Supporting People Team is reviewing current funding of specialist housing support services, including refuge provision. This work has not yet concluded. There is uncertainty about each of the existing Sanctuary schemes delivered at district

or borough level. Each of the commissioning partners outside the County Council are developing plans to make cuts in services and are not yet in a position to confirm their contribution to a joint approach' (East Sussex County Council 2010).

4.14 Safe At Home and Staying Home Leaving Violence schemes in Australia

There is surprisingly little written information about Australian schemes designed to prevent the homelessness of women and children who have experienced domestic and family violence (McFerran 2007). It is intended that this project will fill a substantial amount of the gap in present knowledge.

In 2002, the Eastern Domestic Violence Outreach Service in Victoria began focusing on gaining exclusion orders to remove perpetrators and enable women and children to remain in their homes, and in 2004 a pilot scheme, the Bega Staying Home Leaving Violence model, began in New South Wales with the following three aims:

1. Reduce the risk of homelessness and the trauma of relocating for victims of domestic violence.

2. Engage the community in supporting more options for all parties affected by domestic violence.

3. Facilitate a collaborative partnership and coordinated strategy to improve service support to those affected by domestic violence (Bega Women's Refuge 2007).

The service model that was initiated in the pilot stage, and which has continued, involved collaboration between the police, courts and the Staying Home Leaving Violence staff team. The police role involved encouraging the victim and children to remain in the home unless there were immediate dangers preventing them from doing so, actively seeking exclusion orders, and offering accommodation to the perpetrator at nominated accommodation centres. The Staying Home Leaving Violence team conducted risk assessments to assist the client in deciding whether to remain in the home, ensured necessary protection orders were in place and conducted safety audits. Court staff provided information about the scheme, while the local magistrate publicly supported the project and mandated offenders to a perpetrator behaviour change program (Bega Women's Refuge 2007).

The 52 women and 79 children clients of the scheme were living in home ownership, private rental and social housing. The evaluation findings suggest that women with an established home are those most interested in the option of staying put, regardless of tenure. The pilot was successful in reducing the risk of homelessness and the trauma of relocating for victims of domestic violence and in engaging the community, but collaborative inter-agency partnerships were impacted by staff turnover rates. Importantly for this project, the Bega evaluation also found that, for women leaving their homes, affordability rather than security could be a determining factor in whether they could remain in their homes in the long term.

Since the pilots were completed, the New South Wales government has continued to fund Staying Home Leaving Violence Projects across the state (Champion et al. 2009). The program's features are summarised in Housing NSW's 2006–07 Annual Report (2007, p.52), taken from Tually et al. (2008):

> SHLV workers provide outreach support and advocacy so that women have greater choice when leaving violent relationships and are better able to sustain housing, economic security and support networks. The program includes risk assessment, safety planning and upgrading security in the victim's home, court

support, liaison with police and other services, referrals to legal advice and counselling to address financial and other issues.

The NSW pilots, as with safe at home models generally, are about wrapping support around women to ensure they can stay safely in their home. An important and necessary feature of the programs is risk assessment (by police and/or other services). For many women improvements are made to the physical security of their home, e.g. changing locks, installing phone alarms et cetera. Simple and cost effective measures to improve the security and safety of women staying at home, and their perception of safety.

The New South Wales schemes have been said to improve safety, wellbeing and housing outcomes for women. Although some women still leave their home because of safety concerns, this does not always mean that they are safer than if they stayed (Champion et al. 2009). This will be further investigated during the later stages of this research along with the *Safe At Home* scheme, which has very recently been initiated in Victoria, to provide an enhanced understanding of measures that take a coordinated approach to homelessness prevention for women and children experiencing domestic violence.

4.15 Conclusion

This chapter has looked at Sanctuary schemes that have become a mainstay of English policy regarding the prevention of homelessness for women and children, and the emerging range of Australian initiatives designed to enable women and children to remain in their homes. The English case study is being used because Sanctuary schemes (which appear to have some similarities to the Staying Home Leaving Violence type Australian schemes) have become widespread over the last six or seven years. Their efficacy has been nationally evaluated and consequently the critique and conclusions reached in this evaluation will be able to answer fields of enquiry that would not be possible using Australian cases alone.

Our further research will establish how relevant and effective homelessness prevention schemes that combine legal, housing and support service practices have the potential to be successful in the national Australian context, including rural and remote areas where there are the added complications of police travel time due to distance, a greater prevalence of firearms, and an unwillingness of courts to exclude perpetrators from premises that are also businesses.

The next chapter looks at the comparative methodology and case study research methods to be used in this project in order to answer the research questions.

5   METHODOLOGY AND NEXT STEPS

This chapter explains how the methodology and research methods chosen have been designed to fill the gap in existing knowledge about homelessness prevention for women and children who have experienced domestic and family violence by answering the two research questions agreed with AHURI:

1. How and to what extent have innovative homelessness prevention measures introduced in Australia and England since the mid-1990s been successful in enabling women and children to remain in their homes and localities?

2. What are the implications of these findings for policy on housing and homelessness in Australia and for improvements to practice?

As explained earlier, this research project is specifically about exploring the value and implementation challenges of innovative staying at home homelessness prevention measures and the fieldwork has been designed to achieve this. The focus is deliberately selective, and involves international collaboration between Swinburne University of Technology, Melbourne and Leeds University in the UK. We will use a comparative methodology using two case studies: England and Wales, and Australia. The latter will include two embedded units of analysis, Victoria and New South Wales, which the literature reveals have made substantial steps towards using 'joined up' approaches by housing, legal and support services, as detailed in our conceptual framework, in order to enable some women and children who have experienced domestic and family violence from becoming homeless as a result. In doing so, we acknowledge that national boundaries reflect distinct societies that have been created by their own particular social, political, cultural and economic factors. These factors produce distinctly national housing and homelessness systems (Bourne 1981), and a greater awareness of the experiences of other cultures and jurisdictions in dealing with housing and homelessness issues can facilitate a more informed assessment of our own experience and priorities (Kemeny & Lowe 1998). The research methods will use these advantages of comparative studies but will aim to carefully avoid the potential associated pitfalls, including not using enough relevant background information, which can threaten the validity of the research findings (Bourne 1981; Jacobs, Kemeny & Manzi 2004).

Two specific subsidiary issues have been identified from our review of the literature that is also in need of further research in order to fill gaps in existing knowledge. These are:

1. Research on the options and availability of funding for outreach support for Australian Staying Home Leaving Violence models, including the funding of security modifications to homes.

2. An investigation of ways in which women can be assisted with housing costs so that they can afford the rent or outstanding mortgage that is left on their home and do not have to leave because of financial hardship (Tually et al. 2008).

It is intended that this project will also make some advances into gaining knowledge on these related issues, in addition to the two research questions on which this project methodology and research methods are based, by also asking research participants questions regarding these issues. These findings will be included in the Final Report, with recommendations for further research in these areas if relevant.

5.1   Methodology

The research project comprises five stages, as follows.

1. Literature review

Stage one consists of this very specific desk-based update review of the literature regarding homelessness prevention for women with children who have experienced family violence, in order to build a conceptual framework for the study. International and national academic and policy literature has been reviewed, with particular attention paid to that from the case study locales of Australia and England and Wales. This Positioning Paper has been produced based on this stage.

2. Case studies

The Australian and English case studies will examine three English Sanctuary schemes in differing locations and three Australian Staying Home Leaving Violence type schemes. These will seek to answer the first research question in particular by analysing the scope and effectiveness of each project, with a focus on their objectives and how they work. We will learn from the experiences of policies designed to address homelessness prevention for women and children and are keen to hear the views of key policy-makers and providers on the efficacy of these schemes, and any implementation difficulties they have encountered. We will not be directly interviewing women and children in this instance, because it is from the policy-makers and practitioners that we particularly wish to discover what has made the scheme work (or not) from their viewpoint. However, a review of published evaluations of the project will reveal the views of service clients. Likewise, we will not be comparing the data collected regarding homelessness prevention measures, with data regarding the use of refuges and other out-of-home type service provision, as the focus of this project is specifically concerned with innovative homelessness prevention measures.

Each case study will involve research methods encompassing qualitative interviews and the collection of documentary evidence as follows:

→ Recorded semi-structured interviews with three policy-makers and providers (judicial, housing & welfare agencies).

→ Interviews with evaluators (where appropriate).

→ The identification and analysis of relevant academic and policy documents.

→ A Discussion Paper produced on findings. These findings will be presented to delegates at the workshops.

3. Workshops

In order to determine in particular answers to the second research question: *What are the implications of these findings for policy on housing and homelessness in Australia and for improvements to practice?* a series of workshops will be facilitated in Queensland, South Australia and Victoria. Invited policy-makers, practitioners and researchers from the three domains of judicial, housing and welfare will receive a presentation on the findings to date. This will be followed by a facilitated discussion led by the researchers in order to deepen an understanding from the participants of the policy implications for successful implementation of homelessness prevention practices for women and children in their jurisdiction. The information elicited concerning context, applicability and relevance of homelessness prevention schemes for women and children who have experience domestic and family violence to a spread of Australian locations will then be used to add to and amend the discussion document to be written following the case study fieldwork.

4. Final Report

Using information obtained from an analysis of both the case studies and the workshops, a Final Report will be produced that will include the issues raised by the

participants concerning applicability and relevance in the Australian context. This will set out the opportunities and challenges of preventing homelessness in women and children who have experienced family violence in Australia. It will provide guidance on relevant policies implemented at home and in England and Wales and provide advice on how such policies could be implemented in differing states in Australia.

The research has received Ethics clearance from Swinburne University of Technology where the Chief Investigator, who is undertaking the fieldwork in both locations, is based.

5. Synthesis, reporting and dissemination

The final findings will be disseminated through academic papers and presentations to an AHURI Research Seminar, User Group, National Homelessness Conference, Australasian Housing Researchers Conference, Australian Social Policy Conference and TASA conference.

5.2   Next steps

During the next stages of the research, the case study fieldwork will be completed. This will be followed by the writing of a discussion document that will be circulated to invited workshop attendees prior to the facilitated workshops being held in Queensland, South Australia and Victoria. It is envisaged that the Final Report, informed by the further information obtained during the fieldwork, will be published in late 2011.

A companion study to this research project has been funded by FaHCSIA through the Homelessness Research Partnership Agreement, *Early intervention strategies to reduce the need for women and children to make repeated use of refuge and other crisis accommodation*. This research will be conducted in conjunction with this AHURI project by the same chief investigator, Dr Angela Spinney. The research questions for the early intervention project are:

→   Why is that women and children often leave home and return several times before an abusive situation of domestic and family violence ends?

→   What Australian evidence is there about the number of incidents of violence and abuse experienced by a woman, and the number of separate occasions a woman may access homelessness accommodation services, prior to resolution of her domestic violence situation?

→   How and to what extent have innovative early intervention schemes introduced in Australia since the mid-1990s been successful in enabling women and children to reduce their multiple experiences of violence and multiple use of refuge and other emergency accommodation?

→   What best practice risk assessment processes and service standards and arrangements are needed if *Safe At Home*/Staying Home Leaving Violence models are to be implemented more widely?

→   Do these findings have other implications for Australian policy and practice?

The two projects have been designed to dovetail together. The FaHCSIA project is intended to bring forward our knowledge more widely of the issues concerning the reasons for the decisions women who have been subject to domestic and family violence make regarding whether to leave the family home for a refuge in order to escape the abuse, whether to return to the perpetrator, and whether to leave again. The research will also explore the efficacy of early intervention schemes, including perpetrator behavioural change programs, at reducing women's and children's

multiple experiences of refuge and other emergency accommodation. Finally the project will explore what best practice and service standards would be needed if Staying Home Leaving Violence models were to be implemented more widely in Australia. The report of the findings of the FaHCSIA project is also expected to be available in late 2011.

This chapter has detailed the methodology and research methods to be used in the next stages of this project, which is being conducted on behalf of AHURI, and has explained the companion research funded by FaCHSIA.

This AHURI project is centred on the policy context of Australia, but the use of a comparative methodology and an international case study will allow learning from the longer experience in England and Wales to add to our knowledge in this area.

6   CONCLUSION

Staying Home Leaving Violence homelessness prevention type schemes for women and children who have experienced domestic and family violence have started to be developed in a piecemeal fashion in various locations in Australia in the past few years. In England and Wales Sanctuary schemes that are also designed to prevent women and children losing their homes have become mainstream practice, and have begun to be evaluated on a national scale. In both locations these are policy measures that have been developed in response to a growing normalisation of a community discourse concerning the fairness of women and children who have been subject to a crime also losing their homes as a result. However, they have done so without policy-makers and practitioners having available to them research findings on their success in enabling women and children to remain in their homes, and what this could mean for improvements to both policy and practice. This project has been designed to fill that gap in knowledge and, as such, is an important and timely piece of research.

The purpose of this very specific research project is to fill the gap in existing knowledge concerning:

→ How and to what extent have innovative homelessness prevention measures introduced in Australia and England since the mid-1990s been successful in enabling women and children to remain in their homes and localities?

→ What are the implications of these findings for policy on housing and homelessness in Australia and for improvements to practice?

This Positioning Paper clarifies what domestic and family violence encompasses, and why it is important that women and children do not have to live subject to this form of abuse. The frequent linkages between leaving a violent relationship and entering a homelessness situation for women and children in Australia historically and currently have been examined.

This has been done because our provisional findings to date from our critical review of the literature are that women cannot easily exercise their right to remain in their homes unless the following two factors are recognised:

1. There is an understanding in the community and from professionals and policy-makers about what constitutes domestic and family violence and how it can impact on women and children.

2. The links between domestic and family violence and women's homelessness are accepted.

In this paper we have discussed what homelessness prevention can entail and examined the policy contexts of domestic and family violence and homelessness service policy responses in Australia and in England and Wales. This has been done partly in order to focus our understanding of how current policy provision developed and has been shaped by societal attitudes concerning women's and children's rights to remain in their home. This has been necessary in order to bring forward understanding of how current and future changes in attitudes might influence the development of homelessness prevention services for this client group. It is also useful for policy-makers and practitioners to understand the differing policy contexts in which existing schemes operate in order to begin to be able to assess if and how such schemes could work in their jurisdictions. In order to assist these initial assessments, we have also reviewed innovations and developments of judicial, housing and welfare policy responses that can work together to prevent some women and children who

have experienced domestic and family violence from becoming homeless. In Chapter 5 we explained the research methodology and methods to be used in order to answer the research questions for this project, and discussed the companion research.

In conclusion, women and children who have experienced domestic and family violence have few options. These are to:

→ Remain in the family home with the perpetrator.

→ Remain in the home with the perpetrator removed.

→ Leave the home until the perpetrator is removed.

→ Leave the home permanently (ODPM 2004).

All of these involve difficult and emotional decisions and have the potential for less than perfect outcomes. What is becoming clear is that women must be helped to choose which option is best for them, and which will give them and their children the best chance to go on to have happy, successful and productive lives. Women who are undergoing the stress of a relationship break-up following domestic and family violence need to have a choice as to whether it is best for them and their children to remain in the family home or to start again somewhere else.

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