

01 August 2024

**Our Ref: FOI 468**

## Request

We received your request on 09 July 2024 for the following information:

*I would like to request the following information;*

- *Copies of all policies, procedures, or guidelines relating to domestic violence/abuse.*
- *For which Section 75 characteristics can you provide figures of people presenting as homeless due to domestic violence/abuse in the latest 5 year period for which records are available?*
- *How long do survivors of domestic violence/abuse stay in temporary accommodation compared to other groups?*

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

## Our response

- ***Copies of all policies, procedures, or guidelines relating to domestic violence/abuse.***

Please find attached the relevant extracts relating to domestic violence from the Housing Executive's Homeless Guidance Manual

- ***For which Section 75 characteristics can you provide figures of people presenting as homeless due to domestic violence/abuse in the latest 5 year period for which records are available?***

In assessing housing need, the Housing Executive collects data relevant to its requirements to meet the statutory framework as outlined in the Housing (NI) Order 1988 as amended.

<b>Category/Year</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
<b>Age 18-59</b>	946	981	886	948	1036
<b>Age 60+</b>	129	116	106	97	98

<b>Marital Status:</b>					
Civil Part. (Sep)	<10	-	-	-	<10
Civil Part.	<10	<10	-	-	<10
Co-Habitee	25	19	17	21	20
Divorced	25	19	12	21	11
Married	72	77	62	63	64
Other	-	<10	-	<10	-
Separated	74	82	71	73	91
Single	338	337	302	325	385
Widow/er	<10	<10	<10	<10	<10
<b>Male/ Female</b>	943 (F) 132 (M)	970 (F) 127 (M)	849 (F) 143 (M)	908 (F) 137 (M)	972 (F) 162 (M)
<b>Person with Disability</b>	Information not collected				
<b>Person with dependants</b>	547	539	492	500	534
<b>Political opinion</b>	Information not collected				
<b>Racial Group:</b>					
Bangladeshi	<10	-	-	-	<10
Black African	<10	<10	<10	14	14
Black Carib.	-	-	<10	<10	-
Black Other	-	<10	<10	-	<10
Chinese	<10	<10	<10	<10	<10
Indian	<10	<10	<10	-	<10
Irish Traveller	11	<10	<10	<10	<10
Mixed	15	<10	<10	<10	<10
Other	15	<10	<10	<10	15
Pakistani	<10	<10	-	<10	<10
White	888	933	823	912	1001
<b>Religious belief</b>					
Buddhist	-	<10	<10	-	<10
Catholic	338	355	279	296	367
Hindu	-	-	<10	-	<10
Jewish	-	-	-	-	<10
Mixed	<10	<10	<10	<10	<10
Muslim	<10	<10	<10	<10	<10
None	96	109	156	156	162
Other	62	36	46	46	55
Protestant	324	306	273	273	277
<b>Sexual Orientation</b>	Information not collected				
<b>Total No of Presentations</b>	1075	1097	992	1045	1134

The following should be noted in interpreting the data provided:

1. The data in the table above was extracted from a live database 22<sup>nd</sup> July 2024 and therefore, figures will differ from published data.
2. Households may present as homeless to the Housing Executive on more than one occasion within any given timeframe. Therefore, the number of presentations does not necessarily equate to the number of households in any given year or across a number of years.

3. Data in relation to Marital Status; Religious Belief and Racial Group are not mandatory fields and do not have to be completed. The data provided includes only applications where the information was provided.
4. To avoid identification and to remain compliant with Data Protection Legislation, anonymisation of data has been applied where numbers of presentations are between 1-10.

- ***How long do survivors of domestic violence/abuse stay in temporary accommodation compared to other groups?***

The average length of stay between 1<sup>st</sup> August 2023 and 31<sup>st</sup> July 2024 for placements who were homeless due to domestic abuse was 171 days which compares to the overall average of 244 days.

This concludes our response.

### **3.5.6 Violence / Sexual Abuse**

(Homelessness Reasons 06 & 07)

When considering cases where violence or a threat of violence is alleged, the legislation states that:

“A person is...homeless if he or she has accommodation but it is probable that occupation of it will lead to violence from some other person residing there or to threats of violence from some other person residing in it and likely to carry out the threats”.

All violence (including sexual abuse) and threats of violence likely to be carried out against the applicant or a member of the applicant’s household should be taken into account when considering whether an applicant is homeless / threatened with homelessness. The fact that violence may not yet have occurred does not, on its own, mean that it is not likely to occur. Designated Officers should investigate the particular circumstances of the case and liaise with the relevant agencies / individuals in order to arrive at a decision. Investigations into such cases will need to be conducted sensitively. It is essential that enquiries do not provoke further violence. At no time should the alleged perpetrator be approached as this could incite further violence.

NOTE: Designated Officers should also have regard for the “NIHE-Women’s Aid Joint Protocol”. This protocol sets out the roles and responsibilities of the key statutory and voluntary agencies in providing services to those experiencing domestic abuse, sexual abuse. See Appendix 3 -NIHE-Women’s Aid Joint Protocol.

It is acknowledged that in cases of domestic abuse the victim may not have

involved the police. However, this should not prejudice the applicant's case and the Designated Officer will be required to exercise discretion based on their investigations and the information available.

In cases involving violence the Housing Executive may wish to inform applicants of the option of seeking a Non-Molestation Order. It should be made clear to the applicant however that there is no obligation for him or her to do so. Where an applicant wishes to pursue this option it is advisable that they obtain independent advice. Designated Officers should be aware that court orders compelling persons not to molest, or not to enter the home of the applicant, may not be effective in deterring perpetrators from carrying out violence, further violence or threatening violence. Applicants should not automatically be expected to return home on the strength of a court order and applicants may not have confidence in their effectiveness.

Where there would be a probability of violence (including sexual abuse) if the applicant continued to occupy his or her present accommodation, the Housing Executive must treat the applicant as homeless and should not expect him or her to remain, or return to the accommodation. In all cases involving violence the safety of the applicant and his or her household should be the primary consideration at all stages of the decision making process.

In assessing whether threats of violence are likely to be carried out, the Housing Executive should only take into account the probability of violence and not actions which the applicant could take (such as Non-Molestation Orders against the perpetrator) but which he or she may not intend to take.

### **5.6.1 Domestic Abuse**

A person has a priority need if he or she had to leave accommodation because of domestic abuse. Domestic abuse includes psychological, physical, verbal, sexual, financial or emotional, which is inflicted on one person by another where they have been partners, family members irrespective of gender, sexual orientation, social class, ethnicity, disability or lifestyle. In cases involving domestic abuse, the safety of the applicant and ensuring confidentiality must be of paramount concern.

It should be noted that the alleged perpetrator of domestic abuse should NEVER be contacted in the course of your investigations. In assessing whether it is likely that domestic abuse is likely to be carried out, the Housing Executive should only take into account the probability of domestic abuse, and not actions which the applicant could take (such as injunctions against the perpetrators).

In considering whether applicants have a priority need for accommodation as a result of domestic abuse, the Housing Executive may take into account the following factors:-

- the nature of the domestic abuse (there may have been a single but significant incident or a number of incidents over an extended period of time which have a cumulative effect)
- the impact and likely effects of the domestic abuse on the applicant's current and future well being
- whether the applicant has any existing support networks, particularly by way of family or friends

Other sources of information which may be relevant in assessing priority need may

include:-

- Information from a bona fide voluntary group for example, Women's Aid, that the applicant has taken up residence in a hostel as a result of domestic abuse
- Information from the police, a doctor, social worker, Social Security Agency, or other reputable source that the applicant has been the victim of domestic abuse
- NIHE records of the applicant such as previous applications or transfer requests, maintenance records indicating damage to dwelling etc.

It should be noted that the absence of information should not automatically lead to the conclusion that the applicant has not been the victim of domestic abuse. Each case should be assessed on its own merit and a statement from the applicant may be sufficient in confirming that they have been the victim of domestic abuse.

#### 6.11.1 Violence / Threats of Violence (including Domestic Violence)

Generally, an applicant should not be considered to be intentionally homeless if he or she has fled his or her home because of violence or threats of violence likely to be carried out, whether or not he or she has pursued legal remedies against the perpetrator(s). Violence (and threats of violence) includes all forms of violence, domestic, racial, disability, homophobic, religious, sectarian, paramilitary etc. and applies to violence from within the home and from external sources.

Where the Housing Executive has concluded that an applicant is homeless on the grounds that his or her accommodation is not reasonable to continue to occupy because he or she has been subject to violence or threats of violence, it is unlikely that he or she is intentionally homeless.

It should be noted that the alleged perpetrator of violence should NEVER be contacted in the course of your investigations.

Depending on the particular circumstances of the homelessness application, enquiries may include making contact with the police, medical professionals, social services, voluntary sector groups etc. Whilst written information is preferable, information may be accepted verbally and recorded on file or on Housing Management System (HMS). Information provided by a third party may assist the Housing Executive in its decision making process; however, the decision will be that of the Housing Executive, and not the decision of any third party who provided information.

Designated Officers have the discretion to make decisions based on information provided by the applicant, despite the content of information from a third party, or



the fact that there is no information from a third party.

The lack of information from any other agency should not automatically lead to a decision that the applicant has not been a victim of violence or of threats of violence likely to be carried out.

#### 6.11.1.1 Domestic Abuse

Generally, an applicant should not be considered to be intentionally homeless if he or she has fled his or her home because of domestic abuse likely to be carried out, whether or not he or she has pursued legal remedies against the perpetrator(s).

Domestic abuse includes psychological, physical, verbal, sexual, financial or emotional, which is inflicted between people who have been intimate partners or family members, irrespective of gender, sexual orientation, social class, ethnicity, disability or lifestyle all forms of violence, domestic, racial, disability, homophobic, religious, sectarian, paramilitary etc. and applies to violence from within the home and from external sources.

Where the Housing Executive has concluded that an applicant is homeless on the grounds that his or her accommodation is not reasonable to continue to occupy because he or she has been subject to domestic abuse or threats of domestic abuse, it is unlikely that he or she is intentionally homeless.

It should be noted that the alleged perpetrator of domestic abuse should NEVER be contacted in the course of your investigations.

Depending on the particular circumstances of the homeless application, enquiries may include making contact with the police, medical professionals, social services, voluntary sector groups etc. Whilst written information is preferable, information may be accepted verbally and recorded on file or on Housing Management System (HMS). Information provided by a third party may assist the Housing Executive in its decision making process; however, the decision will be that of the Housing Executive, and not the decision of any third party who provided information.

Designated Officers have the discretion to make decisions based on information provided by the applicant, despite the content of information from a third party, or the fact that there is no information from a third party.

The lack of information from any other agency should not automatically lead to a decision that the applicant has not been a victim of domestic abuse or of threats of domestic abuse likely to be carried out.