



Lord Young of Cookham  
House of Lords

7 December 2021

Dear George,

**POLICE, CRIME, SENTENCING AND COURTS BILL: SERIOUS VIOLENCE DUTY –  
HOUSING AND HOMELESSNESS**

I am writing to follow up the Committee debate on 25<sup>th</sup> October about relevant provisions in Chapter 1 of Part 2 of the Bill related to the Serious Violence Duty. In light of your amendments, I would like to set out our intentions to support the response to housing and homelessness under the Duty.

During the debate, you raised the important issue of housing, including registered providers of social housing being a crucial partner in helping deliver the requirements of the Serious Violence Duty. As you will be aware, local authorities are specified authorities under the Duty and are responsible for the delivery of a range of vital services, including housing, so will have an essential role to play in partnership arrangements. We are advising local authority Chief Executives through our statutory guidance that they should ensure that there is appropriate representation to the partnership to fulfil the range of local authority's duties.

Local authorities have a long tradition of working closely with housing associations to allocate social housing across their area and already have existing duties in relation to housing and homelessness under the Housing Act 1996. We share your aim of encouraging close working between local authorities, registered providers and other partners to support victims of serious violence. However, we believe that the amendments you proposed at Committee would place a requirement on specified authorities to consult with every registered provider of social housing in a local area in the preparation of the strategy to prevent and reduce serious violence. They would also permit specified authorities to specify actions to be carried out by registered providers of social housing as part of the local strategy and allow action to be taken in the form of a direction by the Secretary of State in order to secure compliance. We believe that this could put unnecessary burdens on social housing providers as provisions are already in place that achieve the intended objectives. It could likely result in Private Registered Providers of social housing being reclassified as public sector bodies due to the increased control they would be subject to by the Government. This could potentially add over £80bn to public sector debt and limit their ability to access borrowing, which would in turn limit their ability

to build new affordable homes. I do not believe this was the intention of your amendments. There is a risk that by creating a specific role for social housing providers within the Serious Violence Duty and giving those impacted by serious violence a priority need for housing and housing support could have a perverse effect.

You also raised the important issue of giving victims of serious violence priority need for homelessness assistance. As you are aware, an applicant is in priority need if they are vulnerable as a result of having to leave accommodation because of violence or threats of violence from another person that are likely to be carried out. The current approach considers the vulnerability of the applicant on a case-by-case basis and, in my view, is the most appropriate means of determining priority for accommodation to be secured by the local authority.

Local authorities must have regard to the existing legislation and the accompanying statutory guidance. The Homelessness Code of Guidance already makes sufficient provision to ensure this group are able to access accommodation if they are vulnerable as a result of being homeless due to threatened or actual violence. The Housing Act 1996, as amended by the Homelessness Reduction Act 2017, puts prevention at the heart of the local authorities' response to homelessness and places duties on local housing authorities to take reasonable steps to try to prevent and relieve a person's homelessness. When assessing if an applicant is homeless, local authorities should consider any evidence of violence and harassment. The law already provides that someone is considered as homeless where it would not be reasonable for them to continue to occupy accommodation if it is probable that this will lead to violence against them, their family, or their household. This means that they would already be entitled to support to address their housing need provided that they are eligible.

Whilst we do not think there is a case for changing the legislation in this regard, we are committed to supporting victims of serious violence and making sure they get support when they are in housing need. We know that this cohort have differing experiences, and that is why we will work closely with Department for Levelling Up, Housing and Communities to raise awareness across public authorities of the legislation which protects this cohort. As you know, we published a draft of the statutory guidance for the Serious Violence Duty in May. The debates in both Houses have helped identify areas which need further development prior to publishing a revised draft which will be subject to a formal consultation following Royal Assent of the Bill. My officials will work with those in Department for Levelling Up Housing and Communities and representatives from the housing sector to strengthen the statutory guidance for the Serious Violence Duty. This will point to the legislation and guidance that is already set out in the Homelessness Code of Guidance, Allocation of Accommodation guidance and showcase examples of good practice in this area, which local partners can draw on. I hope that in the light of these commitments you will not consider it necessary to return to this issue at Report.

I am copying this letter to Baroness Blake of Leeds. I am also placing a copy in the library of the House.



**Baroness Williams of Trafford**  
**Minister for Delivery**