

# Housing and Community Safety Scrutiny Sub-Committee

Thursday 19 April 2012

7.00 pm

Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1  
2QH

## Supplemental Agenda

### List of Contents

Item No.	Title	Page No.
5.	Southwark's Response to Domestic Abuse	1 - 7
7.	Welfare Reform: Committee to Agree Letters	8 - 13

#### Contact

Sally Masson on 020 7525 0324 or email: [sally.masson@southwark.gov.uk](mailto:sally.masson@southwark.gov.uk)

Date: 13 April 2012

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 19 April 2012	<b>Meeting Name:</b> Housing and community safety scrutiny sub committee
<b>Report title:</b>		Briefing report on requests for further information made by the committee	
<b>From:</b>		Jonathon Toy, head of community safety and enforcement	

## Background information

1. Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality and whether a crime has occurred or not, is recorded by the police as a domestic violence incident. All incidents that are perceived as domestic violence are marked as such by the police through the addition of a “flag” to the crime report.
2. Offences are confirmed reports of crimes being committed. All data relates to ‘notifiable offences’ - designated categories of crimes (e.g. harassment, common assault, grievous bodily harm, criminal damage) that all police forces in England and Wales are required to report to the Home Office.
3. A crime will be recorded as domestic violence where it meets the definition provided above. Not all incidents reported to the police will result in the recording of a crime.
4. Domestic violence crimes are classified according to the Home Office Counting Rules and form a subset of the overall recorded crime figures.
5. We know from national research that incidents of domestic violence are under reported. On average an individual can be victimised up to 35 times before reporting to the police.

### Request 1:

**A breakdown of domestic abuse offences in further detail e.g. ethnicity, age, ward, repeats – both for victims and perpetrators and including any emerging trends.**

6. The data used is taken from the 2011/12 strategic assessment which uses recorded domestic violence offences between January 2011 and December 2011.
7. It is important to note that this is reported crime and there are key things to remember in the consideration of this dataset, including:
  - The number of counter allegations
  - Who reported the crime e.g. neighbour
  - The ongoing engagement of the victim

Victims

8. The total number of victims in 2011 was 2,228. The tables below give a full breakdown of gender, age and ethnicity.

Gender	Percentage	Number
Female	76.2%	1697
Male	22.1%	492
Not known	1.8%	39

Age	Percentage	Number
9 or under	0.9%	21
10 – 17	1.2%	26
18 – 24	24.0%	534
25 – 30	20.3%	453
31 -39	24.9%	554
40 – 65	25.0%	557
66 or over	2.1%	46
Not known	1.7%	37

Ethnicity	Percentage	Number
White	45.0%	987
Mediterranean	6.2%	135
African/Caribbean	42.1%	923
Pakistani, Indian, Nepalese, Maldivian, Sri Lankan, Bangladeshi, or any other (South) Asian	3.6%	78
Chinese, Japanese, or South-East Asian	1.5%	32
Arabic, Egyptian, Tunisian, Algerian or Maghreb	1.1%	25
Unknown	0.5%	48

Accused

9. The total number of accused in 2011 was 784. The tables below give a full breakdown of gender, age and ethnicity.

Gender	Percentage	Number
Female	18.4%	148
Male	81.6%	656

Age	Percentage	Number
10 – 17	1.8%	14
18 – 24	27.0%	212
25 – 30	18.5%	145
31 -39	24.6%	193
40 – 65	27.7%	217
66 or over	0.4%	3

<b>Ethnicity</b>	<b>Percentage</b>	<b>Number</b>
White	44.1%	346
Mediterranean	6.0%	46
African/Caribbean	42.7%	335
Pakistani, Indian, Nepalese, Maldivian, Sri Lankan, Bangladeshi, or any other (South) Asian	4.3%	34
Chinese, Japanese, or South-East Asian	1.5%	12
Arabic, Egyptian, Tunisian, Algerian or Maghreb	1.1%	9
Unknown	0.3%	2

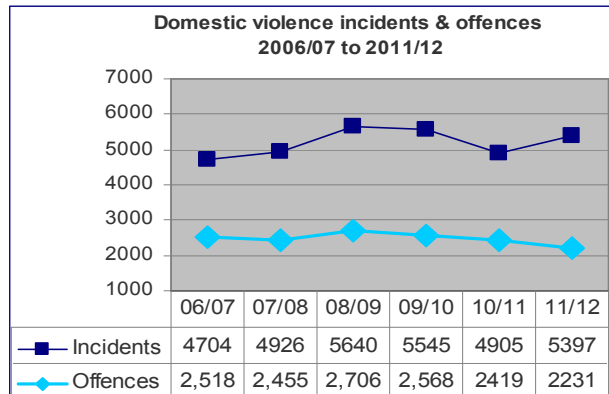
### Location

10. The offences took place in the following wards:

<b>Ward</b>	<b>Percentage</b>	<b>Numbers</b>
Brunswick Park	6.9%	143
Camberwell Green	6.8%	141
Cathedrals	6.5%	135
Chaucer	6.4%	132
College	6.2%	128
East Dulwich	5.9%	121
East Walworth	5.9%	122
Faraday	5.8%	119
Grange	5.3%	109
Livesey	5.2%	108
Newington	5.1%	106
Nunhead	5.0%	104
Peckham	4.6%	95
Peckham Rye	4.4%	91
Riverside	3.5%	72
Rotherhithe	3.3%	68
South Bermondsey	3.2%	67
South Camberwell	3.1%	64
Surrey Docks	2.3%	48
The Lane	2.2%	46
Village	1.8%	38
Unknown	0.6%	12

### Trend data

11. Between 2006/07 and 2011/12 the number of domestic violence incidents increased by 15% (693 incidents). During this time period, incidents were at their highest in 2008/09 and 2009/10.
12. There were 2231 offences with a domestic violence flag recorded in 2011/12; this is a decrease of 287 offences (-11%) from 2006/07.



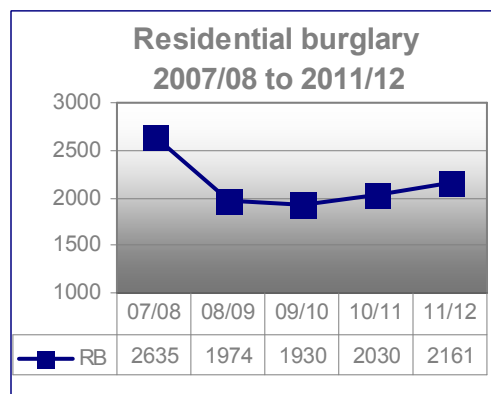
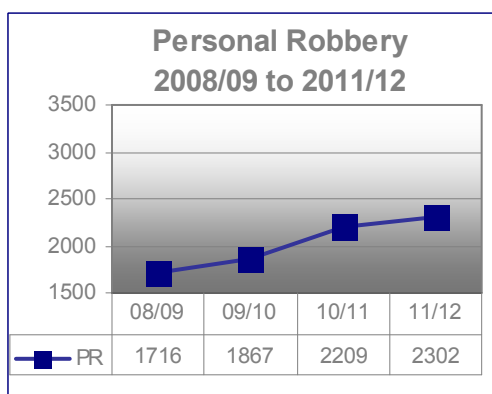
### Request 2

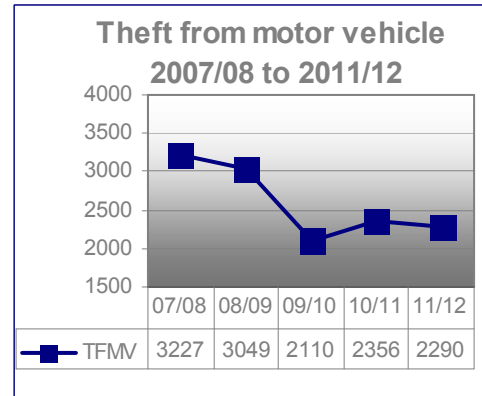
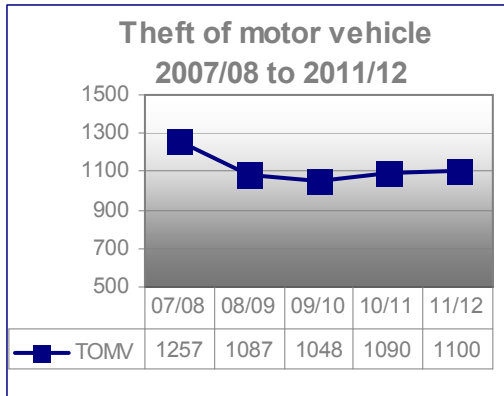
**More detailed figures regarding the types of crime that were now more prevalent in the current economic downturn.**

13. Figures for the financial year to date show the following crime types increasing. However, there is no proven link to the current economic downturn. As at the end of December 2011:

- Personal robbery was up 6% compared to same period 2010
- Overall property crime remains 3% higher than 2010 due to increases in personal robbery, theft from person and residential burglary

14. Longer term acquisitive crimes trajectories show the following:





**15.** This data needs to be considered in the context of significant reductions seen in these crime types as shown the graphs.

**Request 3****The number of convictions in Southwark per year**

16. The Crown Prosecution Service (CPS) states that there were 215 convictions in Southwark last year which were flagged up as domestic violence. They are compiling data from previous years and this will be submitted to the committee at a later meeting.
17. The table below shows a breakdown of cases that went to the CPS and the outcome.

<b>Case outcome</b>	<b>2011/12</b>
Cases with CPS advice	461
Convictions	215
Not guilty verdicts	79
Offered no evidence / discontinued	79
No further action (NFA)	140
<b>Total</b>	<b>974</b>

NFA =cases have not been charged but police have asked for CPS advice

**Request 4****More information on what orders are available for the courts to use and the frequency with which they're used.**

18. An injunction is a court order that requires someone to do or not to do something. There are two main types of injunctions available under Part IV of the Family Law Act 1996:
- A non-molestation order
  - An occupation order
19. A non-molestation order is aimed at preventing the partner or ex-partner from using or threatening violence against the victim or their child, or intimidating, harassing or pestering them, in order to ensure the health, safety and well-being of the victim and their children. A breach of a non-molestation order is a criminal offence.
20. An occupation order regulates who can live in the family home, and can also restrict the perpetrator from entering the surrounding area. If a victim does not feel safe continuing to live with their partner, or if they have left home because of violence, but want to return and exclude the perpetrator this order can be applied.
21. Restraining orders can also be utilised, although these are not specific to domestic violence cases.

## 22. National information shows:

### Family matters

Domestic Violence: Applications and orders made in the county courts, England and Wales, Q1 2008 - Q3 2011 <sup>1</sup>

Year	Quarter	Applications made <sup>2</sup>			Orders made <sup>3</sup>		
		Non-molestation	Occupation	Total	Non-molestation	Occupation	Total
2008		17,141	7,738	<b>24,879</b>	19,367	5,099	<b>24,466</b>
2009		18,903	7,124	<b>26,027</b>	20,662	4,203	<b>24,865</b>
2010		17,843	6,106	<b>23,949</b>	20,444	3,643	<b>24,087</b>
2008	Q1	3,993	1,878	<b>5,871</b>	4,463	1,261	<b>5,724</b>
	Q2	4,303	1,942	<b>6,245</b>	4,887	1,315	<b>6,202</b>
	Q3	4,592	2,086	<b>6,678</b>	5,223	1,331	<b>6,554</b>
	Q4	4,253	1,832	<b>6,085</b>	4,794	1,192	<b>5,986</b>
2009	Q1	4,636	1,924	<b>6,560</b>	4,941	1,118	<b>6,059</b>
	Q2	4,710	1,837	<b>6,547</b>	5,055	1,120	<b>6,175</b>
	Q3	5,161	1,897	<b>7,058</b>	5,597	1,054	<b>6,651</b>
	Q4	4,396	1,466	<b>5,862</b>	5,069	911	<b>5,980</b>
2010	Q1	4,564	1,562	<b>6,126</b>	5,125	916	<b>6,041</b>
	Q2	4,551	1,622	<b>6,173</b>	5,172	932	<b>6,104</b>
	Q3	4,829	1,623	<b>6,452</b>	5,507	969	<b>6,476</b>
	Q4	3,899	1,299	<b>5,198</b>	4,640	826	<b>5,466</b>
2011	Q1	3,962	1,366	<b>5,328</b>	4,560	787	<b>5,347</b>
	Q2 (r)	3,865	1,248	<b>5,113</b>	4,493	785	<b>5,278</b>
	Q3 (p)	4,178	1,338	<b>5,516</b>	4,783	761	<b>5,544</b>

#### Source:

HM Courts and Tribunals Service FamilyMan system

#### Notes:

1 Does not include orders made in Family Proceedings Courts

2 Applications for arrest warrants are not included

3 The Domestic Violence, Crime and Victims Act 2004 made breach of a non-molestation order a criminal and arrestable offence as of July 2007, making it no longer necessary for courts to attach a power of arrest to non-molestation orders

**23.** Local data is currently being compiled and this will be submitted to the committee at a later meeting.



**DRAFT**

**To be agreed by the Housing and Community Safety Scrutiny Sub-Committee on the 19<sup>th</sup> April 2012**

Harriet Harman MP  
House Of Commons  
London  
SW1A 0AA

Dear Harriet,

On 14<sup>th</sup> March Southwark Council's Housing Scrutiny Sub-Committee received a presentation from council officers on the impact of The Welfare Reform Act 2012, concentrating in particular on Housing benefit changes. The committee was given a detailed presentation on the predicted impact of these changes on the borough. You can see the full report here:

<http://modern.gov.southwarksites.com/ieListDocuments.aspx?CId=305&MId=4094&Ver=4>

Following the presentation the committee unanimously agreed to write to you to see what actions you might be able to take to secure additional support and protection for people living in Southwark who will be affected by these reforms. The committee voiced its particular concern for the impact that these changes would have on children, the vulnerable and the disabled. Three issues in particular are of serious concern:

1. **The up-rating of Local Housing Allowance (LHA) rates.** LHA rates will, from April 2013, rise by CPI rate of inflation rather than in line with local rent rises. This will effectively break the link between LHA and actual rent levels. Rents have risen very fast in recent years and these measures could mean that renting in Southwark is increasingly unaffordable for many. This change alone will mean that in Southwark, 882 households will see a reduction in the Housing Benefit they receive. Of these affected households, 372 have children.
2. **Property size criteria for housing benefit claimants.** From 1 April 2013 size criteria will be introduced for new and existing working-age Housing Benefit (HB) claimants living in the social rented sector. The size criteria will replicate the size criteria that apply to HB claimants in the private rented sector. Those social housing tenants who are under-occupying by 1 bedroom will lose up to 14% of their HB. Those under-occupying by 2 bedrooms or more – up to 25%. The Government estimates that 19% of all social housing tenants in London will be in receipt of HB and of working age. Applied to Southwark this means 4,497 tenants may see a reduction in their Housing benefit. The Government estimates that the average reduction will be £21 per week. For some of the poorest people living in our borough this may mean that they are forced to uproot their families and children because they happen to have a spare bedroom.
3. **The Household Benefit Cap.** From April 2013, there will be caps on the maximum amount of benefits working age households can claim, targeted on non-working households but also affecting some part-time workers. It is predicted that, in Southwark, this will have the following impact:

Private rented sector couples with three children could face a shortfall of £170 p/w if they are living in a three bedroom property or £251 if they are living in a four bedroom property.

Families with four children could face a shortfall of £249 p/w if they are living in a three bedroom property or £330 if they are living in a four bedroom property.

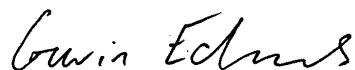
Private rented sector lone parents with three children could face a shortfall of £130 p/w if they are living in a three bedroom property, or £211 if they are living in a four bedroom property. If they have four children they could face a shortfall of £208 p/w if they are living in a three bedroom property, or £289 if they are living in a four bedroom property.

The sub-committee did have a number of other areas of concern about these reforms, but we felt that it would be best to focus on the most punitive and unfair elements in order to focus attention on how this will impact on so many people in our borough. We would be grateful for your response to this analysis of the impact of these changes in Southwark.

The sub-committee would like to know what actions/representations you may still be able to take in order to mitigate the impact of these reforms, with particular regard to the issues raised above.

I look forward to your response.

Yours Sincerely,



Gavin Edwards  
Chair of Southwark Housing and Community Safety Scrutiny Sub Committee

On behalf of Sub-committee Members:

Councillor Graham Neale  
Councillor Michael Bukola  
Councillor Rowenna Davis  
Councillor Tim McNally  
Councillor Michael Situ  
Councillor Martin Seaton

**DRAFT**

**To be agreed by the Housing and Community Safety Scrutiny Sub-Committee on the 19<sup>th</sup> April 2012**

Simon Hughes MP  
House Of Commons  
London  
SW1A 0AA

Dear Simon,

On 14<sup>th</sup> March Southwark Council's Housing Scrutiny Sub-Committee received a presentation from council officers on the impact of The Welfare Reform Act 2012, concentrating in particular on Housing benefit changes. The committee was given a detailed presentation on the predicted impact of these changes on the borough. You can see the full report here:

<http://modern.gov.southwarksites.com/ieListDocuments.aspx?CId=305&MId=4094&Ver=4>

Following the presentation the committee unanimously agreed to write to you to see what actions you might be able to take to secure additional support and protection for people living in Southwark who will be affected by these reforms. The committee voiced its particular concern for the impact that these changes would have on children, the vulnerable and the disabled. Three issues in particular are of serious concern:

1. **The up-rating of Local Housing Allowance (LHA) rates.** LHA rates will, from April 2013, rise by CPI rate of inflation rather than in line with local rent rises. This will effectively break the link between LHA and actual rent levels. Rents have risen very fast in recent years and these measures could mean that renting in Southwark is increasingly unaffordable for many. This change alone will mean that in Southwark, 882 households will see a reduction in the Housing Benefit they receive. Of these affected households, 372 have children.
2. **Property size criteria for housing benefit claimants.** From 1 April 2013 size criteria will be introduced for new and existing working-age Housing Benefit (HB) claimants living in the social rented sector. The size criteria will replicate the size criteria that apply to HB claimants in the private rented sector. Those social housing tenants who are under-occupying by 1 bedroom will lose up to 14% of their HB. Those under-occupying by 2 bedrooms or more – up to 25%. The Government estimates that 19% of all social housing tenants in London will be in receipt of HB and of working age. Applied to Southwark this means 4,497 tenants may see a reduction in their Housing benefit. The Government estimates that the average reduction will be £21 per week. For some of the poorest people living in our borough this may mean that they are forced to uproot their families and children because they happen to have a spare bedroom.
3. **The Household Benefit Cap.** From April 2013, there will be caps on the maximum amount of benefits working age households can claim, targeted on non-working households but also affecting some part-time workers. It is predicted that, in Southwark, this will have the following impact:

Private rented sector couples with three children could face a shortfall of £170 p/w if they are living in a three bedroom property or £251 if they are living in a four bedroom property.

Families with four children could face a shortfall of £249 p/w if they are living in a three bedroom property or £330 if they are living in a four bedroom property.

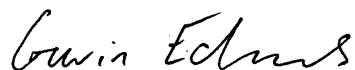
Private rented sector lone parents with three children could face a shortfall of £130 p/w if they are living in a three bedroom property, or £211 if they are living in a four bedroom property. If they have four children they could face a shortfall of £208 p/w if they are living in a three bedroom property, or £289 if they are living in a four bedroom property.

The sub-committee did have a number of other areas of concern about these reforms, but we felt that it would be best to focus on the most punitive and unfair elements in order to focus attention on how this will impact on so many people in our borough. We would be grateful for your response to this analysis of the impact of these changes in Southwark.

The sub-committee would like to know what actions/representations you may still be able to take in order to mitigate the impact of these reforms, with particular regard to the issues raised above.

I look forward to your response.

Yours Sincerely,



Gavin Edwards  
Chair of Southwark Housing and Community Safety Scrutiny Sub Committee

On behalf of Sub-committee Members:

Councillor Graham Neale  
Councillor Michael Bukola  
Councillor Rowenna Davis  
Councillor Tim McNally  
Councillor Michael Situ  
Councillor Martin Seaton

**DRAFT**

**To be agreed by the Housing and Community Safety Scrutiny Sub-Committee on the 19<sup>th</sup> April 2012**

Tessa Jowell MP  
House Of Commons  
London  
SW1A 0AA

Dear Tessa,

On 14<sup>th</sup> March Southwark Council's Housing Scrutiny Sub-Committee received a presentation from council officers on the impact of The Welfare Reform Act 2012, concentrating in particular on Housing benefit changes. The committee was given a detailed presentation on the predicted impact of these changes on the borough. You can see the full report here:

<http://moderngov.southwarksites.com/ieListDocuments.aspx?CId=305&MIId=4094&Ver=4>

Following the presentation the committee unanimously agreed to write to you to see what actions you might be able to take to secure additional support and protection for people living in Southwark who will be affected by these reforms. The committee voiced its particular concern for the impact that these changes would have on children, the vulnerable and the disabled. Three issues in particular are of serious concern:

1. **The up-rating of Local Housing Allowance (LHA) rates.** LHA rates will, from April 2013, rise by CPI rate of inflation rather than in line with local rent rises. This will effectively break the link between LHA and actual rent levels. Rents have risen very fast in recent years and these measures could mean that renting in Southwark is increasingly unaffordable for many. This change alone will mean that in Southwark, 882 households will see a reduction in the Housing Benefit they receive. Of these affected households, 372 have children.
2. **Property size criteria for housing benefit claimants.** From 1 April 2013 size criteria will be introduced for new and existing working-age Housing Benefit (HB) claimants living in the social rented sector. The size criteria will replicate the size criteria that apply to HB claimants in the private rented sector. Those social housing tenants who are under-occupying by 1 bedroom will lose up to 14% of their HB. Those under-occupying by 2 bedrooms or more – up to 25%. The Government estimates that 19% of all social housing tenants in London will be in receipt of HB and of working age. Applied to Southwark this means 4,497 tenants may see a reduction in their Housing benefit. The Government estimates that the average reduction will be £21 per week. For some of the poorest people living in our borough this may mean that they are forced to uproot their families and children because they happen to have a spare bedroom.
3. **The Household Benefit Cap.** From April 2013, there will be caps on the maximum amount of benefits working age households can claim, targeted on non-working households but also affecting some part-time workers. It is predicted that, in Southwark, this will have the following impact:

Private rented sector couples with three children could face a shortfall of £170 p/w if they are living in a three bedroom property or £251 if they are living in a four bedroom property.

Families with four children could face a shortfall of £249 p/w if they are living in a three bedroom property or £330 if they are living in a four bedroom property.

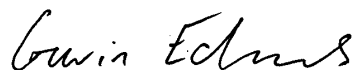
Private rented sector lone parents with three children could face a shortfall of £130 p/w if they are living in a three bedroom property, or £211 if they are living in a four bedroom property. If they have four children they could face a shortfall of £208 p/w if they are living in a three bedroom property, or £289 if they are living in a four bedroom property.

The sub-committee did have a number of other areas of concern about these reforms, but we felt that it would be best to focus on the most punitive and unfair elements in order to focus attention on how this will impact on so many people in our borough. We would be grateful for your response to this analysis of the impact of these changes in Southwark.

The sub-committee would like to know what actions/representations you may still be able to take in order to mitigate the impact of these reforms, with particular regard to the issues raised above.

I look forward to your response.

Yours Sincerely,



Gavin Edwards  
Chair of Southwark Housing and Community Safety Scrutiny Sub Committee

On behalf of Sub-committee Members:

Councillor Graham Neale  
Councillor Michael Bukola  
Councillor Rowenna Davis  
Councillor Tim McNally  
Councillor Michael Situ  
Councillor Martin Seaton

This page is intentionally blank.

**DISTRIBUTION LIST****MUNICIPAL YEAR 2011/12****COMMITTEE:** HOUSING AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE**NOTE:** Please notify amendments to Scrutiny Team (0207 525 0324)

<b><u>OPEN</u></b>	<b><u>COPIES</u></b>	<b><u>OPEN</u></b>	<b><u>COPIES</u></b>
<b><u>MEMBERS/RESERVES</u></b>		<b><u>DEPARTMENTAL OFFICERS</u></b>	
Councillor Gavin Edwards (Chair)	1	Local History Library	1
Councillor Linda Manchester (Vice-Chair)	1	Scrutiny Team SPARES	10
Councillor Michael Bukola	1	Nicki Fashola/Debbi Gooch, Legal Services	1
Councillor Rowenna Davis	1	Gerri Scott, Strategic Director of Housing Services	1
Councillor Tim McNally	1	Shelley Burke, Head of Overview & Scrutiny	1
Councillor Martin Seaton	1	Alex Doel, Cabinet Office	1
Councillor Michael Situ	1	Paul Green, Opposition Group Office	1
Councillor Kevin Ahern (Reserve)	1	John Bibby, Principal Cabinet Assistant	1
Councillor Claire Hickson (Reserve)	1		
Councillor Paul Kyriacou (Reserve)	1		
Councillor Darren Merrill (Reserve)	1		
Councillor Wilma Nelson (Reserve)	1		
<b><u>CO-OPTED MEMBERS</u></b>			
John Nosworthy (Homeowners Council)	1		
Jane Salmon (Homeowners Council Reserve)	1		
Miriam Facey (Tenants' Council)	1		
Lesley Wertheimer (Tenants' Council Reserve)	1		
<b><u>OTHER MEMBERS</u></b>			
Councillor Catherine Bowman	1		
		<b>TOTAL HARD COPY DISTRIBUTION</b>	<b>35</b>

HARD COPIES OF THIS AGENDA ARE AVAILABLE ON REQUEST FROM THE SCRUTINY TEAM Tel: 0207 525 0324