

Written evidence submitted by Rachel Waters [RSH 113]

- 1.** I understand that I have missed the deadline for the Social Housing Regulation inquiry as I was unaware that it was going on. However, I would greatly appreciate the opportunity to share my evidence with the committee as I believe it can bring important understanding to the inquiry.
- 2.** I am a disabled, female, Domestic Violence survivor living in Social Housing and my case evidences that the issue of Social Housing Regulation is much wider than repairs and poor conditions and actually also encompasses serious and wilful failures by Social Housing providers in addressing Violence Against Women and Girls, in addressing the most serious Domestic Violence with the Highest Risk Assessment ratings specifying a threat to life - endangering survivors significantly, and in addressing serious and harmful Anti-Social Behaviour.
- 3.** My case also evidences systemic discrimination on the grounds of disability, as well as open bullying and witness intimidation by a Social Housing provider.
- 4.** Further, as a small part of this case went to court, and the written judgement of the court noted that:

“Miss Waters [me] has been subjected to conditions that no human being can be expected to endure in the normal run of things”

my case also evidences that my Social Housing provider has violated fundamental Human Rights, in this instance Article 3 of the ECHR – the right to be free of inhuman and degrading treatment.

- 5.** Significantly for this inquiry, my Social Housing provider’s extensively documented actions evidence that regulation is effectively non-existent. Their open threats in response to any challenges to these actions evidence their confidence that no-one is policing them, that they act with absolute impunity, and

that they will never be held to account for their behaviour. As my case documents, they are entirely correct in this assertion.

6. I am a tenant of the Social Housing provider LiveWest Homes (LW). For many years I have been subjected to a campaign of anti-social behaviour (ASB) by my neighbours – also LW tenants - that only desisted when I personally took the neighbours to court where they received criminal convictions and LW were forced to move them.

7. Throughout the years of this abuse, LW not only failed to meet their requirements to address the campaign of abuse against me, but they actually threatened me with eviction at my every report of ASB, threatened me for taking the matter to court (witness intimidation), took actions to actively assist the tenants in their abuses of me, and to this day continue to obstruct and refuse repairs to my home leaving me in conditions that fail to meet basic standards as a continuation of their coercion against me for complaining.

8. The, documented and evidenced, campaign of ASB against me by LWs other tenants included:

8.1. Running up many thousands of pounds of debt using my address causing many hundreds of terrifying collection letters to be sent to my home, and bailiffs to visit.

- I am a lone female domestic violence survivor living in a Sanctuary protected home
- Unknown males coming to my home to force entry is utterly terrifying and significantly retraumatizing
- That unknown males turn up at my home who may or may not be acting on behalf of the perpetrator puts me at massive risk

8.2. Repeatedly flooding my home (their flat is above mine) with a faulty washing machine causing extensive damage to my property, carpets and furnishings, and significant costs of replacement which I struggled to meet as I live on disability benefits

8.3. Locking a chain across the top of the concrete steps down to my home in an attempt to cause me serious injury

8.4. Smashing my shed destroying it, and the contents, completely

8.5. Multiple incidents of violent and threatening behaviour including one of the perpetrators standing directly outside my living room window screaming threats and abuse at me

8.6. Significantly traumatising and retraumatising male violence and abuse which included a drunk and violent male guest of the tenants banging on my window in the middle of the night.

8.7. The same violent male threatening and assaulting me on my property forcing me to physically defend myself from him. This male was so violent and dangerous he had to be removed by the Police. A traumatising ordeal of male violence for any female, but additionally severely retraumatising for a female survivor of male domestic and sexual violence.

8.8. The significantly damaging experience of being forced to continue to live with the fear and threat of this male perpetrator for the many weeks that he was allowed to continue to stay at that address, and I was thus forced to terrifyingly continue to share the open spaces of my home, and the access to my home, with him.

8.9. Noise nuisance so severe I had to go to court to get an Abatement Order to attempt to address it.

- LW themselves documented over 300 recordings of noise nuisance in their submissions to court
- The noise was so bad, and the resulting sleep-deprivation so detrimental that I regularly had to leave my home at night and camp in a local field – a situation dangerous for any lone female, let alone a domestic violence survivor with a High Risk perpetrator living in the area.
- Sleeping in a tent in the local area also negated entirely the significant fortifications put on my home by the Police (such as an arson-proof door

and bars on my windows installed under the domestic violence protection scheme The Sanctuary Project)

- There were multiple incidents where the perpetrators were so loud, drunken, drugged and violent that they were dealt with by the Police.
- During one such incident the Police documented the horrendous noise and that they feared for my welfare living in such conditions
- Depositing an enormous pile of filthy, stinking and decaying rubbish outside the entire rear of my home, piled up to the windows. This included multiple cookers, fridges, a mattress contaminated with body fluids and human waste, a motorbike, carpets rotting with dog and cat urine and excrement, and bags upon bags of household and food waste. It was infested with rats and flies. My home was like living on a Third World rubbish tip. The stench, flies and rats meant that I could not open the windows in my lounge or bedroom, even in the height of summer. The sight was all I could see from my windows and was deeply oppressive and mentally harmful.

9. This abuse went on unaddressed for *years*, not weeks or months, *years*.

10. LW refused to take any action whatsoever. Far from it, they actually threatened me repeatedly every time I reported the astonishing conditions I was being forced to live in.

11. When I reported the ingress of smoke (from their drug taking) into my home, LW ignored me. This is significant as, along with the repeated water ingress, it showed that smoke could travel freely into my home from the upstairs property. Given my windows are barred under the domestic violence protection scheme, in the event the drunken, drug-taking tenants started a fire in their home, it would quickly travel to mine and I would likely be trapped.

12. I raised the issue of Grenfell and building failures allowing fires to travel quickly between homes. LW still ignored me. The situation of no insulation and free-flowing water/smoke between the homes remains to this day.

13. When I reported the Noise Nuisance, LW failed to take any action or offer any assistance, or provide me with a Noise Diary in accordance with their requirements. When I provided one myself they stated in their written response to it that ***“reporting noise nuisance is anti-social behaviour and will not be tolerated”*** and threatened to evict me for completing a Noise Diary.

14. When I downloaded the Council Noise Reporting App ‘The Noise App’ (that sends reports and recordings of noise directly to LW), LW blocked my use of it.

15. When I used an alternative calibrated and approved Noise Recording App (accepted by the court) LW refused to accept this evidence.

16. As the garden at rear of my home, that the perpetrators had filled with rubbish, was their garden LW told me if I removed the rubbish myself they would evict me for trespassing in their garden.

17. When I reported how frightening and harmful the harassment, threats and male violence were to me, and how detrimental they were to my mental health, LW refused any action to address this ASB and – in a blatantly discriminatory action against me - instead reported to Adult Social Care that I was mentally incompetent and unfit to look after myself.

18. After I reported this ASB, LW installed a light operated by the other tenants onto *my* wall beside my bedroom window, 6” from the glass. This meant there was a very bright exterior light less than 1m from my bed, operated by another household. This enabled them to turn the light on at night lighting up my bedroom and subjecting me to sleep deprivation in tactics exactly like those used by the Stasi.

19. As – due to my disability from PTSD and c-PTSD as a result of domestic violence (including many years of stalking) and the perpetrator living in the local area - I am rarely able to leave my home due to agoraphobia, anxiety, panic attacks and other serious mental health issues. At the time of this ASB I was unable to leave my home at all. As my garden is an open space shared with the

other flat, I had no outside space at all. This meant I was trapped 24hours a day in these horrifying, inhumane conditions. Being forced to camp out in a tent to escape the severe sleep-deprivation was utterly terrifying.

20. In desperation I engaged the Community Trigger (CT) – the Statutory process to address unaddressed ASB introduced in the wake of the case of a woman who killed herself and her disabled daughter in utter desperation when their Social Housing Provider refused to address many years of ASB against them.

21. Far from amending their conduct, as recorded in their own written submissions to the CT process, LW instead obstructed this process at every turn with false information and outright lies about the proven facts of the case and their own actions. They further defamed and assassinated my character. This served to prolong, frustrate and obstruct an already appallingly difficult and upsetting process.

22. In their own written submissions LW further made derogatory remarks about my disability, and mocked and belittled me as a victim of High-Risk domestic violence and stalking. This forced me into the massively re-traumatising experiences of repeatedly having to relate distressing events of domestic violence in an aggressive, bigoted environment where LW completely degraded and humiliated me throughout.

23. In short, LW set about systematically making a 'Hostile Environment' for me, their disabled tenant, using tactics of degradation, open discrimination, inhuman and degrading treatment, and obstruction of any assistance or action to address the abuses I was being subjected to.

24. Due to total inaction by LW for what became many years, I had to take action myself. The only legislation available to me as a private individual was the Environmental Protection Act 1990 (EPA1990). The only parts of this behaviour able to be addressed by the EPA1990 were the noise and the rubbish. It is these elements alone that the court described in their written judgement as Inhuman and Degrading treatment (even without the additional significantly harmful elements of abuse, harassment and violence).

25. Having been subjected to cross-examination by the perpetrator and many other frightening and retraumatising experiences in the courts to address domestic violence, being forced to take court action myself was a very difficult and damaging experience. Not least because **yet again** I had to stand in a court room next to people who had subjected me to violence and abuse. Completely unnecessarily as it was LW duty to address this matter, not mine.

26. The perpetrators received 2 criminal convictions each for this behaviour. Aside from anything else, this confirms beyond any doubt – as it was proven to the criminal standard – that the perpetrators’ abuses of me, and the evidence I submitted to LW of it, were unequivocal and there is no excuse for LW’s refusal to act to protect me.

27. However, far from changing their conduct and addressing their behaviour against me, when I served papers on the perpetrators in accordance with the court’s instructions LW immediately wrote to me stating that **“taking court proceedings against your neighbours is anti-social behaviour and will not be tolerated”** and threatened to evict me, again.

28. This attempt to threaten me to not give evidence to the courts in a criminal case is Witness Intimidation. (Criminal Prosecution Service, 2017.

<https://www.cps.gov.uk/cps-page/witness-intimidation>).

29. In an astonishing act of further discrimination against me, in this private case between myself and the perpetrators, LW lawyers themselves represented the perpetrators in court. For free.

30. LW continue to subject me to coercive punishment for complaining.

31. They withhold repairs to my home. For example, my home does not meet Decent Homes standard as set by Dept for Communities & Local Government in June 2006. My home was singled out as the only flat, in a block of 4 identical flats, not to have the kitchen replaced to meet the Decent Homes standard. The 3 other identical kitchens, in the 3 other identical flats, were all replaced. The kitchen has multiple Category 1 HHSRS (Housing Health & Safety Rating

System) violations including loose asbestos in the ceiling, and multiple food preparation risks (including damaged worktops and chemicals leaking into my food cupboard from a water-logged worktop) and several electrical hazards.

32. I am charged a higher rent than my fellow tenants in the other 3 identical flats in this block – all of whom (bar one) became LW tenants many years after me.

33. I am being subjected to significant parking nuisance and bullying by another LW tenant who frequently blocks my access to my car – which is my disability vehicle. LW refuse to take any action to address this.

34. LW have stated that my campervan - shortly to be my disability vehicle in place of my car - which they photographed and named specifically, is not to be parked in the car-park outside my home that is for the use of all tenants. My neighbours park their campervan there regularly. My other neighbour parked his flat-bed building lorry there daily for many years. LW have again singled me out for discriminatory treatment.

35. Because of the obvious trauma of being subjected to male violence in my home, of being subjected to inhuman and degrading treatment in my home, because of the significantly re-traumatising effect this has had on me as a domestic violence survivor, and the detrimental impact it has had on my recovery, and because the fundamental characteristics of shared spaces having been proven to leave me vulnerable to extensive abuse by other tenants, and leaving me unsafe from the domestic violence perpetrator, I have requested that I be moved. LW have refused this request.

36. For comparison, the reason for moving the perpetrators given in LW's written affidavits to court was that the perpetrators 'found complaints about their behaviour upsetting'.

37. So receiving complaints about their criminal behaviour was deemed to be upsetting by LW and warranted a move, but being the disabled victim of this behaviour was conversely deemed to be not upsetting at all and (even with additional domestic violence and stalking issues) does not warrant any such

move to safety. I am openly, and blatantly being subjected to entirely different, discriminatory criteria.

38. This ongoing differential treatment in multiple areas is open disability discrimination given LW's self-documented derogatory, dehumanising and mocking attitude to my disability, and the domestic violence that caused it.

39. This discrimination affects other people too. In the instance of moving the ASB perpetrators to a new property, instead of addressing their behaviour, which includes significant violence and risk, LW have put their new neighbours at risk without telling them.

40. There are multiple legislations and statutory instruments placing requirements upon LW here including the Equality Act 2010, Statutory Guidance on ASB, the Environmental Protection Act 1990, the Decent Homes Standard, the Domestic Abuse Bill, criminal legislation and of course the European Convention on Human Rights.

41. Clearly it is not a lack of legislation or statutory guidance that is at fault here, there is plenty of it.

42. The problem is, as the cases highlighted by ITV News have shown, that none of this is enforced. Social Housing Providers are quite simply allowed to commit brazen abuses of the legislation and regulations with absolute impunity, rendering them not worth the paper they are written on.

43. The staff members at LW who repeatedly threatened me, who exhibit open disability discrimination and bigotry towards me, and who subjected me to the inhuman and degrading treatment identified by the court, remain in their posts and have faced no disciplinary action whatsoever for their conduct – which is why they continue in this pattern of behaviour against me to this day, and no doubt against other vulnerable tenants too. LW as an organisation have suffered no consequences whatsoever for the conduct of their staff.

44. As with any wrongdoer, failure to address their behaviour is a clear message to them that they are above the law and that the rules don't apply to them. This emboldens and enables them in their behaviour, and allows it to escalate. It is this total lack of any accountability for Social Housing Providers that has entirely enabled the horrendous situation being exposed by ITV News, and indeed that of Grenfell Tower.

45. Changes to regulation will not address the problems here. Regulations have been rendered completely irrelevant by a total failure in any enforcement whatsoever. Any new regulations will be treated with the same contempt and disregard by Social Housing Providers as the existing ones are, and these situations will continue to occur just as they do now.

46. Social Housing tenants need providers to be held to account for their appalling, systemic failures with a robust system of punitive measures, compensation, and a zero tolerance approach for the systemic contempt with which they currently regard laws, regulations and the welfare of their tenants.

47. When I took my neighbours to court, the magistrates were truly shocked to see LW's abuses of a disabled, domestic violence survivor. But they were even more shocked at how openly LW threatened and abused me with absolute impunity. The court could only act within the infinitely narrow remit of charges against the tenants themselves for acts covered by the EPA1990. They could do nothing else to help me.

48. However, what I saw in court was the transformative effect on LW's conduct of being scrutinised – not even held to account, just scrutinised – in the narrow area that that case was able to address. The rubbish, that had stood untouched for **years** was cleared up instantly on the day of the criminal hearing when LW attended court on behalf of the tenants. The tenants were then immediately moved. After **years** of refusals, intimidation and threats, when being held up for even the slightest scrutiny LW amended their conduct **instantly**.

49. Of course, I cannot afford a lawyer, and there is nowhere to hold LW to account for their behaviour against me, so all other aspects of their broad and

prolonged pattern of systemic discrimination, neglect, threats, intimidation, and inhuman and degrading treatment, go unscrutinised and unaddressed. LW are not being held to account anywhere for their abuses of a disabled domestic violence survivor, which is why they continue to do it with impunity.

50. That situation is beyond shameful and it is an ugly black mark on any civilised society.

51. I understand that I have missed the deadline for the inquiry, but given there is nowhere else for my voice to be heard, and that it is exactly this lack of agency to vulnerable people that has created the situation in Social Housing that this inquiry seeks to address, I would greatly appreciate the opportunity to give my evidence.

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