

## Women's Aid Federation of England Briefing on COVID 19

Home is not a safe place for those experiencing domestic abuse. The mass experience of isolation, and limited routes to support and safety, are set to have significant impacts on women and children. It is essential that the government takes coordinated, proactive action to prevent physical and emotional harm, and meet the increased and changing needs of survivors and their children, during this pandemic. This briefing sets out the key concerns and recommendations of Women's Aid Federation of England on COVID 19:

1. Women, VAWG and the COVID 19 Response
2. Impact on survivors
3. Safe child contact
4. Impact on specialist services
5. Public sector responses

### 1. Women, VAWG and the COVID 19 Response

It is widely evidenced that women and girls are at increased risk of various forms of violence against women and girls (VAWG), including domestic abuse, during health crises.<sup>1</sup> We are only in the early stages of COVID 19 in the UK, but emerging data from China and Italy and evidence from previous pandemics show the need to act now to ensure survivors and their children do not pay the highest price. The number of domestic violence cases reported to a police station in Jingzhou in China in February 2020 increased threefold compared to the same period the previous year<sup>2</sup>. Evidence from other countries also demonstrates that COVID 19 limits women's access to support, with essential public services diverted and VAWG specialist services constrained in their ability to deal with the outbreak<sup>3</sup>.

More widely, both the health and economic impacts of COVID-19 will hit women harder. Women are more likely to work in low paid, insecure and informal jobs, are more reliant on social security, and do the majority of care – both paid and unpaid. Globally, women make up 70% of the workers in the health and social sector, and therefore demands on them at work and their exposure to the virus will be high.<sup>4</sup> Most women experience economic abuse as a part of pattern of coercive control - and the current context is likely to present abusers with further abilities to control their partners finances and restrict their access to safety and independence. As our Economics of Abuse report states, *'a woman's level of access to economic resources can make a great difference to the process of leaving an abuser'*.<sup>5</sup>

Tackling the impacts of the pandemic on women requires the collection of gender-disaggregated data on the impact of COVID 19 and the representation of women and VAWG specialists at the highest levels of planning and decision making.

**We call for the Domestic Abuse Commissioner and Victims Commissioner to be included within the highest level of the response, including the COVID 19 ministerial group and relevant COBRA meetings. Coordinated action across government departments, with input from the specialist VAWG sector, is urgently required to prevent harm and ensure every survivor accesses the support they need.**

<sup>1</sup> Fraser, E. (2020). *Impact of COVID-19 Pandemic on Violence against Women and Girls*. VAWG Helpdesk Report 284. DFID.

<sup>2</sup> Bethany Allen-Ebrahimian. (2020). *China's Domestic Violence Epidemic*. Axios. Available online: <https://www.axios.com/china-domestic-violencecoronavirus-quarantine-7b00c3ba-25bc-4d16-afdd-b76ecfb28882.html>

<sup>3</sup> Fraser, E. (2020). *Impact of COVID-19 Pandemic on Violence against Women and Girls*. VAWG Helpdesk Report 284. DFID.

<sup>4</sup> <https://www.unwomen.org/en/news/stories/2020/3/news-womens-needs-and-leadership-in-covid-19-response>

<sup>5</sup> Women's Aid. (2019). *The Economics of Abuse*. Available online: <https://1q7day2unor827bajls0c4rn-wpengine.netdna-ssl.com/wp-content/uploads/2019/12/Economics-of-Abuse-Report-2019.pdf>

## 2. Impact on survivors

Perpetrators may also use the pandemic to abuse in new ways – such as failing to follow self-isolation guidance, prevent women from accessing necessary healthcare, spreading misinformation about the virus, and/or restrict access to necessary items such as soap and hand sanitizer<sup>6</sup>.

The escalation of abuse will be coupled with limits to survivors' access to public services and support. The majority of women and children will no longer see their wider family, friends or community members, nor attend work or school – all key areas of support and possible routes to safety. Using the phone for support is likely to be unsafe if the perpetrator is constantly present and public services – including the police, social care services and healthcare providers – will be increasingly diverted by COVID 19. Barriers to support will be felt even more acutely by women facing intersecting forms of oppression, for example:

- Women with insecure immigration status and no recourse to public funds (NRPF) who fear reporting and seeking help due to legitimate concerns about their details being shared with immigration enforcement<sup>7</sup>;
- The government's guidance on COVID 19, and information on support services, are often inaccessible to women who are deaf, disabled or blind.

It is essential that all survivors are aware of the support that is still available, and that professionals and communities are properly equipped to respond to domestic abuse during the pandemic.

**We urge the government to produce clear guidance and communications for survivors and for communities, and sector-specific guidance for professionals, during the COVID 19 pandemic. Communications must be fully accessible to all, translated into all languages including British Sign Language, and must recognise additional barriers facing women and children from marginalised groups.**

## 3. Safe child contact

The safety of child contact is a serious concern for survivors of domestic abuse during COVID 19. Perpetrators routinely use child contact arrangements as a tool of coercive and controlling behaviour and may now threaten to not adhere to contact arrangements due to isolation measures or use them as a justification for flouting contact orders. Survivors are also concerned that they will be accused of breaching a court order by limiting or preventing contact during the crisis in order to keep themselves and their children safe. We have already heard a number of concerning examples from our member services and our Live Chat service in this regard, including:

- A mother living in refuge who has an order stating a contact centre must be used to facilitate contact, has now seen the contact centre close. She is worried that she may be seen as breaching the order by choosing to keep her children away from others and staying indoors in the refuge.
- Women who are needing to self-isolate with their children to protect their health, yet the children's father is threatening court action if he is not allowed contact visits.

Similarly, Rights of Women have reported concerns with: perpetrators using the situation to continue their abuse by placing children at risk intentionally; perpetrators insisting on arrangements

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<sup>6</sup> World Health Organisation. (2020). *COVID-19 and Violence Against Women - What the health sector/system can do*. Available online: <https://www.who.int/reproductivehealth/publications/vaw-covid-19/en/>

<sup>7</sup> More than half of women surveyed by Kings College London and Latin American Women's Rights Service, reported they felt they would not be believed by the police because of their immigration status (54%), with more than half feeling that the police or the Home Office would support the perpetrator over them (52%). - Kings College London and LAWRS (2019). *The Right to be Believed*. Available: <https://stepupmigrantwomenuk.files.wordpress.com/2019/05/the-right-to-be-believed-key-findings-final-1.pdf>

continuing contrary to guidance; perpetrators issuing enforcement applications unreasonably; and perpetrators not returning children after contact.<sup>8</sup>

Whilst the President of the Family Division has issued guidance on COVID 19 and compliance with child contact orders, which states that if parents cannot agree to an arrangement they may exercise their parental responsibility and vary the arrangement to one that they consider to be safe, the guidance is open to interpretation.<sup>9</sup> Guidance from the President and statements from the government which encourage parents to adopt a '*pragmatic approach*'<sup>10</sup> will largely rely on parents being able to agree revised arrangements. Where one parent is controlling and abusive, this is very unlikely to happen.

The National Association of Child Contact Centres (NACC) is currently developing digital options for child contact that would have taken place in contact centres. This is described as 'a version of Skype that can be used safely where risks may be high.' The NACC also points out that some contact centres 'are working creatively with families to see if there are other people that might be able to take up the role of the contact *centre*'. This works well where there are family members or other trusted people that can step in, to support.<sup>11</sup> It is unlikely that this option will be safe or appropriate in cases involving domestic abuse.

The family judiciary has announced its plans for remote access family court during the pandemic, noting that '*it should be possible to continue substantially the full operation of the family justice system, albeit on a remote access basis, notwithstanding the COVID-19 pandemic*'. Guidance produced on this states that, until a common platform can be set up, remote proceedings will be held using a range of different platforms and methods. The guidance also notes that there may be some cases that will need to be adjourned for longer periods of time "*because a remote hearing is not possible given the nature of the case and the length of the hearing combined with the number of parties, representatives and/or witnesses.*"<sup>12</sup> The effectiveness of video hearings for ensuring access to justice in cases of domestic abuse is not clear, but we know that in some cases, being in a physical courtroom space is important.<sup>13</sup> Further consideration is needed to ensure this is safe and practical for survivors of domestic abuse – particularly when they have no access to legal representation.

#### **The Ministry of Justice and Family Division must ensure that:**

- **New allegations of a breach of a child arrangements order, where there are historic or current allegations of domestic abuse, are dealt with carefully, and with awareness of the potential for perpetrators to use the pandemic as an opportunity to continue their abuse.**
- **In cases involving domestic abuse, careful consideration is made as to whether a remote hearing is appropriate or practical, particularly if the parties are litigants in person, or one party is not likely to be able to access childcare during the current 'stay at home' rules.**
- **Parents who normally use a contact centre for child contact are not penalised for breaching orders because the alternatives offered are not safe - either for children or non-abusive parents.**

#### **4. Impact on specialist services**

Women's Aid's national network of members, who provide refuge services and a range of other specialist support services to women and children experiencing domestic abuse, are concerned about the impact of COVID 19 on their life-saving work. These services are a critical part of our national infrastructure and their sustainability will be critical to preventing serious harm as a result of

<sup>8</sup> Rights of Women (2020) *Coronavirus and child contact arrangements*. <https://rightsofwomen.org.uk/get-information/family-law/coronavirus-and-child-contact-arrangements/>

<sup>9</sup> President of the Family Division (2020) *The Coronavirus crisis and compliance with family court child arrangement orders*. Courts and Tribunals Judiciary: <https://www.judiciary.uk/announcements/coronavirus-crisis-guidance-on-compliance-with-family-court-child-arrangement-orders/>

<sup>10</sup> Ministry of Justice response to parliamentary question Family proceedings: corona virus. 24 March 2020

<sup>11</sup> NACCC (2020) *NACCC factsheet for professionals. Information about child contact in light of covid-19*.

<sup>12</sup> Courts and Tribunals Judiciary (2020) *The remote access family court. COVID 19* <https://www.judiciary.uk/announcements/the-remote-access-family-court-covid-19-coronavirus/>

<sup>13</sup> Ministry of Justice (2016) *Transforming our justice system*. MoJ. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/553261/joint-vision-statement.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/553261/joint-vision-statement.pdf)

domestic abuse. The government recognised this by determining frontline domestic abuse and VAWG workers as 'key workers' whose children can access educational provision during the COVID 19. However, without swift government action to tackle the following key areas of concern, this life-saving national network of services could be overwhelmed by the scale of need resulting from the pandemic.

### ***Emergency funding and support***

Funding is the number one concern for the sector – with services reporting that they run on short-term budgets which do not cover the full costs of delivery and lose out to larger providers through competitive tendering practices which fail to recognise their expertise. Nearly half of domestic abuse services responding to Women's Aid's Annual Survey in 2019 were running an area of work with no dedicated funding at all.

Largely delivered by specialist women's charities, services have limited cashflow and reserves to cope with shocks and the need for urgent adaptations to their delivery. Services are often running with multiple funding streams, reporting on numerous outcomes and targets to different funders. Some services are still facing the threat of burdensome local authority competitive tendering processes, which take staff away from frontline work, during COVID 19. Many services rely heavily on fundraising and donations, which are set to decrease significantly, to deliver their work. The capacity of their women-only workforces, who have a high caring burden, will be decreased as the virus spreads. With capacity at foodbanks restricted, services are using their own resources to ensure women and children can access food and basic essentials.

As in Italy and China<sup>14</sup>, women's services in England have worked quickly to shift to remote delivery to protect and support survivors of domestic abuse. This includes supporting survivors on the phone, online and through video calling rather than face to face, working with multi-agency partners remotely and exploring new forms of service provision. However, smaller organisations – particularly those led 'by and for' black and minoritised women - have reported serious problems in shifting to remote delivery and home working and have been unable to access the technology they need.

The realities of isolation mean that survivors need to access different types of support to stay safe. Women's Aid's national Live Chat service, which supports survivors through instant messaging, has seen increased demand since COVID 19. Women have told us that they can feel safer accessing support online, rather than speaking over the phone.

Other countries have responded swiftly to the need for emergency funding for VAWG services; the Scottish Government has allocated over £1.5 million to domestic and sexual violence services for the next six months<sup>15</sup> and the Canadian government is delivering \$50 million for organisations that shelter and support women fleeing domestic violence and sexual assault.<sup>16</sup>

**We urge the government to deliver an immediate cash injection and package of support to ensure services can adapt to COVID 19, respond to additional demand, and ensure no survivor needing support during the pandemic is turned away. This must include:**

- **Ring-fenced funding for services led 'by and for' black and minoritised women, disabled women and LGBT survivors.**
- **Banning competitive tendering for domestic abuse and VAWG services during COVID 19 and ensuring that funding for the sector is flexible to meet need.**

<sup>14</sup> Fraser, E. (2020). *Impact of COVID-19 Pandemic on Violence against Women and Girls*. VAWG Helpdesk Report 284. DFID.

<sup>15</sup> Scottish government (2020) *Helping communities affected by COVID 19*. <https://www.gov.scot/news/helping-communities-affected-by-covid-19/>

<sup>16</sup> Gawley, K. (2020) How Canada's \$82 billion COVID-19 aid package could help you. City News: <https://winnipeg.citynews.ca/2020/03/18/how-canadas-82-billion-covid-19-aid-package-could-help-you/>

- **National funding to ensure Women's Aid's Live Chat service can extend it's opening hours.**

### ***Refuge services***

Refuges are on the frontline of the response. They are far more than just a 'bed for the night' - they provide physical and emotional safety and provide a package of expert, holistic support to support women and children escaping abuse to cope and recover. Demand for life-saving refuge services exceeded capacity before COVID 19; 64% of referrals to refuges were declined in 2018-19 and one in five of referrals were refused because the refuge had a lack of space or capacity to support the survivor. The number of refuge spaces in England is now 30% below the number recommended by the Council of Europe. We know of one service who are set to lose all their funding for refuge services from the end of March – yet their refuges are currently full.

Refuge services can be based in shared, self-contained or dispersed accommodation. Whilst government guidance makes clear that refuges with shared facilities should remain open during the pandemic with infection control procedures in place, the women, children and staff in the service will be at risk. Refuges may understandably be hesitant to take new referrals if existing residents have contracted the virus, or to accept referrals from women and children with symptoms. A decrease in referrals could result in services losing rental income and will create further barriers to survivors who need to escape to safety.

Migrant women with 'No Recourse to Public Funds' (NRPF) currently often face insurmountable barriers to accessing safety including refuges. The housing costs of refuge services are largely met through housing benefit, which women with NRPF due to their immigration status (or lack of clarity about their status) are not eligible to claim. Most refuges are unable to cover housing costs without other funding in place; only 5% of refuge vacancies in the year 2018-19 could support a woman who had NRPF. The options facing women with NRPF unable to access refuge - homelessness, destitution or being forced to return to the perpetrator – were shocking before the pandemic and will only intensify without action. In Wales, the government has advised local authorities that while the law prevents them providing housing support to people with NRPF, they should use alternative powers and funding to assist those who require shelter during the pandemic.<sup>17</sup>

### **We urge the government to:**

- **Meet the Council of Europe recommendation for bed spaces now, with immediate action to ensure specialist services can deliver additional refuge capacity.**
- **Guarantee funding to ensure that no refuge service faces closure as a result of COVID 19 and compensate any income lost by refuges through loss of rental income or arrears during the pandemic.**
- **Ensure refuges can operate safely, including testing for COVID 19 and providing personal protective equipment (PPE) to refuge staff.**
- **Immediately abolish no recourse to public funds conditions and follow the Welsh Government's direction to local authorities on ensuring access to shelter for those with insecure status.**

### ***Emergency accommodation***

There have been numerous calls to open hotels to women and children escaping domestic abuse. Women's Aid is clear that a hotel space is no alternative to a refuge. Refuge services are not just a 'bed for the night' – they are specialist services that deliver physical and emotional safety, and a package of expert support that women and children escaping abuse need to cope and begin recovery.

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<sup>17</sup> Welsh Government (2020) *Written Statement: COVID-19 Response – Homelessness and Rough Sleepers*  
<https://gov.wales/written-statement-covid-19-response-homelessness-and-rough-sleepers>

The current severe shortage of refuge spaces, however, has been further hit by the impacts of COVID 19 - as the numbers of women and children seeking safety increases, refuges are unable to accept referrals due to lockdown measures, ability for current residents to move-on to longer term housing is constrained. Marginalised groups of women – including women with no recourse to public funds, those with substance use needs or mental health – face the most severe barriers to accessing a refuge.

Ensuring adequate provision of safe accommodation for women and children escaping domestic abuse, alongside support, is urgently needed. Whilst the government have provided councils with an additional £3.2 million to enable councils to rough sleepers, there has been no comparable investment in supporting women and children experiencing domestic abuse to access suitable and safe self-contained accommodation. In areas with acute housing shortages, such as London, local authorities already house survivors in hotels and B&Bs where there is no other safe accommodation available.

Local authority housing teams responses to survivors made homeless due to domestic abuse are highly inconsistent; government data acquired by Inside Housing through the Freedom of Information Act found that, in the year to June 2019, 13% out of over 4000 homeless applicants at risk of or who had experienced domestic abuse were found not to be in 'priority need' for housing.<sup>18</sup> The 'vulnerability test' is often used as a gatekeeping tool, with women told they are not in 'priority need' for accommodation despite escaping abuse and having multiple other vulnerabilities.<sup>19</sup>

**We call for immediate action to ensure local authorities are required to house survivors escaping abuse in safe and suitable accommodation, with ongoing support delivered by specialist services. This will require additional funding and clarification that all survivors escaping domestic abuse, including those with no recourse to public funds, are automatically in priority need.**

### ***Long term sustainability***

Specialist domestic abuse services were in a critical financial position before the pandemic. Without emergency funding now, and a commitment to delivering a secure future for these life-saving services, we are seriously concerned that COVID 19 could decimate specialist provision across the country. Women's Aid estimates that an investment of £393 million annually is required to ensure a sustainable future for specialist women's domestic abuse services – this includes £173 million to ensure the national network of refuges can meet demand.<sup>20</sup>

**We urge the government to deliver a secure funding future for the life-saving VAWG sector, including at least £393 million per year for women's specialist domestic abuse services.**

## **5. Public sector responses**

COVID 19 is already causing profound disruption to the public services that survivors rely on. The diversion of the police, criminal justice, health and social care systems to respond to the pandemic are likely to reduce protection and support for women and children experiencing domestic abuse.

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<sup>18</sup> Inside Housing (2020). Hundreds of vulnerable people refused temporary housing, exclusive data reveals. Published online: <https://www.insidehousing.co.uk/news/news/hundreds-of-vulnerable-people-refused-temporary-housing-exclusive-data-reveals-65145>

<sup>19</sup> Women's Aid (2018) Nowhere to Turn 2018: Findings from the second year of the No Woman Turned Away project, Bristol: Women's Aid

<sup>20</sup> Women's Aid (2019) Funding Specialist Support for Domestic Abuse Survivors Bristol: Women's Aid

## ***Police and criminal justice system***

A robust police response is crucial in tackling perpetrators and keeping survivors safe. However, as police forces experience staff shortages and focus on their civil contingencies response, their capacity to respond may be limited. Police forces in Greater Manchester and Birmingham are already recording increasing numbers of call-outs<sup>21</sup> and national policing bodies are exploring ways to adapt their response whilst keeping survivors safe and maintaining an emergency 999 response. Court closures stretched probation teams and early releases from prison all pose threats to survivors – who remain at significant risk of ongoing harm after separation - during COVID 19.

**The Home Office and Ministry of Justice must support the police and wider criminal justice system to prioritise the protection and support of survivors and prevent an ‘atmosphere of impunity’ in respect of domestic abuse and VAWG during the pandemic.**

## ***Access to healthcare***

Domestic and sexual violence have serious physical, mental, sexual and reproductive health impacts on women and children. For many survivors, health care settings are one of the only places that they are safe to disclose domestic abuse and seek confidential help and support. Measures to decrease social contact are likely to have significant mental health impacts on the population, and this could be acute for survivors coping and recovering from trauma. Closures of GP surgeries will restrict women’s access to safety and support, and the fear of accessing health services during the pandemic could mean that women are unable to access critical care they require because of violence and abuse. Health settings – from pharmacies to hospitals - can play a critical role in sharing advice, information and signposting to support for women experiencing domestic abuse.

Evidence from past epidemics, including Ebola and Zika, show that access to women’s health services - including pre- and post-natal health care, contraceptives, sexual and reproductive health services - are all restricted.<sup>22</sup>

**The Department of Health and Social Care must ensure that health settings continue to provide safety for women experiencing domestic and sexual violence – including supporting GPs to keep lines of communication open and ensure women are alone and safe to speak wherever possible. Public Health England guidance for statutory agencies must warn of the increased physical and mental health risks to survivors of domestic abuse and other forms of VAWG during the COVID 19 crisis, and survivors’ needs must be included with pandemic response policies and practices.**

## ***Child protection and adult social care***

Domestic abuse can have a devastating impact on children and young people and is the most common factor in cases where children are at risk of serious harm in the country.<sup>23</sup> Children experiencing domestic abuse and other forms of harm will suffer as a result of household isolation. Whilst some vulnerable children<sup>24</sup> will continue to have access to educational provision, the closure of schools is a serious area of concern for child survivors for whom school is a safe space to disclose, seek help and comfort.

The government’s emergency coronavirus legislation made changes to the Care Act 2014 in England to enable local authorities to prioritise the services they offer in order to ensure the most urgent and serious care needs are met. These changes, and the fact that many children at risk of harm will not be

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<sup>21</sup> <https://www.politicshome.com/news/article/incidents-of-domestic-abuse-were-bound-to-rise-the-government-must-act-to-save-lives-fast>;  
<https://www.theguardian.com/society/2020/mar/26/warning-over-rise-in-uk-domestic-abuse-cases-linked-to-coronavirus>

<sup>22</sup> Smith, Julia (2019). Overcoming the ‘tyranny of the urgent’: integrating gender into disease outbreak preparedness and response, *Gender and Development* 27(2)

<sup>23</sup> Ofsted, HMICFRS, CQC, HMIP, ‘The multiagency response to children living with domestic abuse’, 2017

<sup>24</sup> Defined as those who have a social worker and those children and young people up to the age of 25 with education, health and care (EHC) plan

identified through school or other public services, could impact on how children's social services respond, and many vulnerable children may slip through the net and be put at further risk.

Furthermore, these legislative changes and the strain on services, will also impact the work of adult social care and the support available for women with disabilities and mental health problems. Many of these women are likely to see their usual support arrangements disrupted, which is of particular concern as they can face much higher levels of domestic and sexual violence. It is also essential to be alert to the perpetrators who will seek to take advantage of the diversion of key safeguarding bodies in order to abuse the most vulnerable during COVID 19.

**The rights to protection and support for child and adult survivors must be protected through the pandemic. We urge the government, local authority leaders and directors of social services to make a high priority of the specific risks facing vulnerable women and girls during this crisis, and to work with the police and other public services to identify those experiencing domestic abuse and take action to prevent harm.**

### ***Social security***

The government has delivered swift action to protect people's jobs and incomes impacted by COVID 19, as well as increases to unemployment benefits and reforms to the Local Housing Allowance are extremely welcome. Low-income families experiencing domestic abuse who rely on Universal Credit, however, will continue to experience hardship during this time. For example, an out of work family with two children will still be 20% below the poverty line, despite the recent changes.<sup>25</sup> The single household payment which enables perpetrators to control and abuse household finances, the requirement to repay advances, and severe delays to payment continue to be severe concerns for women experiencing domestic abuse.

Our member services are already reporting serious concerns about women's access to food and basic essentials. Women in refuge are largely reliant on food banks – but these are struggling for donations, volunteers and locations in which to operate in. Specialist domestic abuse services are therefore using their own reserves to ensure women can access their most basic rights to food and survival.

**The Treasury and the Department for Work and Pensions must take urgent action to protect survivors and their children from poverty, including:**

- **Ending the benefit cap and two-child tax credit limit and increasing benefits for low-income families.**
- **Delivering separate Universal Credit payments by default and removing the requirement for a survivor to repay an advance.**
- **Increasing local authority welfare assistance schemes to ensure councils can deliver sufficient emergency cash to women in poverty.**

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<sup>25</sup> Child Poverty Action Group, Supporting Families During the COVID-19 pandemic, 25 March 2020