

Focus Ireland Submission

Government Action Plan on Housing & Homelessness

June 2016

Focus Ireland welcomes the commitment in the Programme for Government (PfG 2016) that the Government will 'draft and publish within the first 100 days a new Action Plan for Housing' (pg 20).

The Programme for Government itself includes a number of actions which are to be included in the Action Plan. In addition, the recently published 'Houses of the Oireachtas Report of the Committee on Housing and Homelessness' (OCHH Report) includes 19 'Priority Recommendations' and a number of additional recommendations which should inform the Action Plan.

The purpose of this submission is not to repeat points which have already been well made in the PfG or the OCHH report, but rather to draw attention to particular issues which, from our perspective, are of central importance and to raise a small number of issues which we believe have been neglected to date.

The key role of prevention

In our presentation to the OCHH, Focus Ireland highlighted the central role which homeless prevention policies must play in tackling homelessness. We welcome the fact that the PfG commits to a 'prevention chapter' in the Action Plan. While we outline some target areas for consideration below, it is important to note that an adequate supply of affordable housing as well as adequately resourced and integrated welfare, public health and mental health systems are key components of reducing the risk of homelessness.

Private Rented Sector

Prevention policies designed to tackle the current homelessness crisis need to concentrate on the private rented sector, as all available evidence demonstrates that most of the families entering homeless services had their last secure home in the private rented sector.

The increases in rent supplement and Housing assistance payment rates and initiative to regularise the positions of those individuals and families 'topping up' rent supplement announced on the 28th June are a very important and welcome preventative steps taken by the government.

However Focus Ireland believes that there are additional important initiatives that need to be taken to ensure that these increases have the optimal impact. We believe that the next important step is for the government to take up the recommendation in the OCHH report in relation to the need for rent certainty linked to the Consumer Price in index. Three issues need particular attention:

- The measures to introduce Rent Certainty if introduced will work to reduce the risk of the Rent Supplement increase being absorbed quickly into higher prices
- The initiative to regularise the position of those 'topping up' is very welcome. At present a large number of tenants in receipt of Rent Supplement are bridging the gap between Rent Supplement levels and market rents by paying 'top-ups'. There is a concern that this practice has become so normalised in the market that it could return in a short time if rents continue to increase. Appropriate measures to safeguard against this might include penalties to landlords who accept such measures and options for tenants to report such practices without being penalised.
- Measures to ensure that landlords are complying with regulations need to be balanced with new measures to ensure an adequate rate of return to landlords. Aligning the tax relief for residential landlords to the treatment of landlords of commercial properties would be one approach to this issue. A clear political message that the Government is committed to the long-term viability of the private rented sector would also play an important role.

Systems prevention

The PfG sets out a number of area of what has been called 'systems prevention' i.e. averting the risk of homelessness where vulnerable individuals move out of state systems or institutions (e.g. state care, prisons, psychiatric institutions and hospitals.)

A Housing First or housing led approach was the stated policy of the previous government and it is proven both at home and internationally to be a highly successful policy. Housing First was developed particularly in response to the needs of those most entrenched and vulnerable to homelessness. Focus Ireland believes that the appropriate training and in reach support services with, access to housing where necessary, it is possible to ensure that those leaving state institutions at risk of homelessness are prevented from experiencing homelessness.

In this area the PfG proposes new measures in relation to 'family mediation services'. Focus Ireland would like to draw attention to our recently introduced pilot family mediation service for young people in Dublin (in collaboration with Tusla but independently funded); and our recent proposal for a mediation service for homeless families as possible models.

The importance of housing allocation

Focus Ireland welcomes the more ambitious targets for building social housing which are set out in the OCHH Report and hopes that these will be carried into the new Action Plan. While higher delivery would of course be welcome, we believe that the target of 10,000 newly build social houses a year will already be very difficult to achieve and the primary focus should be on ensuring that this commitment can be met rather than on bidding for higher goals.

As new social housing supply starts to come on stream, over the coming years the question of how it is allocated will be of crucial importance. If we return to the historical pattern of allocations of less than 10% of social housing to homeless households, many families will end up living in emergency accommodation for very long periods of time.

In this context we strongly support the recommendation by the OCHH that the directive requiring a 50% allocation of social housing to households that are homeless or vulnerable be reinstated (pg 107 and 114). The enhanced allocation directive introduced by Minister Alan Kelly has now expired and the apparent decision not to continue this directive is a retrograde step.

The initiative has contributed to a significant number of individuals and families moving out of homelessness and has ensured that as move-on options into the private rental market fell away the rate of those leaving homelessness remained constant. While the development of homeless HAP for the Dublin region combined with the increased allocation levels has seen some of the highest levels of move-on in the first quarter of 2016 recorded in the region it was not adequate enough to reduce the total the number of families experiencing homelessness due to unprecedented levels of families continuing to become homeless.

Focus Ireland believes that this is evidence of the need for the reinstatement of the protocol. The protocol, along with the preventative measures above, is necessary to ensure that we see a reduction in the number of families experiencing homelessness.

The Minister has indicated that an unpublished report from the housing agency has informed his decision not to continue the protocol and that the report outlines anecdotal evidence from local authorities of households declaring themselves homeless to access the priority list and that the protocol has now become a pull factor into homelessness. Focus Ireland works directly with those families experiencing homelessness and our services do not see this phenomenon.

We would make two additional points in this area:

- Focus Ireland works with those families who are placed in emergency accommodation by local authorities. In advance of being placed those families are assessed by those same local authorities. While we believe that the pull factor is overstated, if it exists, it is likely that those who are seeking to declare themselves homeless to gain an advantage on the housing list are not getting through the local authority assessment process.
- The current protocol relates to those who became homeless prior to the 1st of July 2015. There are still a significant number of families and individuals who would benefit from the extension of this directive if this cut off point was retained. This action would have a chilling effect on any perceived advantage to 'declaring' homelessness, while continuing to focus local authority resources on those who are experiencing long-term homeless.

Some specific issues concerning family homelessness

While the housing crisis currently affects all areas of our housing supply (owner-occupiers, private rented sector and social housing), the new and unique feature of the homeless crisis, is the large number of families who are relying on homeless services.

Focus Ireland has recognised and welcomed the rapid and effective scaling up of an emergency response to this crisis by the four Dublin local authorities and the Dublin Region Homeless Executive. This has seen a doubling and redoubling of emergency provision in recent years – with numbers rising from 240 families in 2014 to over 900 today. However, a rapid delivery of a crisis response

Many of the recurring problems in responding to the family homeless crisis, particularly outside Dublin, arise from the totally inadequate legal basis from which local authorities are working from. The Housing Act (1988) sets out the legal definition of homelessness and the way that local authorities essentially envisage responding to the homelessness of adult individuals. The only mention of families relates to ‘any other person who normally resides with him or who might reasonably be expected to reside with him...’, and there is no mention of the particular issues which arise when children are involved. This legislative basis does not reflect the legislative and constitutional reforms in relation to the rights of children which have emerged over the last 30 years.

Focus Ireland strongly recommends that this legislative framework be amended to give clearer rights to children in families that are homeless and to provide clearer guidance to the staff of local authorities faced with complex decisions.

Youth and children

Focus Ireland welcomes the fact that the Department of Children and Youth Affairs have been tasked with drafting the chapter on child and youth homelessness in the forthcoming Action Plan. We believe that recognising the expertise of other Departments is a clear indication of a more collaborative approach to tackling homelessness. We have prepared a separate submission on Child and Youth Homelessness which we will send to the DCYA.

Governance and a collaborative approach

Focus Ireland strongly welcomes the commitment to a collaborative approach to responding to the housing and homeless crisis set out in the PfG and the work of the OCHH. This has been broadly reflected in the approach of the Minister for Housing, Simon Coveney. We also welcome the commitment to the issue of family homelessness from the Minister for Children and Youth Affairs, Katherine Zappone. Similarly the regular Cabinet reporting mechanism, to be chaired by the Taoiseach, is welcome. Focus Ireland recommends that this renewed commitment to collaborative approaches should be reflected in a reinvigorated National Consultative Committee on Homelessness and by more effective mechanisms for collaboration at a local level.

One of the impacts of a crisis can be that the various parties are pushed back into the immediacy of their own work. It has been our experience that this has been a result of the overall national crisis over the period of 2008, and can mean that collaborative problem-solving is side-lined. It is time to reinstall a sense of partnership and commonality in the sector and across wider Government.

Some additional points

There are a small number of important issues which have not yet been adequately reflected in the current debate on tackling homelessness which would have a long-term impact in tackling the issue.

- That 0.1% of the homeless budget should be ring-fenced for research/evaluation to help identify the most effective intervention to tackle homelessness, the budget and research plan to be under the auspices of the Housing Agency.
- Placing the right to housing on a constitutional footing would mean that policies introduced by the State would have to consider and balance this right. Existing rights, such as the right to property, could not be leveraged against the need for social and affordable housing or used to excuse inaction. A constitutional amendment would provide citizens with a justiciable right to housing and would raise the State's standing as a protector of human rights.

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