

# The Family Homelessness Crisis

Briefing Note for Houses of the Oireachtas 16<sup>th</sup> November 2016

## 1. Introduction

Ireland's family homelessness crisis is rapidly becoming seen as one of the apparently unsolvable background problems which is 'always with us', and we are beginning to find it possible to live with levels of deprivation which were unthinkable a few years ago.

It is shocking to remember that in 2012, the Government supported a Focus Ireland initiative which set out a realistic prospect of tackling the homelessness of the 136 families then homeless in the capital. It was only in May 2014 that then Minister for Housing Jan O'Sullivan first acknowledged that the growth in family homelessness constituted an 'emergency crisis'<sup>1</sup>. At that point there were fewer than 350 families homeless in the country, and an average of 35 families a month becoming newly homeless. In September 2016 there are now an average of 82 families a month becoming newly homeless and 1,173 families recognised as experiencing homelessness.

Over that time, not only the scale of the problem but the approach to tackling it have changed and evolved. There are not just more families experiencing homelessness than there were in 2014, the problems they face are different and the services that are provided to them have responded to this.

Focus Ireland is the lead agency working with families who are homeless in Dublin. Given this role, and our specialist services for families across the country, we have a unique overview of the scale and development of this problem.

Since 2014 we have been producing and presenting briefings to policy makers highlighting the experience of families who are engaging with our services believing that it is critical that the debates on this issue are conducted in the context of up-to-date information. We see this as an important part of our ongoing work to help support and advance solutions, by providing a clear picture and an informed analysis of the reality of family homelessness.

This briefing document contains the following sections:

- What happens when a family become homeless?
- Focus Ireland and family homelessness
- The rise in family homelessness
- Causes of homelessness in families
- What responses are in place?
- What further action is needed?

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<sup>1</sup> Implementation Plan on the State's Response to Homelessness May 2014  
<http://www.environ.ie/en/Publications/DevelopmentandHousing/Housing/FileDownload,38053,en.pdf>

## 2. What Happens When A Family Becomes Homeless?

Under Irish legislation, local authorities are responsible for responding to homelessness. The legislation contains no special provisions for *families* that become homeless, only referring individuals and ‘any other person who normally resides with him or who might reasonably be expected to reside with him’. So families are included in the same general provision which applies to adults. While is an obligation on local authorities to *assess whether a person is homeless*, but no obligation to provide accommodation for anybody assessed as being homeless, even if there is a child involved.

There is certain legislation which relates to the obligations of the state to ensure that children are not homeless, but this legislation only applies when the children are not in the care of their parent. The Children First legislation and the Children’s Rights Amendment to the Constitution have not been translated into any change of legislation or regulation in relation to children who are homeless with their families. In practice, many local authorities have made providing homeless families with accommodation a priority, but given the huge increase in the problem and the associated cost, the system is often under pressure.

If a family becomes homeless they must present to the housing section of the local authority where they were last living (in Dublin, when the housing section is closed they can contact the out-of-hours Central Placement Service). The local authority housing section is responsible for making an initial assessment of the family’s housing needs.

In the past, if the local authority deemed it appropriate, they would identify and secure emergency accommodation for the family – usually in private “B&Bs” or in a hotel room. The authorities would have been responsible for negotiating and paying the cost of the private accommodation, and assuring that the accommodation was of an acceptable standard.

More recently, the local authority may ask families they have assessed as homeless to source their own hotel accommodation which the LA will then pay for – this is referred to as ‘self-accommodation.’ When families identify a hotel that will accept them, they then contact the DRHE to arrange for the payment to be confirmed. Some self-accommodating families are able to make long-lasting arrangements, but many more need to find new accommodation on a weekly or even daily basis. Several hundred families are in this situation.

### **Families deemed as ‘not homeless’.**

In accordance with the legislation, the local authority may decide that the family is not homeless if they believe they are able to make alternative arrangements for themselves or to stay with family members etc., or where they believe the family is the responsibility of another local authority. The local authority might also find that the family does not have the required evidence to prove it is homeless and may seek additional information.

In such cases, where the family is seen to be at risk of having to sleep rough, some local authorities have established a procedure where they will pay for emergency accommodation on a ‘humanitarian basis’. The family is then asked to ‘self-accommodate’’. The decision to provide humanitarian support is made on a night-by-night basis, usually late in the evening, to reflect the decision that the family is not to be considered ‘homeless’ under the legislation.

There is no requirement for families which are assessed as ‘not homeless’ to be informed in writing of the decision or the reasons behind it. There is no formal appeals process.

### 3. Focus Ireland and Family Homelessness

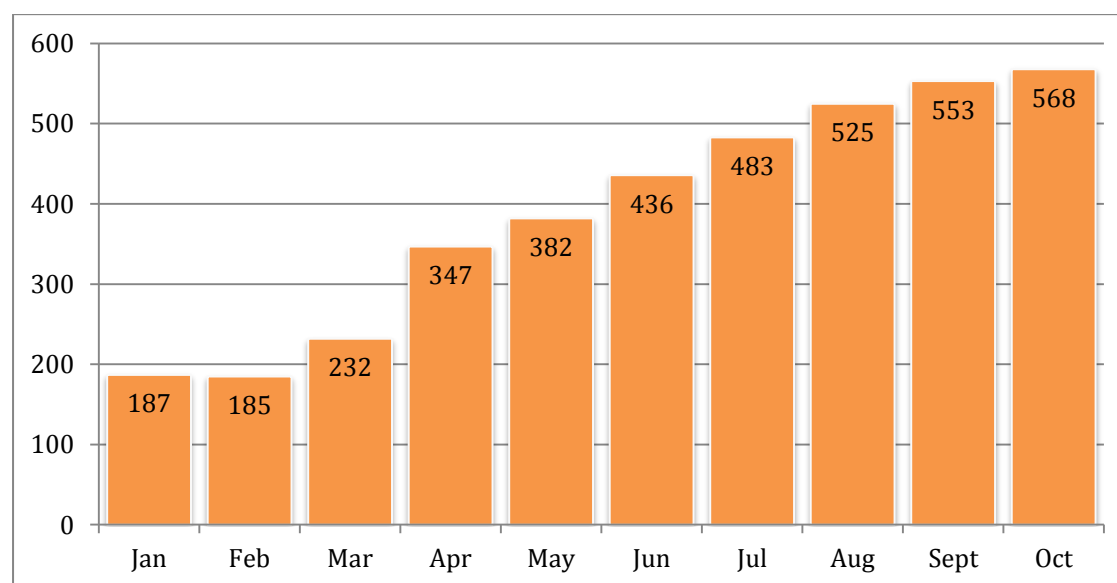
Focus Ireland's work covers all aspects of homelessness, but we have a particular specialisation in working with families, children and young people who are homeless. In 2011, prior to the current crisis, Focus Ireland delivered Ireland's first ever 'Social Impact Bond' project to support the 136 families that were then homeless in Dublin to exit homelessness. All but 2 of these families were supported out of homelessness.

In 2012, as part of the Government strategy to appoint Homeless Action Teams (HATs) in all regions the Dublin Region Homeless Executive (DRHE) designated the Focus Ireland family case management team to be the "Homeless Action Team" working with families who have become homeless in the four local authorities.

As the family homelessness grew, Focus Ireland re-allocated resources towards the team and DRHE also agreed to fund its expansion. Nevertheless the scale of the problem and the lack of affordable move-on accommodation mean that the growth of the team is not keeping pace with the increase in number of families experiencing homelessness.

Toward the end of 2015, with the number of homeless families reaching 600, the DRHE agreed that the Family HAT would be expanded to 25 case workers. In addition a new approach was taken to hotel accommodation by DRHE, with some hotels being contracted on a longer-term basis with case workers based on site.

*Table 1: no. of families being case managed by the FHAT at the end of each month in 2016.*



Source: Focus Ireland

However the number of families that are homeless continued to grow so fast that, even with the doubling of the team, there is still only sufficient capacity to assign case workers to 55% of the 1,014 families experiencing homelessness in Dublin<sup>2</sup>.

The families which do not have a case manager are, in general, the more recently homeless families, many of whom are 'self-accommodating' sometimes in a weekly or even nightly basis. The FHAT includes a 'duty worker' who provides support to these families.

<sup>2</sup> De Paul Ireland and the Peter McVerry Trust also provide some case management support to a small number of families on behalf of the DRHE.

The support provided by the FHAT uses a case management model, based on a needs assessment, with the primary goal of supporting the family to move into secure accommodation in social housing or, with HAP support, into the private rented sector.

In the year to date, the Focus Ireland Family HAT has helped support 255 families to move out of homelessness into secure tenancies in the social or private rented sector. Around 30% of tenancies are in social housing (AHBs and Councils).

**Table 2: Number of families supported into tenancies by Focus Ireland FHAT 2016**

2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
Families successfully moved on to housing	27	33	20	10	32	24	34	33	21	21

In order to achieve this goal, the FHAT case manager will also support the family to overcome the difficulties they are facing living in emergency accommodation. These can include problems getting children to school, getting nutritious food, access to medical needs and other social supports.

The FHAT also includes specialised Child Support Workers who provide child-centred support to families which are assessed as requiring that assistance. Tusla has recently increased funding to provide two additional Child Support Workers, while the HSE continue to fund two additional posts.

Focus Ireland also runs a range of other services related to family homelessness, including homeless prevention services, supports to assist children in homeless families remain in education and social supports.

The work of the Family HAT and these services is primarily funded by the four Dublin Local Authorities through the DRHE, along with the Tusla and HSE support for child support workers. The services depend on public donations, charitable trusts and corporate support to provide the full range of supports offered.

Focus Ireland publishes a series of 'Insights into Family Homelessness'<sup>3</sup> drawing on the information available through our service, and these shed some light on the developing patterns of family homelessness.

### **Families not accommodated until late in the evening**

One further dimension of Focus Ireland's work with families should be mentioned. On most days, Focus Ireland services in the Coffee Shop provide intense support for around 20 families to find accommodation for the night. These families fall into two main categories:

- Families that have been assessed as homeless, asked to 'self-accommodate', but have been unable to find hotel accommodation.

When there is a shortage of accommodation in the city or where the family requires particular support to secure the accommodation this can mean that the family does not find accommodation until late into the night. Where this occurs, the Coffee Shop team and Family HAT work to find accommodation until around 9pm. At this point responsibility passes to the 'Housing First Intake Team' – the street team (run in partnership with the Peter McVerry Trust), which works to find accommodation.

<sup>3</sup> See Focus Ireland Research on our web-site at [www.bit.ly/FIresearch](http://www.bit.ly/FIresearch),

- Families that are assessed as not being homeless (see above) but where the Local Authority has authorised their accommodation on ‘humanitarian grounds’.

In some cases these families are simply waiting to secure a particular piece of paperwork or identification and only require ‘humanitarian’ intervention for one or two nights. In other cases there can be more extensive issues involving legal cases which are on-going, in these cases a family might be required to book in night to night for months.

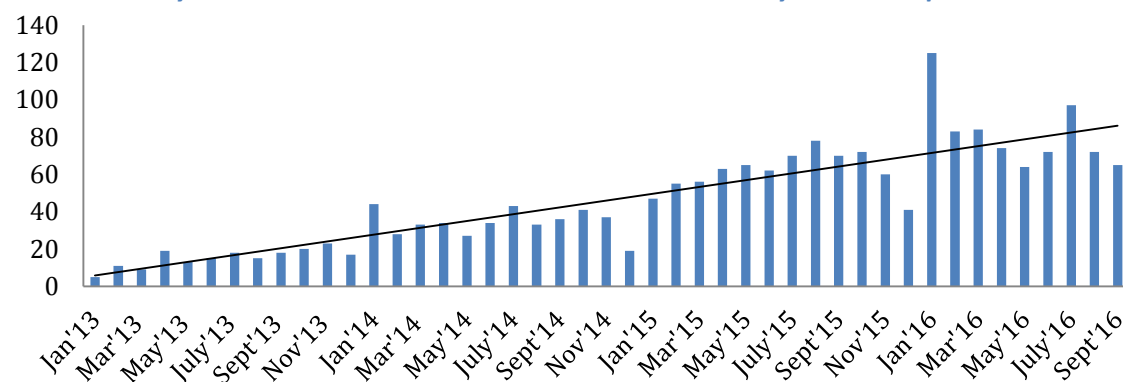
For both categories the Intake Team may be looking for accommodation up until midnight. This may involve many hundreds of calls and the only hotels available may be in Louth or Wicklow. Where the Intake team is ultimately unable to find any accommodation for a family, they may be accommodated by DRHE in certain secure emergency facilities in homeless hostels. Where these places are full, the team has no alternative but to refer the family to the Gardaí. This is a rare occurrence but raises many serious questions about the potential risk to children in these circumstances. Focus Ireland has proposed both to DRHE and the Government that guidelines for front-line staff should be drawn up to reduce the risks associated with these situations.

#### 4. The rise in the number of families becoming homeless

The Department of Housing has only published official figures for homelessness since 2014. Focus Ireland services has tracked the number of families becoming newly homeless since 2012 and these figures show a persistent rise over that period. The largest numbers are in Dublin due to the critical shortage of affordable housing and steeper rises in rents. However, it is not exclusive to Dublin and any response needs to address the issue on a national basis.

When our Homeless Action Team was set up in 2012 an average of 8 new families were presenting as homeless in Dublin each month. There has been a dramatic rise in numbers since then. On average, 40 families became homeless each month in 2014 and that has now risen to 81 per month up to September 2016. Table 3 below shows the rise in families coming into homelessness in Dublin each month.

**Table 3: Newly Homeless Families allocated to the Dublin Family HAT team per month**



Source: Focus Ireland Family HAT team allocation figures

While the number of families leaving homelessness has shown a very welcome increase over the last year (largely driven by the increased level of Rent Supplement and the role of the Homeless Housing Assistance Payment (HHAP)), it is still not matching the number entering homelessness, so the total number rises each month.

At the end of September 2016 there were 1,173 families in homeless emergency or temporary accommodation across the country. There are 2,426 children who are part of these families nationally and most are living in totally unsuitable and damaging conditions.

Table 4 below documents the total number of families experiencing homelessness nationally during one week of September from 2014-2016.

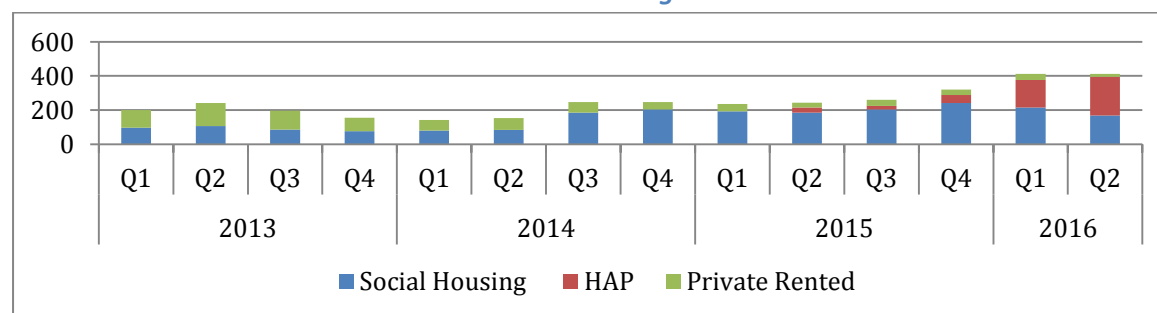
**Table 4: National overview families experiencing homelessness Sept each year.**

	2014		2015		2016	
REGION	Total 21 - 27 Sept		Total 21 - 27 Sept		Total 19 - 25 Sept	
	TOTAL FAMILIES	TOTAL DEPENDENTS	TOTAL FAMILIES	TOTAL DEPENDENTS	TOTAL FAMILIES	TOTAL DEPENDENTS
DUBLIN	309	668	637	1343	1014	2065
MID-EAST	3	12	21	52	27	69
MIDLANDS	12	25	9	17	16	37
MID-WEST	29	62	16	42	33	67
NORTH-EAST	0	0	0	0	9	12
NORTH-WEST	8	12	0	0	3	6
SOUTH-EAST	13	24	17	30	21	38
SOUTH-WEST	8	17	21	46	30	80
WEST	5	8	16	40	20	52
<b>TOTAL</b>	<b>387</b>	<b>828</b>	<b>737</b>	<b>1570</b>	<b>1173</b>	<b>2426</b>

Source: Department of Housing and Local Government

Table 5 (below) shows the total number of families leaving homelessness for secure accommodation in Dublin. The early part of the graph shows the positive impact of the Ministerial Directive prioritising social housing allocations to homeless households, while the more recent quarters show the decline in social housing allocations and the positive impact of the increase in Rent Supplement levels and Homeless HAP.

**Table 5. Recorded move to tenancies in the Dublin Region<sup>4</sup>**



Source: Department of Housing and Local Government

While on a day-to-day basis Focus Ireland deals with the short-comings of this system, and advocates for the families in crisis who are not getting an adequate response, it is important

<sup>4</sup> It is important to note that, beyond the Focus Ireland administrative data, it is difficult to match the overall figures for families entering homelessness with those leaving because of the limitations of the published data.



to put this in the broader context of the very considerable achievements of the Dublin Local Authorities and the DRHE in particular, in so rapidly providing an emergency response to this fast escalating problem. Three years ago not even the most pessimistic commentators imagined the problem would grow so large so fast, and it is the DRHE which has had to repeatedly revise systems to ensure that emergency accommodation can be found for the families that require it.

Two clear conclusions can be drawn from the pattern of flows into and out of homelessness. Firstly if we are to secure the futures of these families we have to work harder to prevent families from experiencing homelessness in the first instance. Secondly while there is good work going on to support families to move on from homelessness more accommodation needs to be delivered to make inroads into the population experiencing homelessness.

Finally there is a third aspect that requires attention. We know very little about the families who move out of homelessness or the ones that remain. We need to pay far more attention to this if we are not to create in a few years a core of long-term homeless families who experience a range of complex social problems and require high levels of support.

## 5. Why are these families becoming homeless?

If we are to adequately respond to the need for more preventative measures there is a need for policy makers to understand the reasons families become homeless. Over the course of this crisis Focus Ireland has seen changes in the reasons that families are experiencing homelessness. International research on homelessness gathers these causes under two broad headings:

- structural/economic causes: (e.g. insufficient housing, high rent costs, poverty) or
- social/individual causes (addiction, mental health issues, relationship breakdown).

The impact of the recession has seen an increase in the number of families becoming homeless primarily due to structural/economic causes.

A large majority of the families becoming homeless had their last secure home in the private rentals sector. The main forces making them homeless from this sector were increased rents and landlords evicting to sell the property. Access to increased Rent Supplement through Threshold and Community Welfare Officers, along with the overall increase in Rent Supplement limits have reduced the proportion of families citing rising rent as the reason. However the issue of rising costs remains, and low income households in work are seeing their incomes stretched by increasing rents and being pushed into homelessness.

Over the last two years a growing number of families have been citing 'landlord selling up' as the primary reason for them experiencing homelessness. Follow up work by Focus Ireland services suggests that such evictions are generally followed by a sale and are not being used to evict a tenant to allow re-letting at increased rents.

Many of the families entering homeless services have gone through a series of temporary accommodations with family and friends before these breakdown and they formally present as homeless. This phenomenon can result in some misleading reports that 'family breakdown' is a primary cause of the current problem – the primary cause of homelessness is the eviction from the private rented home, and the return to family is an unsustainable attempt to avoid entering emergency accommodation.

A proportion of the parents in families becoming homeless each month are under-25, and have not had an independent home before, though the proportion varies considerably over time. Domestic violence is also a factor cited as a cause of homelessness among a proportion of families.

## 6. What responses are in place and how are they working?

A number of responses to this crisis have been put in place, or are committed to in Rebuilding Ireland.

It is useful to divide these measures into those designed to reduce the flow into homelessness (Prevention), to support people back into mainstream housing (exits from homelessness) and those designed to deal with the immediate crisis of homelessness (crisis measures).

### Prevention

- **The Dublin Homelessness Prevention initiative:** The DRHE, working with a group of homeless organisations led by Threshold (and including Focus Ireland) established a homelessness prevention programme for families at risk of losing their homes. As of June 2016 2,401 household are reported to have been protected or diverted from homelessness through this initiative.
- **Extension of Homeless HAP:** Homeless HAP has now been extended to those who have been served with a notice to quit who would be eligible for the HAP. This has allowed a number of low income families who would not have been eligible for rent supplement and would likely have experienced homeless as accommodation would not be affordable.
- **Increases in rent supplement levels:** Increased rates of rent supplement and HAP came into effect on the 1<sup>st</sup> July 2016. This will help to keep families in their homes so long as the rates are monitored to ensure that they keep pace with the market.

### Supporting exits from homelessness

- **Homeless Housing Assistance Payment (HHAP):** The HHAP has been given much greater discretion over the last months. As shown in table 5 above, this has seen significant move-on achieved into the private rental sector.
- **Ministerial Directive:** The ministerial directive assigning 50% of local authority allocations in Dublin, and 30% elsewhere, to the priority list saw a significant increase in the level of local authority and AHB housing provided to families experiencing homelessness. This directive was discontinued in Qtr. 1 2016 and as per table 5 the second has seen a drop off in the number of allocations to local authority housing.

### Crisis Measures

- **Contracted hotels:** The DRHE has moved to provide more secure and cost-effective emergency accommodation for families which are homeless by entering into longer term contracts with particular hotels. This has allowed case managers to base themselves in such hotels providing better support. DRHE has also pursued a policy of requiring these hotels to provide a progressively more comprehensive food service, which now includes breakfast and evening meals in a number of cases.
- **Dublin Accommodation Finders:** a number of voluntary organisations have seconded their own staff into a DRHE-led unit dedicated to securing housing in the private rented sector for homeless households, using HHAP. This service is available at Parkgate St to start support immediately on homeless assessment, and can also source homes for families that have received a Notice of Termination and so are at risk of homelessness.



## 7. What else needs to be done?

A complete solution to the family homelessness crisis will only be possible when there is an adequate supply of appropriate, secure and affordable housing. Measures to speed up the building of such housing, in the social, private rented and owner-occupier sectors are still needed. In particular, we support the Housing Finance Agencies proposals to increase the capacity of local authorities to build new social housing. We also argue that the rapid build housing currently planned would be better used as permanent homes for families. Focus Ireland has already publicly stated that the physical quality of rapid built housing available makes them suitable for permanent homes, with the right planning and supports. As discussed later, using these units as 'emergency accommodation' will create long-term problems.

But there is still much that needs to be done while the houses are being constructed.

### Prevention of homelessness:

- **Rent Certainty:** Despite many welcome initiatives to improve access to rent subsidies which reflect real rents, rising rents continues to be one of the main drivers of family homelessness. Focus Ireland believes that rental increases should be linked to an appropriate index. Looking to the future it is clear that the private rental market is going to play a significant role in our housing system with the state becoming more and more invested in its success and vulnerable to its failings through HAP and other schemes. One of the most effective ways of protecting people and the State, and establishing a predictable investment market for landlords, is to ensure that rent levels evolve without volatility.
- **Sale as a reason for eviction:** The second largest cause of family homelessness is eviction by a landlord who is selling up. Focus Ireland has argued for the removal of the provision under which buy-to-let landlords have right to evict the tenant in any property they wish to sell. This would not limit the right of the landlord to sell the property, but it would require the property to be sold with the tenant in situ – along the lines of 'tenant not affected' sales familiar in the commercial property sector.

We further believe that it is an urgent necessity to remove this 'right to evict to sell' for existing properties. It may not be possible to introduce such inclusive protections for all tenancies, but we believe it should be possible in the case of properties which were explicitly purchased on 'buy-to-let' mortgages. According to the Central Bank, there are almost 15,000 buy-to-let mortgages where the landlord is in arrears of more than two years. In the first six months of this year, over 600 of these buy-to-let properties were repossessed by the banks and then sold - almost always after the eviction of the household which was renting the house as their home. Families can find themselves evicted from these properties even though they are completely up to date with their rent and have years left to run on their tenancy agreement.

Many of these 'buy-to-let' properties attracted Section 23 tax reliefs and in these cases we believe that the case for retrospective legislation to protect tenants in the event of a sale is overwhelming.

- **Family mediation services.** Focus Ireland has proposed a pilot 'family mediation' service for the proportion of families where such support could make remaining with family a preferable option to entering emergency homeless services. While this would be a relatively small number of families, it would play a role in tackling the problem.

### Increasing Exits from Homelessness

- **Ensure that homeless households get a fair share of social housing allocations:** Evidence shows that the Ministerial Directive to local authorities to prioritise homeless households in social housing allocations was one of the most effective measures in tackling the crisis. The former Minister decided not to continue this Directive and this has been maintained by the current Minister. Claims that the Directive led families to voluntarily making themselves homeless are not substantiated by the evidence. While it is understandable that this approach is unpopular as it is a mechanism of transferring scarce resources from those with little to those in desperation, it a key tool in tackling the current crisis. In their representations to oppose the Directive, the four Dublin local authorities argued that it was not necessary as they would do it anyway. At the very least, this claim needs to be monitored with timely publication of clear data on allocations of social housing to homeless households by local authorities. Allocations to particularly deliver other goals in Rebuilding Ireland should also be reported – e.g. allocations to vulnerable care leavers and to ‘Housing First’ initiatives.
- **Rent Certainty.** Many families are reluctant to move into Private Rented Accommodation because of their traumatic experience of losing their homes though rising rents. Given the failure to regulate rents this is not an unreasonable fear. The introduction of rent certainty would make the private rented sector a secure place to raise your family and improve exits from homelessness.

### The need for timeframe for ending Family Homelessness in Rebuilding Ireland.

The core commitment for families that are homeless in Rebuilding Ireland is to eliminate the routine use of hotels as emergency accommodation by July 2017. While some commentators have suggested that this is ‘over ambitious’, in a deeper sense it is not nearly ambitious enough. Having families living in emergency homeless accommodation for long periods of time is quite simply wrong, and we need to have a plan which shows us how and when we will end it.

Poor quality emergency accommodation is one appalling element of the homelessness crisis and the commitment to provide better quality emergency accommodation is very welcome. However, just like the existing ‘Assessment Centres’ and ‘rapid build housing<sup>5</sup>’ there will be an expectation on the families and support staff that accommodation is for a 6 month period only. Without secure homes to move on to temporary emergency homeless accommodation will be detrimental to child development, no matter what its build quality.

As noted above we also need to put in place measures which ensure that the most vulnerable families do not get left in emergency accommodation for longest, so creating a core of long-term homeless families with high support needs.

Focus Ireland has argued that these concerns should be addressed in a ‘Sub-Strategy’ along the lines promised, for instance, for the Private Rental Sector and ‘Vacant properties initiative’.

Providing long-term secure, affordable homes for all families must be the objective of policy. We need a clear programme which sets out how this will be achieved, the timescale for achieving it, and how we will ensure that no family ends up spending prolonged periods in emergency accommodation. We also need coherent, evidence-based, proposals to protect children from the impact of their experience.

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<sup>5</sup> Support in the Rapid Build Housing in Pappintree is provided by DePaul Ireland from their Ballymun Hub.