

## Towards a Family Homelessness Strategy

### Introduction

Family homelessness is a complex and persistent problem, to solve it will require not only a range of actions but the *co-ordination* of these actions across Departments, Agencies, local authorities and NGOs. The out-going Government strategy – Rebuilding Ireland – has little to say specifically on family homelessness and Focus Ireland has consistently argued for a dedicated strategy, or dedicated strand of a larger strategy, appropriate to the specific features of family homelessness. The Programme for Government makes a number of important and valuable commitments in relation to housing and homelessness, but there is no specific reference to family homelessness.

The purpose of this document is to make a case for the forthcoming ‘Homes for All’ strategy to include a dedicated strand addressing the specific challenges presented by family homelessness. It also seeks to contribute by setting out the key issues that must be addressed and suggesting some of the solutions that are already known to work.

The document is set out as follows:

- Quick overview of the development and patterns of family homelessness
- Proposals for a framework
- Workstream 1: Prevention of family homelessness
- Workstream 2: Ensuring rapid exits from homelessness to secure housing.
- Workstream 3: Reducing the harm done by a period of homelessness.
- Workstream 4: Housing Supply
- Workstream 5: Evidence and evaluation

## Focus Ireland and Family Homelessness

Focus Ireland is one of the leading housing and homeless organisations in Ireland. Until around 2014, family homelessness represented a relatively small part of Ireland's homelessness problem but, over the 35 years of its existence, Focus Ireland has been the lead organisation working with those families experiencing it. During the previous peak of family homelessness in Dublin (1998-2001), Focus Ireland developed a model of support for homeless families in B&Bs and published research on the extent of family homelessness and its impact on mental health<sup>1</sup>.

By 2011, there were 240 families homeless in Dublin, some in emergency accommodation since the 1990's crisis, many with complex social problems. Focus Ireland, in collaboration with the, then, Department of Environment and the Homeless Agency, launched Ireland's first 'Social Impact Bond' to support these families out of homelessness. Together we piloted – and proved the effectiveness of – a model of case management involving a multi-disciplinary team with designated child support workers, accommodation finders and settlement support. By the time the recent crisis started to emerge in 2014, all but five of these 240 families with complex needs had been supported out of homelessness. The lessons of this project remain relevant to the challenges that confront us now.

As the current housing crisis developed, a new stream of families was forced into homelessness and, according to the OECD, 'homelessness among families with children almost quadrupled ... between 2014 and 2018'<sup>2</sup> This has resulted in a rapid and unprecedented shift in the nature of homelessness in Ireland, with thousands of children experiencing the loss of home and the devastating effect that can right through their lives.

Focus Ireland has worked with thousands of families throughout this time. Focus Ireland was designated as the Families Homeless Action Team (FHAT) by Dublin Region Homeless Executive from the start of the crisis. We have also worked with families that are homeless through our Coffee Shop, our services in Waterford, Sligo, Cork and Limerick, and, more recently, our Family Centre project. Our family homelessness prevention unit, funded by Bord Gais Energy, has helped keep hundreds of families from ever experiencing homelessness.

Through our front-line work and our research on family homelessness, we know that families have an experience of homelessness which is distinct from that of single people: their pathways into homelessness differ, as do their needs when living in emergency accommodation and the supports needed to exit homelessness. Children residing in emergency accommodation with their families can find their nutrition, education and social development adversely affected. This can have life-long consequences. While Rebuilding Ireland recognised that, because of these differences, homeless families need a distinct set of policy responses, the reality to date has been ad hoc and crisis driven.

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<sup>1</sup> Moore, 1994. B&B in Focus: The Use of Bed and Breakfast Accommodation for Homeless Adults in Dublin. <https://bit.ly/2WC6Gbw>

<sup>2</sup> OECD, 2020. Is the housing market an obstacle to inclusive growth? For whom? <https://www.oecd-ilibrary.org/sites/b750f680-en/index.html?itemId=/content/component/b750f680-en#section-d1e3143>

In this document we draw on our experience and research to inform a framework for the development of a family homelessness strand in 'Homes for All'.

## Background to Family Homelessness: 2014-2019

Until 2014, family homelessness was a relatively rare experience in Ireland and our homeless legislation, policies and services, shaped by thinking and experiences from the 1980s, were structured around and mobilised to respond to the quite different needs of single adults. The presence of children within a family unit creates distinct needs and challenges which are not met by the longstanding, traditional response to single person's homelessness.

Article 41 of the Irish Constitution recognises the family as the natural primary and fundamental unit of Society and guarantees to protect the Family as indispensable to the welfare of the Nation and the State. Likewise, Article 42A, added to the Constitution in 2015, affirms that children have the right for their best interests to be of paramount consideration where the State seeks to intervene to protect their safety and welfare. Neither of these Constitutional provisions is reflected in the legislative framework for responding to homelessness.

At the time of the drafting of Rebuilding Ireland, the scale of the family homelessness crisis was still only emerging and the ultimate scale of the problem was not yet widely foreseen. The specific references to family homelessness in Rebuilding Ireland were therefore limited and concentrated on attempting to prevent situations of children rough-sleeping or spending prolonged periods of time in cramped hotel rooms with their families<sup>3</sup>. The number of families becoming homeless in the following years far exceeded any expectations or preparations, and local authorities and homeless organisations, particularly in Dublin, were involved in a nightly struggle to ensure that families were provided with any shelter at all. During this period, families were regularly ferried by taxi late at night to hotels many miles from Dublin, and there were a number of reports of families having to sleep in cars or in Garda stations.

Under this pressure, local authorities constructed from virtually nothing a very substantial emergency homeless service for families. Rebuilding Ireland's commitment to end the use of hotels for emergency accommodation eventually led to the establishment of a new form of designated emergency accommodation for families - family hubs. The limitations of these facilities have been well-documented by the Children's Ombudsman<sup>4</sup>. Focus Ireland has been consistently critical of the extent to which policy during this period prioritised commissioning ever greater amounts of emergency accommodation rather than prevention, case management or maximising exits, but also recognise the scale of the challenge being faced and the innovation and commitment from local authority staff that

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<sup>3</sup> For more discussion of commitments in Rebuilding Ireland related to family homelessness see: Siersbaek & Loftus, 2020. Supporting the mental health of children in families that are homeless: a trauma informed approach. [https://www.focusireland.ie/wp-content/uploads/2021/02/Focus-Ireland-therapeutics-FINAL\\_01-12-2020-1.pdf](https://www.focusireland.ie/wp-content/uploads/2021/02/Focus-Ireland-therapeutics-FINAL_01-12-2020-1.pdf)

<sup>4</sup> Ombudsman for Children's Office, 2019. No Place Like Home: Children's views and experiences of living in Family Hubs. <https://www.oco.ie/app/uploads/2019/04/No-Place-Like-Home.pdf>

went into delivering the emergency response. As the family homeless figures appear to be settling at a very high level, the Family hubs, and other innovations by other local authorities<sup>5</sup>, have resulted in a substantial stock of emergency beds for families broadly in a position to provide emergency accommodation for all unprecedented number of families presenting.

If increasing the supply of emergency accommodation was one policy emphasis during this phase of the crisis, securing dwellings in the private rental sector was the second. Recognising that a new impetus in building social housing would take several years to start delivering new homes in any quantity, the State utilised a system of rent subsidies (largely the Housing Assistance Payment), so that families which were eligible for social housing could be accommodated by private landlords. The largely unforeseen scale of families becoming homeless, combined with difficulties in getting the social housing building programme moving again, resulted in a continued and heavy reliance on HAP, both to prevent families becoming homeless and to assist them to exit homelessness.

As family homelessness began to emerge as an urgent issue, Focus Ireland started to research the causes and pathways into family homelessness.<sup>6</sup> This research established that the typical pathway for families presenting as homeless is via eviction from the private rental market. This research was subsequently confirmed by reports published by the Dublin Region Homeless Executive<sup>7</sup>. While at the start of the crisis, rent arrears was a major cause of evictions, from around 2017 onwards the most common grounds relied on by landlords when issuing a notice of termination was 'eviction to sell'. This can be explained by the buoyant housing market, with house prices rising, and a glut of buy-to-let landlords who had been renting while they waited to sell their properties. New family formation and inward migration of families over the past decade or so has contributed to a rising need for housing, coinciding with an undersupply of new builds and an alarming gap between wages, borrowing power, and the price of buying a home. Families caught in this situation who opted to rent were then exposed to rising rents and an extremely limited supply. With no protection from evictions-to-sell, families had no choice but to sofa surf, or present as homeless and seek emergency accommodation.

There was a third strand of responses during this period which looked at prevention of family homelessness, with services by Threshold, DRHE and Focus Ireland. This approach also involved a series of significant increases in tenant security legislation, which nonetheless did not close off the 'evict to sell' provision. However, in terms of investment in services and awareness, this strand of

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<sup>5</sup> For discussion of other approaches to providing emergency accommodation for families see: Neil Haran and Seán Ó Siochrú (2020) Exploring Own-Door Models of Emergency Accommodation for Homeless Families in Ireland. <https://bit.ly/34vX2Ll>

<sup>6</sup> Long et al., 2019. Family Homelessness in Dublin: Causes, Housing Histories, and Finding a Home. <http://bit.ly/31Ouolq>

<sup>7</sup> While the DRHE report finds a higher level of homelessness arising from 'family breakdown' the researchers acknowledge that this results from their methodology only looking at 'most recent' accommodation rather than 'most recent stable accommodation' as in the Focus Ireland research, so that the significant number of families that find temporary accommodation with family and friends after being evicted from private tenancies as misallocated as homeless due to 'family breakdown.'

action was minor compared with the expenditure on new emergency accommodation and rent subsidies<sup>8</sup>.

The welcome decline in family homelessness since the start of the Covid-19 crisis can be partially attributed to restrictions in evictions from the private rental sector during periods of high-level lockdown. A further complicating factor is the changes in presentation of data, so that an unknown number of homeless families in 'own-door' emergency accommodation is not included in the reported homeless figures.

## A strategic structure to the response to Family Homelessness

In brief, the approach to family homeless can be described as follows:

*We should do everything in our power to prevent families losing the homes they currently live in; where this is not possible we should do everything possible to slow down their eviction and use the time to give them every support possible to find a new home before they are evicted; if they are evicted we should do everything in our power to minimise the trauma of homelessness and to support them into new homes as quickly as possible; if we are not able to support them into new homes immediately, we must do everything in our power to ensure that the experience of homelessness does not cause harm to the children, the parents or the good functioning of the family.*

Policy objectives need to be shaped by a commitment to 'end family homelessness' or more accurately back it down to a level where it is rare and brief – a situation internationally referred to as 'functional zero'.

We recognise the reluctance of policymakers and Governments to set strict commitments or deadlines in circumstances where unforeseeable event result in them not being met, leading to public criticism. However, failing to set a goal results in families with significant social issues being 'managed in homelessness' rather than supported to leave it. In the 2000s, Ireland was one of the first states to set the objective of ending homelessness, and a target of 2010 to end long-term homelessness and 'the need to sleep rough'. Although the goals were not reached because of the global crash, they had a significant positive impact: in 2008, we had achieved our lowest modern level of homelessness – a quarter of what it is today.

Covid-19 has created additional challenges for the new Government, but crises can also offer opportunities. Tackling the housing and homeless crisis must remain a top priority. We know from our experience of the pandemic that health and housing are inextricably linked. Public health depends on housing and continuing to tackle the coronavirus goes hand in hand with ending our housing crisis.

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<sup>8</sup> O'Sullivan & Musafiri, 2020. Focus on Homelessness: Public Expenditure on Services for Households Experiencing Homelessness. <https://bit.ly/2WpMIGE>

Experience from previous strategic approaches indicates the importance of strong governance structures, including.

- Clear and regular reporting on progress to Cabinet or a Cabinet Sub-Committee.
- Structured engagement as senior level with all relevant Departments and Agencies – including Department of Education, Department of Equality, Department of Health, Department of Social Protection, the HSE and Tusla.
- Structured engagement at senior level with relevant NGOs working to end family homelessness.
- Local and regional engagement through Regional Homelessness Fora and regional plans.

A structured response to family homelessness should comprise five Workstreams:

- Workstream 1: Prevention of family homelessness
- Workstream 2: Ensuring rapid exits from homelessness to secure housing.
- Workstream 3: Reducing the harm done by a period of homelessness.
- Workstream 4: Housing Supply
- Workstream 5: Evidence and evaluation

## Workstream 1: Closing off the path into homelessness: Prevention.

A new approach to homelessness should shift policy and resources to measures which will reduce the number of families entering homelessness in the first place.

While there are many pathways into homelessness, for the current families in emergency accommodation in Ireland, many report losing their homes as a result of economic and structural factors.

It is also worth noting that, while there continues to be a very high number of residential mortgages in long-term arrears, and a growing number of house repossessions, to date very few former homeowners have entered homeless services for families. This is a result of the policy responses in place, and a large number of households remain with high levels of very long-term mortgage arrears. Ensuring that these situations are resolved without resulting in homelessness continues to be an important consideration which should be addressed in the strategy.

The evidence suggests that it is evictions from private rental accommodation which has, to date, fuelled the family homelessness crisis.

Alongside these economic and structural causes, families cite overcrowding as the reason they lost their homes. Other families continue to become homeless due to social factors such as domestic violence or family breakdown.<sup>9</sup> Of the families currently experiencing homelessness, approximately 65% are lone parent families, and the majority of these lone parents are single mothers. There is a

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<sup>9</sup> Lambert et al., 2018. Young Families in the Homeless Crisis: Challenges and Solutions.  
<https://www.focusireland.ie/wp-content/uploads/2018/12/Lambert-et-al-2018-Young-Families-in-the-Homeless-Crisis-Full-Report-1.pdf>

complex pattern of ways in which means-tests and other assessments work to erode housing security for separated couples, so contributing to housing insecurity and homelessness; for instance, the narrow definition of ‘first time buyers’ in some scheme, means-testing of child support payments.

All effective strategies to tackle homelessness need to be built on the foundation of strong programmes to prevent people from becoming homeless by keeping them in their existing home or to rapidly re-house them where that is not possible. There are five key measures which would underpin such an approach.

### Protecting tenant security in sales of buy-to-let properties.

We know that the majority of homeless families had their last stable home in the private rented sector.<sup>10</sup> The largest single cause of families becoming homeless over the last few years has been landlords leaving the market, usually by selling the property and evicting the tenants in advance to maximise the sale price.

Various measures have been taken to resolve this, including:

- Longer notice periods for tenants
- Increase verification of landlord intention.
- A restriction on the right of institutional landlords to sell 10 or more properties with vacant possession.

Proposals from a variety of organisations, including Focus Ireland, for tax reliefs to reduce the perceived incentive for landlords to sell with vacant possession have not been implemented.

A variety of proposals, including well researched proposal from Focus Ireland, with the objective of making it illegal for landlords to evict-to-sell have been rejected on the assertion that they are unconstitutional. This interpretation of the Constitution remains strongly contested by constitutional experts.

At the same time, the effectiveness of such a ban has been well demonstrated by the impact of the Covid-19 protections — only 14 families entered homelessness in the Dublin region in April 2020, down from 94 in January 2020<sup>11</sup>. When the eviction ban was eased at the end of 2020 as lockdown restrictions were lifted, this number started to rise again.

While there is no shortage of people ready to give their views on the reasons why small landlords are leaving the market in such numbers, there is no reliable published evidence on this. However, it seems likely that this trend will continue for some time. Given the well-rehearsed positions on the viability or otherwise of existing proposals to close off this route into homelessness, this is not the place to make a case for any particular measure.

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<sup>10</sup> Long et al., 2019. Family Homelessness in Dublin: Causes, Housing Histories, and Finding a Home. <http://bit.ly/31Ouolg>

<sup>11</sup> <https://www.focusireland.ie/resource-hub/latest-figures-homelessness-ireland/>

However, it is certain that any new approach to family homelessness must identify effective measures to reduce the inflow of families into homelessness through evict-to-sell if it is to have any chance of succeeding.

## Rapid rehousing

While prevention services are more effective the earlier the intervention occurs, there will always be a role for preventative action at the time of crisis.

Ireland's research into family homelessness shows that seven out of every ten families becoming homeless rented their last stable home from a private landlord and this has remained remarkably consistent since our first study in 2015.<sup>12</sup> Families often spend a period of time couch surfing or moving between family members in an effort to avoid entering homeless accommodation. Engaging with families at this stage is hugely important to increase their chances of finding an alternative home in time to avoid having to enter emergency accommodation.

Dublin Region Homeless Executive (DRHE) reports significant success in this area with a scheme which allows households with a valid Notice of Termination to avail of the Homeless HAP scheme, which provides for a higher level of rent than mainstream HAP. However, despite the apparent success of this scheme it has never been evaluated and it has not been rolled out to other local authority areas. Awareness of the scheme is limited and there is no evidence that the decision to provide the higher subsidy 4 weeks before eviction is the optimum timescale.

The successful DRHE scheme should be independently evaluated with a view to optimising its effectiveness and applying it to other areas, if appropriate.

The needs of some families go beyond the capacity to pay a higher level of rent, and where appropriate families should have access to case management support prior to losing their home, to facilitate rapid rehousing.

Families must be encouraged to present to their local authority as soon as they become concerned about their tenancy. They should then be linked into preventative services in the area. Despite assurances by policy makers to the contrary, families still report that the policy that families must already be homeless before they can access services persists in some areas.

## Targeted Information campaigns on Advice and Information.

For many households, access to decent quality advice and information prevents homelessness. The successful Threshold 'Tenancy Protection Service' is the lead service in this regard. Focus Ireland has always provided similar A&I services, including a dedicated family homelessness prevention unit funded by Bord Gas Energy and services funded by local authorities across the country.

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<sup>12</sup> Long et al., 2019. Family Homelessness in Dublin: Causes, Housing Histories, and Finding a Home. P7. <https://www.focusireland.ie/wp-content/uploads/2019/06/Long-et-al-2019-Insights-Vol-2-No-1-Family-Homelessness-in-Dublin-%E2%80%93-Full-Report.pdf>



However, despite the accessibility of these services, there is robust evidence that significant numbers of families do not seek advice prior to presenting as homeless on eviction.<sup>13</sup> Responding to this should include greater investment in general advertising of such services, but insufficient attention has been given to targeted information campaigns.

In 2016, Focus Ireland ran a targeted prevention campaign in Dublin 15 after research indicated that families in the high-rental area were at risk.<sup>14</sup> With the support of the local social protection office, we directly targeted families who were in receipt of rent supplement. We successfully reached families at risk of homelessness. 75% of those who contacted us had not contacted State-supported prevention schemes prior to this. These schemes generally consist of advertisement campaigns. During our D15 pilot campaign, we supplemented the targeted letter with advertisements in high-traffic locations. However, the vast majority of households contacted the service on foot of the letter directly sent to them. We believe that this model of targeted advertising to areas and groups (such as lone parents) with higher levels of vulnerable families should be replicated in other areas.

## Mediation

Focus Ireland has proposed a pilot mediation scheme which would support families to return to wider family accommodation where appropriate.<sup>15</sup> This pilot would allow families to avoid the dislocation and trauma associated with emergency accommodation, while permanent housing was being sought. In introducing the scheme, we advised that a number of supports/assurances would be vital: the family maintaining their place on the housing list, continued case management, and family mediation. The latter was deemed particularly important given that a number of these accommodation arrangements ended because of family breakdown.

Focus Ireland currently operates a mediation service targeting young people experiencing or at risk of homelessness. While the service has shown positive results, the mediator, who is a trained professional with considerable experience, has highlighted the complexity of the cases presenting. Similar levels of complexity would undoubtedly exist among families experiencing homelessness. DRHE has reported successes for a programme to achieve similar goals, however, despite these successes the scheme has not been evaluated. Such programmes need to negotiate a difficult line between 'gatekeeping' and genuine support, and a strong case can be made for including forms of support to families which remain living in difficult circumstances as a result of such interventions, rather than creating a strict rule that case management is only provided to families that enter the homeless system.

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<sup>13</sup> In Focus Ireland research, 55% of homeless families had sought advice or assistance prior to becoming homeless. Long et al., 2019. Family Homelessness in Dublin: Causes, Housing Histories, and Finding a Home. <http://bit.ly/2NqVMjD>

<sup>14</sup> Focus Ireland, 2017. Results of a Pilot Project to prevent family homelessness in Dublin 15. <http://bit.ly/FID15full>

<sup>15</sup> Lambert et al., 2018. Young Families in the Homeless Crisis: Challenges and Solutions. <https://www.focusireland.ie/wp-content/uploads/2018/12/Lambert-et-al-2018-Young-Families-in-the-Homeless-Crisis-Full-Report-1.pdf>

The successful DRHE scheme should be independently evaluated with a view to optimising its effectiveness and applying it to other areas, if appropriate.

## Housing insecurity arising from relationship breakdown.

A number of rules and regulation in relation to means-tests and housing assessments operate in a way which can undermine housing options and security for separated parents, most frequently women with custody of children. While none of these issues may result in immediate homelessness, in many cases they combine together and over time to contribute to the extremely disproportionate number of single mothers in homeless accommodation.

Issues include:

- Difficulty in accessing housing support while retaining an interest in the family home.
- Absence of short-term support for mortgage interest during periods of crisis (since the abolition of Mortgage Interest Supplement in 2014)
- Requirement for separated partner consent in cases of Mortgage Arrears Resolution
- Definition of 'First Time Buyer' in access Help to Buy or Rebuilding Ireland loans
- Contribution of separated partner to mortgage being treated as 'maintenance' for means-testing
- Treatment of 'maintenance' as means for Rent Supplement, whether paid or not.

As part of 'Homes for All', the Government should convene an expert group, including policy staff from all relevant Departments and Agencies along with Lone Parent representatives, to review all schemes which unfairly increase housing insecurity for families in these circumstances.

## Broader prevention issues

For single adults, a range of institutional systems feed into homelessness – special care, hospitalisation, prison, mental health institutions.<sup>16</sup> With effective policies these can be closed off. However, the same systemic pattern of pathways into homelessness does not exist for most homeless families, thus limiting the scope for preventative action.

However, two related systemic features of family homelessness stand out, where appropriate action could help systemically reduce the flow into homelessness: the two issues are poverty and the level of one-parent households that are homeless.

The high level of private rents is a significant contributor to poverty in Ireland, and the transfer from Rent Supplement (where families were prohibited from paying a 'top-up' to landlords from their welfare payment) to HAP, where such payments are commonplace, has resulted in much higher levels of poverty and deprivation, with many families living on incomes well below the minimums set out in the Supplementary Welfare scheme.

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<sup>16</sup> Gaetz & Dej, 2017. A New Direction: A Framework for Homelessness Prevention.  
<https://www.homelesshub.ca/ANewDirection>

We welcome the Government's introduction of limited rent restrictions but believe that this will need to be carefully monitored to ensure it is having the intended consequences. Given that landlords in Rent Pressure Zones are permitted to increase their rent by 4%, we believe that rent supplement and HAP rates must be amended to reflect this and a streamlined mechanism must be in place to ensure that tenants in receipt of housing support can receive this increase quickly, without falling into arrears and having their tenancies threatened. Despite the fact that rents are being routinely increased by 4% and cannot be legally increased beyond this, fear of 'inflating rents' is being presented, without evidence, as a reason for holding HAP levels at 2016 levels. A study of the extent of 'top-ups' and their impact on poverty and housing insecurity should be commissioned to inform policy over the coming years.

## Workstream 2: Moving on from Homelessness.

The number of families leaving homelessness has shown a welcome increase, particularly since the beginning of the Covid-19 crisis. As noted above, the tenancy protections introduced as part of the response to the Covid-19 pandemic significantly reduced the number of newly homeless families, but even prior to Covid-19, the number of families experiencing homelessness had reached a plateau of approximately 1,200 since February 2018.<sup>17</sup>

Exits from homelessness are, broadly speaking, either to social housing or to private rental homes (with HAP support). Prior to Covid-19, exits from homelessness have largely been facilitated through the HAP and Homeless HAP, with 64% of all exits in 2019 occurring via the private rental market.<sup>18</sup>

It is important to note that there is not a smooth pattern of passage through homelessness from entrance to exit - some families exit homelessness quickly, other families with certain characteristics are likely to become trapped for prolonged periods, with well-documented negative social effects. The number of families homeless for prolonged periods has risen over the period of the crisis. Despite the seriousness of this issue there is no published analysis of what factors lead families to become stuck in the system, however, Focus Ireland front-line experience suggests that issues such as family size, membership of the Traveller community, disabilities among the children or adults in a family can be factors, as well as behavioural, mental health and addiction issues.

While the total number of families moving out of homelessness is important, it is also crucially important which families move out, with specific targeted measures to ensure that 'difficult to place' families are not left behind.

This perspective suggests policy initiatives are needed in a number of areas.

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<sup>17</sup> [https://www.focusireland.ie/resource-hub/latest-figures-homelessness-ireland/?t=\\$2#Family](https://www.focusireland.ie/resource-hub/latest-figures-homelessness-ireland/?t=$2#Family)

<sup>18</sup> Department of Housing, Planning and Local Government, 2020. Summary Analysis of Homelessness Quarterly Performance Reports - Quarter 4 2019. <https://rebuildingireland.ie/wp-content/uploads/2020/01/Homeless-Performance-Report-Q4-2019.pdf>

### Maximum duration of homelessness and ‘progressive engagement’.

Allowing families to remain in emergency accommodation for prolonged periods of time is damaging and wrong. International research has shown that the longer families remain in homelessness, the more the situation can impact on children. Aside from nutritional and educational impacts, this can also result in higher stress levels, anxiety and behavioural disorders.

An effective strategy must include a reduction in the number of families who are homeless for prolonged periods as one of its key performance indicators.

A maximum period of homelessness should be set, initially at two years, and then reduced by steps, with a long-term view of bringing family homelessness to a rate of ‘functional zero’ in which no family remains homeless for more than a couple of weeks.

There is a risk that a maximum period of homelessness could become a mechanism to blame or penalise families. Instead, the maximum period should be a mechanism for ‘progressive engagement’ through which resources and options for families incrementally increased as time passes<sup>19</sup>. The reasons for the lack of move-on should be highlighted and a plan to overcome these should be developed as a collaborative process between the case manager and the family. This would also allow services to evaluate whether specific child support services are now needed given the length of time children have been residing in emergency accommodation.

These timeframes should be realistic and used as an objective measure of need, not as a political tool to criticise failings. Families which spend prolonged periods of time in emergency accommodation are often those with the most complex needs. Keeping visibility on this category and working towards a deadline for moving them out of emergency accommodation will ensure better outcomes for them.

### Policies to ensure that social housing is allocated to households that will otherwise remain homeless.

Allocation of social housing remains one of the most significant and effective resources available for tackling family homelessness – however its application has been dogged by political and administrative disputes which have reduced its potential positive impact.

The ministerial directive in January 2015 which assigned 50% of local authority allocations in Dublin and 30% elsewhere to the priority list resulted in a significant increase in the number of families exiting emergency accommodation and moving into social housing. This directive met resistance from politicians and senior local authority officials and was discontinued in Q1 2016 without any evidential basis.<sup>20</sup> While the reduction in opportunities to move into social housing has been balanced in the

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<sup>19</sup> Culhane et al., 2011. A prevention-centred approach to homelessness assistance: a paradigm shift? Housing Policy Debate, 21(2), pp.295-315.

<https://www.tandfonline.com/doi/abs/10.1080/10511482.2010.536246>

<sup>20</sup> Allen, Benjaminsen, O’Sullivan and Please, 2020. Ending Homelessness?: The Contrasting Experiences of Ireland, Denmark and Finland. Policy Press. P130.

short-term by increased access to private rented accommodation, the opportunity was lost to substantially increase the total number of families exiting homeless.

While the initial directive was a relatively unsophisticated policy tool, it was successful in its objective of reducing family homelessness and could have been refined to target those most in need rather than abandoned.

In Dublin City Council, the decision to ring-fence the 'homeless priority' of families already in the system means that this policy continues to play a key role in the high level of exits. This was particularly true during the early part of the pandemic when allocations to homeless households were fast tracked<sup>21</sup>. As the number of these ring-fenced 'homeless priority' families declines, exits from homelessness will depend to an even greater extent on HAP, unless a new form of prioritisation of the long-term homeless families and the 'hard to place' is agreed.

Consensus across councillors and officials on a new, evidence-based approach to social housing prioritisation for long-term homeless families would be a crucial element of any new strategic response.

## Housing First for Families

The benefits of the Housing First model for entrenched rough sleepers has been well-documented.

A small proportion of homeless families have complex support needs and require a similar level of multi-disciplinary team support if they are to successfully sustain a tenancy and integrate into their neighbourhood. There are worrying indications that a new form of 'staircase model' is being developed for these difficult families, where a period in emergency accommodation is presented, without evidence, as having therapeutic value<sup>22</sup>.

Focus Ireland proposes that a pilot Housing First for Families scheme be introduced in a bid to rapidly move families out of emergency accommodation, stabilise their situation, and then work towards resolving any complex needs which may have caused or contributed to their experience of homelessness.

Housing First for Families will ensure that families have a home, not a hub, where they receive the supports they need to live independently. A pilot will allow for the careful planning of an appropriate service model, based on core Housing First principles, that can then be rolled out more broadly.

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<sup>21</sup> Homeless Figures and the Impact of COVID-19 - Focus Ireland Blog (October 2020) <http://bit.ly/3pfAzdT>

<sup>22</sup> Haran & Ó Siochrú, 2020. Models of Emergency Accommodation for Homeless Families in Ireland' Focus Ireland. P79. <https://bit.ly/34vX2Ll>

### Workstream 3: Minimising the traumatising impact of homelessness.

There is now considerable evidence to show that a period in homeless emergency accommodation can be damaging to the well-being of both parents and children, however there is less recognition that the experience of homelessness *in itself* traumatic, particularly for children<sup>23</sup>.

While the emergency accommodation provided by some NGOs incorporates a ‘trauma informed’ approach, the processes through which families apply for support and are allocated to emergency accommodation have no ‘trauma informed’ component and there has been no systematic review of systems and legislation to ensure that it accords with the constitutional provision to ensure that the interests of the child are of paramount importance.

#### Initial contact with homeless services

When a family becomes homeless the first step they must take is to register with their local authority. The administrative system they encounter in their local authority offices is one which conscientious local authority staff have created to deal with an escalating problem in a manner which is both humane and protects public resources. They have done this in the absence of an adequate policy, legislative framework or specialist training which could have been set at national level.

Legal practitioners working in the area have highlighted that “the wide margin of discretion afforded to the local authority within the current legal framework pertaining to provision of emergency accommodation does not adequately protect families with minor children who are facing homelessness”<sup>24</sup>. This is deeply problematic.

Focus Ireland believes that the presence of one or more dependent children among the persons normally residing with the presenting adult must be a primary determinant in the decision-making process of the local authority. The presence of a minor should substantially alter the burden of proof required to decide whether a family have no alternative accommodation open to them. We also believe that when a child is accepted as homeless with their family, the clause in the Housing Act 1988 which *enables* local authorities to provide assistance should become an *obligation*.

A full review of the legislation and national policy in this area would remove many of these grey areas, boost transparency and ensure a legal approach which is consistent with rule of law principles and which supports local authority decision makers. This is currently lacking, leaving local authority staff with too much discretion and too little guidance. It is the most vulnerable families who fall through the cracks this creates.

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<sup>23</sup> Siersbaek & Loftus, 2020. Supporting the mental health of children in families that are homeless: a trauma informed approach. [https://www.focusireland.ie/wp-content/uploads/2021/02/Focus-Ireland-therapeutics-FINAL\\_01-12-2020-1.pdf](https://www.focusireland.ie/wp-content/uploads/2021/02/Focus-Ireland-therapeutics-FINAL_01-12-2020-1.pdf)

<sup>24</sup> Mercy Law Centre, 2019. Report on the Lived Experiences of Homeless Families. P9. <https://mercylaw.ie/wp-content/uploads/2019/12/MLRC-Child-and-Family-Homelessness-Report-5.pdf>

A new strategy must commit to ensuring that effective systems are in place so that even in the most difficult cases families are not left with no recourse but to sleep in Garda stations. This must include ensuring the availability of an appropriate referral point for families presenting as homeless out of hours or in emergency situations. It should also include a clear process for informing Tusla where families are not provided, or decline, offers of emergency accommodation and are at risk of having to sleep without shelter.

Focus Ireland has made the case for a day service which would provide a multi-disciplinary first-point-of-contact and support for homeless families, and has piloted such a service in its Dublin Family Centre from its own resources. This service provides skilled, trauma-informed advice and a gateway to other supportive social services. The Centre also provides a child support service to allow hard-pressed parents to access counselling or other supports or to more effectively attend viewings of properties to rent. Appropriate sustainable funding lines for this service should form part of the new strategic approach.

## Immigration Status and Access to Homeless Services

Immigration status can act as a bar to accessing homeless services and the interaction between the asylum system, immigration system, and homeless services needs urgent attention.

Where a person's immigration status may dis-entitle them to access to mainstream social and housing support, there are other human rights requirements which are sometimes overlooked. For example, the right to family life and rights of the child must be considered where a family with children are refused accommodation, potentially exposing them to an experience of rough sleeping and the trauma which this creates. Families can find themselves caught in an immigration limbo where they are refused access to homeless services but no further assistance or State intervention is offered to resolve their immigration status.

The inadequacy of existing regulations in this area has been highlighted for many years by the IHREC, homeless organisations and local authorities.

A family homeless strategy must ensure that this limbo is removed by identifying areas in which cross-agency cooperation is needed and mechanisms for ensuring that families in need of accommodation who have an unresolved immigration issue can receive the advice and support they need, without leaving them in a state of destitution.

## One-night-only accommodation

The Housing Act 1988 provides that local authorities can determine that a family is not homeless and refuse to provide accommodation. While this is rare, there are recurring problems of this nature in local authorities across the country, particularly those with the most recent emergence of family homelessness.

In some cases, families can be refused emergency and then, late in the evening, provided with accommodation on a 'humanitarian basis' once it becomes apparent that they are at risk of rough-sleeping. Families in this category have been provided with accommodation on a one-night-only

(“ONO”) basis. This means that they are only guaranteed beds for the night and must vacate the following morning. They must repeat the process again each day to secure accommodation for the following night.

Families in this position are often the most vulnerable, with challenging needs including literacy, language and immigration barriers. In the experience of Focus Ireland, families with more complex needs often require greater support engaging with local authorities, completing housing applications, or addressing issues arising around immigration. The experience of ONO makes addressing these needs much more difficult for these families, exacerbating the chaotic circumstances in which they find themselves and, often, making it more difficult for them to engage with authorities. Two Oireachtas Committees have called for an end to the use of ONO in recent reports on child homelessness.<sup>25</sup> This must be implemented as a core part of policy on family homelessness. No child should live in such acute housing insecurity.

The current interpretation of the Housing Act 1988 by local authorities is, Focus Ireland believes, a misapplication of the law involving a muddling of the initial assessment of whether a person is homeless under section 2 of the Act with a housing needs assessment for the purposes of social housing allocations. These are two separate and distinct tests. The primary obligation under section 2 of the 1988 Act is to assess whether a person is homeless and, where a person meets this test, the local authority then has the responsibility to provide accommodation or other assistance as appropriate. A person may meet the test under section 2, without qualifying for social housing under the Housing (Miscellaneous Provisions) Act 2009.

Section 10(10) of the Housing Act 1988 specifies that a housing authority can exercise all their powers to assist individuals while they are trying to determine whether an individual is homeless. As such, it is hard to understand why families in this situation are being refused emergency accommodation<sup>26</sup>.

## Experience in Emergency Accommodation

We know from our work with families that even families with resilience who are experiencing homelessness for purely economic reasons can develop serious social needs the longer they spend in emergency accommodation. For vulnerable families, emergency accommodation seriously exacerbates underlying needs and can cause these to become entrenched. Where prevention is not possible, rapidly moving families out of emergency accommodation and into stable housing with appropriate supports is the next best option for them. However, both prevention and rapid rehousing have not been working for a large number of families for many years, resulting in the need for ever increasing amounts of emergency accommodation. A large amount of such provision has been created over the last number of years. While it important to recognise the pressures under which emergency

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<sup>25</sup> Joint Committee on Housing, Planning and Local Government, 2019. Report on Family and Child Homelessness.

[https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint\\_committee\\_on\\_children\\_and\\_youth\\_affairs/reports/2019/2019-11-14\\_report-on-the-impact-of-homelessness-on-children\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/joint_committee_on_children_and_youth_affairs/reports/2019/2019-11-14_report-on-the-impact-of-homelessness-on-children_en.pdf)

<sup>26</sup> See Minutes of the Dublin City Council Central Area Committee 8/12/20 for DRHE interpretation of this legislation including the need for ‘clear government policy and guidelines, along with increased funding...’



accommodation was commissioned, it is also necessary to note that it was commissioned in the absence of any child-centred or trauma informed guidance.

As local authorities across the country have struggled to increase the amount of emergency accommodation available for families that are homeless, significant problems about quality standards have emerged. For some families residing in emergency accommodation, the range of difficulties are numerous and well-documented by many organisations working in the sector. These include: cramped and overcrowded hotel rooms, a lack of space for play and homework, the imposition of rules which undermine parents, a lack of access to cooking and food storage facilities, a lack of washing facilities, difficulty getting to school or work, a deterioration in family relationships.

Supports for children experiencing homelessness must include access to sufficient space for homework and study; access to child support workers or other developmental supports and outlets; access to mental health supports where needed.

## Family Hubs

While family hubs emerged out of a recognition of the unsuitability of hotel/hostel accommodation for families, they have become entrenched as a long-term response to family homelessness without regard to their suitability for this. It has now been over a year since the Ombudsman for Children called for a review of family hubs to be carried out urgently. Half of homeless families (48%) now spend over a year in emergency accommodation. The suitability of hubs and their ability to assist families to exit homelessness for good must be assessed to prevent any family from facing long durations in homelessness in unsuitable conditions.

For now, family hubs are an emergency response to an ongoing problem. Without any long-term strategic plan, the hubs are not working towards ending family homelessness. The Ombudsman's report on family hubs, "No Place Like Home," found that "parents in particular were concerned that the Family Hubs were becoming a long-term solution to family homelessness and they and their children would be forgotten about. They expressed concern that while the Government were continuing to open and invest in Family Hubs, no one had looked at whether they were effective or how they were operating<sup>27</sup>." Many of the issues identified in the OCO report arise from the fact that Family Hubs were established in the absence of clearly articulated objectives and have continued as Government policy without any evidence or analysis.

## Educational Supports

International research has shown a strong correlation between homelessness and a withdrawal from education. Given the recognised and well-documented importance of educational attainment in later life, it is vital that children residing in emergency accommodation are supported to attend school regularly and perform to the best of their ability.

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<sup>27</sup>Ombudsman for Children's Office, 2019. No Place Like Home: Children's views and experiences of living in Family Hubs. <https://www.oco.ie/app/uploads/2019/04/No-Place-Like-Home.pdf>

2,653 children are currently experiencing homelessness in the State, with many of their educational pathways affected as a result. We are concerned that the response to these children's educational needs relies solely on the DEIS scheme to address educational disadvantage. Research conducted by Focus Ireland found that 45% of a cohort of children experiencing homelessness were not attending DEIS designated schools.<sup>17</sup> We believe that children in emergency accommodation should have access to additional educational resources if needed and this should not be predicated on their school of choice.

## Therapeutic Supports

Families experiencing homelessness can often require additional support to manage their situation. Some families have support needs which predate their entrance into homelessness, and others develop additional needs given the extended periods of time that they are spending in emergency accommodation. Therapeutic supports should be available to all families in emergency accommodation and could be targeted at children alone or at parents and the family as a whole.

Children and parents consulted by the Ombudsman for Children's Office<sup>28</sup> reported that child support workers were one of the few positive aspects of being in a Family Hub; the Ombudsman recommended that "further attention should be given to identifying additional practical measures (for example, an increase in therapeutic supports and child support workers) that could be implemented to support the resilience, dignity and self-worth of children and parents while they are living in emergency accommodation". Not only do child support workers help to address some of the detrimental impacts of homelessness, by extension, they can help to reduce the pressure and stress on parents. This enables parents to engage much more fully both with supporting their children through a traumatic experience, as well as on the process of exiting homelessness. Currently, there are a considerable number of children with assessed needs who are unable to access childcare supports. Addressing this shortfall in support workers and expanding this support to parents and families could significantly improve family wellbeing while in emergency accommodation and support families to successfully exit homelessness for good.

Focus Ireland research<sup>29</sup> on therapeutic supports for children experiencing homelessness recommends the following:

- Homelessness must be recognised as a traumatic event for children and families; and it is an avoidable trauma.
- Increased efforts are needed to prevent family homelessness, particularly targeted at the private rental sector where most families had been living prior to becoming homeless;

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<sup>28</sup> Ombudsman for Children's Office, 2019. No Place Like Home: Children's views and experiences of living in Family Hubs. <https://www.oco.ie/app/uploads/2019/04/No-Place-Like-Home.pdf>

<sup>29</sup> Siersbaek & Loftus, 2020. Supporting the mental health of children in families that are homeless: a trauma informed approach. [https://www.focusireland.ie/wp-content/uploads/2021/02/Focus-Ireland-therapeutics-FINAL\\_01-12-2020-1.pdf](https://www.focusireland.ie/wp-content/uploads/2021/02/Focus-Ireland-therapeutics-FINAL_01-12-2020-1.pdf)

- A significant increase in the supply of family accommodation is needed which families can afford to rent. The private rented sector can provide a sustainable housing solution for some families, but only if rent subsidies realistically reflect the level of market rents. However, many families had been living in the private rented sector when they were made homeless and are understandably reluctant to risk experiencing homelessness again. Increasing the output of social housing provided by local authorities and approved housing bodies is critical to sustainably addressing family homelessness;
- Restoration of prioritisation in social housing allocations for families who are homeless to facilitate rapid rehousing.

## Workstream 4: Housing Supply

The scale of our family housing crisis is directly related to the lack of available affordable housing, in particular social housing. While the issue of housing supply is much wider than can be covered in this strategy, any credible strategy to tackle family homelessness must include, or link to, measures to increase the supply of suitable housing. Key areas which could be addressed include:

### Increase Provision of Suitable Public Housing

The Programme for Government commits to building 50,000 social homes. Focus Ireland welcomes the increased emphasis in public policy on providing single bed-room social housing units, to reflect the actual demand in social housing waiting lists but this must not result in any slow-down in providing family housing. The increased emphasis on one-bedroom social housing units to reflect a welcome realism about the actual households on the social housing waiting list must be matched by a recognition that there are a number of very large families whose needs also need to be reflected in building plans.

### Unoccupied homes and unused building land

While some progress has been made through the vacant home initiative under Rebuilding Ireland, this is very small in contrast the number of units assessed as being vacant. Similarly, measures to tackle the amount of building land with planning permission which is lying unused, have had very limited impact on the scale of the problem.

The 2016 Oireachtas Housing and Homelessness Committee report noted that ‘There was general consensus among legal experts addressing the Committee that there was no particular legal impediment to the extensive use of compulsory purchase orders as a policy instrument in increasing housing supply’<sup>30</sup>. It would appear that the cost of compulsory purchase orders is the limiting factor, but this does not appear to take into account the human and financial cost of leaving families in emergency homeless accommodation.

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<sup>30</sup> Report of the Committee on Housing and Homelessness, 2016. P138.  
[https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/committee\\_on\\_housing\\_and\\_homelessness/reports/2016/2016-06-16\\_final-report-june-2016\\_en.pdf](https://data.oireachtas.ie/ie/oireachtas/committee/dail/32/committee_on_housing_and_homelessness/reports/2016/2016-06-16_final-report-june-2016_en.pdf)

After years of ineffectual measures to deal with these issues, credible measures in this area need to contain far more active intention:

- a. In the case of vacant residential property, a vacant homes charge, with appropriate exemptions, would increase the incentive for the owners of these properties to clarify the status of these homes or make them available for use. Expression of an intention to move in this direction would in itself assist in engaging with these owners. A stronger national policy stance of support for CPOs for vacant units would also help progress measures in this area.
- b. Fair notice should be given that the State will consider using the Land Development Agency to take ownership of strategic tracts of land that are being held in the hope of rising land prices maximizing profits. This approach would have to be backed up with measures to ensure that the Land Development Agency is able to move quickly to build homes on the land.

## Downscaling

A number of housing policy experts have pointed out that the shortage of family homes is not as severe as it appears and much of the apparent shortage is caused by older households continuing to live in larger homes after their children have established separate households. According to some estimates, there are between 74,000 and 99,000 homes with three bedrooms which are not in regular use. However, a series of reports have indicated that in reality only a small number of older householders are willing to undertake such downsizing<sup>31</sup>, and even those who are highly likely to do so will face significant barriers of availability and transition cost.

Reports consistently recommend ‘measures which could facilitate choice and agency among potential downsizing households’ and ‘heightened investment in appropriate housing stock.’ However, no such measures have been implemented to date, and consideration of such measures should form part of a family homeless strategy.

A second area of underutilisation of housing stock is in the social housing sector where some estimates put the level of underutilisation as high as 25%<sup>32</sup>. While this area has not been researched to the same extent as the owner-occupier sector, it is likely that the same issues apply in respect of high levels of emotional connection to the family homes and local area. The limited range of attractive alternative accommodation which can be offered by most Local Authorities is likely to be a further factor reducing the number of social housing tenants willing to down-size voluntarily. The same approach of ‘facilitated choice’ should guide policy in the social housing sector as in the owner-occupier sector.

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<sup>31</sup> The most recent report is Irish Government Economic and Evaluation Service, 2020. Attitudinal Survey of Mature Households. <http://www.housingagency.ie/sites/default/files/publications/IGees-Mature-Home-Owners-Survey.pdf>

<sup>32</sup> <https://www.irishtimes.com/news/social-affairs/more-than-5-000-dublin-council-houses-and-flats-underoccupied-1.3287404>

The proposal made by Norris and Hayden<sup>33</sup> to put the entire social housing rental sector on a cost rental basis, and deal with affordability through an income related subsidy scheme, would – along with a wide range of other advantages – help resolve this situation.

In conclusion, for the families that are experiencing homelessness, the fact that there is a supply of family housing in the Irish housing stock is of no practical relevance as there is no practical mechanism in place through which these units will become available in the near future. While measures to increase the more efficient use of housing stock should form part of a family homelessness strategy, there needs to be realism about the time that will be required before they have effect and the emphasis must remain on building.

## Workstream 5: Understanding the scale and dynamics of family homelessness.

An effective strategy to end family homelessness must not only be based on evidence, it must collect and be renewed by emerging evidence. The collection and publishing of accurate, timely data and evaluations is a crucial element to long-term success.

In the first place, it is important to include all dimensions of family homelessness within the scope of what is intended to be achieved. In particular, this will involve including the number of families residing in women’s refuges and the families who have been granted international protection but who are still living in Direct Provision. Similarly, excluding families living in emergency homeless accommodation which has its ‘own door’ confuses attempt to understand trends and undermines the public credibility of public data. Ironically, this has the effect of diminishing the impact of good news as successes emerge.

Homelessness is a complex issue and there is no single ‘correct’ way to count it, what is essential is that the approach to measurement enjoys broad consensus across all the key actors and relates to practical realities of the work at the front-line. A broad-based ‘data and evaluation group’ with an independent chair and budget would be important in underpinning the effectiveness and effective communication of the strategy.

April 2021

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<sup>33</sup> Norris and Hayden, 2018. The Future of Council Housing: An analysis of the financial sustainability of local authority provided social housing. Community Foundation of Ireland  
[https://www.ucd.ie/socialpolicyworkjustice/t4media/The\\_Future\\_Of\\_Council\\_Housing\\_\(Norris\\_Hayden\).pdf](https://www.ucd.ie/socialpolicyworkjustice/t4media/The_Future_Of_Council_Housing_(Norris_Hayden).pdf)