

Submission to the National Homeless Action Committee: Prevention

February 2022

Introduction

Focus Ireland welcomes the decision of the National Homeless Action Committee to make the prevention of homelessness one of its first areas of action, and we welcome the opportunity to make an initial submission to that discussion.

Homelessness for individuals or families can rarely be explained by a single event or cause, it more usually involves a series of events and causes. As a result, it is often misleading to attribute one 'cause' of homelessness, and consequently it is problematic to identify which single action would have prevented it. Equally, where a household does not enter homelessness after a particular intervention, it is impossible to be certain that the household might have avoided homelessness even without that particular intervention – resulting in a lot of potentially unnecessary expenditure.

For this reason, an effective strategy on preventing homelessness must be approached from a systematic and strategic standpoint, rather than on the basis of individual cases and periodic crises. In the first part of this submission, we draw attention to some of the work which we believe should shape and inform a strategic approach to prevention.

In the second part of the submission, we respond to the request of the Department in setting out our own work in this area and how it can be expanded. Finally, as requested, we draw attention to a number of areas where we believe that administrative changes within the remit of the members of the NHAC could have fairly immediate effect, creating early momentum in establishing a robust preventative strategy.

A strategic, evidence-based approach to preventing homelessness

The leading US homeless researcher, Professor Dennis Culhane has proposed a very practical approach involving a 'prevention-centred paradigm' for tackling homelessnessⁱ. Culhane has pointed out that the closer to the point of actual homelessness at which we intervene, the more certain we can be that homelessness would have occurred without the intervention; however, by waiting until the last minute we increase the risk of failure. He has proposed an approach of 'progressive engagement' in which the intensity of interventions increases progressively as the threat of homelessness becomes more imminent.

A second valuable contribution has been made by Prof Stephen Gaetz and Erin Dejiⁱⁱ who have proposed a very practical typology of prevention interventions: structural prevention, systems prevention, early intervention, eviction prevention and housing stabilityⁱⁱⁱ.

Using this typology, we can identify that current prevention approaches in Ireland concentrate largely on 'Eviction Prevention', primarily through the successful Threshold Tenancy Sustainment service. Focus Ireland and other homeless organisations also providing Advice and Information based eviction prevention services across the country.

During earlier Irish Government strategies to tackle homelessness, valuable work was published on 'systems prevention' in the National Homelessness Prevention Strategy (2002)^{iv}, and a number of the key issues it sought to resolve remain relevant today^v.

Fitzpatrick, Mackie and Wood (2021)^{vi} have proposed a temporally-driven approach which is probably the most practical for the purposes of the NHAC. This proposes a five-stage typology comprising: 'universal, upstream, crisis, emergency, and repeat categories of prevention. Both practice and research in homeless prevention have developed considerably in recent years in many countries. Fitzpatrick's work is the most up-to-date, comprehensive, international review, with a very practical approach.

- *It would be of great value to the NHAC to invite Professor Fitzpatrick to make a short presentation to inform deliberations on preventing homelessness.*

Finally, a prevention strategy must be founded on an evidence-based understanding of how households become homeless and how these circumstances change over time.

While it only relates to a narrow definition of homelessness, the PASS system collects more timely and detailed information on households that become homeless than is available in any other EU country. Due to other challenges which we have all faced in recent years, the value of this data has not been fully explored.

- *The NHAC should put in place appropriate steps to draw on the existing data sources to better understand emerging trends in households becoming homeless. This will allow us to more quickly develop potential preventative supports responses. This work is best approached in a collaborative manner with involvement all partners and independent with expertise in this field.*

Actions currently within your own organisations that are supporting homeless prevention.

As requested, the following section comprises a brief description of Focus Ireland prevention services. It excludes services for unattached minors and young adults, as these are covered in the Youth Homeless submission. We have made a first attempt to set out our prevention initiatives within the Fitzpatrick typology.

UNIVERSAL INTERVENTION

Research

Focus Ireland has an extensive research and evaluation programme which is designed to better understand the causes of homelessness and the most effective mechanisms to prevent and resolve it. Of particular note in the current discussion are recent research reports on (i) preventing homelessness arising from Domestic Violence^{vii} and (ii) the role of labour market exclusion in risk of homelessness for vulnerable mothers^{viii}.

Focus Ireland research on the trajectories of families into homelessness in Dublin^{ix}, although pre-covid, is still relevant and we are engaged in updating this research for Dublin and Waterford.

UPSTREAM INTERVENTIONS

Intensive Tenancy Support (for people linked to psychiatric services)

For a number of years, Focus Ireland has operated, in collaboration with the HSE Mid-West Mental Health Services (CHO3) and Tipperary County Council, an intensive tenancy support service for people who are at risk of homelessness at the time of discharge from psychiatric institutions. An evaluation of this service has been published^x and the collaboration won an HSE innovation award. This service has recently been extended to two further counties, again in collaboration with the HSE and the relevant local authorities.

EMERGENCY INTERVENTIONS

HHAP targeted support

Focus Ireland is currently working with the DRHE and the HAP Unit in Limerick to support tenants in receipt of HHAP who have fallen into arrears in their rent and are at risk of losing their tenancies.

Purchase of evict to sell

Focus Housing works with local authorities in several areas to purchase dwellings where a household has received a NoT due to the landlord deciding to sell their property and where the tenant has particular vulnerabilities. This service is discussed further below

CRISIS INTERVENTIONS

Advice and Information

Focus Ireland provides Advice and Information (A&I) services across the country, with a core (DRHE-funded) service in the Coffee Shop. Services outside Dublin are largely provided from our own fundraised resources. Support is provided through phone contact, e-mail, Facebook messenger and face-to-face interactions. These services deal with around 300 cases each week, of which the majority are now prevention cases. While these services support callers to understand and access their housing rights, they also offer a more intensive 'case management' approach to preventing homelessness where it is appropriate in addressing complex issues faced by the customers. The potential of this approach is discussed further in the next section.

Two dimensions of our A&I service are worth particular note:

- The 'Family Homeless Prevention Service' which is funded under a partnership with Bord Gáis Energy. Overall, in 2021, nearly 3,000 unique customers were supported by Bord Gáis Energy funded Focus Ireland services. This is one of the most substantial and long-standing engagements of private sector organisations in preventing homelessness.
- A&L Goodbody solicitors provides pro-bono legal advice in respect of complex housing-related issues which are escalated to them from our A&I services^{xi}.

REPEAT INTERVENTIONS

Tenancy Sustainment

Focus Ireland provides Tenancy Sustainment services on behalf of many local authorities and the SLI service in Dublin. While these services are primarily designed to support households to exit homelessness, they also play a crucial role in preventing a return to homelessness for households with support needs.

The potential for further actions to be taken by your organisation.

UNIVERSAL INTERVENTIONS

Research

Focus Ireland commissioned research has developed a methodology which tracks the trajectories of households through a number of stages from 'last secure accommodation' into homeless services. This approach has been applied to families and has proven highly effective in understanding the underlying causes of homelessness, and its results are now broadly accepted. The proposed next phases of this research are discussed below.

Single person's homelessness (adult-only households) continued to rise over the Covid lock-down and continues to do so. However, we do not know the pathways which bring single people into homelessness, so it is difficult to identify the most effective methods of preventing this form of homelessness. With appropriate resources and in partnership with local authorities/DRHE. Focus Ireland could apply the trajectories methodology, which has so far been only applied to families, to adult-only households would provide much-needed insights and inform appropriate preventative measures.

UPSTREAM INTERVENTIONS

Intensive Tenancy Support

As noted above, Focus Ireland, working with the HSE and Tipperary County Council, has demonstrated the effectiveness of Intensive Tenancy Support in helping people at risk of homelessness due to severe mental health issues. These services are currently being expanded to two other local authority areas. The potential savings to the HSE and to homeless services are very considerable, however due to the structure of budgets it has proven very slow to extend this approach beyond pilot areas. Similar services in all local authority/HSE areas would play an important role in reducing number of people with severe mental health issues entering homelessness.

In addition to further rolling out this service in collaboration with the HSE Mental Health Services, a service on a similar model but linked the Irish Prison Service to support prisoners with mental health issues on release would also be effective.

EMERGENCY INTERVENTIONS

Targeted prevention

The current collaboration with DRHE and the Limerick HAP Unit to prevent homelessness among HHAP tenants with arrears, is the latest in a series of targeted prevention campaigns we have rolled out, including those with the DEASP and partners. With appropriate changes in administrative policy, set out in the next section, Focus Ireland intervention could be highly effective step in the response to tackling all HAP arrears, while reducing the risk of arrears-related tenancy breakdown to a minimum.

CRISIS INTERVENTIONS

Case management support 'hot line'.

As noted above, Focus Ireland operates an A&I service which, in addition to guidance on housing rights, includes a 'case management' strand where appropriate. Many people at risk of losing their tenancies face a range of complex problems and are overwhelmed by the range of public services with which they need to interact. Case management supports can help people in these circumstances to sustain their tenancy and avoid entering homeless services. Currently, Focus Ireland only operates this service in a number of localities but believe that with appropriate resources and a well-established single point of contact, we could support a much larger number of vulnerable people to avoid homelessness.

REPEAT INTERVENTIONS

Homeless HAP tenancies

The targeted crisis management proposed for all HAP tenancies above should be intensified for Homeless HAP tenancies. A systematic HHAP preventative protocol should be agreed, to be triggered whenever there are indications that a HHAP tenancy is at risk, for instance, by irregular patterns of rent payment or complaints of ASB. Responses should involve assertive multi-disciplinary team engagement with tenants and case management. Given the investment of time and resources in supporting each tenant into a HHAP tenancy, every effort should be made to deliver a 'no return to homelessness' practice, similar to that applied in Housing First.

Proposed further policy actions beyond your own organisation that can be taken in respect of specific areas of interest or activities.

While emphasising the need for an evidence-based strategic approach to preventing homelessness, we recognise the importance of showing early successes and starting with areas where we have the greatest control. In that light we are putting forward six areas where actions can be readily taken without the need for new programmes, legislation or resources. These are not the largest or most strategic issues. But they are selected because each of them makes a significant contribution to the inflow into homelessness, and the pressures on homeless services are having a current impact and can be resolved at an administrative level.

UPSTREAM INTERVENTIONS

EU Family homelessness, freedom of movement and social supports.

The problem

In recent months, the Focus Ireland services have been working with a number of families from other EU countries who have recently arrived in Ireland under EU freedom of movement regulations, but without immediate capacity to secure their own accommodation. A high proportion of these families are ethnic minorities (Roma) and often face racial discrimination in accessing housing and employment. In most cases, these families do not speak English and have significant support needs. There does not appear to be clarity about the rights of these EU families to access social and housing services. In some cases, these families experience considerable difficulty in being assessed as homeless and accessing emergency accommodation – which puts them at risk of sleeping rough.

When they are allocated emergency accommodation, there can be difficulties accessing other social services. In particular, many are not deemed eligible for social housing supports and consequently there is no route out of homeless emergency accommodation into housing. The lack of clarity about the rights of these families under EU law takes up a lot of time by both Local Authority and NGO staff, resulting in pressures, and further increases in family homelessness.

The proposal

A Working Group should be convened with inter-departmental stakeholders including the Department of Housing, Local Authorities, Department of Justice, Department of Children, and relevant NGOs to clarify the rights of these families, the respective roles of the different agencies and to establish a process for responding to their needs and a progression route out of homelessness.

Family re-unification for people with refugee status

The problem:

Government policy allows a person who has international protection (refugee status or subsidiary protection) to apply to the Minister for Justice and Equality for permission to have a member of their family enter and live in the State. If approved they will be entitled to upon arrival, under s. 56(4) International Protection Act 2015, to social protection and housing rights.

However, administrative processes do not allow the person to make arrangements (e.g., applying for a PPS number, getting on housing lists, applying for HAP) to provide housing for their family until they arrive, nor are they eligible for HHAP. As a result, re-uniting families arrive in Ireland into an immediate crisis, frequently seeking access to emergency homeless accommodation or experiencing severe overcrowding in small apartments, which in turn leads to eviction and homelessness. PPS numbers are taking 6 weeks to process, social welfare applications take a further 2 – 3 weeks, adding family members to a housing application can take a further 6 weeks or more.

Aside from the inhumanity of this, it places avoidable pressure on local authorities and homeless services and results in families unnecessarily entering homelessness. Family Re-unification is an unalienable right and the current administrative processes that apply are, in effect, making this right contingent on housing.

The proposal:

Persons who have received international protection and who have been given Ministerial permission to bring over family members for Family Re-Unification should be entitled to apply for a PPN prior to the arrival of the family and be eligible to be assessed for the housing needs of their full re-unified family in advance of the family arriving in Ireland. Such households should be eligible for HHAP (or discretionary uplifts of HAP outside of Dublin). The protocols and sequencing of administrative processes should be updated where relevant to reflect this proposal to ensure that it works in practice.

Speeding up housing assessments

The problem

In many cases households that know they will need to find new accommodation in a few weeks' time (for instance where they are leaving informal accommodation sharing, or are care leavers turning 18) first need to be on the housing list, so that they can access HAP or Rent Supplement. In many local authority areas housing assessments are taking the full 12 week maximum as a norm. As a result, many such households become homeless before the housing assessment is completed. This results not only in homelessness, but also involves the local authority and NGO in expending considerable resources in crisis management at the time of homelessness.

The proposal

It is unclear whether local authorities are delaying housing assessments due to resource shortages or as a misconceived policy response to 'discourage' applicants. The Department of Housing should issue guidance to encourage speedy housing assessments and provide resources if this is the issue.

EMERGENCY INTERVENTIONS

Purchase of evict to sell

The problem

Landlords deciding to sell their property and eviction the tenant is the largest single cause of family homelessness, and has re-emerged in recent months, as evidenced by RTB data. It is clearly not feasible or desirable to purchase all these units to keep the tenants in place, but in some cases (e.g., larger families, family members with a disability in rented accommodation which is adapted/suitable for need) it is clear that, if evicted, the household will find it exceptionally difficult to find alternative accommodation. In other cases (e.g., elderly tenants or tenants recovering from chronic illnesses, tenants with disabilities), tenants will experience exception distress in homeless services – or have to be provided with specialised emergency accommodation. In such cases, the purchase of the housing unit from the landlord by the Local Authority (or by an AHB on behalf of the LA) is the most cost-effective response. However, there are no national guidelines to support the appropriate use of this mechanism. More significantly, the Housing For All national ceiling of 200 units to be acquired from the market effectively prohibits the operation of such discretion.

The proposal

The Department of Housing to issue guidance for a national scheme, identifying the narrow range of cases where it is appropriate to purchase but leaving discretion at local level. Acquisitions under this programme should not be included in the national 200-unit acquisitions ceiling.

CRISIS INTERVENTIONS

Access to HHAP (or discretionary uplift outside of Dublin) in advance of NoT date

The problem

One of the key responses of successive Governments to the crisis in the private rental sector has been to give tenants longer notice periods where the landlord has a legal right to evict. This approach gives the tenant household a longer period to find alternative accommodation. In a more

normal rental market this would have had greater positive impact, but due to the severe shortage of affordable alternative rentals, this has been less effective than might have been hoped. At present Dublin local authorities operate informal systems in which they allow households with a valid NoT to access Homeless HAP, while non-Dublin authorities allow access to enhanced HAP levels. Some local authorities allow this enhanced payment 8 weeks prior to the date of the NoT while others wait until 4 weeks. Not all households are aware of this arrangement and that some local authorities operate such a measure. Particularly where the time allowed is only 4 weeks, or where the household faces particular challenges (e.g., large families, family member with a disability, members of the ethnic minorities, young adults) many households are unable to find alternative accommodation in time and become homeless.

The proposal

The early access to enhanced payments scheme should be available to all households with a NoT across the country 8 weeks prior to the date on a valid NoT, with discretion on the local authority to provide this support earlier for households who will face particular challenges in finding a new home.

REPEAT INTERVENTIONS

HAP/HHAP arrears process

The problem

Rent arrears is a growing problem in HAP and HHAP tenancies, driven primarily by 'top-ups' to landlords. The policy for dealing with arrears is much harsher than the one that applies to (other) social housing tenants. This is resulting in avoidable evictions, indebted returns to homelessness and disaffected landlords. Given that local authorities are aware of arrears in the differential rent at an early stage, an 'emergency intervention' should be possible, however, if local authorities had greater sight of the overall rent situation (including top-ups) and 'upstream intervention' should be possible

The proposal

The arrears repayment scheme for HAP should be the same as that for other social housing. A case management intervention should be added to the arrears process prior to suspension of rent payment. HAP administration should collect all rent (differential and top-up) and transfer the top-up along with the HAP rent to the landlord. Local Authorities should reduce the differential rent where after-rent incomes are below SWA levels. The number of H/HAP tenancies terminated each quarter should be reviewed by the NHAC.

February 2022

ⁱ Culhane, D.P., Metraux, S. and Byrne, T., 2011. A prevention-centered approach to homelessness assistance: a paradigm shift?. *Housing Policy Debate*, 21(2), pp.295-315. <https://bit.ly/32uyFAi>

ⁱⁱ Dej, E., Gaetz, S. and Schwan, K., 2020. Turning Off the Tap: A Typology for Homelessness Prevention. *The Journal of Primary Prevention*, pp.1-16.

ⁱⁱⁱ Dej, E., Gaetz, S. and Schwan, K., 2017. Looking Forward: Shifting Towards Homelessness Prevention. *Homeless Hub* <https://bit.ly/3IRUPfB>

^{iv} Department of Environment and Local Government (2002) National Homelessness Prevention Strategy <https://bit.ly/3tX72sj>

^v Maher and Allen (2014) What is Preventing us from Preventing Homelessness? A Review of the Irish National Preventative Strategy, *European Journal of Homelessness* <https://bit.ly/3vnJbb>

^{vi} Fitzpatrick, S., Mackie, P. and Wood, J., 2021. Advancing a five-stage typology of homelessness prevention. *International Journal on Homelessness*, 1(1), pp.79-97.

^{vii} Mayock, P. and Neary, F., (2021) Domestic Violence & Family Homelessness. Focus Ireland <https://bit.ly/3Gppf7W>

^{viii} REGAL Project 2021) (Regaining Life for Precarious Women at Work) <https://bit.ly/3cFiod4>

^{ix} Gambi and Sheridan, 2020. Family Homelessness in Ireland: The Importance of Research Design in Evidence-Based Policymaking. *European Journal of Homelessness* Vo. 14 <https://bit.ly/2R1fipd>

^x Dowling, A., (2020) An Evaluation of the North Tipperary Intensive Tenancy Sustainment Service. Focus Ireland <https://bit.ly/32UFGL2>

^{xi} Focus Ireland (2019) Housing Rights & Homelessness: lessons from a pro bono partnership <https://bit.ly/3rkyz7Z>