

**NATIONAL ACTION PLAN
AGAINST
POVERTY AND SOCIAL INCLUSION
2003/2005**

SUBMISSION ON HOUSING & ACCOMMODATION

**to the
Minister for Social and Family Affairs**

by

FOCUS IRELAND

IRISH TRAVELLER MOVEMENT

SIMON COMMUNITIES OF IRELAND

SOCIETY OF SAINT VINCENT DE PAUL

THRESHOLD



NAP/incl Housing & Accommodation

Introduction

Ireland's housing policies are typically presented as designed to supplement market forces and deliver decent housing for all. In fact for some members of society housing is denied and for others, provision is highly compromised. The most drastic denial is evident amongst people who are homeless and within the Traveller community, but other failures are not hard to find, such as substandard accommodation for numerous households in the private rented sector, overcrowding, vulnerability, poor-quality living environments and long waiting lists for social housing.

This submission addresses anti-poverty and social inclusion from the perspective of eliminating the denial of basic housing and accommodation rights in Ireland. It is a joint proposal by five community and voluntary organisations that specialise in this area, Focus Ireland, the Irish Traveller Movement, the Simon Communities of Ireland, the Society of St Vincent de Paul and Threshold.

1 Major Trends and Challenges

The living conditions for people in poverty were particularly problematic while the Irish economy boomed, partly due to the general shortage of housing; with the slowdown in growth and Government belt tightening, the situation has become critical. The dimensions of the challenge are well known and are simply listed here.

- a high degree of social inequality reflected and exacerbated in housing and accommodation
- slower economic growth and fiscal tightening that disproportionately affects the most vulnerable
- emergent needs/issues such as young homeless singles, disadvantaged immigrants
- rising waiting lists for social housing
- increased homelessness, including increased numbers of families experiencing homelessness
- strong house price inflation caused by policies favouring housing as an investment asset (e.g., ineffective regulation of land prices and property sales practices, special tax treatment of residential property) and a pro-cyclical fiscal stance
- high level of urban rents and tightened rent supplement system
- poorly regulated private rented sector
- insufficient Traveller accommodation

2 Review of Progress During the 2002/03 NAP/incl

[Under Objective 2\(b\) – Putting in place policies which seek to prevent life crises which can lead to situations of social exclusion, such as indebtedness, exclusion from school and becoming homeless.](#) Ireland NAPs/incl 2001/2003 listed (in paragraph 3.47) Government progress on *Homelessness- An Integrated Strategy*, and flagged the production of a homeless preventative strategy.

Homelessness – An Integrated Strategy has been widely recognised as a positive development, and voluntary service providers have engaged in strategic and service provision partnerships with local and national Government to roll out the strategy. However, there have been a number of difficulties with fully implementing the plan:

The Strategy did not include any monitoring or implementation mechanisms and there is no role for the involvement of voluntary service providers or those experiencing homelessness in the monitoring of the strategy. The Strategy is now three years old and calls from the voluntary sector for a review have resulted in a commitment that it will be reviewed this year. Terms of reference for that review are included in Chapter 4.

It is recognised that Government funding in this area has increased substantially since the launch of the national strategy in May 2000. However, the commitment to three year funding by Government for projects under the Strategy has never been met; approximately half of the national budget allocated by the Department of the Environment and Local Government is being spent on B&B accommodation,¹ despite stated commitments to reduce reliance on what is an inappropriate measure for all but the most extreme emergency cases; local homeless action plans devised by local authorities, regional health authorities and local voluntary service providers under the auspices of the national strategy have been curtailed from full implementation due to a lack of funding from central Government sources; basic funding allocations have been up to a year late, and some key projects throughout the country have had to actually reduce staff numbers rather than ameliorating services as proposed.

Four lead housing and homelessness organisations analysed the local homeless action plans, and identified a number of key difficulties in a recent report²:

- The local homeless action plans are not on a statutory basis and thus where plans have identified housing output, there has not been any integration of these targets into the mainstream (statutory) housing strategies of the local authorities.³
- There were significant resource and expertise deficits at a local level.
- There continues to be a substantial data deficit at a local and national level.⁴
- There is a need for clearer financial and strategic structures between regional health authorities and local housing authorities.

The Homeless Preventative Strategy also has no formal, central monitoring or implementation mechanisms, and was created without any formal consultation with voluntary service providers or those experiencing homelessness. The Strategy is weak in a number of areas including the lack of any housing targets. Its weakness in terms of the needs of people with

¹ On 24 April 2003 the Minister announced funding of €39 million for accommodation and homeless services in the Dublin area. However only €16.5 million was allocated for accommodation, outreach and settlement services, and day services provided mainly by the voluntary sector while €22.5 million was allocated for bed and breakfast accommodation, provided by the private for-profit sector.

² *Housing Access for All? An Analysis of Housing Strategies and Homeless Action Plans* (2002) Focus Ireland, Simon Communities of Ireland, Society of St Vincent de Paul, Threshold

³ The plans were to assess and meet the housing needs of people experiencing homelessness in their area within three years; emergency, transitional, supported housing, family units and housing allocated by Local Authorities from mainstream housing stock were all specifically named in the Strategy

⁴ The latest triennial needs assessment took over a year to be published by central Government, and many local authorities recorded homelessness figures which did not reflect the required levels of service provision identified in the local homeless action plans.

mental ill health that are experiencing homelessness is particularly noteworthy. The strategy does not seek to guarantee that those leaving psychiatric care will be placed in appropriate accommodation, and the strategy refers to services which are, as yet, only available in the Dublin region. Urgent action on mental ill health and homelessness is required and this strategy in no way sufficiently addresses the range of issues involved.

Under objective 1.2 (b) implementing policies which aim to provide access for all to decent and sanitary housing as well as the basic services necessary to live normally having regard to local circumstances. Ireland NAP\incl 2001/2003 in paragraph 3.30 cited the National Development Programme's commitment to invest in social housing.

The NAPS review, *Building an Inclusive Society* promised, "To deliver 41,500 local authority housing unit starts (including acquisitions) between 2000 and 2006." This undertaking reflected the social housing investment contained in the National Development Plan. Total housing output reached record levels in 2001 and 2002 and local authority social housing activity exceeded the depressed levels experienced during the 1990s.⁵ However the NAPS commitment is under threat. Actual starts and acquisitions of social housing units by local authorities between 2000 and 2002 averaged 5,521 units per year although the target implies an average of 5,929 units annually. Local authority activity is likely to decline in 2003 as public capital expenditure will be lower by 12% in nominal terms.⁶ Meanwhile the waiting list for social housing grew by 24% between March 1999 and March 2002 when 48,413 households were assessed in need of social housing.

The production of local authority housing strategies in 2001, as required under the Planning and Development Act, 2000, was a positive step towards planning for the provision of sustainable housing for all. Recommendations for strengthening this initiative in the future were made by the four housing and homeless organisations mentioned earlier. Many relate to addressing housing need more effectively, and the Government should respond to those recommendations in the context of NAP\incl.

The National Strategy on Traveller Accommodation is contained within the Housing (Traveller Accommodation) Act, 1998 which provides for the drawing up of Traveller Accommodation Programmes by Local Authorities and their delivery by 2004. The strategy has been operating for nearly three years and very little Traveller accommodation has been delivered. Only 129 new halting site bays have been provided since 1995 out of the promised 2,200 bays. At this rate of provision it is impossible to envisage how the local authorities will implement their Traveller Accommodation Programmes by 2004.

⁵ The of build is only now recovering to the historic rate prior to 1990 of one new social unit in every ten housing units completed.

⁶ *Revised Public Capital Programme 2003* reported €792 million provisional outturn for provision of local authority housing in 2002 and €695 million in 2003.

The number of Traveller families accommodated between 1995 and 2001⁷

	1995	1996	1997	1998	1999	2000	2001	Total Increase in the Number of Families accommodated
Total Number of Families accommodated in Halting sites	1063	1143	1134	1148	1100	1152	1192	129
Total Number of families accommodated in Group Housing	301	321	324	339	356	380	456	115
Total								244

Most of the progress has being made in relation to providing standard housing as the following figures illustrate:

The number of Traveller families accommodated in standard housing between 1995 and 2001⁷

Total Number of Families accommodated in Standard Housing	1630	1741	1817	1900	1973	2110	2272	642
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These figures highlight the lack of commitment that exists to provide accommodation for Travellers that meets their needs as a nomadic ethnic group in Irish society. The overemphasis on standard housing provision is having a detrimental effect on the Traveller community. In many areas Travellers are being encouraged to accept housing by local authorities where their first accommodation choice is a halting site.⁸

The reality of the general lack of provision of accommodation was expressed by the *First Progress Report of the Committee to Monitor and Co-ordinate the Implementation of the Recommendations of the Task Force on the Travelling Community*; it concludes that: (2001:13)

"The Monitoring Committee is aware that in reality one in every four Traveller families are currently living without access to water, toilets and refuse collection. The accommodation provision has not kept pace with increasing demand over the past five years and the Committee would like to emphasise in the strongest terms the importance of having local Traveller Accommodation Programmes delivered in a way that clears the backlog in Traveller accommodation. Local authorities have a crucial role to play in making progress in this area."

⁷ Department of the Environment and Local Government *Annual Report of the National Traveller Accommodation Consultative Committee, 2001.*

⁷ Department of the Environment and Local Government *Annual Report of the National Traveller Accommodation Consultative Committee, 2001.*

⁸ Irish Traveller Movement, Consultation Seminars held with Members Groups, November 2002.

Lack of a centrally driven approach has proven to be a central weakness in the National Traveller Accommodation Strategy. This is reflected in the fact that even though some of the Traveller Accommodation Programmes, which were adopted in 2000 are not adequate, nothing has been done to rectify the situation. Likewise progress on implementation is inadequate but nothing has been put in place to ensure local authorities fulfil their obligations. This is compounded by the fact that there are no provisions contained within the Housing (Traveller Accommodation) Act, 1998 to ensure that accommodation is actually implemented.

There are three main areas of concern in this regard, Firstly, under section 10 of the Housing (Traveller Accommodation) Act, 1998 a local authority is required to include measures for implementation of the programme. There is no express requirement to specify a timescale within which implementation steps are to be taken. This has contributed to a situation where the programmes drawn up by local authorities are generally vague.

In addition, the local authority is required to take only *reasonable steps* to implement the programme. The duty to implement should be put in explicit terms, given that the local authority itself has drawn up the programme and in the ordinary course of events there would appear to be no particular reason as to why it should not be in a position to implement it according to its terms. The European Commission against Racism and Intolerance Second Report on Ireland noted that *'the fact that no sanctions are provided for in the Housing (Traveller Accommodation) Act, against authorities who do not take measures to provide accommodation for Travellers may weaken its effectiveness.'* The report goes on to recommend that measures should be taken to improve implementation.

The recent amendment to the Public Order Act 1994 put through in the Housing (Miscellaneous Provisions) Act, 2001, has undermined the National Traveller Accommodation Strategy and has led to further hardship for traveller families living without basic services. Section 24 of this Act criminalizes trespass on public and private land. Therefore, the Gardai on foot of a complaint can now move on Travellers who are waiting for accommodation within local authority areas.

Over 100 cases have been reported to the Irish Travellers Movement where families living on their own or in small groups, who are included in the Traveller Accommodation Programmes, are being moved out of or around areas since the enactment of the legislation in July 2002.

The legislation has also curtailed Travellers right to be nomadic as Travellers are unable to move due to the lack of availability of legal parking places. It is in direct conflict with the provisions of the Housing (Traveller Accommodation) Act, 1998, which states that the annual patterns of movement of Travellers should be provided for. This recent amendment has given local authorities an opt out clause where they can now move families on through the Gardai without providing necessary accommodation.

Additional concerns relate to the planning legislation and the forced movement of Travellers who have nowhere to go. In relation to planning issues there is a statutory obligation to provide halting sites, however, the provision of such accommodation is often delayed as a result of the requirements of the planning legislation. This is due to the fact that the housing legislation and the planning legislation are not properly integrated in that contrary provisions of the latter may frustrate the requirements of the former. Section 10 of the Housing (Miscellaneous Provisions) Act, 1992 has been amended by section 32 of the Housing (Traveller Accommodation) Act, 1998 which extend the powers of local authorities to move Travellers on in the following circumstances:

- Local authorities can serve notice to remove an 'unauthorised temporary dwelling' from an 'unauthorised site' under Section 32 where alternative accommodation is further than five miles from the unauthorised site
- Local authorities can remove 'unauthorised temporary dwellings' where the dwelling is within a one-mile radius of other Traveller accommodation provided by the authority without providing alternative accommodation.

Section 21 of the Housing (Miscellaneous Provisions) Act, 2002 amended section 10 to provide for the movement of caravans within a one mile radius of any dwelling which has broadened the scope of this provision again without providing alternative accommodation.

The use of these provisions is objectionable on a number of grounds. Firstly, the provisions allow the local authority to interfere with the fundamental rights of the Travellers (including the right to a home, and to bodily integrity) without any requirement for a court order. The competing rights involved, those of the Travellers and the wider public interest, are matters which can only properly be resolved by a court. It is now established that the court may take into account any alleged breach of a local authority's statutory duty to provide halting sites in deciding whether or not to grant relief to Travellers.

Secondly, in most circumstances the necessity for Travellers to reside in an 'unauthorised temporary dwelling' is a direct result of the breach by the local authority of its statutory obligations to provide accommodation. This tension between the statutory obligations of the local authority, and the appropriateness of enforcement action, is a matter that can only be properly resolved before the courts. It is certainly not a matter which the local authority should be permitted to determine, given that the local authority is not disinterested but is conflicted by virtue of its statutory obligations. It is precisely this balancing exercise between the rights of Travellers, and the public interest in proper planning generally, which is absent from the Section 10 procedure.

There has been an increased use of section 10 meaning that Travellers are moved on without been offered alternative accommodation. The Irish Traveller Movement conducted a telephone survey from the period August 2001 to August 2002 and found that 471 families had been served with notices to move on without being offered any alternative accommodation. The reality of this situation is that there are 1,017 Traveller families living in 'unofficial' camps without access to basic facilities such as water, toilets and refuse collection who face the fear of been evicted by local authorities.

3 Strategic Approach, Main Objectives and Key Targets

Key European Objectives that underpin NAP/incl include: to facilitate access to rights in areas such as housing; to prevent the risks of exclusion, to help the most vulnerable and to mobilise all relevant bodies. Housing and accommodation policies are critical to progressing all those objectives.

If the European Objectives are ever to be achieved, Government must accept its responsibility to protect against the denial of housing and accommodation rights through both general commitments and specific action targeted at vulnerable groups.

" Building An Inclusive Society" contains the welcome acknowledgement that

Citizenship rights encompass not only the core civil and political rights and obligations and obligations but also social, economic and cultural rights and obligations that

underpin equality of opportunity and policies on access to education, employment, health, housing and social services.

A wide range of social rights is specifically provided for in the Irish Constitution and in international conventions ratified by Ireland.

In progressing these rights, and in particular the right to housing, NAPS/incl should be guided by:

The adoption by the Committee on of General Comment Number 4 on the right to housing as outlined in Article 11.1 of the International Covenant on Economic, Social and Cultural Rights (ratified by Ireland in 1989) which outlines the practical application of the right to adequate housing.

The Concluding Observations of the Committee on Economic, Social and Cultural Rights on Irelands Report in 2002 (and 1999).

The inclusion of the Northern Ireland Human Rights commission of a right to housing in the draft bill of rights, and the role of the Irish Human Rights Commission in seeking to advance an understanding of economic and social rights and to advance an understanding of the nature of these rights and to focus on appropriate means of giving them practical effect.

NAPS/incl should proceed from the premise that for those experiencing homelessness, members of the Traveller Community who lack basic sanitation and services, or are forcibly evicted and those spending excessive periods on the local authority waiting lists, current legislation and practice does not effectively promote or protect their right to adequate housing.

NAPS/incl should further acknowledge that for those groups outlined above, immediate action is required, and while the approach of setting and monitoring detailed standards in relation to services is most welcome, the starting point for such a process must be meeting the needs of those who do not have, or indeed who are denied, access to any housing related services.

Among the key points addressed in General Comment no 4 which should inform the progression of the right to adequate housing in NAPS/incl are:

The definition of adequacy, (which extends to adequate shelter) and includes detailed guidelines on: Legal security of tenure; Availability of services, material, facilities and infrastructure; Affordability; Habitability; Accessibility; Location; Cultural adequacy.

Specific commentary on: due priority given to those social groups living in unfavourable conditions; the adoption of a national housing strategy; the obligation to demonstrate that, in aggregate, the measure being taken are sufficient to realize the right for every individual in the shortest possible time in accordance with the maximum of available resources; the role of formal legislative and administrative measures.

The justiciability of housing rights, in particular: (b) Legal procedures seeking compensation following an illegal eviction; ... (d) allegations of any form of discrimination in the allocation and availability of access to housing; (f) Class action suits in situations involving significantly increased levels of homelessness.'

Among the key points addressed by in the Concluding Observations of the Committee on Ireland in 2002 which should inform the progression of the right to adequate housing in NAPS/incl are:

- The failure to incorporate the right to housing in domestic legislation and in the constitution and the failure of the Irish Government to adopt a 'rights based' approach to social policy development, in particular in relation to the recent Health Strategy, the proposed Disabilities Bill, and the National Anti Poverty Strategy.
- The specific areas where the Committee observes that housing rights are particularly vulnerable namely: those unable to secure adequate and affordable housing, Traveller accommodation and the transfer of persons with mental disabilities who are not suffering from serious psychiatric illness to more appropriate care settings.

The overarching objective would be to incorporate the following principles:

- To ensure that households experiencing poverty are not further disadvantaged within the housing system; instead housing/accommodation would be made available that is affordable, accessible, secure, suitable to needs and culturally appropriate.
- To counteract existing inequalities in the housing system and work towards a future in which housing rights have become a reality for everyone.
- To develop holistic, integrated housing strategies in order to provide for the development of sustainable communities, in a quality, healthy, living environment.
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Housing and accommodation rights should be incorporated into Irish law and practice, in keeping with Articles 30 and 31 of the *Revised European Social Charter, 1996 (revised)*, Article 11.1 of the United Nations *International Covenant on Economic, Social and Cultural Rights* and Article 34 of the EU *Charter of Fundamental Rights*.

The Irish NPA/incl strategy should focus on the effectiveness of the national homeless strategy, the implementation of housing policies that ensure that people endure inadequate housing for the shortest of time periods and that they live in suitable neighbourhood environments.

Ensuring the effectiveness of the national homelessness strategy

The NAP/incl should outline the timing and the terms of reference for the review of Homelessness An Integrated Strategy. The following should form the parameters of that review.

An independent review of *Homelessness An Integrated Strategy* will be commissioned and completed before the end of 2003. Voluntary service providers will be fully engaged in setting the terms of reference, and monitoring the process of the review. The review will be made public at the end of the process and be made available to the Oireachtas Sub Committee on Environment and Local Government as well as the Cabinet Committee on Social Inclusion, Cross-Departmental Team on Homelessness, National Office for Social Inclusion and Homeless Agency.

The review will cover the Integrated Strategy itself, and the progress on the various targets set out in the strategy for different Departments and Agencies⁸, a review of the complimentary *Homeless Prevention Strategy* and the *Youth Homeless Strategy* and a review of the effectiveness of each of the local homeless action plans.

Key aspects of the review will include:

- An analysis of the effectiveness of putting the homeless action plans on a statutory basis.
- An analysis of the actual number of housing and accommodation units delivered under the Strategy. This will include emergency units, supported housing, transitional accommodation, family units, move-on accommodation, and housing allocated by Local Authorities from mainstream housing stock.
- A clarification of all funding mechanisms under the strategy, an analysis of expenditure with particular emphasis on sustainable outcomes for individuals, an analysis of the commitment to offer three year multi annual funding - and why this has not been met, a clarification of the process behind the annual budgetary allocations to both the Department of Health and Children and the Department of the Environment and Local Government, with an assessment of the phased expansion of service delivery at a local level.
- The analysis of the local action plans will address resource and expertise deficits, the importance of strengthening the local homeless forums, the setting and achievement of housing/ accommodation targets, the data deficit, the role of local health boards and their engagement in the process, the need for greater co-operation between local authorities and within Health Board areas.
- Terms of reference for a new national monitoring committee, including representatives of the voluntary service providers will be developed as part of this process and monitoring and evaluation mechanisms will be set.
- The review will take place within the context of the proofing of Government policy measures to reduce the risk to individuals and households of homelessness and poverty.

Traveller accommodation

In the Naps Review it was stated that 'all Travellers' families identified in the local authority five-year Traveller accommodation programme process as being in need of accommodation

will be appropriately accommodated by the end of 2004'. How this will be achieved is the crucial question. The statement of this target without any backup action is meaningless and will do nothing to ensure Travellers living without basic services will get their needs addressed by 2004. In order to address these issues a central mechanism needs to be put in place to ensure delivery of the programmes, such as a National Traveller Accommodation Agency with the necessary powers.

Housing for all

The *Sustaining Progress Partnership Agreement* promises a review of the effectiveness of housing programmes designed to assist low-income groups. The Government should build on the work started with the local authority housing strategies and consider implementing the recommendations made by Focus Ireland, Simon Communities of Ireland, Society of St Vincent de Paul and Threshold in their report. **The targeted programmes should look beyond an output focus on housing provision to address unmet housing need.**

Housing targets

The EU Social Protection Committee concluded that national governments should make the development of housing indicators and targets a priority and that NAP\incl present quantitative information on decent housing, housing costs, homelessness and other precarious conditions. It is imperative that the data deficiencies that inhibit the development of meaningful targets be corrected. Two areas merit special attention: the measurement of the number of people experiencing homelessness and the number of households waiting for rental social housing units.

Setting targets on homelessness

The revised National Anti Poverty Strategy, *Building an Inclusive Society*, has one target on homelessness:

By end 2004, sufficient and appropriate emergency accommodation will be available to rough sleepers, in conjunction with appropriate outreach services to enable them to access it. This target is to apply to each local authority and health board area. At end 2003, progress in meeting the target will be reviewed and, if necessary, revised mechanisms put in place to achieve it.

This target had previously been set in *Shaping the Future* the local homeless action plan for Dublin. This target is welcome as a statement of national strategic objectives. However, the discussion on appropriate target setting must be cognisant of the extreme data deficits which exist, the need for an integrated approach across income adequacy, social housing policy, as well as the specific housing outputs for people who are experiencing homelessness.

This is particularly relevant to the target on rough sleeping and outreach services. There is no nationally agreed formula for the collection or analysis of rough sleeping and this has been the source of some debate between the statutory and voluntary sector. Indeed, outside of the Dublin area there have been no attempts to begin to systematically monitor rough sleeping. Additionally targets on eliminating rough sleeping are rendered meaningless unless complimentary targets for move on accommodation for those currently accessing emergency accommodation accompany them. The national homelessness strategy *Homelessness – An Integrated Strategy* contains no targets, or indeed monitoring or implementation mechanisms.

During the process of consultation on the revised National Anti Poverty Strategy, which also examined NAP\incl for 2001 – 2003, a series of additional targets on homelessness were negotiated. The outcome represented a significant compromise for the voluntary service providers. These targets however were left out of the Government's strategy, and published in a *Framework Document*. The Document proposed the following targets:

- *"The need for homeless people to remain in emergency accommodation for longer than six months, or to remain in inappropriate institutional accommodation will be eliminated, as soon as possible, but in any event, not later than end 2007.*
- *Suitable transitional accommodation and long term supported and permanent housing and accommodation will be available as required for those households who are assessed by local authorities as being in inappropriate institutional accommodation, or in emergency accommodation under the terms of the 1988 Housing Act as soon as possible, but in any event, not later than end 2007.*
- *Suitable accommodation and care will be available, where necessary, in relation to youth homelessness as soon as possible, but in any event, not later than end 2007:*

These targets are to apply to each local authority and health board area. At end 2003, progress in meeting these targets will be reviewed and, if necessary revised mechanisms will be introduced to achieve these targets.

In recommending the above targets, it is recognised that in most local authority and health board areas the extent of homelessness is less than that in major urban areas. The target dates of end 2007 are, therefore, seen as the latest delivery dates and it is considered that the majority of local authorities and health boards should be able to meet these targets by end 2004."

No formal attempts to mainstream or incorporate these targets have been made.

Data deficit

The current data deficit in relation to homelessness is evident from the latest national housing needs assessment. Under the Housing Act 1988 each local authority must conduct a triennial housing needs assessment which includes an assessment of those experiencing homelessness as defined by the Act. The most recent count was conducted in March 2002.

The full results of the count were not published until May 2003; difficulties at a local level were cited for this substantial delay. The new official figures indicated an increase of 30 (4,176 total) adults and 300 (1,405) children officially considered homeless. The 1999 figures were disaggregated on the basis of gender, but this trend was not continued in the 2002 count. While the numbers of those experiencing homelessness that had applied to their local authority for inclusion on the housing waiting list had been published at the end of 2002 (total 2,988) no further breakdown in terms of housing need (e.g. sheltered, transitional, low support etc.) is named in the official figures.

As a result of the national homelessness strategy each local authority area in conjunction with the voluntary service providers conducted a needs assessment of those experiencing homelessness in order to plan provision. While recognising the difference in the counting methodologies the disparity between the two sets of figures is stark and does not inform appropriate target setting, particularly planning for housing provision. In one mainly rural

geographical area the official figures record 170 persons homeless, while the combined homeless action plans make provision for services for 550 people identified as currently in need.

A number of counties recorded a substantial reduction or elimination of homelessness in the 2002 count, while their local homeless action plans continue to identify and make service provision for people who are currently homeless.

NAP/incl must include a commitment to a full examination of data collection methodologies and target setting. Voluntary service providers should be fully engaged in this process, as they are key sources of information on the lives and needs of people experiencing homelessness.

Strategies for overcoming data deficits and a process of target setting should be completed by June 2004, and should be informed by the proposed review of Homelessness – An Integrated Strategy and its antecedent strategies.

The principles behind data collection must include respect for the privacy and autonomy of individuals experiencing homelessness, including the observation of data protection guidelines. Ultimately, the purpose of data collection should be to ensure that through appropriate planning and effective and speedy delivery those most in dire need have their housing needs met in an appropriate and sustainable fashion.

Access to adequate housing

No one should be subjected to inadequate housing or homelessness for more than emergency periods. The National Economic and Social Forum in September 2000 recommended that “every Local Authority should set as an immediate target, that 70 per cent of households assessed as being in need of accommodation, are provided with suitable and adequate accommodation within two years of their acceptance on the waiting list; that this target be raised to 80 per cent of households in the medium- term; and a longer-term target should be fixed for the elimination of all waiting lists, within a reasonable time frame.”⁹

The NAPS review *Framework Document* took a similar tack in November 2001, stating:

- *“by end 2007, 70 per cent of low income and disadvantaged households, assessed by local authorities as being in need of accommodation, will have available to them suitable and adequate accommodation within two years of their acceptance on the housing list*
- *by end 2010, 90 per cent of low income and disadvantaged households, assessed by local authorities as being in need of accommodation, will have available to them suitable and adequate accommodation within 18 months of their acceptance on the housing list.”*

As with the homelessness targets, no action has been taken, despite the publication of 2002 housing needs assessment statistics.

The Government should under NAP\incl engage local authorities, other social housing providers, the housing disadvantaged and their representatives in developing housing access targets as recommended by the NESF and others.

⁹ *Social and Affordable Housing and Accommodation: Building the Future* NESF Report No. 18

4 Policy Measures for 2003-2005

In the short term a number of steps can be taken to reduce housing disadvantage.

Housing access and social housing output

The Government has in place several initiatives and commitments that if fully implemented will relieve poverty and social exclusion. The measures involve accelerating social housing output, engineering greater social mix in housing estates and developing housing access and adequacy targets

Commencements of 6,500 local authority social housing units annually should be reaffirmed in NAP/incl.

According to the National Development Plan and the NAPS review, *Building an Inclusive Society*, local authority housing social starts should total 41,500 units over the 2000 to 2006 period; 36,000 units should have been started by the end of 2005. To achieve this, given activity during 2000 to 2002, an annual average of 6,500 starts is required, i.e., 1,000 more units than produced annually during 2000 to 2002.

NAP/incl should undertake the expeditious formulation and application of monitoring measures to assess the impact of Part V on social housing tenants.

The Planning and Development Act 2000, as amended, under Part V, promotes the delivery of social rental housing in socially mixed communities. The NAPS review, *Building an Inclusive Society* commits to an appropriate mix of social and affordable housing measures, which meets the needs of different types of households.

Measures to expand 'affordable housing' or discounted house purchase, will do little to reduce poverty. Few of the households on waiting lists could contemplate home ownership; 85% of them have incomes under €15,000. Easing pressure in the private rented sector due to affordable housing programmes will be limited, and rent supplement recipients will still confront discrimination by some landlords. The 10,000 affordable housing units promised in the *Sustaining Progress Partnership Agreement* is not an anti-poverty measure and should not be included in NAP/incl.

NAP/incl should state that each local authority, and DOE&LG on a national basis, commit to specific reductions in the length of their waiting list by March 2005.

In relation to social housing needs, the NAPS review, *Building an Inclusive Society* promises "to establish appropriate targets in relation to access to housing". The aim should be to reduce the waits endured by people who are inadequately housed, but in the short term the targets should build on work already undertaken under the Planning and Development Act 2000. Many housing strategies prepared by local authorities under the Act projected waiting list outcomes, and it is appropriate that this become standard practice.

NAP/incl should include the development of housing adequacy indicators for vulnerable groups and the data collection to underpin them.

This work should be led by DOE&LG but closely involve members and representatives of those groups.

Housing in the private rented sector

NAP/incl should include an evaluation of the implementation of promised measures for the private rented sector before 2005.

Legislation is promised in 2003 to improve security of tenure and reduce the cost and duration of landlord/tenant dispute resolution. In addition, the Government's NAPS review Framework Document promises procedures for effective enforcement of legal minimum dwelling standards and the formulation of up-dated standards in 2003.

Affordable accommodation

NAP/incl should include a commitment to offer rent assistance so that eligible households can find adequate standard accommodation, for example by raising those rent ceilings that are pitched too low. More fundamentally, a fully integrated housing support system should be established that applies to both private and public tenants, is administered by one authority and contains no claw back rule.

The private rented sector houses a substantial number of people on low incomes; about one third of tenants are on rent supplement. While the Government is taking credit for the recent very modest decline reported in rents, research at the ESRI and elsewhere finds that private rent levels in relation to income have become exceptionally high in Ireland. Affordability and indeed access to accommodation are issues for a significant minority of tenants seeking accommodation on rent supplement in areas where the ceiling on allowable rent is below prevailing market rates. Disincentives to taking up full time employment or training persist for rent supplement recipients

Sustainability initiative

NAP/incl DOE&LG should establish a pilot initiative in a number of local authority areas tasked with the development and implementation of a series of quantitative and qualitative 'sustainability' indicator.

To combat poverty adequate accommodation provision involves more than shelter; access to transport, education, leisure and employment are also essential, as are safe neighbourhoods. More information is needed on how well policies are delivering in this regard. As outlined in the NAPS review Framework Document, pilot initiatives are an appropriate step forward.

Traveller accommodation

To address the accommodation situation of Travellers the following actions need to be included in the plan:

- Services to be provided water, toilets, electricity and refuse collection. immediately to all families living without such services.
- The establishment of an independent Traveller Accommodation Agency on an interim basis pending the enactment of legislation to place it on a statutory footing. Such an agency would have the necessary powers to ensure delivery of the necessary Traveller accommodation.
- A moratorium should be placed on section 10 of the Housing Act 1988 as amended by section 32 of the Housing (Traveller Accommodation) Act 1998 and section 21 of the Housing (Miscellaneous Provisions) Act 2002 until all appropriate accommodation has been provided.

- Section 24 of the Housing (Miscellaneous Provision) Act, 2002, which amends the Public Order Act, and criminalizes trespass on public and private land, should be repealed.
- An urgent review of aspects of the planning legislation, which are proven impediments to the implementation of Traveller Accommodation should be carried out with a view to address these problems.

Action against homelessness

The review of *Homelessness An Integrated Strategy* should be outlined in NAP\incl as described in Chapter 3.

5 Institutional Arrangements

The responsibilities of local authorities have expanded and the number of other regional and local bodies working in the area of housing and sustainable communities is growing.¹⁰ NAP\incl should commit to ensure that these organisations are responsible to the people in need whom they are meant to serve. This means specifying what a rent supplement recipient is entitled to expect, what a household applying for social housing is entitled to expect, what a social housing tenant is entitled to expect, and putting in place the resources and procedures to ensure that those expectations are honoured in practice. In addition implementation of the initiatives outlined in this submission require structural back-up.

Central housing body

NAP/incl should provide for the establishment of a central body to research housing supply issues, assess social housing investment requirements, monitor implementation of Government housing policies and programmes, support and facilitate local authorities and make recommendations for reforms.

This body would complement Departmental activity and facilitate open debate about housing policies. It could be developed from the base of the Housing Unit.

Independent housing advice

NAP/incl should commit to a national, independent tenant information and advocacy network being established and resourced before 2005.

This would enable people at risk to obtain adequate housing and accommodation and prevent homelessness. With the private residential tenancies legislation imminent such a service is more necessary than ever. The current Programme for Government promises a one-stop-shop for housing information delivered by local authorities but to be effective the service must be perceived as client-oriented and free from possible conflicts of interest.

¹⁰ See for example, Ann McGuinness, Manager Westmeath County Council, "Housing Strategies – Achieving a good social environment" *The National Housing Conference 2003: Housing in an Era of Change*.

National Traveller Accommodation Agency

NAP/Incl should commit to the establishment of an independent Traveller Accommodation Agency on an interim basis pending the enactment of legislation to place it on a statutory footing. Such an agency would have the necessary powers to ensure delivery of the necessary Traveller accommodation.

National Monitoring and Implementation Committee on Homelessness

NAP/incl should commit to the creation of a new national monitoring and implementation committee to ensure the full implementation of Homelessness – An Integrated Strategy, the Youth Homelessness Strategy and the Homelessness Preventative Strategy – each of which should be reviewed before year-end 2003. This committee should include senior representatives of each of the relevant Government Departments and agencies, including the Department of Finance, and representatives of the voluntary services providers who are engaged in delivering the action plan at a local and national level.

6 Examples of Best Practice

People can face much difficulty finding and holding a home. Threshold's new **Housing Access Unit** is an accommodation agency that assists those experiencing homelessness find homes in the private rented sector. It helps to overcome landlord resistance to accepting rent supplement recipients by educating their clients about their responsibilities, by providing follow-up support and by trouble-shooting on the financial aspects of the tenancy.

The **local homeless forums** established under Homelessness An Integrated Strategy include representatives of the local authority, regional health authority and voluntary services providers in each region. These forums should be maintained and strengthened to ensure the full and timely delivery of local homeless action plans. Key aspects of strengthening these plans would include:

- Ensuring sufficient financial and expertise resources are made available to each forum
- Ensuring that the Government officials engaged in the process are of a sufficient seniority to make real the implementation of the plans
- Greater cohesion with the local Housing Strategic Policy Committee's
- A statutory basis for the local homeless action plans
- Greater cohesion between regional health structures and local housing structures

The Irish Traveller Movement provide **training for representatives of Traveller interests on the Local Traveller Accommodation Consultative Committees (LTACC)** which are local authority committees made up of Officials, Members, Travellers and Traveller organisations to advise the local authority on the implementation of the Traveller Accommodation Programmes) The purpose of this training is to:

- Disseminate information regarding the operation of LTACC and national policy developments in relation to Traveller accommodation.
- Provide Traveller representatives on LTACCs with the opportunity to meet, share experiences and ideas.
- Identify the barriers affecting Traveller participation on the LTACCs.

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- Develop strategies and mechanisms to ensure meaningful and effective participation of representatives of Traveller interests on the LTACC.

This training has proved very effective in ensuring effective participation of Travellers on the LTACC.