

27th October 2020

By email to: strategy@housing.gov.ie

Statement of Strategy,
Strategic and Business Support Unit,
Department of Housing, Local Government and Heritage,
Newtown Road,
Wexford,
Y35 AP90

Re: Submissions: Statement of Strategy 2021 – 2025

Dear Sirs,

We are writing to you in relation to the Department of Housing, Local Government and Heritage (the “Department”)’s consultation on its Statement of Strategy 2021-2025. We welcome the opportunity to make this submission to inform the development of the Department’s Statement of Strategy.

Community Law & Mediation (CLM) is a community based, independent law centre operating in two locations: Dublin and Limerick. It was founded in 1975 and assists more than 3,000 people annually through its services, which include free legal advice and representation; information and education; and mediation and conflict coaching. CLM also campaigns for law reform, and for the safeguarding of rights already enshrined in law.

In response to the increased need for legal information and advice in the context of the Covid-19 pandemic, Community Law & Mediation is running free legal advice clinics over the phone, as well as publishing information on specific areas of law affected by the pandemic in the form of FAQs. We continue to provide advocacy and legal representation in a number of areas of law, including employment and equality. We have also commenced mediation services remotely.

A right to housing in Ireland

We would submit that the inclusion of a right to housing in the Constitution should be a key priority for the Department. A right to housing would provide for a recognition that a home is central to the dignity of each and every person. We note the Government’s commitment to holding a referendum on housing as per the *Programme for Government – Our Shared Future*. We believe that the inclusion of a robust right to housing should be the focus of this referendum.

Strategic Goals for 2021-2025

We note that the Department's Statement of Strategy 2017-2021 includes the following as a key strategic goal; *"to provide for a stable, sustainable supply of good quality housing."* We submit that the Department's future strategic goal should be the provision of a stable, sustainable, culturally appropriate supply of good quality housing through a social housing framework which is fair, consistent and transparent and a rental market which is secure.

Key priorities for the Department for 2021-2025 should include:

- **A commitment to review the eligibility and allocation systems in place for social housing across local authorities:** This was previously included in the Department's Strategy for 2017-2021. However, many reforms to the system are still required including but not limited to:
 - The reform of Housing Circular 41/2012: While the Housing Acts themselves do not require that an applicant for social housing support prove their nationality, Circular 41/2012 provides for restrictions on non-nationals accessing a local authority social housing list. There are several shortcomings in this circular and applicants are often erroneously refused access to social housing using this circular as the basis. The Department should prioritise a review of Circular 41/2012.
 - The reform of the Medical Priority system: The process for medical priority varies from local authority to local authority. There are no consistent assessment criteria. There are no guidelines from a local authority nor have any been prescribed in law. Whilst some local authorities operate an ad hoc review process, there is no statutory appeals mechanism. No substantive information is provided to the applicant household as to why their application for medical priority has been refused. The Department should prioritise a review of the Medical Priority system.
 - A review of the accessibility of social housing for Care Leavers: The current housing crisis has affected all parts of Irish life but it has particularly affected those who are most vulnerable in Irish society such as those who have been in State Care. In April 2019, Focus Ireland highlighted that one in ten of the Care Leavers they work with in Dublin are homeless, while another 18% are in insecure accommodation and at risk of homelessness. We submit that a significant priority for the Department should be the review of the existing social housing system and a consideration as to whether it is fit for purpose for Care Leavers.
- **A commitment to ensuring access to culturally appropriate accommodation:** While the Department's Strategy for 2017-2021 included a commitment to deliver on a range of Traveller specific measures, much work remains to be carried out, in particular:

- Urgent measures are required to address the underspending of Traveller accommodation budgets.
- The Department should expand and revise the terms of the Caravan Loan Scheme to better incorporate the needs of Travellers. Such revisions include, increased financial support, better account taken of family size and measures to ensure a better standard of caravan can be purchased. This expansion should include a Rental Scheme and Rent to Buy options.
- The Department should take action to ensure that resources are being used to improve conditions on halting sites.
- A cultural training and awareness workshop should be put in place for local authorities and other stakeholders to educate officials on Traveller ethnicity and culture.

We would like to thank you for considering this submission and we would welcome the opportunity to provide further information or to discuss any elements of this submission.

Yours sincerely,

Sent by email and accordingly bears no signature

Siobhán O'Donoghue
Solicitor