



**Joint UPR Submission – Ireland – October 2011**  
**English.**

Date Submitted 18<sup>th</sup> March 2011

## **Background Information and Contact Details for the Network.**

1. Established since 2002 the Cork Social Housing Forum has a membership of sixteen organisations. The aims of the Forum are to raise awareness of social and affordable accommodation issues, and to lobby the government and policy makers at local and national level, with a view to enhancing accommodation provision at local level. This submission represents the view of the voluntary sector members of the Forum. The affiliated members of Cork Social Housing Forum are:

Baile an Aoire, Sheltered Housing Service  
Clúid Housing Association  
Cork City Partnership  
Cork Simon Community  
Disability Federation of Ireland.  
Focus Ireland  
Good Shepherd Services  
Health Service Executive – Homeless Persons Unit.  
Nasc – The Irish Immigrant Support Centre  
O’ Connell Court  
Respond Housing Association  
Social Housing Development Company Ltd  
Sophia Housing Association  
Society of St. Vincent De Paul  
Threshold Ltd  
Traveller Visibility Group.

### **Contact Details.**

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### **Executive summary.**

2. This submission has been prepared by Cork Social Housing Forum on the basis of concerns raised by members of the Forum in respect of human rights on the occasion of the Universal Periodic Review of Ireland.
3. Cork Social Housing Forum has a number of human rights concerns related to social housing and accommodation provision. The issues raised herein include the following: the right to housing, the shortfall in social housing provision, the numbers of households on Local Authority Waiting Lists, particularly the socio-economic profile of these households. We acknowledge the Irish Governments’ own commitments in relation to the scale of social housing need and we propose concrete recommendations to address the range of issues.

## **Introduction**

4. Cork Social Housing Forum believes that access to housing is a basic human right as well as a human need with inherent implications for economic, social, cultural and political needs.
5. It is our considered view that the social housing crisis in Ireland is a human rights crisis. A house is first and foremost a home and not just a market commodity, but over-emphasis by successive Irish Governments on the latter has resulted in this human rights crisis.
6. We wish to bring this human rights issue to the attention of the Human Rights Council noting that in 2002, the Concluding Observations of the Committee on Economic, Social and Cultural Rights urged the State to accelerate its social housing programmes<sup>1</sup>.
7. We hope that the Council will bring this urgent matter to the attention of the Irish Government and that the Council would call on the Irish Government to act immediately to make social housing a high priority.

## **Housing in Ireland – policy and practice.**

8. The Irish Government acknowledges that access to housing is integral to the heart of social protection by the State<sup>2</sup> and that the provision of social housing has the potential to bring about major improvements in the life chances and living conditions of Ireland's poorest families.<sup>3</sup> The core housing objective of the National Social Partnership Agreement, *Towards 2016* is to enable every household to have available an affordable dwelling of good quality, suited to its needs, in a good environment and, as far as possible, tenure of choice.<sup>4</sup>
9. There are three main models of housing tenure in Ireland. These are: owner-occupier sector, rental sector and public housing sector. Housing in the public sector refers to social and affordable housing. These two terms 'social' and 'affordable' are often used collectively, 'social and affordable'. However in practice they refer to different schemes and supports and to different households accessing them.
10. Local authorities are the only parties at the local level with a cross-cutting remit and the democratic legitimacy to intervene to ensure that all the aspects of the housing market in their area operate effectively.
11. Joined up government, neighbourhood working and the complex operation of housing markets are rapidly changing the environment within which local authorities operate. This is also changing the strategic housing and enabling role for local authorities. The community leadership role now requires enhanced skills of council members and the professionals (not just housing provision and housing aid but also planning, legal, finance property, environmental health who support them). This is the skill of formulating, leading and working within

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<sup>1</sup> United Nations. Economic and Social Council. *Concluding Observations of the Committee on Economic, Social and Cultural Rights: Ireland. 05/06/2002. E/C.12/1/Add. 77 (Concluding Observations/Comments. 28<sup>th</sup> Session 29<sup>th</sup> April – 17<sup>th</sup> May 2002* (UN: UN Human Rights Website-Treaty Bodies Database, 5<sup>th</sup> June 2002) paragraph 32.

<sup>2</sup> National Economic and Social Council, *The Developmental Welfare State Report No. 113* (Dublin: National Economic and Social Council, 2005),xiv.

<sup>3</sup> National Economic and Social Council, *NESC Strategy 2006: People, Productivity and Purpose* (Dublin: National Economic and Social Council, 2006),175.

<sup>4</sup> Department of the Taoiseach, *Towards 2016 Ten-Year Framework Social Partnership Agreement 2006 – 2015* (Dublin: Stationery Office,2006) 26.

partnerships that can place housing and accommodation into its wider context of the development of a local Sustainable Community Strategy.

12. An appropriate balance of good quality housing and accommodation, which provides variety, choice and is accessible, is fundamental to the well-being of the citizens of any local authority area. It involves making the best use of the accommodation that is already there, as well as working effectively with the market to supply new homes. Crucially, it is also about looking and working across all tenures, and ensuring that appropriate links are made to the support services which people need to enable them to live as independently as possible in their homes. Life chances and housing aspirations are a factor in the democratic mandate of any local authority.

### **Who provides Social Housing?**

13. Social housing refers to provision of rental accommodation by local authorities and the voluntary and co-operative housing sector. Social housing focuses on the most vulnerable and marginalized groups. Therefore it is concerned with providing dwellings for people living in unfit and overcrowded conditions, to those whose income does not allow them to provide for adequate accommodation as well as special needs housing for groups such as older people, people with disabilities and homeless people.
14. In Ireland the Department of Environment, Heritage and Local Government has primary responsibility for national housing policy and is also the main source of regular statistical data. In preparing a housing strategy, the Planning and Development Act 2000 states that a planning authority shall have regard to the most recent housing assessment or assessments made under section 9 of the Housing Act 1988 that relate to the area of the development plan.<sup>5</sup>

### **How many Households are on Local Authority Waiting Lists?**

15. In 2005 the Annual Housing Statistics Bulletin identified 43,684 households on local authority waiting lists.<sup>6</sup> In 2008 the Annual Statistics Bulletin identified 56,249 households on Local Authority Waiting Lists.<sup>7</sup> This social housing crisis may be exacerbated even further because of the difficulties many mortgage households are experiencing because of the current recession. There is a rise in the number of mortgages reported to be in arrears and properties abandoned, surrendered or repossessed<sup>8</sup>.

### **Reasons why Households are in need of Social Housing.**

16. In 2005 and in 2008 the major reason households were on Local Authorities Waiting lists was because of their inability to meet the cost of accommodation. In 2008 there were over 29,000 households in this category, an increase of over 5,000 households since 2005. Table A in the Annex outlines the breakdown of Category of Need as identified by the Department of Environment, Heritage and Local Government.

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<sup>5</sup> Department of Environment, Heritage and Local Government, *Planning and Development Act 2000* (Dublin: Stationery Office) Part V S.94(2).

<sup>6</sup> Department of Environment, Heritage and Local Government, *Annual Housing Statistics Bulletin 2005* (Dublin: Department of Environment, Heritage and Local Government 2006),88.

<sup>7</sup> Department of Environment, Heritage and Local Government, *Annual Housing Statistics Bulletin 2008* (Dublin: Department of Environment, Heritage and Local Government 2009),97.

<sup>8</sup> Mortgage Arrears and Personal Debt Expert Group. *Mortgage Arrears and Personal Debt Interim Report 5<sup>th</sup> July 2010* ([www.finance.gov.ie/documents/publications/.../mortgagearrearsjul.pdf](http://www.finance.gov.ie/documents/publications/.../mortgagearrearsjul.pdf)) Downloaded 19<sup>th</sup> January 2011. Page 16

17. In 2008 over 70% of households (i.e. over 40,000 households) had an annual income of €15,000 or less. Table B in the Annex outlines the income levels of households in 2008 as identified by the Department of Environment, Heritage and Local Government.

**What is required to address the current Social Housing Need?**

18. In 2004 the National Economic and Social Council (NESC) published a major report on housing in Ireland. A central conclusion of the report was that the supply of social housing would have to rise dramatically if the needs of Irish society were to be addressed in the years ahead.

19. The main recommendation of NESC called on Government to “create an expanded and more flexible stock of social housing – adding in the order of 73,000 permanent social housing units to bring the stock to 200,000 dwellings by 2012.”<sup>9</sup>

20. NESC concluded that in order to achieve this target of 200,000 units over eight years to 2012 an increase, in excess of 9,000 units per annum was necessary.<sup>10</sup> NESC reiterated this view in their more recent report, Strategy 2006 - People Productivity and Purpose.<sup>11</sup>

21. In the National Social Partnership Agreement, *Towards 2016 Ten-Year Framework Social Partnership Agreement 2006 – 2011*, the parties acknowledge the view taken in the NESC report on housing that an additional 73,000 social housing units should be provided in the period 2005 to 2012.<sup>12</sup>

22. Table C below outlines the actual annual output of social housing (Local Authority and Voluntary/Non Profit Housing) between 2005 and 2009, the most recent figures available.

**Table C: Social Housing Output 2005 to 2009<sup>13</sup>.**

Year.	Local Authority Housing Output.	Voluntary/Non Profit Housing Output.	Total Social Housing Output.	Projected Annual Need.	Shortfall.
2005	4,209	1,350	5,559	9,000	<b>3,441</b>
2006	3,968	1,240	5,208	9,000	<b>3,792</b>
2007	4,986	1,685	6,671	9,000	<b>2,329</b>
2008	4,905	1,896	6,801	9,000	<b>2,199</b>
2009	3,362	2,011	5,373	9,000	<b>3,627</b>
2010					
2011					
2012					

Annual Housing Statistics Bulletin 2008:41 and 2009 Quarterly Housing Statistics: Quarter 4<sup>14</sup>.

<sup>9</sup> National Economic and Social Council, *Housing in Ireland: Performance and Policy Report No. 112* (Dublin: National Economic and Social Council, 2004),221.

<sup>10</sup> Ibid 152.

<sup>11</sup> National Economic and Social Council, *NESC Strategy 2006: People, Productivity and Purpose* (Dublin: NESC, 2006),175.

<sup>12</sup> Department of the Taoiseach, *Towards 2016 Ten-Year Framework Social Partnership Agreement 2006 – 2015* (Dublin: Stationery Office, 2006)27.

<sup>13</sup> Department of Environment, Heritage and Local Government, *Annual Housing Statistics Bulletin 2008* (Dublin: Department of Environment, Heritage and Local Government 2009),41.

<sup>14</sup> Department of Environment, Heritage and Local Government, *Quarterly Housing Statistics, Quarter 4, 2009* (Dublin: Department of Environment, Heritage and Local Government 2010).

23. **We ask the Council to urge the State to set up a meeting involving the Department of Environment, Heritage and Local Government and related Departments (such as Finance, Social Protection, Health and those with a Social Inclusion brief) with the Social Housing Providers to develop, in partnership, an Action Plan that identifies targets based on need, how these targets will be delivered, who will be responsible for the delivery of the targets as well a clear a timeframe for delivery and at what cost. Attendance by an independent and objective third party with a human rights and housing background at these meetings would ensure that the proposals developed are proofed against poverty, human rights and social inclusion.**
24. **We call on the Council to request the State to commit to providing adequate capital and other supports to roll out a detailed programme of building and/or buying housing for social housing by local authorities. Also to instruct the latter to increase their provision of social housing as well as supporting voluntary housing organisation to increase their output of social housing, thereby honouring the commitments in the National Agreement Towards 2016.**
25. In the recent National Survey of Ongoing Housing Developments carried out by the Department of the Environment, Heritage and Local Government in October 2010 some of the key results indicated that: 23,250 dwellings are complete and vacant; 9,976 dwellings are near completion and 9,854 dwellings are at various early stages of construction activity. There is also planning permission for a further estimated 58,025 dwellings that have not commenced<sup>15</sup>.
26. **We encourage the Council to request that the State take serious consideration of the social housing shortfall and also the findings of the National Survey of Ongoing Housing Developments and that the possibility of using these empty dwellings for the purpose of social housing provision should be explored. At the same time ensuring that other related conditions of accommodation such as: accessibility, access to services, social integration and sustainability are met as well.**
27. **We encourage the Council to request the State to compile a full and comprehensive list of what lands and properties are available to the National Asset Management Agency as well as local authorities so that a study could be undertaken to identify what resources, land and/or housing units might be used to help address the social housing crisis. Any housing identified and offered to people with particular issues, including homeless people, those with disabilities, mental health issues etc. would also require the provision of suitable and appropriate supports.**

#### **Leasing and Private Finance Initiatives.**

28. One of the key issues moving forward in the short-term will be the diminishing capital funding. It seems to us that Government currently see two mechanisms to maintain a supply of social rented units, these are leasing and private finance initiatives.
29. Leasing is not a long-term solution but Government has committed to funding 7,500 units in 2011. Our main concerns would include: security of tenure and the long-term maintenance of an asset not owned by the voluntary body. In relation to Private Finance Initiatives, while there are hurdles to be overcome, the advantage of this model is that the voluntary housing body retain ownership of the units, so providing long-term accommodation for rent.

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<sup>15</sup> Department of Environment, Heritage and Local Government, *National Survey of Ongoing Housing Developments 2010* (Dublin: Department of Environment, Heritage and Local Government, October 2010).

30. We ask the Council to encourage the Government to deliver on its commitment to funding 7,500 units in 2011 and to ensure security of tenure.

**Some of our concerns about the shortfall in social housing provision.**

31. Cork Social Housing Forum has a number of human rights concerns related to the shortfall in social housing provision, these include:

- i. The right to adequate housing and the needs of the most vulnerable members in Irish society who are in poverty and experience social exclusion are not being enforced.
- ii. At least partially due to the shortfall in social housing being built, the numbers of people in receipt of rent supplement has increased from 60,176 recipients in 2005 to 93,030 recipients in 2009<sup>16</sup>. In 2009 the expenditure on rent supplements was over €510 million<sup>17</sup>. Rent supplement has been cut and is open to future cuts thereby forcing people in receipt of rent supplement to accept sub-standard accommodation. The failure to meet social housing targets is having a very real impact on the quality of accommodation in which people find themselves.
- iii. Rent supplement is not a long-term solution to social housing need and consideration needs to be given to medium and long-term alternatives including initiatives such as the Rental Accommodation Scheme.
- iv. **In order to protect the right to adequate housing we recommend that local authorities be directed to regularly inspect all existing properties under the Rent Supplement Scheme and standards imposed to ensure that all housing, private and social, meet the requisite standard.**
- v. Another concern is in relation to victims of domestic violence. In 2009 there were 2,253 women and 4,197 children admitted to refuges<sup>18</sup>. Frontline services are struggling to provide such necessary refuge when insufficient longer term options are available.
- vi. In terms of household structure (See Annex Table D) identifies that in 2008 the number of households on housing waiting lists with one child or more was 27,704. This is an increase of almost a quarter since 2005<sup>19</sup>. Whilst it is acknowledged that the percentage of children in Ireland (under 18 years) considered at risk of poverty has decreased since 2005 (the figure was 18.6% in 2009<sup>20</sup>), we feel that the numbers of households with children on waiting lists is a cause for concern.
- vii. We are also concerned about the number of young people starting out in life who are on Local Authority Waiting Lists. There are over 12,000 households between the age of 18 - 25 years. (See Annex Table E).

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<sup>16</sup> Department of Social Protection. *Statistical Information on Social Welfare Services 2009*(Dublin: [www.welfare.ie](http://www.welfare.ie))85.

<sup>17</sup> Ibid 83.

<sup>18</sup> SAFE Ireland, *Safeireland. Creating safety for women and children. Some facts about domestic violence in Ireland in 2009* <http://www.safeireland.ie/download-reports-other.htm> Downloaded 19<sup>th</sup> January 2011.

<sup>19</sup> Office of the Minister for Children and Youth Affairs, Department of Health and Children, *State of the Nation's Children Ireland 2010*. (Dublin: Government Publications 2010)164.

<sup>20</sup> Ibid 158.

- viii. We are also concerned about the need for appropriate Traveller Accommodation and that the supply meets the need.
- ix. The United Nations independent expert on the question of human rights and extreme poverty, Dr. Magdalena Sepúlveda Carmona on her recent mission to Ireland raised the problem of homelessness and the need for innovative and comprehensive solutions that look beyond the provision of a single bed.
- x. **We join with Dr. Magdalena Sepúlveda Carmona in appealing to the Government to honour the commitment made in the National Agreement, Towards 2016 to eliminate homelessness for people who are currently in long-term emergency accommodation.**
- xi. **We encourage the Council to strongly recommend to the Irish Government that Government Housing and Accommodation Programmes must prioritise and have a special emphasis on vulnerable groups and special needs housing and to ensure that social housing and accommodation is integrated into local communities.**

## ANNEX.

**Table A:** Local Authority Waiting Lists: Breakdown of Category of Need (Households) in 2005 and 2008<sup>21</sup>.

<b>Category of Need (Households).</b>	<b>2005*</b>	<b>2008</b>
Homeless	1,987	1394
Traveller	1,004	1317
Existing accommodation unfit	1,719	1757
Existing accommodation overcrowded	4,073	4805
Involuntary Sharing	3,371	4,965
Young person's leaving institutional care	256	715
Medical or compassion reasons	3,504	8059
Older Persons	1,658	2499
People with a Disability	455	1155
Not able to meet the cost of accommodation	24,919	29583
<b>Total</b>	<b>42,946</b>	<b>56,249</b>

*Annual Housing Statistics Bulletin 2008:98.*

\*The 2005 figures in Table A are different figures reported in the 2005 Annual Housing Statistics Bulletin because in the 2008 Annual Housing Statistic Bulletin an adjustment was made to these figures for comparison purposes with the 2008 statistics.

**Table B: Household income levels in 2008.**<sup>22</sup>

<b>Income Band</b>	<b>Households</b>	<b>% of Net Need.</b>
Below €10,000	15,841	28
€10,001 – 15,000	25,580	45
€15,001-20,000	7,194	13
€20,001-25,000	4,918	9
€25,001-30,000	1,697	3
Over €30,000	1,019	2
<b>Total</b>	<b>56,249</b>	<b>100</b>

*Annual Housing Statistics Bulletin 2008:101.*

**Table D: Household Structure in 2008.**

<b>Household Structure</b>	<b>2005 Households</b>	<b>2008 Households</b>
Single persons		25,550
Family Households		
0 children		2,995
1 child		5,369
2 children		7,479
3 children		2,924
4 children		1,210
5 children		722
<b>Total</b>		<b>56,249</b>

*Annual Housing Statistics Bulletin 2008:100.*

<sup>21</sup> Department of Environment, Heritage and Local Government, *Annual Housing Statistics Bulletin 2008* (Dublin: Department of Environment, Heritage and Local Government 2009),98.

<sup>22</sup> Ibid 101.

**Table E: Age Profile of Households in 2008.**

<b>Age range</b>	<b>Households</b>	<b>% of Net Need.</b>
Under 18	16	0
18-25	12,178	22
26-30	9,900	17
31-40	15,799	28
41-50	9,438	17
51-60	5,449	10
61-70	2,361	4
71+	1,108	2
<b>Total</b>	<b>56,249</b>	<b>100</b>

*Annual Housing Statistics Bulletin 2008:100.*

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<http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=10658>

United Nations. Economic and Social Council. Concluding Observations of the Committee on Economic, Social and Cultural Rights: Ireland. 05/06/2002. E/C.12/1/Add. 77 (Concluding Observations/Comments. 28<sup>th</sup> Session 29<sup>th</sup> April – 17<sup>th</sup> May 2002. UN: UN Human Rights Website-Treaty Bodies Database, 5<sup>th</sup> June 2002.

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