

## **Press Release – embargoed to 3.30pm, Friday 30 June 2017**

**In the face of the missing of the Rebuilding Ireland target of moving families out of hotels and B&B emergency accommodation by 1 July, MLRC calls for urgent issues in the provision of emergency accommodation to families and individuals to be addressed by the Minister.**

Mercy Law Resource Centre, an independent law centre which provides free legal help for those who are facing homelessness, called today on the Minister for Housing, Planning, Community and Local Government to address urgent issues in the provision of emergency accommodation to families and vulnerable people who are homeless.

In its submission to the Minister, MLRC noted that there are very urgent issues relating to the provision of emergency accommodation by housing authorities to families and vulnerable people who are homeless and noted actions that should be taken to address these issues.

These issues include:

- A high number of unlawful refusals of emergency accommodation by housing authorities, leaving families and individuals who are homeless sleeping rough or at risk of sleeping rough.
- A practice by housing authorities of blocking families who are homeless, who have been apparently refused emergency accommodation, from accessing the crisis Family Homeless Action Team (Family HAT) within the Dublin area. This service is ordinarily available on a night-to-night basis to families who are homeless at risk of rough sleeping.
- Housing authorities failing to properly apply the law in relation to homelessness which indicates a lack of training and expertise of frontline staff in those authorities.
- Housing authorities failing to carry out comprehensive needs assessments of individuals and families who present as homeless. This failure results in the authorities not sourcing a placement that best suits the family's or the individual's needs and not referring them to appropriate services.
- The absence of suitable emergency accommodation for people who are homeless and who have a disability or who have particular health needs and vulnerabilities.
- Housing authorities over-relying on the self-accommodation option, obliging families to secure their own emergency accommodation, which is often not possible and puts families at risk of rough sleeping.
- Families and vulnerable individuals being placed in unsuitable hotel and B&B accommodation for very prolonged periods with no upper time limit, causing severe detriment to families and, in particular, children.
- The absence of any system to prioritise families or individuals with recognised medical needs within the homeless lists of each housing authority.

MLRC proposes that the following actions be taken to address these serious issues:

- Training of housing authority front-line staff on the proper application of the Housing Act 1988 in relation to the provision of emergency accommodation.
- The issuing of a protocol or guidance document to housing authorities to inform and guide staff making assessments of requests for emergency accommodation, to include, for example:
  - Details of the eligibility criteria for emergency accommodation as distinct from the social housing eligibility requirements, including clarification that the local connection test and Circular 41/2012 are not applicable to the assessment in relation to emergency accommodation.
  - Criteria to ensure vulnerable individuals and families and those with special needs or a disability who are homeless are identified, supported and suitably accommodated in emergency accommodation.
  - Guidance on engaging with and assessing distressed and vulnerable applicants.

- Details on appropriate services for referrals for applicants presenting with specific needs.
- The issuing of a Ministerial Directive or Circular notifying housing authorities that the practice of placing a block on PASS so that homeless families cannot access the crisis night-to-night Family HAT service, thus putting families at risk of rough sleeping, is to be stopped.
- A legislative amendment or Regulation under section 10 of the Housing Act 1988 to set an upper time limit, as is operated in the United Kingdom, on the placing of homeless families and vulnerable people in hotels and B&Bs.
- A review undertaken of emergency accommodation placements available to people presenting with special needs or a disability and measures introduced to ensure suitable placements are available to housing authorities in their stock for such people.
- A review undertaken of the self-accommodation option with a view to introducing reforms to the option to ensure that it meets the needs of families who are homeless, particularly vulnerable families including members of the Traveller Community and non-nationals.
- A review undertaken of the operation of homeless priority lists and appropriate reforms introduced to ensure that the homeless priority list can take account of recognised medical needs of people who are homeless and so ensure that priority within the homeless priority list is given on the basis of those medical needs.

Highlighting these issues, MLRC's Managing Solicitor, Maeve Regan, said:

"We have legally advised and represented over 5,000 people facing homelessness, since our Centre was established 7 years ago. We welcome the Minister's statement that families who are homeless are his most immediate concern.

We would very much welcome the opportunity to meet with the Minister to discuss these issues in the provision of emergency accommodation. Many of the families that we meet have been refused emergency accommodation by the housing authority. This basic shelter is refused often because the housing authority is misapplying the law or failing to recognise the basic human needs of these families and the children in the emergency accommodation that is offered to them.

We look forward to working with the Minister and housing authorities to ensure that the very urgent needs of families and vulnerable people who are homeless are met in a humane, dignified and appropriate manner."

ENDS

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Notes to editor

1. Mercy Law Resource Centre (MLRC) is an independent law centre, registered charity and company limited by guarantee. MLRC provides free legal advice and representation for people who are homeless or at risk of becoming homeless. It also seeks to advocate change in laws, policies and attitudes which unduly and adversely impact people who are at the margins of our society. MLRC provides five key services: free legal advice clinics; legal representation in the areas of housing and social welfare law; legal support and training to organisations working in the field of homelessness; policy work; and a befriending service. MLRC's clients are local authority tenants and people who are homeless or at risk of becoming homeless. They include people who are trying to move away from homelessness who may be struggling with issues often linked to homelessness e.g. addiction, leaving prison, mental illness and relationship breakdown.

MLRC has built strong working relationships with organisations working in the field of homelessness, including Focus Ireland, Crosscare, and Dublin Simon. Since our inception in 2009, MLRC has provided advice and/or court representation in public interest litigation to approximately 5000 individuals, families and organisations. For more about our work, please see [www.mercylaw.ie](http://www.mercylaw.ie)

2. Rebuilding Ireland, Action Plan for Housing and Homelessness, Pillar 1, “Moving families out of hotels”, page 34.
3. Murphy admits Govt will miss homeless deadline  
<https://www.rte.ie/news/ireland/2017/0622/884752-housing-ireland/>
4. MLRC recently represented a family, parents and their seven children, who were homeless and who when they presented as homeless with their children to South Dublin County Council were not given emergency accommodation but rather told to “self-accommodate”. For the family, finding such accommodation for the family was frequently an impossible task. The case was reported on by the Irish Times: [http://www.irishtimes.com/news/crime-and-law/courts/high-court/worn-out-homeless-family-of-nine-sues-county-council-1.3077045?utm\\_source=dlvr.it&utm\\_medium=twitter](http://www.irishtimes.com/news/crime-and-law/courts/high-court/worn-out-homeless-family-of-nine-sues-county-council-1.3077045?utm_source=dlvr.it&utm_medium=twitter). It was also reported on by the Irish Independent: <http://www.independent.ie/irish-news/courts/we-cry-every-day-and-are-losing-hope-homeless-family-take-legal-action-over-accommodation-needs-35697092.html>

MLRC is working to help several families in this situation - who are homeless and face very serious difficulties in accessing emergency homeless accommodation.