

## **Census 2016 Results: Profile 5 - Homeless Persons in Ireland**

Mercy Law Resource Centre, an independent law centre which provides free legal help for those who are facing homelessness, again calls on the Minister for Housing, Planning, Community and Local Government to address urgent issues raised in the Census 2016 results.

The Census 2016 shows clearly that we are in the midst of a desperate crisis in homelessness. In the face of this, there is a glaring lack of legal protection for people who are homeless. There is no right to housing in Irish law. The right to housing in the Constitution would not mean the right to a key to a home for all. It would however put in place a basic floor of protection. It would help alleviate a crisis such as this. It would add a safety net of protection.

In our work in MLRC, in 2016 we legally assisted 1077 clients and a number of issues were raised for those who are homeless or at risk of homelessness.

- Every week we meet individuals and families who are homeless and living in their cars. They are homeless because the local authority have refused them emergency accommodation or told them that there is simply none available.
- We meet families who are being accommodated for prolonged and indefinite periods in one room in hotels and B&Bs. Currently up to two years is becoming common before the family are appropriately accommodated. This is grossly inappropriate for their needs, for their health and for their dignity.
- We meet these people who have become almost numb to the humiliation, are deeply distressed, in chaos and in fear.

We also have witnessed:

- 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 are 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.
- The absence of any system to prioritise families or individuals with recognised medical needs within the homeless lists of each housing authority.

Also, 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.
- 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.

Contact:

Maeve Regan, Managing Solicitor, Mercy Law Resource Centre  
Ph: 01 4537459/087 8486826

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.