

## **Press Release – Mercy Law Resource Centre**

**Embargoed until 6am, Thursday 4 March 2021**

**Mercy Law Resource Centre calls for urgent action to better protect minority groups in Ireland who are particularly susceptible to homelessness**

- **Launch of Report of MLRC on ‘*Minority Groups and Housing Services: Barriers to Access*’ funded by Irish Human Rights and Equality Commission**
- **MLRC notes with concern a number of serious barriers that currently exist for minority ethnic groups accessing housing services, whether social housing or emergency accommodation**
- **Report is based on MLRC’s extensive engagement with minority groups – Approximately 65% of MLRC clients are from minority groups**
- **Decisive action is now needed on foot on this report to alleviate the suffering and distress of these individuals and families**
- **The report includes a number of positive recommendations for legal change to improve housing access for minority groups with particular reference to the potential for the Public Sector Equality and Human Rights Duty to alleviate discrimination.**

Mercy Law Resource Centre (MLRC) today extends its thanks to the Irish Human Rights and Equality Commission for funding and formally launching today’s report.

Following the formal launch of the report there follows a panel event with:

- Joe O’Brien TD, Minister of State with responsibility for Community Development and Charities at the Department of Rural and Community Development
- Mary Henderson, solicitor with the Immigrant Council of Ireland
- Rutendo Kandiwa, accountant and former client of MLRC
- Marc Willers QC, barrister at Garden Court Chambers, London specialising in human rights and discrimination; and Traveller and Roma law

MLRC is calling on the Minister for Housing and the country’s Local Authorities to take urgent steps to implement the recommendations of a research report it is publishing today on the challenges faced by minority groups when seeking to access housing services. The report – entitled “*Minority Groups and Housing Services: Barriers to Access*” – argues that there are a number of barriers facing minority groups when seeking access to housing services, including:

- Department of Housing Circular 41/2012.
- The ‘normal residency’ and ‘local connection’ requirements within social housing provision.
- The ‘alternative accommodation’ requirement within social housing provision.
- Issues with access to and provision of emergency accommodation.

MLRC Solicitor, Paul Dornan, said:

“MLRC has continued to support vulnerable families and individuals from a minority background who face particular barriers when seeking to access housing and homeless services. MLRC has noted increasing numbers of individuals and families from minority groups accessing our service from 2015 onwards. This includes Irish nationals who are of ethnic minority and non-Irish nationals from both EU and non-EU countries. We have provided legal advice and representation to members of the Traveller community and the Roma community, who have presented with the most acute and urgent legal issues. As of the end of 2020, 65% of those clients to whom MLRC is providing legal representation were from minority groups.

Whilst MLRC welcomes the Government's recent commitment to addressing the homelessness crisis and the cessation of reliance of 'one night only' accommodation in light of COVID-19, MLRC renews its call today for strong and immediate action to tackle the specific barriers facing minority groups accessing housing services.

In recent months MLRC has seen a small number of worrying cases of families from a minority background being failed by the system, refused access to emergency accommodation or being asked to prove a 'local connection' to the Local Authority they are seeking emergency accommodation from. While we have been able to intervene positively in cases referred to our service we remain concerned about the lawfulness and transparency of some homeless assessments. MLRC welcomed Local Authorities' swift actions to assist homeless families during the early days of the pandemic and we now do not want to see some of the most vulnerable families from minority backgrounds left behind."

The report makes a number of recommendations that, if implemented, will make access to housing services for those from a minority group fairer:

1. Application of Department of Housing Circular 41/2012 as a 'guidance only' document by Local Authorities, underpinned by proper training for relevant decisions makers and updated to reflect current Irish Immigration law.
2. The 'local connection test' used as part of the social housing supports application be clearly and consistently treated by Local Authorities as discretionary, rather than conclusive, so as to prevent potentially unlawful discrimination against minority groups, particularly those who have recently arrived in Ireland or those who have a nomadic culture.
3. Appropriate and proportionate use by Local Authorities of the 'alternative accommodation test' and an ending of the practice of requesting minority applicants for burdensome 'affidavits' in relation to property ownership abroad.
4. Collation of reliable data in relation to minority groups and their access to various forms of emergency accommodation.
5. Issuing of Regulations by the Minister of Housing, Planning and Local Government, under Section 10 of the Housing Act 1988, specifying and restricting the type of emergency accommodation that individuals and families may be accommodated in, ensuring therefore its suitability and adequacy.
6. Amendment to Section 10 of the Housing Act 1988 or the issuing of regulations made under it to place a limit on the time that families and vulnerable people may spend in emergency accommodation.
7. Local Authorities to fully implement the Public Sector Equality and Human Rights duty by having regard to the need to eliminate discrimination, promoting equality and protecting the human rights of those who seek access to their services.

## **ENDS**

For further information, contact:

Danielle Curtis, Mercy Law Resource Centre Ph: 01 4537459/0876470649/danielle@mercyllaw.ie

## **Notes to editors**

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 for 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. discrimination, addiction, leaving prison, mental illness and relationship breakdown.

2. MLRC has built strong working relationships with organisations working in the field of homelessness, including Focus Ireland, Crosscare Advocacy Service, and the Citizens Information Centres. Since our inception in 2009, MLRC has provided free legal advice and/or representation to over 10,000 individuals and families. In 2019, MLRC provided advice and/or representation to 1,611 individuals and provided support to 100 organisations working in the field of homelessness. For more about our work, see [www.mercylaw.ie](http://www.mercylaw.ie)
3. In June 2019, MLRC made a statement on child and family homelessness to the Joint Oireachtas Committee on Housing, Planning and Local Government, raising urgent concerns about the accommodation provision to homeless families and making several recommendations. The submission is available [here](#).
4. In December 2019, MLRC published a report 'The Lived Experiences of Homeless Families' bringing the voices of homeless families to the fore and setting out recommendations for policy and law reform to improve protections for homeless families. The report is available [here](#).
5. In November 2019, the Joint Committee on Housing, Planning and Local Government and the Joint Committee on Children and Youth Affairs published reports on family and child homelessness, incorporating several recommendations set out by MLRC. The reports are available [here](#).