Investing in the Right to a Home:
Housing, HAPs and Hubs

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RE-InVEST
REBUILDING AN INCLUSIVE, VALUE-BASED EUROPE OF
SOLIDARITY AND TRUST THROUGH SOCIAL INVESTMENTS

Maynooth University
National University
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**Social
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Executive Summary

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Introduction

This report is written in the context of a larger European Union H2020 funded research project Re-InVest[1], and focuses on the structural crisis of family homelessness in Ireland, a direct outcome of long-term disinvestment in social housing, privatization and marketization of social housing, and private housing market failure. Using a human rights and capability theoretical framework and a participatory approach the report is organized around three key themes: a) a critical assessment of Rebuilding Ireland's over reliance on the private rental sector as the primary mechanism to resolve the social housing deficit and homelessness crisis; b) a review of the effectiveness of the private rental subsidy, homeless Housing Assistance Payment (HAP); c) the development of family hubs (hubs) as an emerging form of emergency accommodation for homeless families.

In the full research report we introduced three theoretical concepts informing this research; social investment, human rights and capability theory and we outlined our methodological framework. We then reviewed, through a human rights framework, the policy shift from traditional social housing building programmes to the greater use of Rent Supplement (RS), then the Rental Accommodation Scheme (RAS) and finally the Housing Assistance Payment (HAP). In this context we reviewed Rebuilding Ireland, and argue against the use of HAP and the private housing market as the primary mechanism to meet social housing need. We examined from various perspectives the degree to which the market mechanism to secure social housing, the HAP and homeless HAP, is working, including whether it can deliver the security of tenure associated with the right to housing. Examining vulnerable families' experience of attempting to access HAP in a context of tight private rental market supply, we note their experience of both competition and discrimination in that market, and that despite state and NGO efforts to support families accessing HAP, a range of barriers prevent HAP working to meet such families' social housing need. A cost benefit analysis of HAP shows it to be an expensive policy

option and far more costly than directly building social housing. Having established that both the private market and HAP are failing to fully meet social housing needs and rights, we turned to the reality of life in emergency homeless accommodation and the emerging family hubs. A capability framework is used to draw attention to how hotels and hubs restrict the capacity to live normal family lives and curtail functioning in parenting, child development, education, employment and maintaining wider family and social networks. The combined effect is devastating on family, adult and child well-being. While concluding such institutional responses to homelessness should be avoided, we argue that if and when they are used that design and operational models should mitigate the worst damage by prioritising autonomy, quality standards and time limits on residence, and for the importance of a legislative 'sunset' clause on the use of Family Hubs.

HOMES We find a core tension within Irish housing and economic policy – with policy trying to address the social housing crisis while encouraging and relying on the private market to deliver investment in housing. Absence of investment in social housing negates the housing rights of the most vulnerable in Ireland. We are not at the peak of the contemporary housing crisis and we expect the housing crisis to escalate over the next five years, a frightening scenario for many families and a scenario that should be unacceptable for Irish society and the Irish government.

HAP Until HAP offers effective security of tenure we argue it is not a valid mechanism to meet the right to housing. This does not mean HAP is not a valid or welcome housing option rather that it should be operationalised as a secondary rather than a primary housing mechanism with direct local authority or approved housing body's social housing remaining as Ireland's primary social housing mechanism. While we make this argument from a security of tenure perspective we also note that from a cost perspective that direct build social housing presents a far greater return on state investment, and is thus a more cost efficient policy choice than investment in private rental subsidies.

HUBS We find no international research or evidence base to justify the emerging family hubs model and note there have been no pilots to demonstrate how they might work. The danger with 'hubs' is that they both institutionalise and reduce the functioning capacity of families. This type of institutional approach can lead to a form of 'therapeutic incarceration' and over time may lead society to blame these families – predominantly lone parent mothers, working class, migrant and ethnic minority women – for something they did not cause. This follows a long Irish history of gendered forms of social violence inflicted on poor mothers and their children who were made invisible, incarcerated and excluded from society. We caution that hubs may be a new form of institutionalisation of vulnerable women and children, and poor families, and that housing market failures will be forgotten as these families become the 'problem' that needs to be solved. Therefore, we stress the need for an urgent social housing building programme and that short term stays in emergency accommodation hubs need to maximise family functioning and ensure residents experience dignity and respect.

In the likely scenario of a continued escalation of the homelessness crisis we highlight five policy recommendations; prevention, building homes, enhancing HAP, mitigating the potential negative impacts of hubs, and issues of power, voice and participation, all of which are premised by the urgent need to act now.

1 Prevention, stocks and flows

Prevention and early intervention are in many ways the most cost-effective policies for confronting homelessness. Reintegration costs increase sharply after somebody has become homeless, and the longer the experience of homelessness the more time and effort are needed for reintegration. Various cost benefit analysis have shown significant returns on investment in preventative measures and already Irish prevention services have proved effective. A pilot Focus Ireland service in Dublin 15 produced valuable lessons concerning communication and outreach strategies for preventative services (Focus Ireland 2016). The Threshold delivered Tenancy Protection Service operates through a Freephone to work with key services to make assistance available to families at risk of losing a home in the private rented sector. Such is the demand; over 800 contacts were made with this service in the first quarter of 2017. Dublin City Council now employs three prevention officers and has found their work to be cost effective in less than a year. As discussed below the fastest and most effective way to prevent homelessness, however, is to build houses and to strengthen security of tenure in the private rental market.

▼ Many HAP recipients are in receipt of social welfare payments. Mechanisms are needed to ensure that reduction in or cessation of the primary social welfare payment does not lead to a premature loss of housing though cancellation from the household budget scheme of the HAP tenant rent contribution.

▼ It is crucial to achieve a balance between investment in prevention and investment in alleviating the situation for those already homeless, this requires adequate new investment in preventative measures to ensure that prevention (lessening the flow of people into homelessness) is not paid for by those already experiencing the problem (the stock).

▼ A second way of limiting flow is to limit those entering homeless services. There is a balance to be achieved between preventing homelessness by supporting people to stay where they are and denying people the legitimate right to access emergency accommodation.

2. An emergency social housing building programme

There is an urgent need to intensify the social housing building and acquisition programme as the primary vehicle for addressing the homelessness crisis and to develop a fair and transparent allocations mechanism for all social housing stock. Local authorities and housing associations do not have sufficient direct exchequer capital funding to provide the level of house building required. They are in the process of increasing their capacity to deliver housing and this should be consolidated and accelerated through the increase of secure capital funding. Additionally a new semi-state, not-for-profit, Irish Affordable Homes Company should be established by government to build affordable 'cost rental' houses and homes for ownership for a mix of household incomes. This mechanism can provide an additional supply of affordable housing without significant capital funding requirement as it can be borrowed 'off-books.'

▼ Increase capital funding for local authority and Approved Housing Bodies (AHB) rapid housing: triple direct capital exchequer funding to €1bn per annum to enable the rapid building within 16 months of 5,000 additional social housing units.

▼ Emergency legislation to enable rapid procurement to facilitate the above rapid building

programme. In particular redirect use of state-owned land in Dublin for emergency build rather than marketing to developers in various Public Private Partnerships Lands Initiative.

▼ Establish a new semi-state Irish Affordable Homes Company as proposed by both the National Economic and Social Council (NESC 2015) and the Nevin Institute (NERI 2017).

▼ Increase use of vacant housing for social housing through the combination of incentives, a vacant homes tax and a compulsory leasing order of vacant housing.

3. HAP and security of tenure in private rented sector

The erroneous move away from direct build and state supplied social housing to a major reliance on HAP private rental (from 2011, but under-pinned from earlier) has contributed to this social housing and homelessness crisis. The policy emphasis needs to return to primarily state provided new build social and affordable housing. Legislative measures to address security of tenure are required for the private rental market to be an effective secondary mechanism to address social housing and resolve homelessness. In particular government should amend Part 4 Section 34 of the Private Rental Tenancies Act which allows land-lords regain possession of private rental property. At the same time there is a need for more diverse forms of private rental tenure including longer lease options. The human right to secure housing requires the cessation of 'self-accommodation'. Local authorities should be responsible for sourcing Homeless HAP accommodation for families and to re-house families who lose HAP accommodation

▼ HAP should be de-prioritised as the main provider of social housing in Rebuilding Ire-land. Prioritise state lead building programme instead.

▼ Legislative measures to address security of tenure. Amend Part 4 section 34 of the PRTA.

▼ A minimum 5 year tenant protection/lease – length of security for homeless HAP tenancies

▼ Local authorities as duty bearers with the obligation to source and offer HAP accom-modation and to re-house if HAP tenants lose rental accommodation.

▼ Greater clarity is needed for HAP tenants as to their status on local authority social waiting lists, they should retain their full priority based on their full time on the social housing list.

4 Family Hubs

The real risk and danger of family hubs as 'temporary' solutions is that they will become a permanent feature with homeless families left for years in inappropriate and potentially damaging accommodation. The experience of direct pro-vision centres – now in existence for almost two decades – demonstrates the likelihood that these institutions, once formed, will not be easily dis-mantled. This threatens the human rights of these families, particularly children, with conditions likely to do significant harm to families and particularly to the well-being of children who stay any length of time in emergency accommodation. Suggestions that families are gaming the system to present as homeless in order to more quickly access council housing can be easily refuted. Families are actively seeking HAP accommodation but are unable to access it because of the competition in a tight private rental housing market. While some families require supports, the most important support is the provision of a secure home – a housing first approach.

▼ Family hubs have emerged as a policy option with little public deliberation and considerable confusion as to their rationale and policy intent. The Rebuilding Ireland review needs to situate hubs within a clear strategy to eliminate family homelessness.

▼ Stable long term housing is the only viable option to resolve family homeless and any form of emergency accommodation including family hubs can only be a very short term solution. A rights based perspective requires regulatory and legislative safeguards concerning maxi-mum limits on the length of time a family might reside in a family hub. A three month limit as well as standards and inspection regimes should be legislated in an amendment of Section 10 of the 1988 Housing Act.

▼ There is a real danger that family hubs may become the next 'direct provision', an addition to Ireland's long lamentable experience of insti-tutional responses to social policy. To ensure families are not forgotten, there is a clear need for a legislative sunset clause whereby all hubs close by December 2019.

▼ Choice and autonomy are important principles, some families may for understandable reasons prefer the more autonomous hotel environ-ment and should be accommodated in hotels with access to relocation supports. No family should be required to 'self-accommodate'.

▼ Ideally accommodation management and landlord functions shoud be separate from family support and advocacy functions.

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5 Power, Voice, and Participation

We find power inequalities dominate housing policy. Powerful vested interests, domestic, and increasingly international, appear able to profit from maintaining the dominant position of the market as the preferred mechanism to deliver social housing. Conservative interpretations of the right to property in the 1937 Irish constitution are used to veto more progressive regulation of the housing market. This policy orientation is sustained by a powerful political and media metanarrative that at once makes the market seem an inevitable and natural presence in social housing provision. The same metanarrative injects elements of morality into public discourse where those who cannot access housing are made bear the blame for market and policy failure. To date media representation of the family hubs has been relatively uncritical leaving the public with a strong impression that hubs are a significant improvement on hotel based family accommodation. In this context families living in family hubs may fall under the radar.

The Economic and Social Rights campaign successfully brought their case for a constitutional right to housing through the 2015 Constitutional Convention. A rights approach to housing can create an alternative public narrative and a focus for policy change, as seen in how the Home Sweet Home mobilisation created a public discourse to challenge market dominant policy. The EU Social Investment Programme analysis stresses the important role of participation and empowerment of those directly affected by homelessness, arguing for measures that enable their voice and participation in policy debate, advocacy, advice and information as well as peer support programmes. The principles underlying a right to housing also offer standards against which to proof policy and practice, for example whether there are adequate systems for service user's participation and consultation and for redress and safe-guarding entitlements.

▼ Those residing in emergency accommodation need formal redress mechanisms or procedures in the event of complaints about allocation decisions, housing standards and loss of social rights.

▼ A media code of practice can hold media to greater account for implicit bias in housing policy reportage.

▼ Providers of homeless services are, under the terms of their service delivery agreements, often prohibited from advocacy about housing policy, they in turn sometimes prohibit service users from overt advocacy or protest. The voices of both homeless agencies and service users are crucial voices and all effort should be made to enable these voices challenge inequality and promote positive change in the public sphere.

▼ Academic researchers have a role to play in committing to engaged and policy relevant research. Significant advances can be made to create a learning culture where data and evaluations can be shared across the different housing actors; political, policy makers, NGO's, activists and academics.
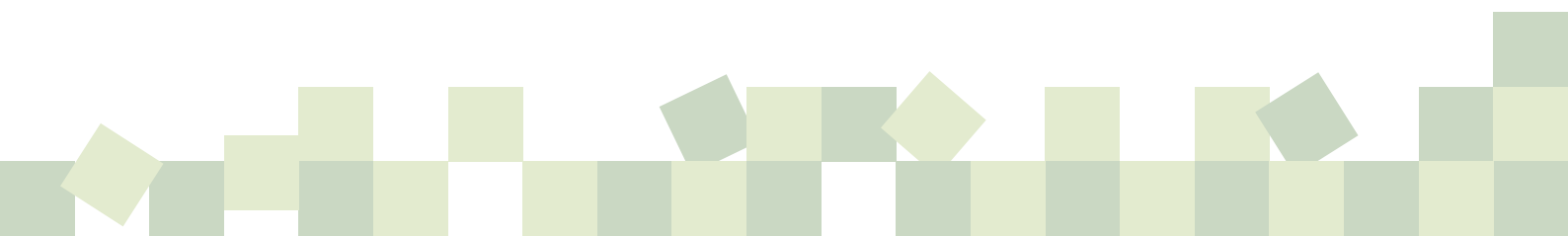
Conclusion

The housing crisis is likely to continue for many years to come. Given the on-going mortgage arrears crisis, the private rental crisis, and the lack of private supply, HAP, even with reconfiguration, is unlikely to provide a stable and secure home for these families. Rather than social housing protecting lower income households from the inequalities of the private market, using HAP as the primary social housing vehicle further exposes them to the market. Family hubs are not socially and politically acceptable solutions to this crisis. Families in hubs remain inadequately housed and exposed to institutionalisation. Hidden away, their homelessness may be forgotten and ignored. There is an alternative to hubs – it is straightforward – homes. We find insufficient political will to address this very real crisis. The core solution is the sufficient new build of social houses and other forms of affordable rental. The real emergency response required is houses not hubs.

As researchers we would like to respectfully thank all those we spoke with and engaged with in the course of this short research project, not least those families living in emergency accommodation who shared their hope and fears with us, and those who work on the front-line with families. It is clear that all who work in this field care deeply about the plight of these families. We would like to thank the housing NGOs we worked with, MUSSI and the Department of Sociology at Maynooth University. It is our collective moral obligation to ensure these families are not left ignored and hidden in new institutionalised responses to housing and homelessness. The revision of Rebuilding Ireland must make social housing build the primary mechanism to meet social housing need, and an urgent house building programme must proceed in the context of this housing emergency.

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Introduction

This Report is written in the context of a larger European H2020 funded research project Re-InVest[2], and focuses on the structural crisis of family homelessness in Ireland, a direct outcome of long-term disinvestment in social housing, privatization and marketization of housing, and private housing market failure. Using a human rights and capability theoretical framework and participatory approach the report is organized around three key themes: a) a critical assessment of Rebuilding Ireland's over reliance on the private rental sector as the primary mechanism to resolve the social housing deficit and homelessness crisis b) a review of the effectiveness of the private rental subsidy, homeless Housing Assistance Payment c) the development of family hubs, an emerging form of emergency accommodation for homeless families.

This report is organised into six sections. Following this brief **introduction, Section one** introduces the context in which this report was produced as well as its theoretical and methodological framework.

Section two uses a human rights framework to review how, over time, Irish social housing policy shifted from a traditional social housing building programme to the greater use of Rent Supplement, the move to the Rental Accommodation Scheme and, in Rebuilding Ireland, to the Housing Assistance Payment and the private market as the primary mechanism to meet social housing need. In the context of the review of Rebuilding Ireland we argue the financialisation of the Irish housing market moves it further and further from meeting social housing need.

Section three reviews from various perspectives the degree to which the market mechanism to secure social housing, the HAP and homeless HAP, is working, including whether it can deliver the security of tenure associated with the right to housing. It examines vulnerable families' experience of trying to access HAP in a context of tight private rental market supply, their experience of both competition and discrimination in that market, state and NGO efforts to support families access HAP, as well as barriers to making HAP work. The section concludes with a cost benefit analysis of HAP.

Having established that both the private market and HAP are failing to fully meet social housing needs and rights, **Section Four** examines the reality of life in emergency homeless accommodation and the emerging family hubs. A capability framework is used to draw attention to how hotels and hubs restrict the capacity to live normal family lives and curtail functioning in parenting, child development, education, employment and maintaining wider family and social networks. The combined effect is devastating on family, adult and child well-being. While concluding such institutional responses to homelessness should be avoided, we argue that when they are used design and operational models should mitigate the worst damage by prioritising autonomy, quality standards and time limits on residence and a sunset clause on use of hubs.

Section five focuses on factors underpinning the likely continuation and escalation of the homelessness crisis, and concludes with five policy recommendations; prevention, building homes, enhancing HAP, mitigating the potential negative impacts of hubs and issues of power, voice and participation, all of which are premised by the urgent need to act now.

Box 1 – Policy recommendations: Prevent, Build Homes, Security in HAP, Time limit HUBs, Voice

1 **Prevention** In keeping with the EU SIP focus on preventing homelessness, there is a need to focus additional investment in and adequately support preventative policy and practice.

2 **An emergency plan to rapidly increase supply of social homes** Intensify an urgent social housing building and acquisition programme as the primary vehicle for addressing the housing crisis and develop a fair and transparent allocations mechanism for all social housing stock.

3 **HAP and private rental sector security.** The market should be a secondary mechanism to address social housing and resolve homelessness. Legislation is required to amend Part 4 S 34 PRTA

and enhance security of tenure and to create longer private rental tenure options.

4 **HUBS** While advocating against institutionalised emergency provision we focus on design and operational models that respect autonomy, regulate and inspect standards and the need for legal time limits on residence and a 2019 sunset clause on the use of family hubs.

5 **Power, voice and participation** Noting the power of vested interests to influence housing policy we stress human rights approaches to housing and the need for adequate redress, as well as voice, participation, and governance.

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[2] Re-InVEST, a H2020 funded project under Euro 3 Europe after the Crisis, involves 19 organizations (universities, research centres and civil society organizations working with vulnerable groups). Re-InVEST aims to investigate the philosophical, institutional and empirical foundations of an inclusive Europe of solidarity and trust. To this end it draws on capability and human rights based participatory approaches to examine how social investment can be strengthened across the European Union.

Section One:
Conceptual and Methodological Framework

Social investment and homelessness

In 2013 the European Commission (EC) issued a communication on social investment for growth and cohesion, the Social Investment Package (SIP). While housing is not an European Union (EU) competence, the SIP includes a module on homelessness which explores how states might realise social housing rights of vulnerable groups[1]. Following a 'housing first' philosophy it recognises the grave impact of homelessness on individuals and society in terms of integration, social cohesion, health, education, employment, family functioning and well-being. Over the crisis, and related disinvestment in social housing, the composition of the homeless population has changed across the EU with lack of affordable housing supply a common cause of homelessness in the EU and people waiting longer for social housing. Our research interest in Irish responses to homelessness is informed by this stress on social investment and the prism of rights and capabilities.

Human right to housing

Human rights are indivisible and housing is intrinsically linked to other rights, including health, work, leisure, family and children's rights. The Right to Housing has been codified by a wide range of International legal instruments under the umbrella of the *UN Universal Declaration of Human Rights* 1948. **Article 25 (1)**

> *"Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, and housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.*

Specific elements of the right to housing have been further developed in *two main general comments* (1991 and 1997) adopted by the UN Committee on Economic, Social and Cultural Rights. The UN Special Rapporteur on Housing Adequacy has established that the human right to adequate housing includes legal security of tenure, availability of services, materials, facilities and infrastructure, affordability, habitability, accessibility, location and cultural adequacy. The Irish Constitution does not contain a fundamental legal right to housing and Ireland has traditionally pursued a largely selective or dualist housing policy (Bengtsson 2001). Dimensions of the right to housing are covered in the 1966 Housing Act which establishes the right to adequate housing, and the 1988 Housing Act which legally defines homelessness, while the 2009 Housing (Miscellaneous Provisions) Act extended and amended the Housing Acts 1966 – 2004. This report focuses on rights directly related to social housing and homelessness and examines how marketization diminishes legal rights to social housing including security of tenure and the state's housing obligations, albeit we acknowledge private rented tenants have stronger right to redress through the Private Residential Tenancies Board and that various private rental subsidies strengthened the right to work.

Capability approach

The Capability approach defines a person's well-being in terms of 'what a person can do' to lead a life one values and has reason to value. It promotes having autonomy and freedom to choose. Housing is an essential prerequisite in enabling a person to exercise choices in almost every area of life a person might need to maximize personal and family well-being including work, leisure, cooking, health and parenting, all types of family functioning and what we think of as 'normal' well-being. In common with Wang (2017) we use a capability framework to examine the detrimental consequences of homelessness and transitional housing for families with children. Effective strategies for relieving family homelessness are not only economically beneficial saving the state significant costs of homelessness but are also the foundation from which children and parents can grow to be productive members of society and achieve fundamental human rights.

Methodology: Participatory Action Human Rights and Capability Approach (PAHRCA)

The research was conducted by two researchers from Maynooth University and supported by three peer researchers who were tenants of an Irish housing association. We worked through a partici- pative methodological approach to go beyond data extraction and empower research partici- pants. The approach combines participative quali- tative research with quantitative data to deepen understanding of how social housing policies relate to rights and capabilities and to co-construct knowledge across academic researchers, peer researchers, NGO's and people directly experien- cing homelessness.

An iterative and ongoing process of action, knowledge creation and dialogical reflective process attempted to "merge" academic know- ledge, knowledge from lived experience and knowledge of NGO's and policy makers. The research was conducted over the last six months working in a collaborative partnership with NGOs, 10 families living in emergency homeless accom- modation in the Dublin area, 15 qualitative interviews with key policy experts and practi- tioners and statistical analysis including cost benefit analysis.

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"When I came here first I was much happier. Spending time here takes something away from you. I'm just fed up (visibly upset, crying – pointing to her head)…now I don't want to talk to people anymore…I just want to be on my own… it's the system… my child asks me when are we going to live in our own house and have our own toys - I say I don't know…you have to keep the children inside..you cannot bring your friends here…what is it like that your children remind you to 'sign out' when you leave this place in the morning – what kind of life is that? And with all the stress you have to stop yourself from yelling at the children. You have to be in the room with your children so when they go to sleep, you can't watch the TV, you have to go to sleep too. It's not right for a mother and two children – a boy and a girl – in one room here. All the time"

(Karina)

Section Two:
Reviewing Rebuilding Ireland

Ireland has traditionally delivered on the right to housing through the provision of social housing built or procured and managed by a local authority, and more recently also by approved housing bodies (not for profit housing associations). Over the last three decades the provision of social housing shifted from direct build by the state (through local authorities) to being predominantly provided through the private market through private rental or purchase from the private market, alongside an increased

role for AHBs (Hearne, 2011). The decline of direct build of social housing provision is illustrated in Chart 1. In 1975 local authorities built 8,794 social housing units representing one-third of total housing provision that year, by 2005 this build reduced to 5,559, just 6% of housing provided and by 2015 the state built only 75. In 1961 18.4% of housing stock was social housing but this reduced to 12.5% in 1981 and just 8.7% in 2011 (143, 975 houses) (Byrne and Norris 2017).

Chart 1 Irish social housing completions

Social house completions by sector

■ Local Authority   ■ Voluntary & Co-operative
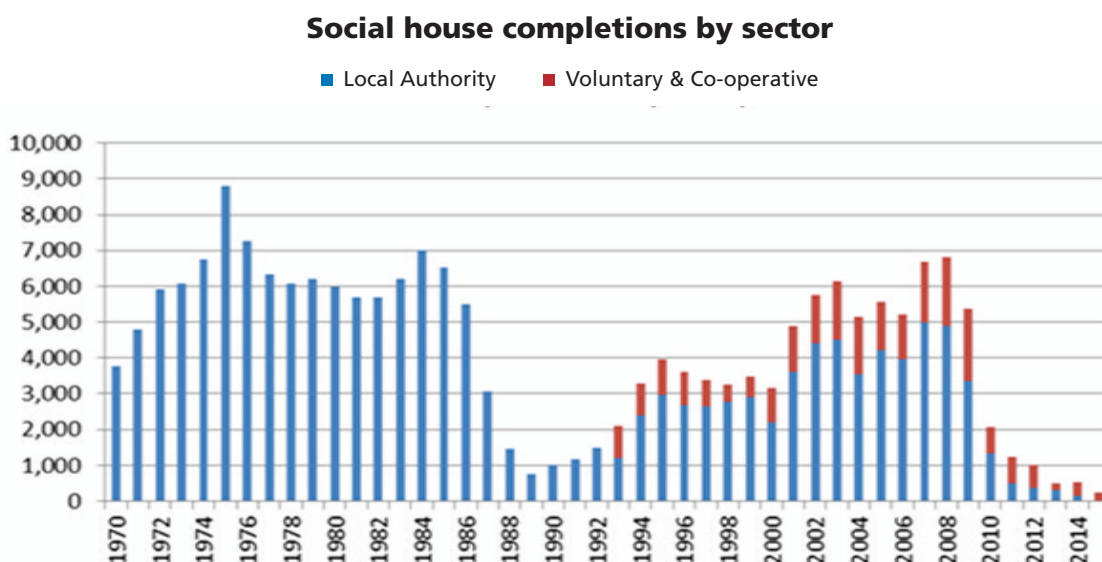
Austerity intensified this decline in social house building, with the Department of Environment suffering the second highest proportionate budget reductions between 2008 and 2012 reflecting a bias against social housing investment and resulting in the lowest levels of provision of new social housing in over 35 years. Table 1 (on p.10) shows this decline and highlights that if social housing continued to be built at the same scale as 2009, an additional 31,136 social housing units would have been built in the period 2010 to 2016 (Hearne, 2017). The absence of this stock is a major contributory factor in the growing home-lessness crisis.

Irish private rental subsidies for social housing: RS, RAS and HAP

Instead of direct social housing building, private rental market subsides have played an increasing role in provision of social housing. Here we chart the historical evolution of Irish private rental subsidies for social housing.

Rent Supplement: Since 1977 the Rent Supplement scheme (RS) has been available as a temporary income support to private rental tenants unable to afford to pay private rent. It was a form of income support and was not considered to meet social housing need. To qualify tenants had to pass a means test, be on the local authority social

Table 1: Impact of austerity and privatisation on new social house buidling, 2009-2016

Year	Local Authority new build social housing	Housing Associations new build – AHBs	Social Housing Total new build	Acquistions	Austerity & Privatisation related reduction in supply ('loss') of social housing
2009	3,362	2,011	5,373	727	0
2010	1,328	753	2,081	850	3,292
2011	486	745	1,231	325	4,142
2012	363	653	1,016	351	4,357
2013	293	211	504	253	4,869
2014	158	357	515	183	4,858
2015	75	401	476	1,099	4,897
2016	234	418	652	1,200	4,721
Total					31,136

housing list and not be in full time employment (30 hours + per week). A 1994 review of this scheme highlighted a number of serious policy anomalies including the cost of the scheme and severe unemployment and poverty traps. The review recommended that accommodating people's long term social housing needs should be administered by local authorities. In 2000 it was established that RS would remain as a short term income support while those relying on the private rented sector to meet longer term housing needs (18 months +) would transfer onto a new Rental Accommodation Scheme (RAS).

Rental Accommodation Scheme (RAS):

Under the RAS the local authority is responsible for finding suitable accommodation in the private rental sector for qualifying tenants, enters into direct contracts with Landlords to lease their properties for a minimum of four years, pays rent to the landlord directly and then rents the property as social housing under the local authority differential rent scheme to tenants. This gives the tenant the same basic suite of rights as local authority tenants or approved housing body tenants[4]. Crucially the local authority differential rent scheme enabled the tenant to work full time. If a landlord exits the scheme, the Local Authority

are responsible for finding an alternative RAS property for the tenants prior to their eviction. RAS also aims to improve the quality of private rental accommodation for low income tenants and offer integration between social housing and private tenants.

RAS was rolled out in the early days of the economic crisis in which local authorities experienced sharp declines in local capacity. Staff numbers and budgets were reduced by as much as 25% and local authorities were reluctant to take on the maintenance obligations associated with long term lease arrangements of private rental properties which often failed to meet higher local authority accommodation standards. Furthermore, landlords were unhappy with the regulations and standards required in RAS and were reluctant to sign long term leases at 80% of the market rent. The numbers entering RAS grew, with over 3,600 entering the scheme in 2008 but slowed subsequently, with just 1,800 entering in 2015. RAS never realised the policy objective as a long term social housing programme capable of replacing RS. In the context of austerity RS numbers continued to grow and reached a peak of almost 100,000 in 2010/2011. It is in this context the Housing Assistance Payment (HAP) emerged as an alternative to RAS.

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[4] The major exception was that local authority 'housing' tenants had a right to buy at a discounted price, this right did not extend to local authority tenants in multiple occupancy buildings (marionette's, flat blocks and apartments)

Chart 2: 'RS, RAS and HAP 1999-2016
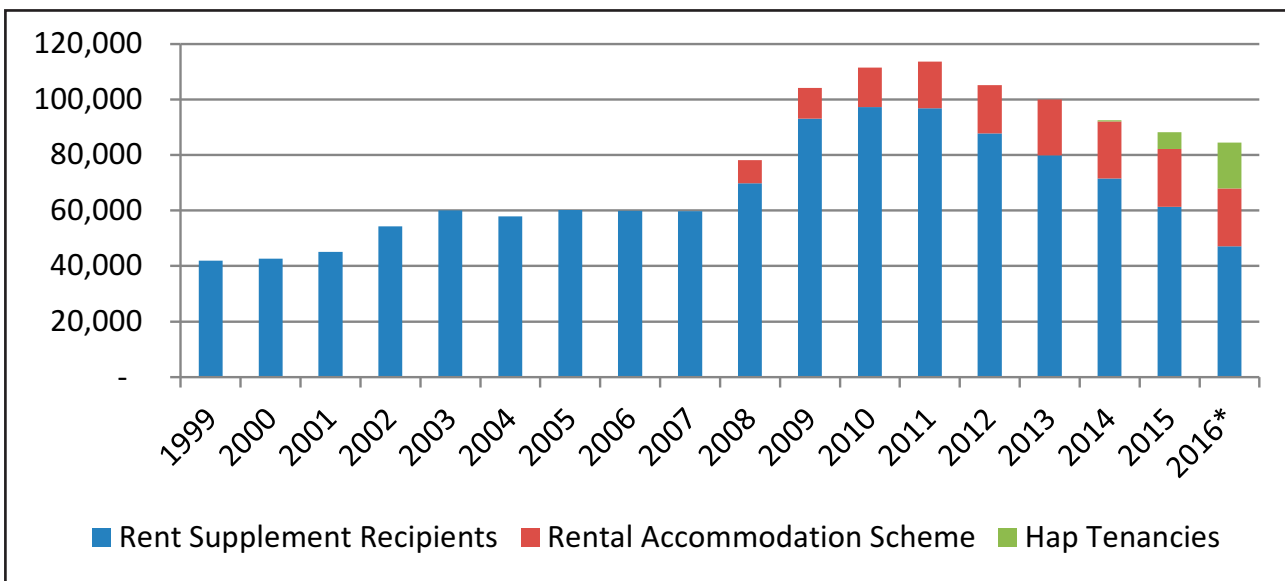
Housing Assistance Payment: In contrast to RAS, the local authority is no longer responsible for sourcing housing for HAP eligible households. Rather households source their own accommodation in the private rented sector and make a HAP tenancy agreement with the private landlord. This means when/if the tenancy is not renewed there is no obligation on the local authority to rehouse the tenant, an important diminution of social rights. The HAP payment is subject to terms and conditions including rent limits that are similar to the RS. Rolled out on a statutory phased basis since September 2014, it has been available to all eligible households across the State since 1 March 2017. Chart 2 shows how 5,680 additional households were supported by HAP at the end of 2015, increasing to 12,075 in 2016, with 15,000 targeted by end 2017. As is common with RS some HAP recipients make 'top up' payments directly to their landlords, beyond the amount of HAP being paid on their behalf. Partly in response to this problem and partly to give social housing candidates capacity to compete in a tight housing private rental market a Homeless Pilot of the HAP scheme has been operational since February 2015.

In 2016, there were 50,000 tenants in receipt of rent allowance, 16,000 HAP recipients and 20,000 RAS recipients, at a cost of almost half a billion per annum (€29m on HAP, €136m on RAS, €300m on RS).

Assessment of housing rights across social housing mechanisms

We can understand these policy shifts as shifts in social rights. Table 2 assesses Ireland's different social housing mechanisms to determine whether and how they enhance of diminish housing rights.
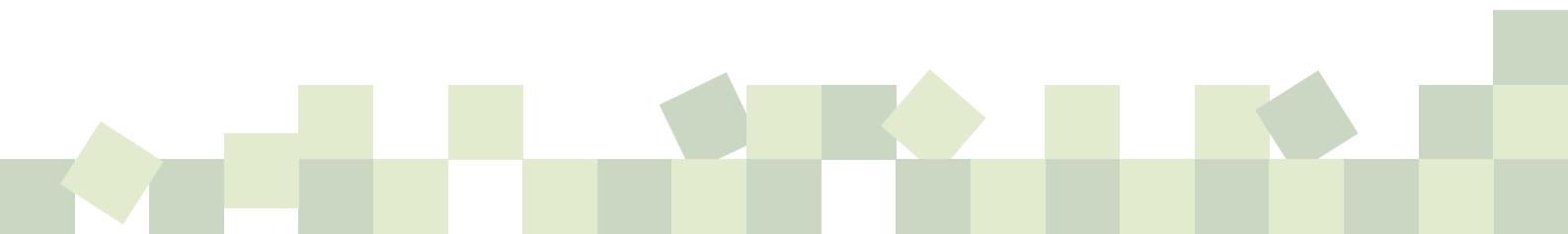
Table 2: Assessment of housing rights across social housing mechanisms

Human Right	RS	RAS	HAP	Approved housing body	Social Housing
Adequate Housing - Legal Security	Poor – landlord can terminate to sell/ accommodate family member	Good – LA legally obliged to rehouse	Poor – landlord can terminate to sell/ accommodate family member	V Good Life lease – no inheritance	V Good Life lease – with inheritance
Adequate Housing - Affordability	Rent review every two years. Top ups in competitive market where rent exceeds RS limits	Rent review every two years, differential rent	Rent review every two years, differential rent Top ups in competitive market where rent exceeds RS limits	Good differential rent, legislative controls	Good differential rent, legislative controls
Adequate Housing - Redress	Good – PRTB	Good – PRTB but some confusion	Good – PRTB	Good – PRTB, some confusion	Poor – subject of collective complaint
Right to Work	Very poor – extensive poverty and unemployment traps	Good, differential rent with tapered increases	Good, differential rent with tapered increases	Good, differential rent with tapered increases	Good, differential rent with tapered increases
Adequate Housing - Habitability	Standard - PRTB but enforcement issues	Standard PRTB but enforcement issues	Standard PRTB but enforcement issues	Stronger but redress and enforcement issues	Stronger but redress and enforcement issues
Adequate Housing - Choice	Some but limited by competitive market	Choice based letting, 3 refusals	Some but limited by competitive market	1 refusal if approved housing body	Choice based lettings, 3 refusals only
Right to buy	No	No	No	No	Yes – houses, No – multiples
Social housing list priority	YES	YES	No, only transfer list	Transfer	Transfer

Housing and Homelessness Social Housing Need

The Housing Policy Statement 2011 identifies forms of private rental, social housing leasing initiative and, in particular, the Rental Accommodation Scheme (RAS), as forms of "long term social housing". HAP is understood as a long term social housing support and HAP recipients, unlike those on RS, are not entitled to be on the social housing list but are entitled to transfer their waiting time on the social housing waiting list to the housing transfer list, an option taken up by over 95% of HAP recipients. This means the social housing list includes those on RS, who qualify for long term social housing, but does not include either RAS tenants (who the local authority has an obligation to rehouse) or HAP tenants on transfer lists (as they are considered to be in social housing without a local authority obligation to rehouse).

The number of households on local authority housing waiting lists grew exponentially over the crisis. Nationally social housing lists grew from 28,000 in 1996, to 42,000 in 2005 and 90,000 in 2013 and 91,600 in 2016. Many have been on the waiting list for an extended period of time. Twenty-one per cent of those on the list are on it for over seven years and just under half (47%) are on it for over five years (Housing Agency, 2017). Over a third (35,572) of those on the waiting list in 2016 were in the Dublin region, while Dublin City had the largest increase between 2013 and 2016, with 19,811 households in need of housing in 2016, up from 16,171 in 2013.

Table 3: Rebuilding Ireland targets for social housing provision

	BUILD	ACQUISITIONS	LEASING	RAS	HAP
2016	2,260	1,755	225	1,000	12,000
2017	3,200	1,250	600	1,000	15,000
2018	4,119	1,750	2,000	668	17,000

Source: Department of Housing, 2016

Social housing build targets

The government's housing plan 'Rebuilding Ireland (Department of Housing, 2016), see Table 3, makes clear that the government's primary strategy for providing additional social housing is the HAP with over 87,000 units to come from the private rental sector over the 2016-2021 period. In the short term HAP is expected to provide 32,000 households with 'social housing' in 2017 and 2018. In contrast just 15% (21,300) of the 134,000 'new' social housing outlined in *Rebuilding Ireland* are new builds by Local Authorities and Housing Associations.

Headline social housing figures disguise the reality of an extremely low level of planned new build social housing and the over-dependence on the private market to provide social housing. Not only are such targets insufficient but they are also unlikely to be met. For example, while it was stated that 18,000 new social housing 'solutions' were provided in 2016, in fact there were just 650 actual new build social housing units (and only 210 of these were built by local authorities with just 40 in Dublin). This was far below the 2,200 projected new builds for 2016.

While just 200 new social housing units were built in Q1 2017 – below the target of 600. And only 175 of the 1,000 Rapid build social housing units promised in Rebuilding Ireland for homeless families will be delivered by end 2017. The reality is that a very low level of new social housing is expected to be built in the coming two to three years. In Dublin City there are just 537 new social housing units at the building stage of being 'on-site', at this rate of delivery it will take over 35 years to meet the housing waiting list need in Dublin City (Hearne, 2017).

Increase in family homelessness and use of emergency accommodation

The most significant indication that Rebuilding Ireland is not working is the growth in family homelessness and the development of family hubs. A new phenomenon of family homelessness has emerged in Ireland in recent years, particularly from 2014 onwards. Nationally 1,312 families including 852 lone parent families were homeless in Ireland in May 2017. Of these, 1,099 families, or 84% of all homeless families, are in Dublin, with 2,266 children. The number of people homeless in Ireland over doubled from 3,226 to 7,699 between

Table 4: Family Homelessness in Ireland May 2017

Region	Total Families	Total Adults	(of which) single parent families	Total dependents
Dublin	1,099	1,477	721	2,266
Mid-East	21	31	11	63
Midlands	26	40	12	54
Mid-West	53	66	40	102
North-East	18	32	4	44
North-West	2	2	2	7
South-East	16	23	9	32
South-West	58	75	41	150
West	19	26	12	59
TOTAL	**1,312**	**1,772**	**852**	**2,777**

Source: Department of Housing, Homelessness Report, May 2017

Chart 3 Type of Accommodation accessed by families in the Dublin Region, monthly Jan 15 - March 17
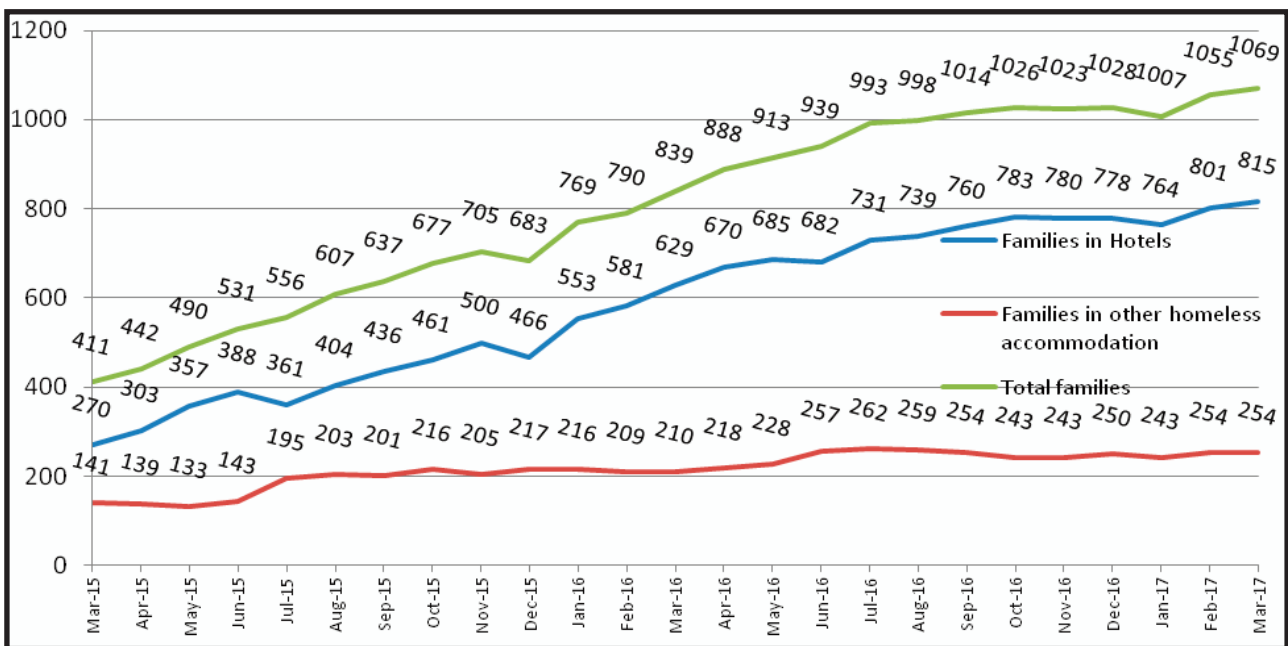
July 2014 and May 2017. The number of homeless families in Dublin increased four-fold in this period, rising from 271 to 1,099. A profile of homeless families in September 2016 also showed that there were a high number of young parents, with 67% under the age of 36. A majority (60%) were born in Ireland and 40% were migrants (of which 20% were EU and 20% Non-EU). A majority of these families were headed by lone parents (65%) of which 86% were women (Focus Ireland 2017).

The Dublin Regional Homeless Executive co-ordinates responses to homeless in the Dublin area. Chart 3 below illustrates the number of adults and children including families living in emergency accommodation in this region. As of May 2017, 647 homeless families were being accommodated in commercial hotels and B&Bs in the Dublin region. The vast number of Dublin based homeless families are housed in emergency hotel accommodation and the rate of increase in numbers entering homelessness remains faster than the rate of exit. While up to 600 families are accommodated in emergency hotels and provided key worker supports through the Focus Ireland Housing Assistance Team, other families have to 'self-accommodate' i.e. find their own accommodation which is then funded on a short term basis by the relevant council. This means families can be asked to vacate the hotel accommodation to accommodate prior bookings (a common occurrence for weddings, major concerts, sporting events, conferences and bank holidays and

vacation seasons). The reality of living in temporary 'self-accommodating' conditions is illustrated by the experience of a family of two adults and five children over one year (March 2016 to March 2017) moved 10 ten times and found it progressively more difficult to find such accommodation and cope with related disruption to school attendance, health appointments, significant loss of belongings, cost, anxiety, stress and emotional turmoil.

Over 2016 in the context of increased media and societal pressure, the political and administrative system responded to pressure about use of commercial hotels to house homeless families by stating in Rebuilding Ireland that "*It is widely acknowledged that any medium to long-term period living in a hotel seriously impacts on normal family life and is particularly detrimental to children*". A key action in Rebuilding Ireland committed to

'ensure that by mid-2017 hotels are only used in limited circumstances for emergency accommodation for families, by meeting housing needs through the HAP and general housing allocations and by providing new supply to be delivered through an expanded Rapid Build housing programme (1500 units) and an Housing Agency initiative to acquire vacant houses (1600 units).'

So within Rebuilding Ireland there was clearly a political commitment to house such families but there was no mention of family hubs. However in early 2017 the then Housing Minister Coveney

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stated he was moving 'to increase the number of family hub type services and reduce reliance on commercial scatter site hotels and B&Bs'. In late 2016 Respond established a 'family hub' or co living model in High Park, Drumcondra, others have since come on stream and are detailed in section 4 of this report. Families are referred to such Hubs by Central Placement Services in Parkgate St, who up to June 2016 have predominantly referred first presenters to family hub accommodation but over time expect to relocate families in hotel based emergency accommodation to such hubs.

In April 2017 with 1091 families (2, 262 children) in emergency accommodation in Dublin (700 of them in hotels/B&Bs) the updated Rebuilding Ireland outlined the provision of '*Family-focussed facilities to provide better short-term accommodation solutions for families,* and that '*Family-Hubs' – provide families with child-friendly accommodation and a range of family supports*". In 2017 Dublin City Council commissioned 9 new Family Hubs to open in July 2017 (to accommodate a total of 254 families) and announced plans to recommission at least five existing hotel based emergency accommodation centres as family hubs, these will accommodate a further 371 family units. In total, fifteen hubs are being developed by the Dublin Region Homeless Executive to provide accommodation for some 600 families.

Reviewing Rebuilding Ireland: The housing crisis and financialisation

The failure of Rebuilding Ireland to halt the growth in homelessness is intimately related to the wider housing crisis where a tightening of supply in the private rental sector led to rent increases causing an increased loss of tenancies (evictions) especially among low income households. Rising rents have also resulted in a growing gap between the rent limits set for state housing support and the actual market rent. Private rental sector failures have to be understood in the context of decline in investment in social housing over three decades of marketization, and more recently, austerity. An additional contributing factor has been the mortgage arrears crisis with 1,694 principal dwelling house or homes (PDH) repossessed in 2016, and with 34,500 of mortgages in arrears over 720 days. Almost a fifth of buy-to-let mortgages (26,000) are in arrears with rent receivers appointed to 6,023 such properties (Central Bank, 2017). While eviction from owner occupied housing does not usually translate into homelessness, evictions from private rental

properties are a major cause of homelessness.

The fault lines of Rebuilding Ireland have to be understood in the context of financialisation of housing and property where various government policies have proactively encouraged investors and speculators - global equity investor and vulture funds, and Real Estate Investment Funds (REITS) - to buy up and invest in housing. Government for example in order to 'facilitate the attraction of foreign investment capital to the Irish property market' made REIT rental profits exempt from corporation tax in 2013 (Noonan 2013). Increased rents and house prices are welcomed as they make the Irish rental and housing property market 'attractive' (i.e. hugely profitable) and the limitless 'build-to-rent' sector is seen as a 'compelling opportunity for private equity investors'. From 2013 onwards there was a significant increase in investor purchases amounting to 38% of all buyers in the first quarter of 2017, up from just 21% in 2010 (Hearne, 2017).

Government, promoting the private rental sector and housing generally as a financialised commodity (Madden & Marcuse, 2016) and seeking to increase investor appetite to 'supply' of private rental accommodation, is hesitant to introduce measures that might address the causes of homelessness by improving tenants' rights. The fear is that such measures could potentially negatively impact on investor interest and reduce supply. Over-reliance on HAP to provide social housing in the private rental sector compounds the reluctance to legislate for greater length of time/security of tenure. The fear is this would limit landlord interest but the reality is such fears are misplaced. As Sirr (2017) has shown improvements in tenants' rights have in fact overlapped with an increased number of investments in private rental sector.

Private rental social housing provision provides a €500million pa corporate subsidy to private landlords. These subsidies play a functional role in enabling landlords survive high levels of mortgage arrears for buy-to-lets and keep many landlords afloat, thus shoring up Irelands economic model. It also provides an economic floor for institutional investors who can use HAP as a mechanism to guarantee a base line return on investment, thus reinforcing the profitability of the Irish private housing market as a site for international investors and contributing significantly to the dynamic of house price increases.

Lack of supply in the private rental sector poses immense challenges in operationalising HAP as a functioning response to the social housing and

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homelessness crisis. In particular the DRHE faces a considerable challenge in finding adequate numbers of private rental properties in Dublin. The problem is augmented by the lack of social housing supply coming on stream for the next four to five years. As pressure on scarce supply intensifies the scale of homelessness is likely to increase. Lack of protection for tenants in the private rental sector, combined with an increased role of global equity funds and REITSs in rent supply means likely rising rents and a more aggressive property management approach leading to more evictions and homelessness. There remains too over 90,000 households on social housing waiting lists, living in overcrowded situations, waiting for years for social housing.

The situation is stark, Rebuilding Ireland social housing build targets will not be met, HAP will not provide the level of social housing required and the numbers of homeless families will rise.

This analysis reveals the choices available to government as it reviews Rebuilding Ireland. The choice is between a financialised private market dominated housing model that will result in an escalating homelessness crisis, and a model of housing that approaches the provision of housing as a human right and social need and, therefore, prioritises adequate state investment in the building of new social housing. Having set the macro context we now explore the experience of HAP and specifically, the homeless HAP, in more detail.
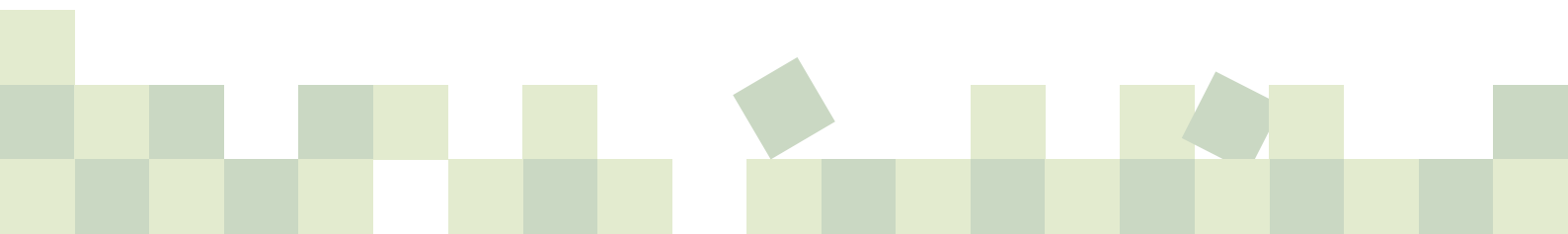
Section Three:
Experience of the HAP & the homeless HAP – evidence from the research

Chart 4 Moves to Tenancies in Dublin Region Q 1 2013 to Q1 2017
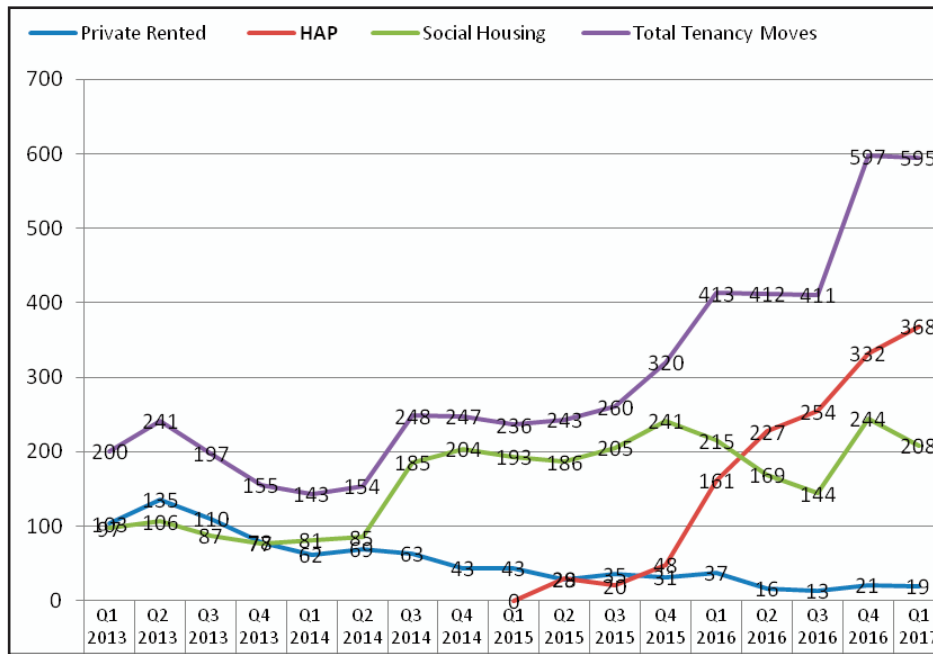
Source: Department of Housing

The Homeless HAP Scheme is implemented through the Dublin Region Homeless Executive (DRHE) on behalf of the four Dublin local authorities and has been operational since February 2015.

The scheme allows additional discretion to the DRHE to pay a rental subsidy for homeless households which is up to 50% above the general HAP limits in three Dublin Local Authority areas and 25% above the limits in South Dublin Council.

Chart 4 shows that in terms of adult 'move-ons' from homelessness, HAP tenancies provided just 15% of tenancies for those exiting homelessness in the Dublin region in Q4 2015. This increased to 62% in Q1 2017, or 368 tenancies. Social housing provided 208 exits in that period.

At the end of Q1 2017 there were 967 HAP supported households in Dublin City Council, 73 in Fingal, 11 in Dun Laoghaire, and 1,636 in South Dublin County Council.

At the end of Q1 2017, 88% of the HAP supported households in Dublin City Council area exceeded the maximum HAP rent limit in contrast to 14.4% nationally and just 3.2% in South Dublin County

Table 5: Location of Homeless HAP scheme & numbers in Dublin Region

County Council	Number of HAP supported households (end of Q1 2017)
Dublin City*	1,099
Fingal	21
Dun Laoghaire Rathdown	26
South Dublin	53

Council. The average monthly payment per homeless HAP household in Dublin City Council is €1,244, in Dun Laoghaire Rathdown, €1,085, South Dublin, €1,104, and Fingal, €1,333.

The DRHE have made it clear that HAP will continue in the coming years as the primary mechanism for assisting persons to exit or avoid homelessness with supplementary supply coming from the Local Authority or Approved Housing Body housing stock.

However, it is clear from the increase in the numbers of homeless families in emergency

accommodation, and the escalation in the length of time being spent in that accommodation (see Table 10), that the supply of homeless HAP properties is not meeting the growing need of homelessness in Dublin.

The following section provides an analysis of the homeless HAP in terms of security of tenure and access and competition. It also provides a cost benefit analysis and an assessment of the advantages and disadvantages of HAP.

HAP and security of tenure

Our research lead us to question the appropriateness of HAP as the primary vehicle for housing provision for homeless families given the inability of the private rented sector in Ireland, as it is currently constituted, to provide adequate security of tenure to tenants. Homeless families believe that the exemption provided in the Residential Tenancies (Amendment) Act 2015 allowing landlords to terminate leases by declaring that the property is to be sold or is needed for a family member, effectively limits security of tenure and this makes HAP less than ideal for social housing provision for families with children.

The issue of security of tenure is particularly important for homeless families given their experience of acute housing insecurity through becoming homeless. They are terrified about re-entering the private rental sector and of putting their children at risk of becoming homeless again:

> "I don't want to keep moving my daughter around all the time... and then I'm afraid that I will end back up in the homeless services again after my lease is up... I would take HAP if I was guaranteed to be able to stay in the accommodation for a five year lease or whatever, and that I would be guaranteed somewhere else after that lease was up... once it's not back to the homeless services. I will not keep putting my daughter through the same situation – it's not fair on her" (Emilia)

> "The problem with HAP is it there is no security. You are there six months and you are worried and stressed about having to move again"
> (Sandra)

The families were asked to describe what, for them, are the key aspects of having the right to a home. They answered by describing what a home should provide. They identified security, stability, safety and freedom as key defining factors. A secure home is the base from which families can provide stability, safety, security and normality essential for childhood well-being. The families' expressed housing need, therefore, was for long-term, secure, accommodation. HAP does not provide such security:

> "Security for families? No HAP doesn't give it. If they are looking for social housing they know they are getting to have a long term tenancy and that is their long term goal – if they take HAP it's 1 year or 2 years – 1 year goes by very quickly. It's huge especially when you have children - the security. ...Families are saying to us they want a minimum of five or ten yrs security – an obvious thing you need"
> (Key Worker)

In contrast to the private rental sector, the security of tenure in the social housing sector is well protected by the provisions of the Housing Acts 1966 (and 2014) and social housing tenancies are generally lifetime in nature, and evictions can only take place in very limited and prescribed circumstances. This explains why families' preference is for a council house (local authority social housing) as it is seen as the only way to provide a long-term secure home for their children:

> "I would love a corporation house to give me the security for my child"
> (Amy)

> "I would love a right not to be evicted"
> (Laura)

Parents are not willing to leave their children exposed to the possibility of continual relocation (with school moves, loss of social networks, disorientation etc.). Some rationally determine that it is better to trade a longer wait in emergency homelessness against the likelihood of achieving longer-term security through traditional

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social housing. Duncan (2004) refers to this process of 'gendered moral rationality' to show how lone parents place child well-being at the centre of decision-making. Parents, and lone parents in particular, need to be housed in the area close to their essential supports from family and community networks. This is also linked with decision making around the loss of priority on the social house waiting lists as a result of taking up a short term HAP tenancy:

> "People are seeking a forever home and that is their priority. Which is understandable because if you have been eight or ten years on the list, and then ending up homeless, and then spending one and a half years in a hotel room. If you then go into HAP – it might be for a year, or two years at the mercy of the landlord again. But you want to be able to put down roots and have security for your kids"
>
> (Public Representative)

The fear of becoming homeless from HAP properties is not an irrational fear. Department of Housing data demonstrates the insecurity attached to HAP as a form of social housing. Since the HAP scheme commenced in September 2014, to the end of Q4 2016, 1,737 households exited the scheme. Table 6 shows that a quarter of the exits related to the landlord withdrawing the property, causing 435 HAP tenants in the last year to find alternative HAP accommodation.

Furthermore, there is a risk that as the end of the first phase of two year HAP tenancies comes to an end in 2017 that some landlords might seek to end their HAP leases in order to gain vacant possession in order to sell the property etc. Even if this was to occur on a modest scale, it would have major implications for the affected families and the housing system in coping with an additional source of homelessness:

> My worry is what happens at the end of the first two year tranche. Are we going to get at some point in 2017 – to get hundreds of HAP tenancies coming to an end, all at the one time – at the same time where the rental market is already HAP saturated?"
>
> (Public Representative)

Experience of competing in the private rental market for HAP accommodation

The HAP and Homeless HAP schemes are reliant on supply from the private rental sector, a sector in an unprecedented crisis with a dramatic increase in demand for rental housing in recent years, combined with the lack of new private rental supply and significant rent increases by landlords.

In this context homeless HAP recipients find it extremely difficult to compete for the limited (and increasingly expensive) new private rental accommodation available on the market. They are trying to compete against tenants who are more likely to have recent work and landlord references, access to social networks, as well as the capacity to negotiate (engage in 'bidding wars') rent tops ups, 'hello money' or offer higher rents than those advertised and, higher than the HAP limits. Homeless families are experiencing what we have described as a *structural exclusion* of homeless families from the private rental market in Dublin, which is in some instances reinforced by the HAP system.

> "I am up against professionals and I don't stand a chance in getting it"
>
> (Chloe)

Most families report that they are filtered out of the private rental search at the first hurdle, often unable to get emails, phone calls or texts returned and unable to access viewing appointments. Homeless mothers described it as *"extremely*

Table 6: Self-Reported Reasons for Exits from HAP scheme

14%	Transfers to other forms of social housing
14%	Compliance exits, which include non-tax compliance by a landlord, non-payment of rent contribution by a tenant, failure to meet the minimum standards for rental accommodation (which all landlords must adhere to)
24%	Landlord exits, which include a landlord giving notice to a tenant, and a landlord selling a property; and
48%	Voluntary tenant exits, which include working in a different area, medical, education, change in household composition and deceased tenants.

Source: Department of Housing

difficult" and *"soul-destroying"* trying to find HAP accommodation:

> "I have sent out numerous emails on Daft over the last two months. The majority of these emails that I sent have not even received an acknowledgment. …I have tried very hard to get us a home on the HAP and I am really finding it impossible. The very few replies from my emails I do receive are asking for current work reference and landlord reference.
>
> The trouble is I do not have a landlord reference as I ran into rent arrears in my last home. I do not have a current work reference either as I am not working. I feel like I am at a loss trying to find a home for my kids and I simply do not have what they are looking for. It seems to me HAP does not help in my situation as I am getting no luck in even getting to a viewing stage of a property, not even once in the past two months.
>
> It is very disheartening for me. All I want is a little apartment—even it does not have to be a house—for the kids near their schools. I do not have a car. I am literally finding it impossible. I am trying so hard…. I feel like I am getting nowhere"
>
> **(Amy)**

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The inequality in competition for housing in the private rental market leads to this structural exclusion of the most vulnerable families. They face much reduced chances of finding accommodation through HAP:

> "The demographics of the lower income end of the HAP tenants – such as migrants, single parents - in terms of people with other complex issues going on in their lives such as families with children with special needs. Very clearly you can see there isn't a level playing field in terms of accessing properties. The fact that HAP also puts responsibility for identifying the property on to the tenant creates additional difficulties. For Travellers, for those with limited literacy, people without access to computers regularly, people whose income is so low, ringing around landlords is additional cost. Across a whole range of layers those people are not given equal access to compete in the private rental market"
>
> **(Public Representative)**

Failing to compete in this competitive housing market has severe socio-emotional impacts on the homeless families:

> "You can only go on so many viewings before your mental health is affected. It knocks you back every time you go see a place and you aren't successful" **(Chloe)**

> "I am getting nowhere with HAP …you get your heart broke because you don't hear anything back from them" **(Laura)**

> "Some families here have been to 35 viewings. How hard it is getting turned down all those times? They just cry afterwards. What does that do to your self-esteem? They have learned not to tell the kids until they have the keys in their hand…it's just knock back after knock back for them …"
>
> **(Key worker)**

Some families have a greater capacity to pick themselves back up again after a rejection from a landlord or estate agent and they go back looking again. However, others are more vulnerable and

lack such resilience, and reducing their effort in searching for a property becomes a form of self-protection against further rejection:

> "They are refused one property and then they are not looking for another for weeks. ..it's tough but we encourage them to keep firing out emails –...if someone builds them up for a property and then think they got it and it's a no..it takes time to build themselves back up again and look for another property... "
> (Key Worker)

The vulnerability of the most socially excluded families is further exacerbated by the marketwise approach in HAP to accessing housing.

There are also practical barriers faced by the families given their homeless situation in emergency accommodation. They are often travelling long distances to bring their children to school, and then have to incur the additional expense of travelling (and putting their children through further travel) to multiple viewings of properties to rent. This has a major toll on the families as Emilia explains:

> "It's really hard. Getting up at 6...to get the kids on the bus to school. And then get a bus into town and then another one back here. I get €30 a week for travel and I spend €70 on it. I have to take the baby on the bus – on all those journeys. ...It's so hard trying to view places that know you are not going to get. They never ring me back. I just feel like giving up".

The issue of appropriate location also presents challenges when there is little rental property within the set HAP rent limits in the areas where a family has their support system, the child goes to school etc.

> "because sometimes families are looking in certain areas but simply no properties are available in that area. So they have to look outside of where their network is, their community, their connection is, their schools. I've worked with families who have to move schools to get rented accommodation where they have no family, no local connections. That was a huge impact on them. ..." (Key worker)

Issues faced by homeless families in competing for accommodation in private rental sector

▼ Emailing – not getting replies

▼ Attending many viewings not getting any reply

▼ Competing with professionals-with work references, bidding wars, extra top-ups

▼ Asked for work reference before even get to viewing stage

▼ Rent above HAP limits

▼ Impact of discrimination on feelings and wellbeing of families- feeling depressed, rejected with negative impact on self-esteem.

▼ Feeling discriminated against because of being a single mother

▼ Issue of viewing times with young children

▼ Forced to look in areas where they have no family, no local connections, change child school

Discrimination and stigma as single mothers

Homeless families already experience feelings of stigma. But these feelings are reinforced and deepened by the search for private rental accommodation through HAP. The families, the overwhelming majority of whom were female lone parents, identified a double aspect of stigmatisation as they were discriminated against within the private rental sector for being both single mothers and homeless. They were asked by landlords if they were single, if they were in relationships, and asked their age.

> "I have been homeless for six months and I have had no replies to emails from landlords. They say they don't take children and they don't allow children in the house. When I tell them that I am a single mom - they say the viewing list is full, but there is a waiting list and they will put my name on that. But I never get back a reply. They are saying they are not taking me because I am a single mom because they think I can't pay"
> (Sandra)

Landlords and estate agents appear less likely to reply when families are on HAP and in emergency accommodation:

> "I went to a place and was told that I would have to give €1000 on top of the rent and deposit – because I was on HAP – that it wasn't my money and I'd only wreck the place – so I would have to give this extra money"
> (Laura)

Challenging the assumptions of policy makers

Our research found an underestimation on the part of policy makers of the inequalities inherent to the private market approach in HAP. In particular, the severe negative impacts on families' mental health from the rejection and failing to secure HAP accommodation within the private rental sector. The assumption that low income, socially excluded, families and lone parents can self-secure accommodation in the private rental sector is wrong. It places the responsibility of housing on to the homeless family and assumes their success in achieving this is down to their level of motivation (i.e. the more motivated will access housing more quickly). This approach brings social policy down a path of dividing between the deserving and undeserving poor, with all the attendant injustices that brings.

One policy maker expressed the view that HAP works because individuals are 'more motivated' to find housing than a local authority official:

> "if you really need somewhere to live you will be highly motivated to find somewhere...and you will keep putting in effort until you do. The local authority official behind a desk is not as motivated" (Policy maker)

This ignores the structural exclusion resulting from market competition and the way in which HAP as a form of marketised social housing exposes the most vulnerable families to market failure (and makes them feel responsible for that market failure) and thus reinforces and deepens homeless families' disadvantage and social exclusion. It is an unsuitable and ineffective process underpinned by assumptions of policy makers who are generally market 'winners'. Lone parent families inevitably fail and suffer from such policies.

Cost benefit analysis of HAP

The significant rise in rents in recent years means that the assumptions underlying the government's 2013 economic assessment of HAP can no longer be considered accurate. A review of Rebuilding Ireland, therefore, needs to include a new Cost Benefit Analysis (CBA) of HAP, that updates it to current (and projected) market rents and also compares HAP with the cost of direct social housing building and state provided cost rental housing provision. Here we draw on Reynolds (2017) analysis to provide a CBA of HAP and direct build social housing.

This analysis shows that over a thirty year period the provision of a typical HAP dwelling in Dublin is €274,128 more expensive per unit than if it was provided through state funded local authority building of social housing. This means that the Rebuilding Ireland target of providing 87,000 private rental units will be €23.8bn more expensive than providing these units via local authority building, over a thirty year life span.

If the approach in Rebuilding Ireland continues there could be in excess of 120,000 households in receipt of various state subsidies in the private rental sector by 2021, requiring state spending of approximately €1bn p.a., and most of which will be going to private landlords, including REITs and global investment funds. Providing these 120,000 social housing units through HAP will be €32.9bn more expensive than local authority provision over a thirty year period, or €1bn per annum more expensive.

Table 7: Cost Benefit Analysis[5] of HAP via Local Authority provision of social housing

	HAP	Direct Build
State Monthly Payments	€1,244	€800
Residual Value	0	€180,000
Additional cost per HAP unit vs direct over 30 years	€94,128	
Total additional cost per HAP unit	€274,128	
Total additional cost for 87,000 Rebuilding Ireland private rental units over 30 years	€23.8bn (€800m per annum)	

HAP strengths and weaknesses

Table 8 below provides an overview of the advantages and disadvantages of HAP. HAP, in theory, offers some useful features, particularly the homeless HAP which offers 50% more than the HAP limits, albeit that rent increases in the private rental sector tend to erode this competitive advantage over time. For some families HAP offers an attractive housing route with greater choice of location and more mobility as well as providing the ability to work. However, there have been implementation issues and administrative errors by local authorities in paying rent to landlords causing HAP tenancies to fail in some instances.

HAP also results in a reduction in the human right to housing in relation to the security of tenure which is provided under traditional social housing and the RAS scheme.

This, however, is in line with a shift in housing policy (reflected in the 2011 Housing Policy Statement) away from providing social housing as a permanent form of housing, or 'housing for life' to a more temporary response.

> "The HAP introduction – was done in a way to keep people off the social housing waiting lists, so that they don't expect to get social housing. It is, trying to remove the aspiration of social housing as legitimate"
> (Policy maker)

In this context it is interesting to note that 95% of those taking up HAP have opted to go on the social housing transfer list – which shows the high level of aspiration and desire for the traditional form of social housing among HAP recipients.

But by far the greatest obstacle to making homeless HAP work is the deficit in private rental housing supply and the degree to which homeless families find themselves structurally excluded from the private rental market as they are at the bottom of the queue in a highly competitive housing market, and vulnerable to class, gender, ethic or family status based discrimination.

Table 8: Overview of the advantages and disadvantages of providing social housing via HAP

Advantage	Disadvantage
An uplift of up to 50% of the Rent Supplement rate in the region (25% for South Dublin).	Rent increases negate this advantage over time
Rent paid directly to the landlord by the local authority	Administrative issues and delays
Security deposit & first month rent paid to landlord in advance	Administrative issues and delays
More mobility and choice of location	Certain locations excluded because rents above rent limits
No change in rent to landlord if tenant's employment situation changes	Increase in differential rent paid by tenant to LA
Tenant can be on LA housing transfer list	Tenants must forgo place on social housing list and homeless priority list
Private rental security improved since 2014 PRTA RTB	Security of tenure is limited - 2014 PRTA exemption clause for landlord to sell or give to family member
Redress under PRTB is better than for LA tenant	Recipients report poor standard of accommodation in HAP market
Prospective tenants protected from SES discrimination under equality legislation	Nature of competitive rental market leaves little opportunity for HAP tenant to compete
Allows increased state provision of 'social' housing under current funding	More expensive method of social housing provision in the long term than local authority social housing

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[5] The CBA is based on the following formula provided by Reynolds (2017). Thirty years of renting is a cost which results in no transfer of title at the end of the period: the residual value for renting is zero. The residual value of a directly-procured Local Authority Home after 30 years is €180,000. State cost of funding a local authority home at a 5% borrowing interest rate with 2% inflation and a 30 year term = repayments €800 per month vs the Dublin City avg HAP rent of €1,244. HAP is €5,328 more expensive p.a . The 30 year Net Present Value (NPV) saving for a Local Authority mortgage over a typical HAP rental= €94,128. Total saving for a directly-procured Local Authority home over a typical HAP dwelling in Dublin City = the sum of Residual value + NPV mortgage saving = €274,128.

Section Four:
Emergency Accommodation and Family Hubs

From hotels to hubs

In May 2017 over 1,312 families were living in emergency accommodation nationally, with 1,099 families in the Dublin region. Older Irish studies of the impacts of living in emergency accommodation (Hickey and Downey 2003, Smith, McGee and Shannon 2001; Halpenny, Keogh & Gilligan, 2002, Hickey & Downey, 2003) found issues for families managing and storing food, food poverty and vulnerability to poor nutrition amongst the homeless population in Dublin shelters. More recent Irish studies are not numerous but consistently report the negative impact of living in emergency accommodation and the feelings of stigma associated with poor quality services. A 2015 Housing Agency review of families' experience of homelessness found that living in emergency accommodation was traumatic and stressful with the many varied rules leading to disempowerment for parents, and with the additional costs of purchasing food and extra transport very expensive. The experience also involved families having to split up on a temporary basis and cope with poor conditions in emergency accommodation while trying to access services and supports to exit homelessness (Walsh and Harvey 2015). Fallon (2016) found that public health nurses observe significant impacts on child development with gross motor delay, speech delay, infections and behavioural problems as developmental delays. They also found difficulties in accessing services as constant movement meant follow up appointments fall through leading to inadequate support for families. Various newspaper articles, television documentaries, radio reports and social media coverage documented the reality of hotel living, including lack of facilities for cooking and food storage, lack of internal space, lack of external space for children to play, arbitrary termination of occupation without procedural safe guards, and distance from schools, services and social networks. Various children's NGO's have also made representations concerning the unsuitability of such accommodation for children (Children's Rights Alliance 2017). Various national and international rights institutions have made observations concerning the degree to which longer stays in emergency accommodation violates family and child rights.

Table 9: Domestic and rights based institutions expression of concern regards emergency accommodation

Rights Insitutions	Source
United nations Committee on the Rights of the Child	2016 CRC/C/IRL/CO/3-4 para 61, 62
United Nations International Covenant Economic and Social Cultural Rights	Submission 2015
United nations Convention on the Elimination of Discrimination Against Women	Submission 2017
Human Rights Council	Report of UN Special Rapporteur Magdalena Sepulveda Carmona Mission to Ireland
Irish Human Rights and Equality Commission	Policy statement The provision of emergency accommodation to families experiencing homelessness June 2017
Ombudsman for Children	Annual report 2016 p 45
Office of the Ombudsman	Annual report 2017 p 58

Most recently Harvey and Walsh's (2017) review of 25 families' experience of living in emergency accommodation found the day-to-day reality of living in homeless accommodation over an extended period of time had caused them significant stress, in turn affecting their sleep and ultimately their mental health, and having to use various strategies to cope with the stress. A shift from independent living to that of dependency on others for food can compromise nutritional and mental health (Share and Hennessy, 2017). Both studies note the overall impact on capacity to parent effectively, the impact on child and parental well-being. Figures from September 2016 to February 2017 show a significant escalation in the length of time families are living in emergency accommodation in the Dublin region, with the numbers 18-24 months increasing from 42 families to 138 families.

Table10: Family duration in emergency accommodation (EA) in the Dublin Region

Duration in emergency accommodation	September 2016	February 2017
Families in 24 months +	22	40
Families in 18-24 months	42	138
Families in 12-18 months	192	220
Families in 6-12 months	278	231
Families in 6 months or less	385	374
Total	**919**	**1003**

This contextualises the 2016 political commitment to cease long-term use of hotels as emergency family homeless accommodation.

The policy decision to develop family hubs has been controversially received. Many have cautiously welcomed the concept of family hubs recognising that for many families living in a family hub may be better than a commercial hotel or B&B. However others question the degree of potential trade-offs in terms of increased institutionalisation and loss of personal autonomy. Others remembering Ireland's shameful legacy of institutional failures fear history may repeat itself, while the Irish Human Rights and Equality Commission (2017) have highlighted the absence of a human rights proofing of homeless policy and pointed to issues of participation, redress, regulation and inspection. Particularly worrying are plans to build family hubs in Cork, Limerick and Kildare,

where there is no significant problem of family homelessness.

254 families will be accommodated in nine newly acquired properties which, having undergone minor alterations, will open on a staggered basis over summer 2017. These hubs have to date been developed outside the normal planning process and with little consultation with elected councillors. At the time of completion of this report there is still only emerging information about which five hotels presently used for emergency accommodation will be converted into and reclassified as family hubs for 371 people. It is important to note that decisions about management and services in family hubs are still in a planning and negotiating stage.

Table 11 shows the considerable variety of building types (ranging from former religious institutions, student accommodation, offices, warehouses and former B&B's and hotels), variety of size ranging from 9 to 50 families, various locations as well as the range of providers (including Salvation Army, Respond, Cross Care and the Sons of the Divine Providence, and others

Table 11: Family hubs planned for Dublin Region, June 2017 – 625 family rooms

Hub	Accommodation	Provider	Number to be accommodated
High Park, Drumcondra (in operation)	Former convent used as student accommodation	Respond	**42**
Ashling house, Clontarf	Former B&B	Respond	**13**
Mater Dei, Drumcondra	Former convent used as student accommodation	Cross care	**50**
Greencastle Parade Coolock	Former Bargaintown industrial park retail outlet	Salvation Army	**40**
Kinsealy Lane	Large residential home	Peter McVerry Trust	**11**
Clonard Rd Crumlin	Former public office	Salvation Army	**30**
Sarsfield Rd Ballyfermot	Former boys home	Sons of the Divine Providence	**11**
Gleann na hEornain	Apartments	Respond	**10**
Millmount, Dundrum	Accommodation	Private operator	**12**
Merchant O Shea's	Guest house	Private operator	**NA**
Lynam Hotel	Former hotel	Private operator	**45**
Regency	Former hotel	Private operator	**X**
Sunnybank	Former hotel	Private operator	**X**
Bram Stoker	Former hotel	Private operator	**X**
Viking Lodge	Former hotel	Private operator	**X**

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yet to be identified). This leads to immediate concerns about consistency of standards and the likely experiences of hub life for families.

> "I'm afraid hubs might wind down the political pressure to address homelessness and the system will turn into a new form of direct provision"
> (Public representative)

Emerging concerns about use of family hubs

A key concern for this research is whether, in common with other jurisdictions, family hubs may lead to an entrenched longer term institutionalised response to family homelessness where the rehousing need of families living in family hubs is considered less urgent, or is even forgotten, as the public at large assume such families are relatively well accommodated. A second concern is that the reality of institutional life will, over time, damage families' ability to function independently. This could cause families with housing problems to, over time, become 'problem' families who are then blamed for their homelessness, which they did not create and could not solve. A third concern is the general absence of public plans concerning the design model or operational principles for managing family hubs. Former hotels are likely to be managed by private operators with key worker support and child services provided by specialised non-government organisations. The different model for other family hubs is potentially problematic in the context of dual roles of organisations that have accommodation management functions while also providing key supports for families to assist them exit the hubs. It is not clear that these organisations have the appropriate skill-set or experience in providing key work support or services to families with children, and there is a potential conflict of interest where behavioural conditions can be imposed on residents by accommodation managers or landlords who are, at the same time, a first source of family support.

The public are concerned with the quality of lives of families in homeless accommodation and have expectations of improvements following political commitments to end the use of hotel based emergency accommodation. Many are hopeful that family hubs will live up to their promise of increased living space, childcare facilities, and cooking and laundry facilities. This study is the first to capture the experience of living in Irish family hubs, and while limited in scale and to the degree that it captures family hubs early in an evolutionary stage, our reflections are offered with the purpose of enabling early collective learning. We proceed by using Burchart's (2017) capability framework to conceptualise the impact on homelessness through three lens: Autonomy, Treatment, and Functioning.

choice and autonomy
control and planning

treatment
stigma
discriminaiton

capability to be and do
work /leisure
cook/care/parent
physical and mental health

Autonomy, choice and ability to plan

We found that rules and conditions attached to family hub type emergency accommodation mean a significant number of practical restrictions on 'capability to live the life one chooses and values'. Like Paquette and Bassuk (2009) we found families who are homeless have many strengths and seek to love, protect, nurture, guide and detach children to grow, develop and thrive. Homelessness undercuts parents ability to do all this and can leave mothers and fathers depressed, anxious, guilty and ashamed (ibid p292), and finding it very difficult to protect children from adult realities.

We find that the dual role of the accommodation manager/landlord and key support worker can present a conflict of interest as homeless families who find strong conditional co-living rules imposed and monitored by key workers who are also the first source of support to the families. In particular the imperative on management to implement child protection guidelines determines the dominant approach to management. It is common to have living behaviour monitored with strict curfews, no accommodation of visitors in any part of the building, overnight leave rules (with a maximum three days per month permitted absence from the emergency accommodation), restrictions on movement (a ban on being in others bedrooms), and parental rules (including a ban on holding and/or minding each other's children).

"I feel my parenting is checked all the time ….I got a warning, its feels like an institution instead of a home ….we don't need our authority taken away from in front of our children…. our parenting is questioned in front of our children …..they are taking the parenting role off the parent … when someone speaks down to you like this you feel you are on the bottom" *(Laura)*

Treatment, stigma and discrimination

Families in institutional settings are open to greater degrees of scrutiny and environmental stressors. Positive maternal identity is a key identity for working class women (Edin and Kefelas 2005: 204). When emergency accommodation limits capacity to parent or, even worst, questions one's worth as a parent it strikes at the core of maternal identity. Parents described the undermining of their role and capacity to parent as a key factor leading to depression and low esteem. Conditions in hubs limit their capacity to parent effectively and cause down ward spirals of well-being. Parents reported feeling 'demeaned' and 'spoken down to', 'like a child', 'in school' and being 'in prison'. This has consequences for physical and mental health leading to increased use of anti-depressants and other prescription medications.

After a number of weeks working with families living in a family hub the peer researchers reflected:

"participants expressed a fear of being threatened with social workers being called, for child neglect, for silly things like leaving a child with a friend when going to the bathroom – parents are fearful of social workers and afraid to make mistakes. Take Liz, for example, she told us how her little fella goes to bed at 7.30pm…so she has to stay in the room from 730 until the child wakes up in the morning…she got a warning because she went and made a cup of tea in the kitchen".

(Peer Researcher)

"Then there is the way people look at you because you are homeless. My children on the bus and talking … and I could see people over hearing it and staring at me"
(Chloe)

For Wang (2017) family homelessness is a 'severe form of poverty' leading to increased vulnerability to traumatic life experiences and systematic challenges which rob children and families of their basic human rights and capabilities, disrupting family functioning (routines, parenting behaviours, developmental outcomes). Policy options for addressing family homelessness are filtered through differences in attitudes to or assumptions about homelessness and families own capabilities, often with paternalistic assumptions underestimating what families are capable of achieving and valuing.

Milburn and D'Ercole (1991) find homeless mothers are in close contact with social relationships and that this is important for resettlement strategies, parents often stress the importance of location in their search for housing as they seek to maintain social relationships. Rules banning visitors undermine such social relationships.

"Since we met them they all have gone downhill…the first week they were happy, they were bubbly – now it's all negative – every time we see them something new is happening that they don't like – it is really unfair not being allowed to talk to each other in corridors and in each other's kitchens, they cannot even socialise with each other – it is affecting them because they have to stay in their room constantly. Now they are miserable – now a lot of them want to give up"

(Peer Researcher)

"coming to a service like this cannot just open the door and let your children play outside , you can't let your next door neighbour mind your child while you go down to the shops… we understand that it is difficult.. child protection comes up the front of everything we do here"

(Keyworker)

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"I was told I could not have my children playing in the room of another person...they are best friends with the other little girl and the worker tells me we can't be in there playing...

(Liz)

We can't mingle – she can't play with other children...So the children have to be kept in our room to play with their toys by their self all the time – locked away – it is not right...."

Children can't run around -they can't be free. She says to me mommy when can we go to our house...I tell her that this is our home now...- this is no good for her..."

"It's all about child protection but what about child development and the parents mental health" (Sandra)

I really feel my mental health is suffering ....my state of mind is deteriorating, my child is seeing that and it is causing anxiety

(Kelly)

"it's very hard for us as a service to manage them wanting people to come in from outside of here for babysitting and for visitors – we have to protect all the families that are here – families find that difficult themselves"

(Keyworker)

"My sister comes over, but I have to talk to her outside the door, what is she to do, she is gone in twenty minutes"

(Chloe)

"This place is restrictive – it is like a prison, we have to keep the children inside. ..we can't have friends over.. in our culture we like to socialise"

(Laia)

"My dad was going to help me bring in stuff but they would not let him in, he was not allowed carry stuff into the corridor"

(Sandra)

Parenting efficacy and family functioning

International literature suggests strict shelter rules can undermine parent's self-respect especially when they cannot set and maintain rules for their children and are effectively required to parent in public. Monitoring and rigid rules means living in circumstances that can undermine their otherwise effective parenting practices and capacity to parent autonomously (Milburn and D'Ercole 1991, p295), with related issues of stigma and discrimination and what parents report as humiliating and dehumanising experiences (ibid p 295) which impact on parental stress and mental health.

Hubs mean a lack of private space or structured environment within which to effectively parent. Parenting efficacy, confidence in ability to influence one's child's development, and related competence is undermined by environmental factors with negative implications for child adjustment, with some homeless accommodation sites more facilitative than others in helping parents resolve issues (Gewirtz et al 2009 p341).

"some people can be institutionalised after 3 months - if you are institutionalised – you are dependent on the staff – you are not learning anything, you are losing skills, there is a question of over reliance.... don't make the client become dependent on the key worker"

(Amy)

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The cruel irony is that effective parenting is a critical protective process predictive of resilience in high risk children (Gewirtz et al 2009 p 337) but parents need to manage their own wellbeing and mental health in order to be able to help their children cope and manage adversity. Rafferty and Shinn (1991) review of the impact of homelessness (living in emergency shelters in US) on children finds sobering impacts on their ability to succeed and their future well-being but that such consequences can be mediated by public policy interventions that enable family functioning, parental autonomy and that address underlying poverty. Gewirtz et al (2009) find a significant impact of homelessness on children's functioning with risk factors including maternal psychological distress, mental ill health and parenting practice. Effects of homelessness (disruptions, loss of possessions, instability) can be mediated by ecological factors, parental responses and access to wider family networks.

The practical environment of emergency accommodation matters as well-being and functioning is limited by lack of privacy, intimacy and security, and presence of negative stressors such as a sense of powerlessness (Lewinson 2010 p181). Enabling coping strategies and capacity to adapt or adjust surroundings (make space, more comfortable (bedding), facilitating personal items (pictures/plants), getting away spaces, storage or dining equipment (plate holders) are all crucial. Supports to manage and mitigate maternal depression can also potentially improve child well-being and development. Policy makers assume families have problematic back grounds and relatively high support needs, however in common with international trends 80 percent of Irish families entered homelessness in the context of private market rental failure.

Milburn and D'Ercole (1991) find homeless mothers are likely to be similar in characteristics to other (poor) mothers albeit with fewer instrumental resources (lower income). Market failure is compounded by low income and poverty, and often loss of virtually all possessions. Most families will not need high support to transition into mainstream housing, but they do need practical supports to minimise the impacts of homelessness, including, for example, storage space to keep possessions, adequate provision of household goods in hubs (cooking equipment and table ware) and meaningful transport support in moving goods from accommodation to accommodation.

"Sometimes you just want quiet but the child is beside the adult all the time, they are getting into bed with you clinging, wanting to feel safe but you are exhausted, it is essential to be able to walk away when you feel stressed but we can't, we have to stay in the bedroom, we cannot leave the bedroom at night"
(Laura)

Advice from child psychologists suggests family hubs can only work if they build support around parents to help children cope with the challenges of homelessness. Feeling secure, having a safe home, a bedroom and regular meals are very basic human needs and prerequisites to playing and learning, positive social interactions, developing self-esteem and striving for and achieving our goals. Instability can cause children to be consumed with worry and unable to focus on typical pursuits of childhood development. Children rely upon routine, habit and consistent responses from adults to learn about the world. Routines that vary significantly from the norm makes for an unpredictable world and feelings of anxiety and insecurity leaving a child unsettled and out of control and likely to attempt to exert control – often expressed through regression in behaviours i.e. acting younger than their age, sleep disturbance, feeding issues, bedwetting though they have been previously toilet trained, clingy behaviour, behaviour problems in school, etc. Adverse Childhood Experiences (ACEs) including homelessness are related to development of risk factors for less well-being throughout life. Traumatic childhood experiences can result in social, emotional and cognitive difficulties, which in turn may lead to mental health difficulties, poor academic achievement, early school leaving, chronic health conditions, depression and substance misuse. Even when homeless, children can thrive when their basic needs are met in environments which can foster safety, belonging, achievement, personal power, a sense of purpose and adventure that immunise children against the harshest aspect of homelessness.

> "children are seeing everything –
> watching it"
>
> "It's the impact on the children –
> especially as they get older in school,
> they can't bring their friends back,
> can't tell their friends where they live,
> they're embarrassed and teased about
> it .I find that very difficult....a
> teenage boy sharing a bunkbed with
> his mother...that's hard for the parents
> to cope with that.... we won't know the
> effects on these families until the
> children are older themselves"
> (Key worker)

Contextualising family hubs: Therapeutic Incarceration

An 1834 Poor Law principle 'less eligibility' determined that, to deter people claiming poor relief, conditions in workhouses had to be worse than conditions available outside. Irish policy makers appear to be following a similar principle of 'less eligibility' in managing homelessness. Fearful of creating 'moral hazards', Irish emergency accommodation is made difficult to access and conditions in emergency accommodation are made relatively uncomfortable lest people might choose to make themselves homeless and/or stay longer in homeless accommodation waiting until they are offered social housing.

The aim appears to be to make conditions such that families will be motivated to quickly move on and out into mainstream housing options, even if such options do not meet their families' need for security or choice of location. Designing (conciously or sub consciously) accommodation that is difficult to live in is even more problematic if and when families, even when highly motivated or desperate to move, are unable to move and so are locked into such difficult conditions which destroy autonomy, which create stigma and disable capacity to function as a parent, a family member, a worker and a citizen or resident.

The policy maker's motivation to avoid 'perverse incentives' is underpinned by a core assumption that families act rationally to maximise short-term housing and well-being, however these underlying assumptions of policy makers do not reflect the reality of how families put long-term ambition and needs for their family and their children's

well-being at the heart of housing decisions. Irish families' decisions are motivated by factors similar to Fisher et al's (2014) findings that families prioritise familiar neighbourhoods near children's schools, transportation, family and friends, and stability, all important for autonomous functioning and development.

Homeless families have little opportunity to select optimal solutions, rather they "satisfice" by making decisions that meet their highest-priority needs and are satisfactory for the given time and context (Simon, 1956). Duncan and Edwards (1997) warns of a 'rationality mistake' in assuming rational economistic decision making. Policy makers can underestimate the degree to which people are emotional, affective beings and the degree to which a 'gendered morality' places parenting, care and children's needs at the centre of decisions. Lone parent's decisions are mediated primarily by childcare responsibilities and parental responsibility is prioritised over financial or other material gain. Policies that that impose false time limits on stays and require recertification for eligibility can produce greater anxiety which could be debilitative as well as productive of anxiety (Fisher et al 2014 p 381).

Gerstal et al (1996) coined the termed *therapeutic intervention* to describe the move of voluntary homelessness agencies into service-intensive programs with unintended consequences for personal autonomy of the homeless residents. Issues of autonomy, hidden conditionality and surveillance are common in analysis of various types of institutional care settings and welfare policy (activation, prisons, elder care and also homeless services), where use of enforcement and greater degrees of interventionism are often typically justified on the grounds of 'service resistant' individuals who are not responsive to policy 'offers. There has been an international trend toward increasing levels of 'interventionism' in support services. British policy, for example, reflects an escalation in expectations that homeless people 'engage' and/or change aspects of their lifestyle or behaviour (Dobson, 2011; Whiteford, 2010).

While US research does not necessarily translate into an Irish context, pertinent observations can be drawn from US literature on the impact of homeless emergency accommodation on parenting, child wellbeing, and parental autonomy. Milburn and D'Ercole (1991) and Culhane et al (2007) observe that in the US, like Ireland, housing market failure rather than family inadequacy is the cause of homeless for 80% of homeless

families. However US policy makers assume that homeless families are needier of more intensive forms of support and consequently design regimented services that ultimately undermine the very social networks all families need to survive. In the Irish context we argue that family hubs are erroneous and distract from the underlying supply or affordability issues which are the real problem, while also having real potential to undermine family self- sufficiency (Culhane et al 2007 p 24-25).

Our findings reflect the real difficulty of developing an institutionalised living experience that both respects child protection guidelines and enables autonomous parenting and family functioning. The impossible task of delivering these two competing objectives leaves us to conclude that the only answer to family home-lessness lies in an urgent building programme and a functioning property market. For this reason we argue that even limited use of family hubs requires time limits on any one family's stay and that there should be a sunset clause on the existence of family hubs as a policy option, as well as im-mediate policies to mitigate the negative impacts of forced institutional living.
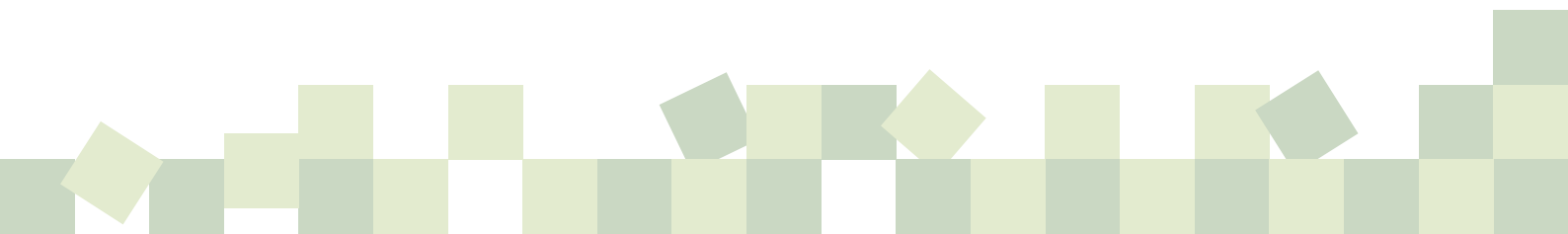
Section Five:
Conclusions and Policy Recommendations

Conclusions

Having critically assessed Rebuilding Ireland's over reliance on the private rental sector as the primary mechanism to resolve the social housing deficit and homelessness crisis we conclude that government needs to resolve a core tension within Irish housing and economic policy. Government policy cannot address the social housing crisis through an over reliance on the private market to deliver investment in social rental housing. Current policy fails to take account of the impact of market failure on the well-being of homeless families being forced to continually expose themselves to the social violence resulting from the failure of HAP and the private rental market.

Absence of investment in social housing negates the housing rights of the most vulnerable in Ireland. We are not at the peak of the contemporary housing crisis and we expect the housing crisis to escalate over the next five years, a frightening scenario for many families and a scenario that should be unacceptable for Irish society and the Irish government.

Until HAP offers effective security of tenure we argue it is not a valid mechanism to meet the right to housing. This does not mean HAP is not a valid or welcome housing option rather that it should be operationalised as a secondary rather than a primary housing mechanism with direct local authority or approved housing body's social housing being Ireland's primary social housing mechanism. While we make this argument from a security of tenure perspective, we also note that from a cost perspective direct build social housing presents a far greater return on state investment and is thus a more cost efficient policy choice than investment in private rental subsidies.

We find no international research or evidence base to justify the emerging family hubs model and note there have been no pilots to demonstrate how they might work. The danger with 'Hubs' is that they both institutionalise and reduce the functioning capacity of families. This type of institutional approach can lead to a form of 'therapeutic incarceration' and over time may lead society to blame these families – predominantly

lone parent mothers, working class, migrant and ethnic minority women – for a situation that they did not create. This follows a long Irish history of gendered forms of social violence inflicted on poor mothers and their children who were made invisible, incarcerated and excluded from society. We caution that hubs may be a new form of institutionalisation of vulnerable women and children, and poor families, while housing market failures will be forgotten as these families become the 'problem' that needs to be solved. While concluding such institutional responses to homelessness should be avoided we argue that if, and when, they are used, design and operational models should mitigate the worst damage by prioritising autonomy, quality standards and time limits on residence, and for the importance of a legislative 'sunset' clause on the use of hubs.

Fundamentally we stress the need for an urgent social housing building programme and short term stays in emergency accommodation hubs need to maximise family functioning and ensure residents experience dignity and respect. In the likely scenario of a continued escalation of the homelessness crisis we highlight five policy recommendations; prevention, building homes, enhancing HAP, mitigating the potential negative impacts of hubs, and issues of power, voice and participation, all of which are premised by the urgent need to act now.

1 Prevention, stocks and flows

Prevention and early intervention are in many ways the most cost-effective and harmonising policies for confronting homelessness. Reintegration costs increase sharply after somebody has become homeless. Various cost benefit analysis have shown significant returns on investment in preventative measures and already Irish prevention services have proved effective. A pilot Focus Ireland service in Dublin 15 produced valuable lessons concerning communication and outreach strategies for preventative services (Focus Ireland 2016). The Threshold delivered Tenancy Protection Service operates through a Freephone to work with key services to make assistance available to families at risk of losing a home in the

private rented sector. Such is the demand; over 800 contacts were made with this service in the first quarter of 2017. Dublin City Council now employs three prevention officers and has found their work to be cost effective in less than a year. As discussed below the fastest and most effective way to prevent homelessness, however, is to strengthen security of tenure in the private rental market.

▼ Many HAP recipients are in receipt of social welfare payments. Mechanisms are needed to ensure that reduction in or cessation of the primary social welfare payment does not lead to a premature loss of housing though cancellation from the household budget scheme of the HAP tenant rent contribution.

▼ It is crucial to achieve a balance between investment in prevention and investment in alleviating the situation for those already homeless, this requires adequate new investment in preventative measures to ensure that prevention (lessening the flow of people into homelessness) is not paid for by those already experiencing the problem (the stock).

▼ A second way of limiting flow is to limit those entering homeless services. There is a balance to be achieved between preventing homelessness by supporting people to stay where they are and by denying people the legitimate right to access emergency accommodation.

2. An emergency social housing building programme

There is an urgent need to intensify the social housing building and acquisition programme as the primary vehicle for addressing the homelessness crisis and to develop a fair and transparent allocations mechanism for all social housing stock. Local authorities and housing associations do not have sufficient direct exchequer capital funding to provide the level of house building required. They are in the process of increasing their capacity to deliver housing and this should be consolidated and accelerated through the increase of secure capital funding. Additionally a new semi-state, not-for-profit, Irish Affordable Homes Company should be established by government to build affordable 'cost rental' houses and homes for ownership for a mix of household incomes. This mechanism can provide an additional supply of affordable housing without significant capital funding requirement as it can be borrowed 'off-books.'

▼ Increase capital funding for local authority and AHB rapid housing: triple direct capital exchequer funding to €1bn per annum to enable the rapid building within 16 months of 5,000 additional social housing units.

▼ Emergency legislation to enable rapid procurement to facilitate the above rapid building programme. In particular redirect use of state-owned land in Dublin for emergency build rather than marketing to developers in various Public Private Partnerships Lands Initiative.

▼ Establish a new semi-state Irish Affordable Homes Company as proposed by both the National Economic and Social Council (NESC 2015) and the Nevin Institute (NERI 2017).

▼ Increase use of vacant housing for social housing through the combination of incentives, a vacant homes tax and a compulsory leasing order of vacant housing.

3. HAP and security of tenure in private rented sector

The erroneous move away from direct build and state supplied social housing to a major reliance on HAP private rental (in 2011, but underpinned from earlier) has contributed to this social housing and homeless crisis. The policy emphasis needs to return to primarily state provided new build social and affordable housing. Legislative measures to address security of tenure are required for the private rental market to be an effective secondary mechanism to address social housing and resolve homelessness. In particular government should amend Part 4 Section 34 of the Private Rental Tenancies Act which allows landlords regain possession of private rental property. At the same time there is a need for more diverse forms of private rental tenure including longer lease options. The human right to secure housing requires the cessation of 'self-accommodation'. Local authorities should be responsible for sourcing Homeless HAP accommodation for families and to re-house families who lose HAP accommodation

▼ HAP should be de-prioritised as the main provider of social housing in Rebuilding Ireland. Prioritise state lead building programme instead.

▼ Legislative measures to address security of tenure. Amend Part 4 section 34 of the PRTA.

▼ A minimum 5 year tenant protection/lease – length of security for homeless HAP tenancies

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▼ Local authorities as duty bearers with the obligation to source and offer HAP accommodation and to re-house if HAP tenants lose rental accommodation.

▼ Greater clarity is needed for HAP tenants as to their status on local authority social waiting lists, they should retain their full priority based on their full time on the social housing list .

4 Mitigating potential damage from use of family hubs

The real risk and danger of family hubs as 'temporary' solutions is that they will become a permanent feature with homeless families left for years in inappropriate and potentially damaging accommodation. The experience of direct provision centres – now in existence for almost two decades – demonstrates the likelihood that these institutions, once formed, will not be easily dismantled. This threatens the human rights of these families, particularly children, with conditions likely to do significant harm to families and particularly to the well-being of children who stay any length of time in emergency accommodation. Suggestions that families are gaming the system to present as homeless in order to more quickly access council housing can be easily refuted. Families are actively seeking HAP accommodation but are unable to access it because of the competition in a tight private rental housing market. While some families require supports, the most important support is the provision of a secure home –a housing first approach.

▼ Family hubs have emerged as a policy option with little public deliberation and considerable confusion as to their rationale and policy intent. The Rebuilding Ireland review needs to situate hubs within a clear strategy to eliminate family homelessness.

▼ Stable long term housing is the only viable option to resolve family homeless and any form of emergency accommodation including family hubs can only be a very short term solution. A rights based perspective requires regulatory and legislative safeguards concerning maximum limits on the length of time a family might reside in a family hub. A three month limit as well as standards and inspection regimes should be legislated in an amendment of Section 10 of the 1988 Housing Act.

▼ There is a real danger that family hubs may become the next 'direct provision', an addition to Ireland's long lamentable experience of institutional responses to social policy. To ensure families are not forgotten, there is a clear need for a legislative sunset clause whereby all hubs close by December 2019.

▼ Choice and autonomy are important principles, some families may for understandable reasons prefer the more autonomous hotel environment and should be accommodated in hotels with access to relocation supports. No family should be required to 'self-accommodate'.

▼ Ideally accommodation management and landlord functions shoud be separate from family support and advocacy functions.

5 Power, voice, and participation

We find power inequalities dominate housing policy. Powerful vested interests, domestic, and increasingly international, appear able to profit from maintaining the dominant position of the market as the preferred mechanism to deliver social housing. Conservative interpretations of the right to property in the 1937 Irish constitution are used to veto more progressive regulation of the housing market. This policy orientation is sustained by a powerful political and media metanarrative that at once makes the market seem an inevitable and natural presence in social housing provision. The same metanarrative injects elements of morality into public discourse where those who cannot access housing are made bear the blame for market and policy failure. To date media representation of the family hubs has been relatively uncritical leaving the public with a strong impression that hubs are a significant improvement on hotel based family accommodation. In this context families living in family hubs may fall under the radar.

The Economic and Social Rights campaign successfully brought their case for a constitutional right to housing through the 2015 Constitutional Convention. A rights approach to housing can create an alternative public narrative and a focus for policy change, as seen in how the Home Sweet Home mobilisation created a public discourse to challenge market dominant policy. The EU Social Investment Programme analysis stresses the important role of participation and empowerment of those directly affected by homelessness, arguing for measures that enable their voice and participation in policy debate, advocacy, advice and information as well as peer support programmes. The principles underlying a right to housing also offer standards against which to proof policy and practice, for example whether there are adequate systems for service user's participation and consultation and for redress and safe-guarding entitlements.

▼ Those residing in emergency accommodation need formal redress mechanisms or procedures in the event of complaints about allocation decisions, housing standards and loss of social rights.

▼ A media code of practice can hold media to greater account for implicit bias in housing policy reportage.

▼ Providers of homeless services are, under the terms of their service delivery agreements, often prohibited from advocacy about housing policy, they in turn sometimes prohibit service users from overt advocacy or protest. The voices of both homeless agencies and service users are crucial voices and all effort should be made to enable these voices challenge inequality and promote positive change in the public sphere.

▼ Academic researchers have a role to play in committing to engaged and policy relevant research. Significant advances can be made to create a learning culture where data and evaluations can be shared across the different housing actors; political, policy makers, NGO's, activists and academics.

Conclusion

The housing crisis is likely to continue for many years to come. Given the on-going mortgage arrears crisis, the private rental crisis, and the lack of private supply, HAP, even with reconfiguration, is unlikely to provide a stable and secure home for these families. Rather than social housing protecting lower income households from the inequalities of the private market, using HAP as the primary social housing vehicle further exposes them to the market. Family hubs are not socially and politically acceptable solutions to this crisis. Families in hubs remain inadequately housed and exposed to institutionalisation. Hidden away, their homeless may be forgotten and ignored. There is an alternative to hubs – it is straightforward – homes. We find insufficient political will to address this very real crisis. The core solution is the sufficient new build of social houses and other forms of affordable rental. The real emergency response required is houses not hubs.

As researchers we would like to respectfully thank all those we spoke with and engaged with in the course of this short research project, not least those families living in emergency accommodation who shared their hope and fears with us, and those who work on the front-line with families. It is clear that all who work in this field care deeply about the plight of these families. It is our collective moral obligation to ensure these families are not left ignored and hidden in new institutionalised responses to housing and homeless. The revision of Rebuilding Ireland must make social housing build the primary mechanism to meet social housing need, and an urgent house building programme must proceed in the context of this housing emergency.

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Policy recommendations:

1   Prevention In keeping with the EU SIP focus on preventing homelessness, there is a need to focus additional investment in and adequately support preventative policy and practice.

2   An emergency plan to rapidly increase supply of social homes Intensify an urgent social housing building and acquisition programme as the primary vehicle for addressing the housing crisis and develop a fair and transparent allocations mechanism for all social housing stock.

3   HAP and private rental sector security. The market should be a secondary mechanism to address social housing and resolve homelessness. Legislation is required to amend Part 4 S 34 PRTA and enhance security of tenure and to create longer private rental tenure options.

4   HUBS While advocating against institutionalised emergency provision we focus on design and operational models that respect autonomy, regulate and inspect standards and the need for legal time limits on residence and a 2019 sunset clause on the use of family hubs.

5   Power, voice and participation Noting the power of vested interests to influence housing policy we stress human rights approaches to housing and the need for adequate redress, as well as voice, participation, and governance.

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