

HOUSING MOVING INTO CRISIS?

National Campaign for the Homeless/Combat Poverty Agency

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The views expressed herein are those of the individual authors and editors and do not necessarily reflect those of the Combat Poverty Agency or the National Campaign for the Homeless.

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1 INTRODUCTION

This book contains four papers given at the conference *Housing: moving into crisis?* held on December 9th, 1988 in Kinlay House, Dublin. The conference was jointly organised by the National Campaign for the Homeless and the Combat Poverty Agency in response to the continuing problem of homelessness and the cutbacks in public housing expenditure. Over 90 people attended the seminar - representatives from health boards, local housing authorities, government departments, people engaged in research, members of voluntary organizations. The aim was to consider the major issues regarding housing policy and to review State policy towards homelessness. The conference took place at a timely moment - with the enactment of the Housing Bill and the completion of a number of major research studies into homelessness.

The National Campaign for the Homeless decided to publish the papers given the attention and interest aroused by the conference and the Combat Poverty Agency provided the financial support. An overview of the situation of the homeless today and the implementation of the 1988 Housing Act is also included in this report by the editors. The papers are written by well known researchers and activists in the area of poverty, homelessness and housing policy.

Note: an additional paper was presented at the conference "Implementing the Housing Act: the view from the local authority," by Tony Walsh of Kilkenny County Council. This has already been published in John Blackwell (Ed), 1989.

2 OVERVIEW

*John Blackwell, Brian Harvey
Mary Higgins & Jim Walsh*

The 1960s saw the "discovery" of the phenomenon of homelessness in the larger towns of Ireland, and the first stirrings of interest in what was seen as an avoidable problem during a time of greater affluence and prosperity. In the 1970s we came to appreciate the extent of homelessness among young people, and we learned how, despite a strong commitment to public housing, many homeless people remained by the wayside. The 1980s saw the beginnings of a governmental response to homelessness: an interdepartmental committee in 1983, the first Housing Bill for homeless people in 1985, and eventually the Housing Act in 1988. Even the most offensive section of the vagrancy laws was repealed.

Yet so much more remains to be done. As the first, limited governmental attempts to come to terms with homelessness were initiated, so did the economic crisis facing Ireland worsen. Unemployment rose from 60,000 in 1973 to 250,000 fifteen years later, bringing poverty, destitution and homelessness in its wake. Government spending was sharply cut from 1987 onwards, and the government housing budget was severely affected.

Homelessness does not exist in isolation. It is part of a rapidly evolving economy, society and administrative system. In analyzing homelessness in Ireland today, there are seven crucial matters which we must consider.

1 The deepening nature of poverty in Ireland. The Combat Poverty Agency has noted that poverty affects one third of its population, an

increase of 4% on the 1980 figure (Combat Poverty Agency, 1988).

2 The link between unemployment and homelessness: a major 1987 study found that redundancy and long periods of joblessness were major precipitating factors in causing homelessness (McCarthy, 1988). It is therefore vital that measures to reduce and alleviate homelessness be part of an economic strategy that provides work for homeless people as part of an overall plan for full employment.

3 The growing threat of homelessness to women and children. The public association of "the homeless" with alcoholic, elderly males conceals the reality that homelessness equally affects women and children. It is questionable whether the services of both voluntary and statutory organizations have responded adequately to this new information on the groups affected by homelessness. The Focus Point report, A part in Dublin (Focus Point, 1988), revealed the paradox of services for elderly homeless men being underutilized while women and children could not find a place for the night.

4 The need for law reform, and the very real way in which the poor are ill-protected by our legal system. This country lacks a series of protections - and legal services with them - that actually promote the rights of poor people. One of the great ironies of our time is the assertion of rights for property developers to compensation for building nothing, while those in need have no right to housing. The National Campaign's report, Women and Children First (Bell, 1989), about homeless women and their children, starkly portrays how women abused by violent partners either did not know about or could not get legal services to protect themselves.

5 The reorganization of community mental health services, as the government report Planning for the Future (Department of Health,

1985) continues to be put into effect. The numbers of patients in our psychiatric units fell from 26,000 in the early 1960s to 13,000 in the mid-1980s to about 8,000 in 1989. These are considerable reductions - and for the right reasons. Nevertheless there have been worrying reports of ex-psychiatric patients being picked up by voluntary services after desinstitutionalization (Dublin Simon Community, 1987). Only one study known to us, carried out by University College Galway in 1987, seriously asked the right question: if people are discharged, have they a home to go to? Its findings were alarming: only 8% of long-stay patients in the psychiatric unit under study had an adequate home environment available to them (Crehan, Laver, and Lyons, 1987). There is little evidence that desinstitutionalization, where proceeded with elsewhere, has been accompanied with the kind of attention to detail necessary to avoid homelessness.

6 The cutbacks in government services. While voluntary organizations have a positive role to play in the social services, they are not a substitute for a declining governmental commitment to meet basic needs, like housing. A National Council for the Aged report refers to the manner in which voluntary organizations have had to provide basic housing for the elderly, because of the collapse of the public housing programme (National Council for the Aged, 1989): Over ninety percent of shelter beds in this country are provided by religious, voluntary and charitable organizations - and very few of them receive anything more than a token contribution towards their running costs from statutory sources. Housing cutbacks will mean that they may face an even heavier burden.

7 The new roles for state services as defined under the Housing Act, 1988. The Act marked a number of key steps. First, it included a new listing of priority needs, taking in the range of groups and individuals to whom inadequate attention had been given by the Housing Act,

1966. These were: the homeless; travellers; young people leaving institutional care without family accommodation; the elderly; the disabled or handicapped.

Local authorities are now obliged to assess the housing needs of these groups and individuals, and draw up schemes of letting priorities to match these needs, with the rider that no one group was to be at an advantage vis-a-vis another. This means that the assessment of needs will be more systematic, and priority needs will be placed on an organized basis. Methods operated by some local authorities in the past, such as 'first-come-first-served' or the exclusion of particular categories, are no longer acceptable.

The Act requires the local housing authorities to make a detailed housing assessment of need every three years. In a new departure, the local authority must notify voluntary organizations that have a housing function in terms of the provision of accommodation, shelter or welfare. This recognizes the growing role of voluntary organizations in the provision of accommodation; it acknowledges their on-the-ground experience and knowledge of housing; and it brings them formally into the housing planning process, albeit in a limited way.

Section 10 of the Act is the most controversial. Rather than lay down a duty on the local authorities to house particular categories of housing need, like the homeless, the government chose to lay down new responsibilities which the local authorities could discharge in a number of different ways. Local housing authorities had a number of options open to them in terms of categories of housing need. First, they could provide housing from their own stock ("the primary response" as described in the guidelines issued by the Department of the Environment), or they could:

- _make arrangements for that person's housing with an approved body;
- _provide financial assistance to the person applying for housing;

- rent accommodation for that person.

Voluntary organizations, whilst positive about the flexibility given to the local housing authority in meeting need, are critical about the lack of a duty and warn that such functions could be discharged in a minimalist way.

Other notable features of the Housing Act include section 5 (which lays down provision for voluntary organizations to receive financial support and capital assistance under the Act); provision for the putting in place of emergency accommodation (section 11 (2) (c)); and the repeal of the "wandering abroad" offence of the Vagrancy Act, 1824.

Guidelines for the operation of the Act were issued in two stages. The **first** set of guidelines was issued in November 1988 and deals with the definition of applicants, the treatment of applicants and liaison arrangements. It stresses that applicants should be interviewed "in a sensitive and helpful manner". The second set of guidelines, issued in March 1989, deals with the process of housing assessments, the first of which will be completed this year.

The effectiveness of the Act will depend on:

- the commitment and enthusiasm with which local housing authorities face up to their new responsibilities, particularly in the face of shortages of staff and resources;
- the professionalism of the authorities in carrying out assessments and estimates;
- the ability of voluntary **organizations** to influence the local authority's response and sense of urgency and obligation. Several voluntary organizations have argued for new structures of democratic planning to be established, giving them a sustained and continuous input into decision-making;
- the level of housing investment.

In analysing the implementation of the 1988 Housing Act it is essential that these four factors are kept in mind. It is also appropriate that the 1989 National Campaign for the Homeless Annual Conference should have addressed this theme.

3 HOUSING POLICY ===== AT A TURNING POINT *by Eithne Fitzgerald*

Irish housing policy is at a turning point. The new Housing Act which came into effect during 1989 gave local authorities responsibilities for housing homeless people. Its success will depend critically on the level of available resources and on the imagination and commitment with which the needs of the homeless are addressed.

It comes into effect at a time when the local authority housing programme has been virtually abandoned. We could be sitting on a timebomb as housing lists build up again. In this climate, is it likely that the needs of homeless people will receive due priority? Will homeless people be offered a real chance to settle in an area of their choice or will they continue to be offered hard-to-let accommodation in deprived neighbourhoods where their chances of making a successful life will be greatly diminished?

The challenge posed by the new Act is for housing policies that are really relevant to people's needs, not simply for shelter, but for making a real home and becoming part of the community.

I will first look at the prospects for the local authority housing programme.

Heading Into Crisis?

The virtual ending of local authority house building programmes is already leading to increased housing waiting list, before any provision is made for the new categories of applicants to be provided as a result of the 1988 Housing Act. In 1988, there were only 735 new council starts, compared to an average of 5,800 over the last ten years. A broadly similar level of housing starts is expected in 1989. Less than 1,000 new houses will come on stream in 1989, and even fewer in 1990. The 1990 capital allocation is less than one sixth in real terms what it

was a decade ago. For the first time in living memory, Dublin Corporation has no building programme.

Local Authority Starts and Completions

| | Completions | Starts |
|------|-------------|--------|
| 1983 | 6,190 | 7,138 |
| 1984 | 7,002 | 6,498 |
| 1985 | 6,523 | 5,315 |
| 1986 | 5,517 | 2,623 |
| 1987 | 3,074 | 1,040 |
| 1988 | 1,450 | 735 |
| 1989 | 750* | 700* |

* - estimates

Source: *Quarterly Bulletin of Housing Statistics*

At the same time, the major sell-off of existing council homes to sitting tenants under the 1988 purchase scheme, for which 45% of tenants have applied, will mean a sharp reduction in the number of houses becoming available for reletting through normal vacancies. The drastic cut in local authority building programmes is already having its effect on growing housing waiting lists. Dublin Corporation's housing list has grown from 1,800 in May '1988 to over 3,000 by May 1989. Dublin Corporation and Dun Laoghaire Corporation also have high, and growing housing waiting lists at 1,000 and 1,400 respectively.

Time For New Approaches

The virtual ending of the council housing programme does however open up the opportunity to explore alternative ways of meeting housing needs, and indeed of looking at the whole spectrum of government aids to housing and how they could be made more relevant to today's real

problems. Government intervention in relation to housing has been characterized by piecemeal policies, as much designed to meet the wishes of the construction industry as to deal with housing problems. Before going on to discuss the changing pattern of those problems, it is worth taking a quick look at who benefits from the different elements of present housing policy.

The chopping and changing of policies is well illustrated by the fact that 40% of the 1989 Department of Environment Estimates provision for housing relates to schemes such as home improvement grants, builders' grants and mortgage subsidies, which have already been abolished.

Tax Relief

Tax relief on mortgage interest accounts for the major slice of central government expenditure on housing and is costing the taxpayers this year an estimated £155m in tax foregone. This doesn't include the cost of the increasingly popular endowment mortgages, not distinguished separately from other life insurance transactions in the figures. As Owen Keegan showed in a recent paper (Keegan, 1988), a £40,000 endowment mortgage taken out by a top rate taxpayer costs the Exchequer about £11,000 more in present value than an equivalent annuity mortgage. 45% of the additional Exchequer cost is absorbed by the lending agency.

Tax relief is an indiscriminate benefit, subsidizing top rate taxpayers with £150,000 homes in Foxrock by up to £40 a week, as well as the more modest purchaser of the ordinary family home. By contrast; a single person on Supplementary Welfare is expected to live on £42 a week. Interest relief is worth more to higher-rate taxpayers than to lower-rate taxpayers, not only because tax relief on £1,000 is worth £320 in cash terms to the 32% taxpayer and £560 to the top rate taxpayer, but also because higher earners have larger loans.

Other housing-related tax reliefs which are explicitly designed to help construction rather than directly meet housing objectives are the stamp duty exemption on new dwellings and the Section 23 relief on the

income from rented property. This last relief allows a landlord buying a new apartment or house to rent a tax-free income not only from the new apartment but also from any other rental property, up to the value of the construction cost of the new property. The average tax exemption claimed is about £10,000. It contrasts with a nil tax relief for most tenants (those aged under 55) on rent paid.

Grants

The abolished home improvement grant scheme, which will cost £22m this year, has done little to improve the fabric of older properties, or to halt urban dereliction. It has primarily been a bonanza to the double-glazing companies. Of 123,000 grants paid from 1986-8, only one in eight was for pre-1940 houses.

While the new house grant can be a useful cash injection in the self-build rural housing sector, I remain to be convinced that in relation to speculative house building it serves any other purpose than to push up new house prices. It will cost us £10m in 1989.

Social Welfare

Social welfare is playing an increasing role in subsidizing housing costs, with rent supplements under the SWA scheme costing £9m a year being paid to about 9,000 private tenants on social welfare, primarily in the greater Dublin area. While this scheme can allow people a certain freedom of choice in where they live, it is fairly restricted as to eligibility. For example, it is usually withdrawn if someone refuses an offer of local authority accommodation. People in employment can't qualify, even where housing costs are very high.

Income after rent and subsidy is extremely low, for example for a single person, £38.90 a week. This compares with the recommended minimum basic income for an individual set by the Commission on Social Welfare in 1986 of £50-£60 a week. It's not surprising that a recent survey of people on rent supplement in Dublin's northside showed half needed additional help from the Community Welfare Officer with other

basic needs such as ESB bills and clothing.

In common with other private tenants, people receiving rent supplements enjoy little or no security of tenure, and housing conditions at the lower end of the market tend to be poor. The same survey showed two-thirds of recipients were over 25 and one-third were aged over 40. The combination of low income and chronic insecurity of tenure effectively means they are unable to make a home.

Changed Housing Policies for a Changed Society

Irish society is changing. That change is reflected in our housing problems. The nuclear family of two parents and children now constitutes a minority of Irish households. Our housing policy, which has largely been geared to traditional families, must adapt and become relevant to the changing pattern of housing need.

A convenient location, proximity to family and friends, a good quality environment and a well-serviced neighbourhood are high on most people's priorities in looking for a home. These factors are all the more important to people who are socially isolated, be they single, separated, single parents, disabled or homeless.

Housing Needs in the Private Rented Sector. Threshold's Experience

The number of single people in independent households has grown rapidly and housing problems, unemployment and low pay occur here as elsewhere. Traditionally, single people under pension age have not been catered for by the local authority housing programme and many of those on low incomes are in the private rented sector, where they comprise the great majority of Threshold's case load. Of all tenure groups, private tenants pay the highest proportion of their income on housing and are least subsidized. There is chronic insecurity of tenure, and housing conditions at the bottom end of the market are poor. Threshold's records show that 70% of tenants are on weekly tenancies, entitled to only a week's notice to quit, and most tenancies are covered

by verbal agreements only. One-third of the caseload involves notice to quit or evictions, in some cases after many years' tenancy. Tenants have few rights and all we can do in most cases is negotiate a couple of weeks' grace.

Over 40% describe their accommodation as poor, one-third share a bathroom, and repairs constitute the next most frequent problem we encounter. Legislation covering standards of fitness and repair is inadequate; in any event, asserting tenant's rights can precipitate a notice to quit. There is a significant problem here of unfit and poorly-maintained housing, scarcely touched by successive home improvement programmes.

Life in flatland does, however, offer convenient, well-serviced neighbourhoods, a mixed community and a lack of social stigma, a manageable scale of living and a furnished place. Traditional local authority housing doesn't offer that. There is a need for affordable housing in traditional flatland areas, providing good quality accommodation, security of tenure and the option of a furnished place.

The history of rent control in this country has apparently turned official policy against any kind of regulation in the private rented sector. Business tenants enjoy greater protection than people whose private flat is their only home. Business tenants are entitled to a 35-year lease once they have been three years renting a property. Only after 20 years of continuous occupation can a residential tenant acquire a right to a lease, and these cases come in single figures. Unless the legislative framework changes to provide better security of tenure, it is unlikely that the long-term need for a secure home can be satisfied in the private rental market.

That leaves some form of social ownership, whether through the voluntary sector - housing associations - or through involvement by local authorities in managing traditional flatland property, as the remaining option.

Single Parents

One birth in ten is now to single parents and such parents now constitute a sizeable proportion of those on housing lists, currently about half of housing applicants in the greater Dublin Area. Where single parents are all housed together as they come to the top of the housing list, whether in new housing coming on stream or in low-demand areas like Ballymun, these estates can rapidly become single parent ghettos. Support from the extended family can be critical in surviving single handed and on a low income, and it's important to offer housing near to the support network of family or friends.

Marriage Breakdown

Increasing marriage breakdown is giving rise to growing need for housing from partners who have left the family home, and the resulting financial problem can often precipitate loss of the family home itself. The principle should be to try to minimize disruption for the children. Where family violence is an issue, security is all-important.

Socially Vulnerable People

Socially vulnerable people, like people detached from their families, people with alcohol problems, people suffering from intermittent mental illness, or otherwise at risk, often drift downward into appalling accommodation. Housing alone won't solve their problems, without an effective back-up of community support. Concentrating the problem in one part of the community - in certain council estates - is not the answer. The specific needs of vulnerable people need to be addressed, be they for full sheltered housing or some intermediate arrangement. Housing homeless or vulnerable people in residual vacancies in hard-to-let areas is a policy doomed to failure. People who are under pressure already have to cope with the lack of basic services which encouraged the original tenants to leave in the first place.

Hostel Accommodation

Most hostel accommodation is provided today in **grim nineteenth** century buildings, offering poor amenities, little basic privacy and, in most cases, nowhere to stay during the day. **There** is a shortage of places for women and children and extreme overcrowding. It took three years after it was agreed by the Eastern Health **Board**, to replace Bm Chaoimhin with a new service, Haven House, in February 1989, illustrating the lack of urgency the problem receives. As resources to house all the homeless people now living in hostels in suitable accommodation are unlikely to materialize overnight, given the cut in the housing programme, some basic improvements in present living conditions should be attempted now. At a minimum, there should **be an** end to the practice whereby hostel residents have to leave first thing in the morning and appropriate resources given to provide the necessary day staff.

Providing Homes Where People Want Them

Estate agents will tell you that the three most important **things** about any house are location, location and location. The same applies to **potential** council tenants. A majority of those being housed by local authorities are dependent on social welfare, few have their **own cars**, and most are dependent on the vagaries of public transport. It **is** important not to isolate people who have little money and are socially vulnerable, in distant and poorly-serviced neighbourhoods.

Buying To Rent

The virtual ending of the housing **programme** in 1988 gives the Department and local authorities an opportunity to have a **fresh** look at the way in which council housing has traditionally **been provided**. So, as I proposed in a previous paper to the National Campaign (**Fitzgerald**, 1989), council housing programmes should concentrate on Inner City renewal and infill housing in areas with proven demand and try to meet location preference by buying second-hand houses in appropriate

areas.

Only since 1984 have local authorities been given permission to buy houses for rental to tenants and in that time, of 22,000 houses provided, only 120 have been purchased, virtually all in new private estates. Applications by councils to buy second-hand homes have normally been refused by the Department of the Environment.

Buying houses for letting has four important advantages. First, it can offer housing in areas where people want to live. Second, a range of suitably sized housing can be provided, relevant to the requirements of the smaller households on today's housing lists. I accept the point made by Owen Keegan (Keegan, 1988) in his recent paper for the Homebuilders' Federation that there is already an ample supply of starter housing and housing suitable for smaller families. Third, it can work out considerably cheaper than new building. Last, it can avoid the stigma and social segregation in housing low income families and people with problems all together in physically distinct housing estates.

Conclusion

The often-quoted aim **Of** government housing policy is to provide a home of good standard located in an acceptable environment to every family at a price or rent they can afford. For many individuals and families, this aim is not being reached, either because enough resources are not made available, or **because** they are overlooked by official housing policy, or because housing policy is not listening to what their real needs are. The virtual ending of the local authority **programme** poses not only a crisis but also a **challenge**. The challenge is to examine the fundamentals of Irish housing **policy**, to question established ideas and practices, to ask who does housing policy serve - the provider or the consumer - and to **come up with** an effective and relevant housing policy for the changing needs of Irish **society**.

4 NEW PERSPECTIVES ON HOMELESSNESS

by Mary Daly

Introduction

This paper has two tasks. It **first** considers the nature of homelessness and characteristics and experiences of those who are homeless. Second, the paper aims to set out a series of policy issues that need to be addressed if we are to respond adequately to the phenomenon of homelessness, in the light of the most recent research **findings**.

The backdrop to this paper is set by the three research projects on homelessness which were funded by the Combat Poverty Agency during 1987 and 1988, reports on which have been published (McCarthy & Conlon, 1987; Kelleher, 1988; and Farrell, 1988). Having committed research funding to an investigation of youth homelessness, settlement strategies for the homeless and the extent and nature of homelessness in Galway, a substantial body of information now exists on homelessness (for the first time). Consequently, we are **all** in a better position to make **definitive** policy recommendations with regard to homelessness.

Nature And Extent Of Homelessness

It is clear that homelessness constitutes a significant problem in Ireland at **present**. Upwards of 5,000 adults are **now estimated to** be homeless here. The question of how homelessness is defined is **raised** below. In addition, the Streetwise census found 225 young people to be out of home in areas other than Dublin in November 1987. When these are added to the number identified (405) by an earlier survey as homeless in the Dublin area, youth homelessness is thought to exceed 500 at any one time. In addition, there are good grounds for anticipating an increase in the numbers of homeless adults and young people in the future. Social and economic trends such as increasing levels of poverty,

the growing rate of marital breakdown (with the consequent instability of the family), increased emigration and cut-backs in public expenditure - **which** have been severe in the social areas of social welfare, health, education and housing - are likely to worsen the extent and situation of homelessness in the future.

Who Are The Homeless?

This is not an easy question to answer although, with the three aforementioned research projects and McCarthy's study for the Simon Community (1988), a sizeable body of information now exists on people who are without a home. However, the **definition** of homelessness is problematic. Is one to equate homelessness with houselessness or should one include in the definition not only those who are without accommodation but also those **who** are at risk of homelessness? In effect, each study appears to use a different definition and, while each definition used has advantages, it should be borne in mind that a fully satisfactory and fairly standardized definition of homelessness has yet to be developed.

The findings of the studies that have been carried out challenge many of the popular myths and assumptions about those who are labelled 'homeless'. **Although** not homogeneous, they share remarkably similar life experiences. The majority of homeless people **are** single, from large families, with migratory experience, a history of long-term unemployment and, **relatedly**, low socio-economic status and formal education. Over the **last** number of years the composition of the homeless has been changing. Women, especially those who are separated and/or parenting alone, and young people are forming an increasing proportion of the homeless. For example, women comprised a third of the 'socially vulnerable group' identified by Kelleher in her study of people housed as homeless by Dublin Corporation between June 1986 and January 1987 (Kelleher, 1988, p.81). In addition to the homeless, McCarthy points to the need to identify those at risk of homelessness - **unemployed** migrant workers, ex-prisoners,

young people who are estranged from their families on low incomes, battered women, single parents and mentally ill people who have lost contact with their families (McCarthy, 1988, p.1). Taking this definition, clearly up to 10% of the population could experience homelessness at some stage in their lives.

It is important to recognize the quite remarkable similarities in the life experiences of people who are homeless or at risk of homelessness. In fact, they must be emphasized rather than downplayed if we are to achieve an understanding of homelessness. If we ignore the similarities, we run the risk of explaining homelessness as an individual problem. This is not the case. Clearly, there is a collective process at work in society which puts people from certain backgrounds at risk of homelessness first and then propels them into it. Homelessness generally occurs when poverty combines with a personal crisis such as family breakdown, family violence, discharge from an institution, and so on. It can also be related to emigration when impoverished returned emigrants are left without a home. To view those who are homeless as individuals is to ignore or overlook the fact that homelessness is a structural phenomenon.

What is this collective process? It is the process of poverty or inequality – the fact that some people are excluded or marginalized from the resources necessary to improve their situation: adequate income, education, health, a job, etc. The homeless population is a microcosm or sub-group of the poverty population. There is, therefore, a wider economic and social context to homelessness that challenges the conventional assumption that homelessness is a result of unfortunate accident or avoidable personal misfortune. Homelessness has both social and psychological dimensions. Socially, it leads to loneliness and lack of belonging to a community. Psychologically, it is associated with feelings of inferiority and exclusion. All of these aspects and dimensions of homelessness and particularly its structural roots need to be taken into account when trying to develop a satisfactory response to it.

What Is Happening To The Homeless At Present?

A fairly straight reply to this question appears to be "not a lot". This is despite the fact that the Housing Act 1988 has come into force. It is now well known that this Act was a source of great disappointment to the organizations working with the homeless in that it did not compel local authorities to house homeless people. In addition, although Dublin Corporation housed large numbers of people whom it defined as homeless during 1986 and 1987, the success of this response to homelessness has been questioned. In effect, due to a surplus of low-demand local authority housing in the Dublin area in 1986/87, housing in low-demand areas was allocated to homeless people. However, these areas are characterized by poor infrastructural services and amenities, high levels of unemployment, dependence on social welfare and lack of community care. There is also the major issue of the social mix of public housing. People working with the homeless point to the need to house homeless people in areas with a good social mix and in numbers that can be integrated into the community. That did not happen in Dublin: 82% of the 742 applicants studied by Kelleher were housed in either Ballymun, Tallaght or the South Dublin Inner City (Kelleher, 1988, p.85).

In the light of this, it is interesting to consider that one of the three main concerns of the Ballymun Task Force (which is made up of local community representatives, the TDs, for the area and representatives from Dublin Corporation and the Eastern Health Board) is the social stability or social mix of the area (Ballymun Task Force, 1988).

Over the last six months, however, accommodation availability, even in low-demand areas, is disappearing as public construction programmes are being severely reduced. Clearly, there is a crisis for the homeless and the many voluntary agencies dealing with them. All of the indicators give a pessimistic scenario for future housing provision. Threshold (1988) predicts a severe housing shortage in 1989/90 resulting from the following factors:

- The temporary surplus of local authority houses in 1986/87

as a result of the £5,000 house purchase grant is now absorbed by the influx of new families on housing lists.

- The house building programmes of local authorities have virtually come to a standstill. Only 1,450 new houses were completed in 1988 compared with an annual average of 5,800 over the 10 years 1977-87. Although 1989 provides for some new starts, this increase will not be sufficient to deal with the backlog of demand.
- The 1988 sales scheme to sitting tenants is likely to reduce the numbers of casual vacancies arising in the future. It is estimated by Threshold that 4,500 new vacancies are likely to arise nationally in 1989. Taking current emigration rates into consideration, a minimum of 7,500 new applicants, nationally, are likely to apply for accommodation. In the absence of a building programme it can be concluded that there will be an annual addition of 3,000 new applicants to the housing lists.
- In addition, accommodation in the private rented sector has fallen dramatically. Accommodation units rented from private landlords have been reduced from 26 per cent (172,953) of housing stock in 1946 to 10.4 per cent (102,306) in 1979.

Given this scenario, it is timely to try to take stock of the problems that must be faced if we are to respond adequately to the homeless. As I see it there are four key sets of problems:

- (i) inadequate or unsuitable housing provision;
- (ii) the funding crisis;
- (iii) the failure to respond to financial poverty;
- (iv) the lack of co-ordinated and comprehensive support services.

These problems are dealt with in turn.

Housing Provision

There are a number of issues involved here: adequate housing provi-

sion and maintenance; the involvement of different sectors in housing; and a satisfactory planning and allocations policy.

Integral to housing the homeless is adequate housing provision, both in terms of **quantity**, quality, range and sector (Dillon & Q'Brien, 1982). In terms of quantity, as has been made clear above, there is likely to be a shortage of **accommodation** in many areas in the near future. In addition, given the cut-backs which have been especially severe for local authorities, the quality of housing stock is likely to deteriorate as funds for maintenance and new housing become more scarce.

Also, it should now be clear that a range of accommodation options, including emergency, interim and permanent, is necessary to enable homeless people to be housed satisfactorily. To take the example of hostels, current provision is inadequate by any standards. Religious voluntary groups provide 93 per cent of emergency and short-term accommodation. The hostel population has been changing in recent years with a drop in demand for adult males, accompanied by a rise in demand among young people and women with children. However, a number of problems exist.

While there is excess hostel accommodation for some elderly homeless men, much of it is below an acceptable standard and many of the hostels require their **residents** to vacate the premises during the day. Also, there is insufficient emergency and short-term accommodation for young people under 25 years, with the result that they are entering adult hostels, totally unsuited to their needs. In some areas of the country accommodation for the **young** homeless is totally insufficient.

Despite the fact that Health Boards have a **statutory** responsibility for children up to 16 years, **residential** facilities are in general administered by the voluntary sector with the Health Boards having little control over admissions. In many cases the more difficult people are excluded from residential **care**. In addition, provision is often inappropriate and insufficient. This leads **directly** to homelessness.

Changing Needs

The need to provide accommodation for households other than the standard husband, wife and two children also needs to be considered. Family structures are changing quite rapidly. For instance, single parents now constitute almost 10% of all households. There has been a major shift towards one person and two person households applying for local authority houses and a marked decline in the number of larger households (Morrissey, 1988). And yet, the vast majority of our housing provision is based on this type of household.

At present, the housing market is very segregated on class lines. Local authorities provide housing for the poorer sections of the community whereas the private sector deals almost exclusively with the middle and upper classes. In addition, there is little or no interaction or co-ordination between the two sectors. This need not be so.

Reform in the private rented sector is certainly needed. Among the measures that would be a significant improvement in this sector is the introduction of mandatory rent receipts. Because some landlords are reluctant to provide rent receipts, tenants cannot claim rent allowance under the Supplementary Welfare Allowance. It can also cause problems in the reimbursement of deposits from the landlords. In addition, a listing of private landlords holding accommodation of appropriate standards would be a great help. These lists should be drawn up jointly by the Health Boards and local authorities. There should also be some attempt made to enforce and monitor adequate standards of accommodation in the private rented sector.

There is another housing sector as well - the voluntary sector. Its contribution has been limited in the past in Ireland. Significant and welcome policy developments, however, have been taking place since 1984 and many housing organizations are developing new projects aimed at catering specifically for homeless people. However, there are barriers to greater involvement of the voluntary sector. In particular, the limit of assistance to £20,000 per dwelling unit (based on the cost of a self-contained, small, old person's dwelling) does not take ade-

quate account of the range of house types and sizes required for the different categories of housing needs listed in the scheme - ie. single parents, families with older children who cannot be catered for in a one-bedroomed unit, and so on.

Funding And Maintenance

The two-tiered system of funding (up to 95 per cent for housing of homeless persons and a maximum of 80 per cent for other categories listed in the scheme) is causing complications and should be reviewed. Because of the apparent higher cost of building or conversion in Dublin (and perhaps other cities) there is a case for having a two-tiered system of assistance related to costs, but not to categories of housing need. Also, there is no defined scheme of assistance relative to running costs of voluntary housing services. Finally, at present grants are paid on an ad-hoc basis depending on the interest of the particular Health Board and the case made by the voluntary organization. Without ongoing charitable donations, such voluntary services as do exist could not survive and obviously such sources of funding are inherently unpredictable.

Adequate maintenance is also key. The maintenance problems confronted by homeless tenants makes settling into new accommodation very difficult.

Along with provision and maintenance, there is the issue of housing allocations policy. As outlined above, there has been a tendency to house homeless people in areas that are poorly serviced and to concentrate tenants with similar characteristics and frequently similar needs in the same areas. Thus, the Ballymun Task Force is concerned about the social stability of their area. They suggest a number of remedies, central to which is the involvement of the local community in decisions about and allocations to the area. Consultation with and involvement of the local community is regarded by the Combat Poverty Agency as vital for satisfactory service provision, almost regardless of the specific type of service.

In order to facilitate tenants, including homeless people, to live in areas of their choice and in order to avoid the problem of clustering tenants with similar social problems, local authorities should seek to reserve a percentage of houses in non-low-demand areas for homeless people. They should also seek to have their mandate broadened to facilitate local authority purchase of second-hand and new houses, including purpose-built houses for letting. For example, in the last few years there has been a dramatic upsurge in the building of two-bedroomed houses in the private sector. When such houses come on the market, local authorities should buy them and make them available for letting to small families around the city rather than clustering them into specific estates far from city centres. Another desirable possibility is for selected local authority apartments to be set aside for specific vulnerable categories of homeless people, such as youth or women fleeing from violent situations.

The Funding Crisis

It is clear that there is a funding crisis at local and national level. The capital building programme has been particularly affected. Cut-backs in central government funding have meant that local authority housing provision and maintenance is severely curtailed, along with local service provision. Clearly, if there is to be a significant improvement, central government funding has to be restored. I am not suggesting that this will be easy or indeed that it will happen, but there are possibilities for raising extra revenue or redirecting existing subsidies.

The equity of existing housing funding is questionable. Only a very small proportion of subsidies goes to tenants in the private rented sector and to the special needs category. Private tenants on low pay receive no State help whatsoever in contrast, for example, to the generous mortgage interest relief available to those who can afford to buy their own house.

Tax exemptions on mortgage relief favour the better off. For example, a married couple can claim a maximum of £3,600 on mortgage interest

relief. Those on the top marginal income tax rate of 56 per cent make an annual cash saving of £2,088 per annum, or £40.15 per week. When one considers the inadequacy of social welfare benefits received by the unemployed, there is no equity in a family on a very high income receiving a cash saving of £40.15. At a minimum, those on the top marginal income tax rate should only be allowed to claim the standard income tax rate on mortgage interest relief.

It has been recently claimed that the increasing trend from annuity mortgages into endowment mortgages involves considerable extra cost to the Exchequer (Keegan, 1988). Moreover, only a part of this extra cost is passed on to the borrower. The building societies and assurance companies are major beneficiaries of Exchequer transfers. For example, a married couple borrowing £40,000 over 20 years on an endowment mortgage as opposed to a standard building mortgage costs the Exchequer an extra £11,000. Only 55 per cent (£6,000) of this transfer remains with the borrower. An indirect transfer of £5,000 (45%) goes to the building society and assurance company. This aspect of housing finance whereby resources are being transferred to private corporations should be the subject matter of a White Paper on housing. Were these and other subsidies to be reduced or removed - and of course a carefully constructed property tax introduced - central government funding to the local authorities could be significantly increased.

Failure To Deal With Poverty

The fact that poverty is widespread in Irish society is now well known and widely accepted. Given that poverty is a dominant factor underlying homelessness, the major income maintenance and other reforms necessary to address poverty, if implemented, would also significantly improve the homelessness situation.

The Agency has put forward a major anti-poverty programme in its prebudget submission for 1988. There are five parts to this programme:

- "social welfare reform;
- "reform of the taxation system;

- improved access to public services for the less well-off;
- a programme of community development;
- measures to address unemployment and a programme of rights for the unemployed.

While the details of each of the specific proposals will not be given here, it is important to outline the main social welfare reforms since they are so urgent. Most fundamentally, the basic minimum social welfare payments need to be increased to the levels recommended by the Commission on Social Welfare and the Agency. In 1989 values these are £55-£65 for the head of household; £33-£38 for a dependent adult; plus £13 for each child dependent. Family income support policies also need to be reviewed, in particular the payments made for children. At a minimum, greater payments should be made for older children. The situation of unemployed 16 and 17 year olds is critical at present since they are not entitled to a payment in their own right. For homeless people and indeed for many others in the population, the Supplementary Welfare Allowance is a vital lifeline. And yet it is so problematic. The fact that assistance is discretionary has given rise to great variation not only across Health Board areas but also from district to district. This is a major source of problems. In addition, the scheme is very underfunded which means, for instance, that the amounts and type of assistance given are limited. Of significant help to homeless people would be an improvement in the quantity and range of furnishing items for which homeless people are eligible on moving into new accommodation. At present the items given are insufficient. Essential items such as a table, floor covering, curtains and fridge are not normally granted. The rent supplements are also problematic in that they vary in amount and length of delay - where they are given at all.

In the Agency's view, the implementation of these measures is as important a priority as dealing with the national debt. Moreover, it is possible to raise the necessary revenue by reforming the taxation

system to achieve a greater tax yield from the corporate sector, the owners of property and the wealthy.

The Lack of Co-Ordinated Support Services

Homelessness is both preventable and curable. However, it is vital that on-the-ground co-ordination is developed between the various organizations and sectors engaged in allocating and providing support services to homeless people. Effective on-the-ground communication and co-ordination could eliminate the costly, time-consuming and demoralizing burden presently placed on the homeless person as s/he trudges from agency to agency and is forced to undergo several assessments.

There is a wide range of services provided by statutory and voluntary bodies working with homeless people. However, because these do not co-ordinate both at planning and service level, homeless people experience major difficulties in making contact with numerous agencies on moving into a new area and new accommodation. These agencies can include the ESB, New Dublin Gas, the Medical Card office, the Supplementary Welfare Office, the St Vincent de Paul Society, the Employment Exchange and the Maintenance Department of Dublin Corporation. In effect, the lack of co-ordination between the statutory and voluntary agencies involved with homeless people may lead to people being without the support and basic items they require.

Among the measures which would significantly improve co-ordination are:

- the establishment of a Homeless Person's Unit;
- the funding of optional Home-Maker/Outreach service;
- the development of day centres.

A key part of the work of the Homeless Person's Unit would be the careful assessment of each applicant in order to identify the type of housing solution and supports required. It is vital that homeless people who are socially vulnerable are allocated accommodation according to their need and not automatically accommodated in low-demand estates

on the periphery of the city. The allocation of inappropriate accommodation is bad housing management and is inefficient in the long-term. Approximately 25 per cent of homeless tenants leave their accommodation within six months of being allocated accommodation. The additional costs and labour incurred by the State as a result of bad housing management could be eliminated.

The introduction of such an assessment procedure would also involve consultation with the referral agencies - i.e. the Eastern Health Board and the voluntary sector. Formal staff training in case work and the structure of the statutory and voluntary services is also important. The establishment of a Homeless Person's Unit could be achieved without major new investment but by restructuring. Focus Point has found that at present an average of 2.6 minutes is available to assess each applicant in the Dublin Corporation area.

Many homeless people find it difficult to locate appropriate accommodation and to settle into it. They can be suffering from traumatic experiences, lack of information about their basic rights and find it difficult to make contact with and relate to bureaucratic organizations. This can also be very lonely. They need some form of help and support while finding, moving into, and settling down in a home of their own. An optional home-maker service would be of immense help. This service could offer:

- personal support counselling and visiting;
- help in finding a flat in the private rented sector or in making an application to the local authority;
- help to newly-accommodated people with budgeting and cooking;
- contracting, mediation and advocacy *vis-a-vis* other statutory and voluntary organizations - i.e. helping people to get their social welfare benefits and adequate household furnishings;
- provide information and contacts in the local area and link homeless people into the community support network.

People leaving prison, psychiatric hospital and child care institutions

are at risk of becoming homeless. The home-maker service could thus liaise with and "outreach" into these institutions to ensure that people leaving them get adequate support to be reintegrated into communities. First and foremost, however, there should be an onus placed on these institutions to ensure that people are not discharged without adequate support services.

Many homeless people suffer from chronic boredom during the day. A day-centre, modelled on the Focus Point shop front centre, should be established on the northside of Dublin. The LINX Drop-In Centre in Ballymun, which is a community-based settlement service/day centre for the homeless, should also be adequately funded.

A Policy on Homelessness

Given that homelessness is such a multi-faceted phenomenon, a broad-ranging response is necessary to address it. Both curative and preventative measures are needed, ranging across the spectrum of both social and economic provision. A response in terms of just housing or physical infrastructure will not be sufficient. The following are the main policy responses needed:

- legislative reform to ensure that responsibility to house the homeless resides with one sector or state institution and to protect the rights of children, particularly 16 and 17 year olds;
- improved housing provision;
- adequate income maintenance provision;
- coordinated support services for the homeless;
- improved health and education services.

5 SETTLING INTO A HOME: == == == TOWARDS AN INTEGRATED SETTLEMENT STRATEGY *by Patricia Kelleher*

Homelessness

It is finally being understood that a key feature of homelessness is poverty. Homelessness is in fact an extreme form of poverty. The incidence of poverty in Ireland is severe; the recent ESRI Report highlighted that over one-third of the population are living in poverty. The October National Conference of Women Together Against Poverty, and the International Tribunal of Women and Poverty held in Brussels in November and attended by twelve Irish women who have direct experience of poverty, have been very important initiatives by the poor themselves. They are the most aware that the severity of the poverty crisis has not up to now resulted in the urgent changes required. The research which I undertook between June 1986 and January 1987 confirms a picture of homeless people being forced to negotiate with a complex network of organizations and bureaucratic procedures, placing further, often severe, pressures on the homeless in the search for a roof over their heads:

The research revealed that services for the homeless are marked by :

- Fragmentation;
- A blurring of roles and responsibilities between the local authorities and the Health Boards, yet many important services - such as a home-maker service - fall wide of the brief of both the Health Boards and the local authorities;
- A lack of co-ordination within and between the statutory organizations and between the statutory organizations and the voluntary

• P. Kelleher, *Settling in the City*. 1988

- groups;
- And finally, an *ad hoc* approach to service provision for the homeless. •

The purpose of the research was to provide a framework for the development of housing and settlement strategies. I approached this in a number of different ways:

- A detailed analysis of the Dublin Corporation records of housing allocations between June 1986 and January 1987.
- Interviews with key people in Dublin Corporation. The relationship (or lack of it) between the different **statutory** agencies and their various responsibilities in the settlement of homeless people were analysed. This involved interviewing key individuals in Community Care, the Special Hospitals Section of the Eastern Health Board, and Departments of Health and Environment. It was also necessary to conduct group interviews with community leaders to clarify the local dimension of the State's strategy. In all, in-depth interviews were held with 80 people in the State and voluntary sector who are in day-ta-day contact with homeless people.
- Interviews with homeless people who were allocated houses in order to assess their level of satisfaction with the State's strategy for housing the homeless. A special investigation was made of the effects of housing policy in Ballymun and Tallaght where the greatest number of homeless people were housed.
- Finally, agencies in Scotland were visited to review the housing and settlement strategies **currently** in operation there and to examine what lessons might be learned.

I referred earlier to service provision for the homeless being bureaucratic, fragmented and *ad-hoc*. This was particularly evident in the allocation policy of Dublin Corporation, the funding of running costs for hostels and the homeless, and the funding of the voluntary sector.

AdHoc Approach

Homeless people are housed not as a result of a concerted and planned policy but in order to protect vacant Corporation property from becoming prey to vandalism. Research reveals that the policy for allocating accommodation is *ad hoc* and requires the applicant to be capable of extreme persistence to call daily to the Allocations Section in the hope that accommodation becomes available. Operational criteria used for allocating accommodation are also unclear. The research reveals that very little time is allowed to the Dublin Corporation Officers in the Allocations Section to deal with each case. For the period of the study, there was very little time for in-depth investigation into any case. On average, the Allocations Section dealt with 70 people from the general public each morning. It must also be borne in mind that many applicants are in a serious state of distress; In addition, officers do not receive training in interviewing techniques or social work counselling.

The voluntary sector is pioneering the provision of essential support services for the homeless. This is being done on shoe-string budgets and many of the programmes are dependent on short-term training and temporary employment schemes. The uncertainty and insecurity of funding means that long-term planning is impossible as programmes are interrupted by the termination of schemes. Secure funding should therefore be provided for community-based support and drop-in centres for homeless people and for the home-maker service.

Fragmentation

There is evidence that over the last six months the fragmentation and lack of integration of service provision for the homeless is being further exacerbated by cut-backs in public expenditure. Professional, bureaucratic and organizational factors are receiving priority over the needs of the homeless. Personal services to the public are the first to be cut and these are being reduced in a haphazard manner which are causing further severe hardships to the homeless.

For instance, the opening hours of the housing welfare section was reduced from a full day to a half day. It is now only open in the mornings..

Second, the opening time for the lettings section, where new tenants sign up for their accommodation, was reduced to a half day. Unfortunately its opening time, being in the morning, does not coincide with the opening time of the housing welfare section.

During the period of this research (lettings from June 1986 to January 1987) two major factors determined the housing management approach - namely, the excess of available houses in low-demand areas and the widespread problem of vandalism of unoccupied local authority accommodation. Large numbers of people who could be defined as socially vulnerable are allocated homes in already disadvantaged communities where there is an absence of infrastructural services and amenities, high levels of unemployment, dependence on social welfare and lack of community care.

Research findings indicate that :

- 88% of homeless people are totally dependent on social welfare benefits;
- 82% are housed in one of three Dublin Corporation areas - Ballymun, Tallaght and South Inner City.

Obstacles

There has been a severe reduction in the supply of accommodation available to potential local authority tenants. For single homeless people in the Dublin area, the crisis is already a reality. Since October 1988 there has been virtually no accommodation available for the single homeless in the Dublin area.

Other obstacles faced by homeless people in attempting to settle include:

- Housing maintenance has declined catastrophically. Case studies reveal again and again the months of delay that tenants are forced to endure to have their accommodation repaired;

- The extreme poverty of many homeless people means that they also require assistance to furnish their accommodation when attempting to settle into a home. An integrated strategy must therefore come to terms with the disastrous shortcomings of the Supplementary Welfare System. For example:
 - * guidelines are discretionary, not publicized and not available to applicants;
 - * items given are insufficient - essential items such as a table, floor-covering, curtains or fridge are not normally granted;
 - * applicants are forced to rely on charitable agencies and suffer a sense of humiliation, feeling that they have to beg for basic survival;
- The discharging of ex-psychiatric patients without adequate community support services is a major problem. Ex-psychiatric patients who have minimal or no support are forming an increasing number of Dublin Corporation applicants. This indicates that psychiatric patients are being discharged from hospital care by the Eastern Health Board in the absence of comprehensive or co-ordinated community care programmes.

Finally, homelessness and emigration are clearly linked. The Streetwise Study undertaken earlier this year on the young homeless established that emigration was a major route into homelessness. The present study found that 12% of homeless people applying for local authority accommodation were returned emigrants. It is disturbing that forced emigration is still rising.

In summary, it has become increasingly clear that the needs of homeless people cannot be met simply by giving them keys to houses, without support, in low-priority areas. For the period under study one-quarter of all housed applicants left their accommodation six months after being housed. At a minimum, an integrated strategy for settling must include:

- Adequate assessment of homeless people's needs and the matching of these with appropriate accommodation and support. A special homeless persons unit should be established in Dublin Corporation for this purpose;
- A wide range of housing types which would include emergency accommodation and half-way houses providing a range of support services;
- An optional home-maker service for people moving into accommodation which would provide contact with community-based and other social supports. This should be administered by the voluntary sector and jointly funded by the Eastern Health Board and Dublin Corporation.

In the light of the findings of this research, the **Guidelines governing Sections 2 and 10** of the Housing Act 1988 (which came into effect in January 1989) are welcomed. The Guidelines advocate:

- better liaison between the Health Boards and the local authorities;
- support and visiting services for the homeless where appropriate;
- and suitable accommodation appropriate to needs.

Homeless Persons Unit

If the spirit of the Guidelines is to be implemented, it is important that a Homeless Persons Unit, with an official Homeless Persons Officer and Liaison Officer, be established in the Housing Department of Dublin Corporation.

A key part of the work of the Homeless Persons Unit should be the careful assessment of each applicant in order to identify the type of housing solution and supports required. It is vital that homeless people who are socially vulnerable are allocated accommodation according to their need and not automatically accommodated in low-demand estates on the periphery of the city. The allocation of inappropriate accommodation is bad housing management and it is ineffective in long-term settlement. Approximately 25 percent of tenants leave their accommo-

dation within six months. The additional costs and labour incurred by the State as a result of bad housing management would then be eliminated.

The introduction of such an assessment procedure would also involve consultation with the referral agencies - ie. the Eastern Health Board and the voluntary sector. Formal staff training in case work and the structure of the statutory and voluntary services should be provided. The establishment of a Homeless Persons Unit could be achieved without the investment of extra resources but by the restructuring of the Section.

At present there is a Homeless Persons Officer, appointed in 1985, as a response to the growing concern about homelessness. The Homeless Persons Officer, however, is part of the general staff of the Allocations Section. The system of housing homeless people is discretionary and *ad hoc*, with no clear guidelines on entitlements. As mentioned above, there is little time to deal with each case and in-depth investigation is not possible. The Allocations Section of Dublin Corporation is overloaded, with its staff overworked.

A Range Of Accommodation Options

It is important to provide a range of accommodation options (emergency, interim and permanent) which would give homeless people access to suitable accommodation of good standard. Wider options including high-quality emergency hostels, half-way houses, independent living units, should be provided to facilitate homeless people live in areas of their choice and to avoid the problem of clustering tenants with similar social problems. Local authorities should:

- have their mandate broadened to facilitate local authority purchases of second-hand and new houses, including purpose-built houses for letting. For example, in the last few years there has been a dramatic upsurge in the building of two-bedroomed houses in the private sector. When such houses come on the market, local authorities should buy them and make them avail-

able for reletting to **small** families around the **city**, rather than clustering them into **specific** estates far from the city centre;

- reserve a percentage of houses in non-low-demand areas for homeless people;
- furnish selected local authority apartments for specific vulnerable categories of homeless people, such as youth or women fleeing from violent situations;
- ensure that adequate resources are provided to maintain local authority property and to renovate it to habitable levels before housing new residents. The maintenance problems **confronted** by homeless tenants makes settling into new accommodation very difficult;
- ensure that high-rise flat complexes, especially in low-demand areas, are provided with adequate and appropriate communal and support facilities such as laundrettes, **meeting rooms**, **coffee shops**, etc. Local authorities should clarify and delineate with Health Boards their respective roles.

A Home-Maker Service

Many homeless people find it difficult to locate **appropriate** accommodation and settle into it. They can be suffering from **traumatic** experiences, lack of information about their basic **rights** and find it difficult to make contact with and relate to bureaucratic organisations. They can also be very **lonely**. These people need some **form** of help and support while finding, moving into, making and **settling** down in a home of their own. An optional home-maker service should be available.

This service should offer:

- personal support, counselling and visiting;
- help in finding a flat in the private rented sector or in making an application to the local authority **sector**;
- help to newly-accommodated people in the form of budgeting and cooking;

- contracting, mediation and advocacy vis-a-vis other statutory and voluntary organizations - ie. helping people to get their social welfare benefits and household furnishings;
- provide information and contacts in the local area and link homeless people into the social support network at community level.

The home-maker service should be offered at the "assessment" stage by the Homeless Officer to all local authority applicants who are homeless.

People leaving prison, psychiatric hospitals and child care institutions are at risk of becoming homeless. The home-maker service should thus liaise with and "outreach" into these institutions to ensure that people leaving them get adequate support to be reintegrated into communities. There should be an onus placed on these institutions to ensure that people are not discharged without adequate support services.

The home-maker service should also be available to hostel residents of long-term, short-term and emergency status. Such a service should be funded jointly by the local authorities and Health Boards and administered by the voluntary sector.

Day Centres

Many homeless people suffer from boredom during the day. A day-centre, modelled on the Focus Point shopfront centre should be established on the north side of Dublin. The LINX Drop-In Centre in Ballymun, which is a community-based settlement service/day centre for the homeless, is a useful model and should be adequately funded. These day centres should ensure that homeless people get access to medical services, as many homeless people of "no fixed abode" do not get a medical card. A work/training and recreational option should also be provided by these centres.

Conclusion

In conclusion, State and voluntary services had already begun a

dialogue on housing problems when my research began and the methodology of this study sought to involve those agencies in the research process. It is, for me, an important feature of the work that the strategies recommended emerge from the collective experiences and concerns of those directly responsible for housing and settlement across a range of organizations and agencies, both voluntary and statutory.

I believe the co-operation, support and facilitation I received during my research itself underlines this immense concern. The implementation of many of the recommendations would not require the investment of extra resources but could be implemented by the restructuring of agencies and ongoing and improved consultation between Dublin Corporation, the Eastern Health Board and the voluntary sector. In fact, I am glad to report that since this research commenced in October 1987, and despite the set-backs mentioned earlier, many changes relevant to the recommendations are being introduced as a result of discussions facilitated by the research process. For example, ongoing consultation is being intensified between the Housing Department of Dublin Corporation and the Homeless Persons Unit of the Eastern Health Board. Work experiences and work placements have been exchanged between Focus Point and the Allocations Section of Dublin Corporation, and Focus Point has initiated a preventative programme in four Dublin city hostels. Dublin Corporation is also referring some homeless people, where appropriate, to the Focus Point home-maker service. The Allocations Section has also initiated liaison with Women's Aid, community groups - particularly in the areas of Ballymun and Darndale - and with psychiatric hospitals discharging patients into the community. In fact, at the request of the tenant associations in Ballymun, the Allocations Section has appointed one full-time person to the Ballymun area for the purpose of facilitating new tenants to sign the appropriate documents. The Allocations Section are now developing a system whereby they provide in-depth investigation into the needs of the "vulnerable" homeless and reserve a small proportion of houses in non-

low-demand areas for them. This change is arising out of the implementation of the Housing Act 1988. I think that the Allocations Section is to be highly commended for initiating these changes within its own bureaucracy.

Finally and most importantly, Davy Byrne, Assistant Manager of Dublin Corporation, has initiated a Housing Forum comprising the statutory sector and voluntary organizations. This is an essential step to ensure that a co-ordinated policy is developed and that "on the ground" communication takes place between the various agencies and organizations concerned with the homeless.



6 DISCRIMINATION AGAINST TRAVELLERS: THE NEED FOR REFORM OF THE LAW

by Des Curley

ON THE GROUND

Let's look at some, unfortunately typical, cases from my files - the kind of incident which gets headlines in a local newspaper and occasionally hits the nationals

Limerick, October 1985

Friday 11/10/85 : A group of residents called on the travellers on the Childers Road and told them to leave by the next day.

Saturday 12/10/85 : A large mob blocked off the road and forcibly moved some of the caravans while armed with shovels, picks, etc. A large force of Gardai were on duty throughout the incident but just stood by. Has any of these residents been charged? The Corporation then signed over the land from which the travellers had been moved to private ownership, thus preventing the travellers from enforcing any legal obligation on the Corporation.

Ballinasloe, 1984

A local gentleman was Ollt, with his shotgun and, he claimed, was shooting at birds. He (accidentally, we must assume) hit the wheel of the caravan with some pellets. Coincidentally he had had a row a little earlier with the occupants of the caravan.

The full rigours of the law were applied for his dangerous action. He was fined SOp for using a firearm on a public road.

Another aspect of that case concerns the Civil Legal Aid Scheme. The

family, who had 13 dependent children, applied for and were refused Civil Legal Aid to take a civil case against their trigger-happy neighbour.

Limerick, October 1988

The Carthy family had been moved continually since early 1987. Before Easter they parked on a quiet side road in front of the GAA grounds in the Monaleen area. A mob of people and a bulldozer came and dug a trench right up to the base of the first caravan, forcing the travellers to move.

They eventually parked near Kilmurray Cemetery and were immediately threatened by local residents. Two days later a JCB arrived, but left as a committee member was present and called the Gardai. Some days later, on 24/10/88, the JCB returned accompanied by the Gardai and a representative of Plassey Technological Park. The JCB started to drop huge boulders near the caravans. The Gardai stated that the caravans were on private property.

The alert committee member was again present and succeeded in preventing further action by finding out that the Council owned the property - it wasn't private property.

A letter I received from the committee about the incident finishes- "*The situation in this area is terrible. The travellers are constantly refused water and the children experience rejection every day.*"

These three cases contain between them the typical elements of the kind of case which comes to my attention. They are but three examples involving intimidation by local residents or a local business, Garda involvement and manipulation by a local authority.

THE COURTS

Most of us see the Courts as our major protection if we have difficulties. How do travellers fare out? Here are some cases involving the Courts and travellers.

Malahide 31/8/88

Golf Driving Range: Car park at Clare Manor Hotel, Malahide Road, Co. Dublin. Interlocutory injunction granted to the hotel for the removal of 6 caravans, cars, vans, lean-to shelters, rubble and bits of scrap.

The Managing Director of the hotel, in an affidavit, said that one of the travellers had threatened to bum down the driving range. He also stated that their children were in danger from his customers' cars and were living in insanitary conditions.

Waterford, 1988

The Gardai in Waterford told the travellers to move from their present site to another spot, Kilbarry, or "*they would be towed out*"

There was no alternative site available to the travellers and Kilbarry, which is not a properly serviced site, presented severe health hazards. Civil Legal Aid is not available for group cases so they could not, as a group, avail of it to give them access to the courts to protect themselves. One man therefore applied for Legal Aid to protect himself and his family. His application was refused under paragraph 3.2.4 (2) of the Scheme - because there are other persons who have a similar interest in the proceedings..

Roscrea, August 1988

District Justice J. Neilan, speaking at Roscrea Court, is quoted in the local papers as saying: "*Itinerants are abusing the legal system in no uncertain fashion . . . They are ripping off the system and aren't prepared to take part in society, expect to draw money from every Government Department . . . They are racing through the country like thunder and lightning at tax-payer expense and drawing money from every Government Agency:.*"

The Courts are generally very solemn and serious places and the District Courts are no exception. However, there is occasionally some light relief - some moments when everyone relaxes and smiles or even

laughs, when the Judge, even if he is in a sour mood, manages to milk some fun out of the situation in front of him. Unfortunately, in some Courts - not all, I emphasize - these moments of light relief are all too often linked with travellers' cases. That is not to say that the decision or sentence will be favourable to the traveller. Not so. But everyone - well almost everyone - enjoys the 'craic' while the traveller's case is being heard,

The Courts of course can only, and indeed must, enforce the law.

LEGISLATION

A particular piece of legislation which is used commonly against Travellers is the Local Government (Sanitary Services) Act, 1948. A local authority can, under this Act, apply for a *Prohibition Order* which must be approved by the Minister for the Environment before it becomes law.

Tubbercurry, 1986

Sligo County Council applied in January 1986 to the Minister for the Environment for a Prohibition Order under Section 31 of the Local Government (Sanitary Services) Act, 1948. They wished "to prohibit the erection or retention of temporary dwellings on any land or water in their sanitary district" because they were "of the opinion that such erection or retention would be prejudicial to public health or the amenities of the locality or would interfere to an unreasonable extent with traffic."

The Prohibition Order they wanted was for Tubbercurry, where there was some four or five travelling families who had lived in the town all or most of their lives. These families had already been moved on from different places around the town. There was not and still is not any site or facilities available to these travellers.

On 25 October 1986, the Minister for the Environment approved the Order - thus by a stroke of his pen rendering it illegal for families to live

where they had lived all their lives.

Those families no longer reside in Tubbercurry - they are dispersed to Cork or Dublin or Monaghan or Tipperary or England ... one problem solved by decisive Government action!

On the subject of Prohibition Orders, Senior Council defending the Minister for the Environment and the State in a recent Limerick case said: "*concerning the Local Government (Sanitary Service) Act, the Government has done nothing under this Act, only approved the Prohibition Order.*"

Surely a Pontius Pilate approach if ever there was one!

GOVERNMENT POLICY

Whatever about existing legislation and the courts, we would expect to find the Government's heart in the right place, that they would not try to sweep the difficulties travellers experience under the carpet. We would expect something worthwhile in the 1984 Government Policy Statement, which is still policy.

Under the heading *Some Legal Aspects*, the Government states:

"Where serviced sites are provided for travellers, local authorities will be encouraged to use the powers available to them to prohibit camping or the erection or retention of temporary dwellings elsewhere. The authorities will also be encouraged to clean up unauthorized camp sites and to make full use of their powers to require occupiers to keep their land free of litter, including vehicles and other disused articles."

That's not all there is to it. Section 2 states:

"The Department of Justice has been examining the problem of wandering horses and legislative proposals in this respect will be finalized as quickly as possible. In the meantime, the new Road Traffic Bill increases the penalty for causing obstruction to traffic on public roads."

Section 3 states:

"Steps will be taken to promote action by local authorities in

designating casual trading areas and to secure effective administration of the Casual Trading Act 1980. Enforcement of the Act will be stepped up according as additional trading areas are designated."

That is the action on some legal aspects proposed by the Government:

- enforce Prohibition Orders
- control animals
- curb trading

Had they ever heard of discrimination, we ask?

What about the aspects of the law which are oppressive to travellers because of the differences in the travellers' way of life?

On another occasion, the then Minister for the Environment, speaking at a press conference on reform of local government, proposed the following reforms:

"Provision will be made for statutory committees to facilitate liaison between committees and Gardai in matters such as -

- traffic management, speed limits, parking;
- vandalism, crime prevention, dumping and litter control;
- casual trading, travelling people, control at large gatherings."

This statement does not betray much understanding or respect for his fellow Irish citizens, the travelling people.

TRAVELLERS' FRIENDS

A Government Review Body sat from 1981 to 1983 and contained many representatives from the National Council for Travelling People.

The Review Body in 1983 spoke as follows:

"The desirability of having special legislation enacted to outlaw discrimination against travellers as a minority group was examined by the Review Body. It became apparent from this examination that implementation of such legislation would be fraught with many difficulties, especially in the absence of a precise legal definition of 'traveller'. Accordingly, the enactment of anti-discrimination

laws is not sought."

On 20/7/84, the Government issued its policy statement in relation to travelling people. In this statement the Government quoted approvingly from the Review Body Report that *"the vast majority of Traveller families wished to be accommodated in houses."*

The Review Body had, in its turn, based this accommodating statement on statistics supplied from the ESRI-supervised Census of Travelling People in 1981. The authors of the ESRI Report which is, I would add, in many ways an excellent report, had also derived the same message from their statistics. They said: *"Our conclusion is that the vast majority of traveller families prefer standard housing."*

So the Government drew up their policy, which they are still implementing today, based on this conclusion which is in turn based on a certain set of statistics - that over 70% of travellers would prefer a house of some kind.

It all seems perfectly reasonable and valid statistically until you ask the simple and, some would think, obvious question: when the travellers were asked to make their choice of accommodation, what was on offer? We are talking about 1,200 travelling families at that time. There were 22 parking bays available to those 1,200 families, in **three different** counties. The choice then for 98% of those 1,200 travelling families was between a non-existent halt and a 'concrete' house; in a situation where non-existent halts tended not to become a reality and where travellers were harried 'from pillar to post'.

Perhaps you're beginning to understand by now the problem I encountered when I sat down to work out what I would say about the need for reform of the law? You see, where does mine start?

Discrimination against travellers is so all-pervasive, so endemic to the entire system, whether it be the subtle, hidden discrimination which pretends it is really action on their behalf or the crude, blatant discrimination they meet on the roadside or in shops.

Racism

Before I finish this part of my paper I will give one more example of the kind of thing travellers have to put up with is particularly topical.

Man About Town, writing in the *Waterford Express* (21n!'88) has some things to say about travellers. One of his milder comments is as follows:

"I am of the opinion that their ancestry is no different to what they are today - a nuisance and a burden on the law-abiding people of the State."

I am reluctant to repeat or give further circulation to another of his comments:

"It's good to see that in spite of the bleeding hearts - most of whom are careful to remain remote from the actual contact which some of our more worthy citizenry have to suffer at the hands (not to mention some other Ulmentionable parts) of the itinerants - something really positive has been done to prevent them despoiling the countryside at Kilbarry by making the site they had chosen for a campsite inaccessible to them."

If ever there was an example of the kind of thing which should be prevented by the Incitement to Hatred Act, surely this is it. Thankfully, travellers, after much lobbying, are specified in this Act which was recently passed in the Oireachtas. I look forward with interest to the implementation of the Act to instances as quoted above.

WITH FRIENDS LIKE THESE •••

The law lays down the rules which people must obey in society. These rules are based on certain assumptions about how settled people should live and take no account of people such as travellers and the homeless. These are seen as a threat and treated as such - conform or take the consequences.

However, in this enlightened age, some of us are beginning to realize that there must be room for those who have their own approach. With

modern communications the world is getting smaller, but we are also realizing the importance and value of diversity.

Having said that, most of us share a certain approach to life and certain values, which means we also tend to accept the rules of our society. This can mean that, while trying very hard to assist a group such as the travellers we, their friends, may in fact be unwittingly and unconsciously carrying on the 'colonization' process, continuing to impose our rules on them. We, their friends, may be carrying on a form of discrimination against them far more damaging than any discrimination by the rest of society.

If we want to fight against discrimination, let us first of all look very carefully at ourselves and what we are doing.

For example, the Curriculum and Examinations Board and the previous Minister for Education set up a Syllabus Committee to put together a new subject called Civic and Political Education to replace the now discredited Civics taught at second level. This subject, as it evolved, would have gone some way towards addressing problems such as basic legal literacy, understanding the system, and **discrimination**. Unfortunately, the previous government dropped the subject when they took office. This reflects a lack of commitment to enabling students to understand and appreciate the nature of our society today.

JUSTICE: THE CHALLENGE

The 1987 Combat Poverty Agency Report contains the following paragraphs:

*"Almost all government policy has a bearing on poverty, but some aspects of economic and social planning are particularly relevant. For example, the whole area of work and unemployment is fundamental to the **problem of tackling poverty.***

Policy in regard to income maintenance is also of crucial importance. Policy in relation to housing, physical planning, health and education are other important aspects."

Surely there is something **fundamental** missing there. *Where is justice?*

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Most of us have heard it stated that the law has nothing to do with justice. While it would be unfair to accept this completely, there is a fair deal of truth in it. The law, as a structure, as a system, has now become of paramount importance. Precedent takes precedent over justice. Just as medicine had, until recently, developed to a stage of narrow specialization where the doctor or specialist lost sight of the body as a whole in their preoccupation with one particular aspect of it, so also has the law lost sight of the broader picture of justice in its preoccupation with itself.

If you are fighting a battle you try to control the conditions under which you fight - that is the first step towards winning. Our problem is that we are tending to accept unquestioningly the conditions under which we must work for reform rather than examining critically those conditions.

Is there much value to be got out of fiddling with legislation when anything you come up with is going to be submerged in the existing morass of ineffectiveness anyway?

To sum up then, what does all this add up to? Start working for change by looking searchingly at what is there already and how it is being applied. Turn the spotlight on the justice of the legal system. Look for reforming legislation by all means, but let's demand a greater objectivity, a higher standard of professionalism, a commitment to real justice from those who are supposed to uphold the law.

Let us look for reform at a deeper level, where it might begin to be effective. Let us try to awaken the sensitivities of those concerned with justice to the different social, economic or cultural backgrounds of those who stand before them. Let us demand more creativity in the cause of justice from those concerned with justice.

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