

Participation and the Practice of Rights response to DSD Consultation “Facing the Future; Northern Ireland Housing Strategy 2012-17”

Participation and the Practice of Rights organisation provide tools and support to marginalised groups actively asserting their right to participate in economic and social decisions which affect their lives. Since 2006 we have worked to support social housing residents in the North Belfast area, for whom, given the high levels of need and increasing inequality, changes in housing policy are felt most acutely. It is on the basis of this work that we are contributing to this consultation.

Overriding concerns

Equality

The proposals put forward by the “Facing the Future” Strategy are expansive; they articulate the Department for Social Development’s desire for “serious structural change”. As such they should be underscored by evidence based policy decisions and should demonstrate a commitment to the overriding legislative obligations the Department is under in all its functions. It is on this basis, that before engaging with the specifics of the proposals, PPR wish to express serious concerns about the failure to meaningfully consider these changes in light of the Department’s obligation to give due regard to the promotion of equality under section 75(1) of the Northern Ireland Act 1998.

It is alarming that proper cognisance is not paid by the Department to the importance of the Section 75 Equality Duties. Five core principles are listed as having “guided” the development of the strategy; Citizen first; Fairness and equity; Target the most vulnerable; Value for money, and; Rights and responsibilities.¹ There is no mention of the promotion of equality, which the Department is legally bound to pay due regard to. Furthermore, the requirement to target objective need which the Department is bound by as a result of the St Andrews Agreement 2006 should also feature prominently.

A key feature of the social housing landscape in Northern Ireland is that it continues to be characterised by persisting levels of religious inequality, especially in areas such as North Belfast, West Belfast and Derry. The situation in North Belfast, for example as the statistics below show demonstrates continued untackled religious inequality in access to social housing.

NIHE North Belfast Waiting List applicants in social housing stress (30+ points)²

	March 2003	March 2004	March 2005	March 2006	March 2007	March 2008	March 2009	March 2010	March 2011
Catholic	689	681	803	831	885	879	851	637 ³	619
Other	34	27	33	46	58	75	80	73	119
Protestant	166	164	170	253	316	319	294	240	220

¹ Page 7

² Information received from NIHE through a freedom of Information request on 15th March 2012

³ Post 2009 NIHE figures show a marked drop in Catholics in Housing Stress in North Belfast. This reduction appears to be matched by a corresponding increase in the numbers of residents in housing stress. PPR are currently investigating the reasons for this change in NIHE figures.

Undisclosed/unknown	79	79	85	82	100	201	258	472	377
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PPR are concerned that equality appears to be treated as an ‘add on’ to this policy instead of mainstreamed throughout it as intended by the 1998 Act. It is not sufficient, as the Department have done in this instance to develop this strategy and not at least equality screen it. Instead the Department state that;

“As each of the policies set out in this draft strategy are developed, they will be screened in the context of our section 75 duty and where appropriate, an equality impact assessment undertaken.”⁴

With reference to the current Guidelines for Public Authorities, the Equality Commission, states however, that;

“Screening...should be completed at the earliest opportunity in the policy development process. For more detailed strategies or policies that are to be put in place, through a series of stages, a public authority should then consider screening at various times during implementation.”⁵

It continues;

“To undertake screening after policy proposals have been developed may be inefficient in terms of time and may be ineffective if policy makers are reticent to make changes at a later stage.”⁶

Human Rights Obligations

PPR are concerned that whilst reference is made to rights in the guiding principles section of this Strategy, the emphasis in the Strategy unevenly aligns this with the concept of responsibilities⁷. Significantly, whilst the word ‘rights’ is referred to in the guiding principles, many of the proposals listed within this strategy actually represent retrogressive measures being taken in terms of the international right to adequate housing contained within Article 11(1) of the International Covenant on Social Economic and Cultural Rights (ICESCR), of which the UK government is a signatory state. Key issues of compliance are addressed throughout this response. Furthermore, in the event of this being the first National Housing Strategy published in Northern Ireland, PPR would encourage the Department to be mindful of the United Nations Committee charged with overseeing states’ compliance with the Interational Covenant on Economic Social and Cultural Rights dictum on the matter.

Paragraph 12 of General Comment 4 from the Committee on Economic, Social and Cultural Rights states that a Housing Strategy of this nature should *“define the objectives for the development of shelter conditions, identifies the resources available to meet these goals and the most cost-effective way of using them and sets out the responsibilities and time-frame for the implementation of the necessary measures”*. The following paragraph also states that

⁴ Page 51

⁵ P.51-52 ECNI Guidance

⁶ P.52 ECNI Guidance

⁷ Page 7

the Strategy should “...provide detailed information about those groups within society that are vulnerable and disadvantaged with regard to housing. They include, in particular, homeless persons and families, those inadequately housed and without ready access to basic amenities, those living in “illegal” settlements, those subject to forced evictions and low-income groups.”

It is a matter of deep regret that neither of these two principles have been adhered to by the Department in the development of the current strategy.

Targeting Objective Need

Finally, PPR are deeply concerned about any move away from the principle of targeting objective need which has been a core principle of the NI Executive as far back as the Targeting Social Need programme of 1991, and which has been represented in successive Northern Ireland Executive Programmes for Government, including the current one.

Specific and detailed concerns are now outlined under the Strategy’s theme headings.

Theme 1: Ensuring access to decent, affordable, sustainable, homes across all tenures.

International human rights law dedicates due attention to the principles which this theme covers and PPR would advocate strongly that these standards are adopted as guiding principles in the development of the emerging proposals.

With regards to ensuring access to a ‘decent’ home the human rights standard is that “adequate housing must be habitable, in terms of providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors”⁸

‘Affordable’ is construed to mean “commensurate with income levels” and that housing costs should not require other basic needs to be compromised. Moreover, international human rights law mandates that;

“States parties should establish housing subsidies for those unable to obtain affordable housing, as well as forms and levels of housing finance which adequately reflect housing needs. In accordance with the principle of affordability, tenants should be protected by appropriate means against unreasonable rent levels or rent increases.”⁹

“Sustainable across all tenures” is taken in the context of the issues raised in this theme to refer to issues connected with legal security of tenure. International human rights law, states in this regard that;

“Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties should consequently take immediate measures aimed at conferring

⁸ United Nations Committee on Economic, Social and Cultural Rights, General Comment 4, paragraph 8(d).

⁹ Ibid, paragraph 8(c)

*legal security of tenure upon those persons and households currently lacking such protection, in genuine consultation with affected persons and groups*¹⁰

The strategy places a great deal of emphasis on the need to provide advice and support to home owners in danger of facing repossession. This is important, but this concern should also be extended to recognise that as a consequence in the increase in repossessions, there will be an increased demand on an already stretched social housing system. Northern Ireland Court Service figures for Final Possession Orders in 2011 showed that the Local Government Districts with the highest levels of home repossessions are also the areas with the highest levels of social housing waiting list applications, according to NIHE figures, as the table below shows. This means that areas with the highest demand already for social housing will face further demand from high home repossession numbers also in that area.

Top 3 areas with highest numbers of Final Possession Orders (Local Government District) ¹¹	Top 3 area with highest numbers of social housing waiting list applications (Local Government District) ¹²
Belfast	Belfast
Derry	Lisburn
Lisburn	Derry

In terms of homelessness in Northern Ireland, the impact of home repossession has also increased. Between 2004-2011, those declaring mortgage default as the reason for homelessness rose from 77 to 200. On closer examination of these figures the situation is more worrying. Of all those presenting as homeless for a variety of reasons, the share of those homeless as a result of mortgage default has more than doubled between 2004-2011 from 0.9% in 2004/2005 to 1.92% in 2010/2011.¹³

Homelessness acceptances by reason 2004/05 to 2010/11 according to NIHE Homelessness Strategy 2012-2017	2004/05	2006/07	2008/09	2010/11
Mortgage default	77	114	121	200
Total Number presenting as homeless	8,470	9,744	8,934	10,443
PPR calculation of % share of total that those presenting as homeless due to mortgage default	0.9%	1.17%	1.35%	1.92%

¹⁰ Ibid, paragraph 8(a)

¹¹ Final Possession Orders, Figures supplied by Northern Ireland Court Service

¹² Social Housing Applicants 2009-2010 NINIS Social Rented Sector dataset accessible <http://www.ninis.nisra.gov.uk/mapxtreme/DataCatalogue.asp?button=Natural>

¹³ Figures taken from NIHE Homelessness Strategy for NI 2012-2017 http://www.nihe.gov.uk/homelessness_strategy_for_northern_ireland_2012-2017.pdf

represents.

Of the other proposals listed in this theme, PPR, wish to make the following points.

The strategy proposes to work with housing associations to harmonise rents for future new build homes and *“ensure that this increased and harmonised rent on new build homes is used to lever in further levels of private finance to support the delivery of more new housing”*. Given that the vast majority of new builds in Northern Ireland are completed by Housing Associations, PPR are concerned that the proposal to increase rents for these homes will have a substantial impact on the vulnerable people who are housed there. PPR wish to stress that plans for the financing of housing should not be made at the expense of the poorest in society, rent increases must be avoided if possible and if not, should be commensurate with income so as not to affect the enjoyment of other rights such as the right to food etc.

Additionally, the strategy proposes to explore models for funding social housing such as *“entering into long term leases with private sector developers”*.¹⁴ PPR have previously expressed concerns about the suitability of private sector developments being used for social housing in areas such as Belfast City Centre under a proposal by the NIHE for Belfast City Centre Waiting List in November 2011. This proposal and the equality screening document which accompanied it, did not pay due regard to the needs of families and elderly/disabled people for whom the apartments available from the private sector would represent unsuitable accommodation. PPR repeat those concerns here and urge the Department to review the suitability of any potential private sector acquisitions to ensure that the needs of the most vulnerable including those with families, with mobility issues or the elderly are considered and met not dismissed.

The strategy also contains a proposal to *“reduce the regulatory burden that currently exists in the construction of social housing and harmonise standards with those used for private housing development.”*¹⁵ This has a stated aim of resulting in *“reduced costs for social new build which will allow more social housing units within the available budget.”* PPRs’ work with social housing residents in north Belfast, including the Seven Towers Residents Group, has documented the cost of poor housing, to both residents’ mental and physical health well being and to society in general with increased use of GP surgeries and lower school attendance rates for example. It is in light of this experience that PPR are very concerned about any reduction in regulations around housing fitness standards for new build social homes even if this were to deliver savings. It is incumbent on the DSD to find ways to deliver the much needed increase in social homes without reducing fitness standards, which could potentially happen here

Similarly, PPR encourage any moves to improve the minimum standards for all housing stock, especially housing stock in the worst states of disrepair. While the strategy notes that Decent Homes is an administrative standard with no statutory basis, PPR wish to stress the importance and applicability of the human rights standards regarding habitability mentioned earlier, which are relevant here. These standards have been used by the Seven Towers

¹⁴ Page 13

¹⁵ Page 14

Residents Group in human rights indicators to improve social housing conditions in the New Lodge high rise flats in north Belfast in work which was commended as best practice by the United Nations in a new publication¹⁶ which PPR encourages the DSD to take consideration of.

The strategy also notes that a proposed way of dealing with the worst Housing Executive stock could involve transferring it to a registered housing association for improvement. The rationale behind such a move is that housing associations have the potential to secure significant levels of private investment which would then in turn allow them to improve the stock.¹⁷ This could potentially mean that people currently living in the worst social housing conditions will become housing association tenants with an increased rent. Whilst the strategy notes that the tenants' rights will be protected as a tenant vote would be required to support any stock transfer, PPR would encourage more detailed consideration of the likely impact of forcing a tenant to choose between paying increased rents or continuing to live in an unfit home.

Theme 2: Meeting housing needs and supporting the most vulnerable.

International human rights law, is very clear that the vulnerable ought to be protected, even in times of resource constraints;

“States parties must give due priority to those social groups living in unfavourable conditions by giving them particular consideration.”¹⁸

Furthermore, it is clear that this obligation requires detailed monitoring of the situation facing the most vulnerable and targeted action taken upon the basis of this to improve the situation.

“Effective monitoring of the situation with respect to housing is another obligation of immediate effect. For a State party to satisfy its obligations under article 11 (1) it must demonstrate, inter alia, that it has taken whatever steps are necessary, either alone or on the basis of international cooperation, to ascertain the full extent of homelessness and inadequate housing within its jurisdiction. In this regard, the revised general guidelines regarding the form and contents of reports adopted by the Committee (E/C.12/1991/1) emphasize the need to “provide detailed information about those groups within ... society that are vulnerable and disadvantaged with regard to housing”. They include, in particular, homeless persons and families, those inadequately housed and without ready access to basic amenities, those living in “illegal” settlements, those subject to forced evictions and low-income groups.”¹⁹

PPR are concerned that the proposals set out within this theme actually amount to a significant move away from the stated aim of “meeting housing needs and protecting the most vulnerable”. A significant proposal in this theme involves the undertaking of a

¹⁶ See “Human Rights Indicators; A Guide to Measurement and Implementation” produced by the Office of the High Commissioner for Human Rights accessible at

<http://www.ohchr.org/EN/NewsEvents/Pages/IndicatorsestablishmentofHR.aspx>

¹⁷ Page 18

¹⁸ United Nations Committee on Economic, Social and Cultural Rights, General Comment 4, paragraph 11

¹⁹ United Nations Committee on Economic, Social and Cultural Rights, General Comment 4, paragraph 13

fundamental review of the social housing allocations policy. The proposal states the following;

“While the sole focus of the Housing Selection Scheme at present is the allocation of social housing on the basis of greatest need as assessed under the Scheme, social housing also has a potential role in supporting the achievement of a range of the strategic priorities set out in the Northern Ireland Executive’s Programme for Government, such as:

- *Economic development and job creation;*
- *Social and economic regeneration;*
- *Social mobility; and*
- *Creating a shared future.*²⁰

PPR are deeply concerned about any move away from targeting inequality and tackling objective need. The principle of allocation on the basis of need is not only one which is deeply embedded in post civil rights movement Northern Ireland and one which served as a building block for the formation of the Northern Ireland Housing Executive but it is also rooted in law. Housing need is currently assessed on the basis of a points system through the Common Selection Scheme which assesses an individual’s circumstances through a set of criteria and prescribes points on this basis. Housing is then allocated from the Housing waiting list based on these points. Targeting objective need which has been a policy principle of the NI Executive as far back as the 1990s in the Targeting Social Need initiative, has existed even through periods of Direct Rule Government and has had a place in successive NI Executive Programmes for Government, including the current one which states in reference to the approach of the NI Executive, the following;

*“The primary objective of these efforts remains the effective targeting of resources towards those in greatest objective need.”*²¹

That this approach be diluted now to make way for vaguely defined policy prerogatives such as “social mobility” represents a failure to take account of the current barometers of objective need which show untackled religious inequality in the social housing waiting list, as well as a failure to pay due regard to the legal requirement that inequality is tackled by promoting equality of opportunity in Section 75(1) of the Northern Ireland Act 1998.

PPR strongly advocate against any move towards considering anything except objective need in the allocation of social housing. Allowing decisions of this nature to become subject to political bartering and policy whims represents a dangerous move away from the equality legislation laid down following the peace process and international human rights norms.

PPR understand that a review of the allocation system is already under way and being led by Professor Paddy Gray. **PPR respectfully request information about the terms of reference for this review as well as the timescale under which it is to take place.**

The Strategy also proposes that better use of existing social housing stock be made by encouraging tenants to move into smaller properties to free up properties which are more suitable for families on the social housing waiting list. It also states that the Department will

²⁰ Page 25

²¹ NI Executive (2012) Programme for Government 2011-2015, p.24

ensure that social housing landlords make much better use of adapted and wheelchair standard accommodation to meet needs. However, the strategy notes;

“Given financial constraints, it is unlikely that funding will be available to meet all future needs by creating additional adaptations and wheelchair standard accommodation.”²²

In response to these proposals, PPR wish to note the following.

Firstly, the onus to monitor the demand for social housing and then cater to this by building appropriate housing, relevant to household size, type and accessibility is the responsibility of the Housing Executive and thus the Department, not social housing tenants. Secondly, it is not acceptable to use financial constraints as an reason for failure to meet the needs of those who require wheelchair suitable accommodation. International human rights law requires that the most vulnerable are protected during periods of economic constraint and that government take targeted, measurable steps towards achieving accessible accommodation for all. In a strategy of this importance, it is incumbent upon the Department to lay out a targeted plan for how they seek to address the issue, not provide an alibi for inaction. Furthermore, the Department may wish to assess their plans in light of their obligations under Section 75 and the Disability Discrimination Act 1995.

It is in light of these comments, that PPR express concern that the Department has not taken appropriate action, through the proposals outlined in this section to protect the most vulnerable.

Theme 3: Housing and Welfare Reform

“To ensure access to a social security scheme that provides a minimum essential level of benefits to all individuals and families that will enable them to acquire at least essential health care, basic shelter and housing, water and sanitation, foodstuffs, and the most basic forms of education.”²³

PPR are deeply concerned about the impact of welfare reform in Northern Ireland, particularly amongst the most vulnerable. We are concerned further that the proposals listed within this strategy appear to do little in practical terms to mitigate against the sharpest impact of the reforms. With particular reference to the proposals around under occupancy, it is disappointing that fuller information is not included about the actual impact of these plans. The NIHE website provides information to the effect that a tenant on full Housing Benefit who is under occupying by one bedroom would see their benefit reduced by £8.25 per week and for a tenant occupying by two or more bedrooms, the figure would be £14.70 per week.²⁴ It is unclear whether the Department have assessed the likely substantial impact of this reduction on those with already low incomes. Furthermore, also not indicated within this

²² p.27

²³ United Nations Committee on Economic, Social and Cultural Rights, General Comment 19 Paragraph 59 (a)

²⁴ http://www.nihe.gov.uk/index/services/welfare_reform.htm accessed 3rd December 2012

strategy, is that there is a separate consultation already underway specifically charged with progressing this issue with the NIHE consultation on the Common Selection Scheme currently available.²⁵ It is difficult to imagine how meaningful the input of consultees to the current consultation can be if the matter is being implemented elsewhere.

Furthermore, it is also unclear as to what extent meaningful assessment of the current composition of social housing stock size has been considered as part of the plan to introduce a size criteria into the assessment of housing benefit payments. Whilst this information is not yet available from the preliminary findings of the 2011 Northern Ireland Housing Executive Housing Conditions Survey, the 2009 Survey found high proportions of larger homes, bungalows (22%) terraced houses (31%) semi detached houses (20%) detached houses (19%) with apartments and flats accounting for just 8%. The apparent scarcity of smaller homes may lead to a situation where residents who are deemed to be under-occupying have no alternative but to incur additional financial burdens. It should also be stated that although these facts when read in line with the Department's proposals to acquire further apartments and flats from long term leases with private developers will inevitably lead to an increase in this percentage, will also lead to an increase in housing stock which is unsuitable for the needs of many of those facing inequality in housing. The Department must be mindful of their obligations to tailor their policies towards the positive promotion of equality of opportunity and the tackling of objective need.

Theme 4: Driving regeneration and sustaining communities through housing.

Five main sub themes are identifiable in this theme; taking an housing led approach to regenerating communities experiencing blight or decline; Living over the shops; generating additional employment and training opportunities; tackling anti-social behaviour among tenants, and; further develop proposals to support shared communities.

PPR wish to raise the following concerns in light of the proposals identified within these themes. The 'Living Over The Shops' proposal will involve the conversion of vacant space above retail units in city centres into housing. PPR wish to stress that living in converted apartments will not be suitable for all social housing applicants, particularly those with children and the elderly or those with mobility problems. The Department should be mindful of how this proposal can best meet the needs of those most in need and tailor the initiative as appropriate as they progress this policy using the equality tools which arise from Section 75 (1) of the Northern Ireland Act.

In terms of the proposals to generate additional employment and training opportunities, PPR are concerned by the fundamental misconception which is evident in the Department's proposals. The Strategy states the following;

"We are keen to understand if there is an appetite among social housing landlords to become involved in such a training or employment initiative and identify any barriers or opportunities which exist."²⁶

²⁵ http://www.nihe.gov.uk/the_housing_selection_scheme_consultation_paper.pdf accessed 3rd December 2012

²⁶ Page 42

Section 75 of the Northern Ireland Act requires designated public authorities, which includes the Department, the Housing Executive and Housing Associations, to have due regard to the promotion of equality across the nine grounds in all their functions. This is inclusive of tackling inequality in access to training and employment which as the Strategy points out is particularly evident amongst young people. It is with this in mind that any comments regarding assessing whether there is an “appetite” to fulfil what should clearly be stated as a legal duty are alarming.

The Department should be mindful as they move forward of current best practice models in the implementation of social clauses, such as that currently being rolled out by the Department for Culture Arts and Leisure on the Ravenhill Rugby Stadium Project which PPR have worked on.²⁷

Lastly, in this respect, PPR wish to highlight that it is imperative that the Department, when they seek to assess potential barriers faced, include an assessment of the multiple barriers faced by young people currently excluded from accessing training and employment opportunities, not just the barriers faced by social housing landlords. Emphasis in this regard, must always be on the most vulnerable.

It is concerning to note that the Strategy has recycled a previously defeated legislative proposal around demotion orders for those tenants who engage in anti-social behaviour. In 2010, PPR expressed concern in a consultation on the Housing Bill that demotion orders could potentially become a back door to unfair evictions since they can be granted on comparatively low grounds, following which the tenant has an unsecure tenancy and can be evicted more easily. This contrasts sharply with the ‘high’ grounds which place a burden of proof on the landlord to demonstrate that he has taken all reasonable action in order for the court to grant an eviction order. The proposal was removed from the proposed legislation in 2010 and PPR wish to restate those same concerns here. PPR also wish to remind the Department of the international human rights obligation towards legal security of tenure²⁸, and advise that any move towards weakening this right would be regarded as a retrogressive move and may bring the Department in breach of its legal obligations.

Lastly, in this theme, PPR wish to address the proposals in relation to supporting shared communities.

The Strategy proposes the following;

²⁷ PPR have written to the Minister for Social development to make him aware of this work in correspondence dated 15th November 2012. A response is currently outstanding.

²⁸ *“Legal security of tenure. Tenure takes a variety of forms, including rental (public and private) accommodation, cooperative housing, lease, owner-occupation, emergency housing and informal settlements, including occupation of land or property. Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties should consequently take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection, in genuine consultation with affected persons and groups;”* United Nations Committee on Economic, Social and Cultural Rights, General Comment 4 paragraph 8(a)

“We will work with the Housing Executive to pilot a Belfast City Centre social housing waiting list which aims to support and protect the city centre as a shared space and to ensure that city centre living is an option for everyone in the wider Belfast area.”²⁹

PPR engaged with the consultation on this proposal with the NIHE in October 2011 and raised serious concerns on a number of issues. Firstly the screening of the proposal identified that it may not be a suitable housing option for families, the elderly or those with disabilities. The proposal stated that these people would be advised of their housing options outside of the City Centre. Secondly, it failed to take account of the existing inequality in terms of high and lengthy representation on the social housing waiting list by the Catholic community in the affected areas. Combined, the failure to meet certain types of need experienced by the most vulnerable as well as to tackle the evident inequality means that the shared future aim of this proposal will be one built on sand. PPR are, for these reasons, apprehensive of this model being put forward by the Department as an example of good practice which should be replicated elsewhere.

The Strategy also states that;

“We will work with the Housing Executive to amend application forms for social housing to include an additional question as to whether the applicant is prepared to live in a shared housing area and, if so, where. This will provide robust statistical data to support additional surveys, such as the NI Life & Times Survey which show that around 80% of people in Northern Ireland would prefer to live in mixed neighbourhoods.”³⁰

It is unclear if the purpose of this exercise is to collect further data on the preferences of social housing waiting list applicants or if this data will be used as part of the system to allocate housing. If the latter is the case, PPR repeat previously identified concerns with any move away from an allocation based strictly on an objective assessment of need and aimed at tackling inequality. Moreover, the practical outworkings of such a change in the system could mean that applicants impacted by housing inequality could lose out to those whose preference is to live in shared housing. This directly contravenes the letter and the spirit of section 75(2), the ‘good relations duty’ which clearly states that the duty to give *regard* to the promotion of good relations is ‘*without prejudice*’ to the higher duty to give *due* regard to the promotion of equality.

Theme 5: Getting the structures right

The final theme proposes a change in role and function for the Northern Ireland Housing Executive with a landlord function being adopted whilst the Department acting as the strategic body for housing. Within this it is concerning to note that the power to establish rent levels, set standards and inspect housing providers still resides with the Department. A system more reflective of standards of transparency and accountability would be to allow these functions to be provided by an independent body.

The proposal also identifies a new role for the Housing Executive as a “*social enterprise landlord free to secure non public funding and deliver innovative housing and related*

²⁹ Page 44

³⁰ Page 45

*services in pursuit of social objectives.*³¹ It is unclear as to what social objectives the Housing Executive would be pursuing and to whom they would be accountable. Moreover, securing non public funding must not result in a heavier financial burden in terms of rent etc being borne by social housing residents. It is also unclear as to how both the Department and the Housing Executive plan to give due regard to the promotion of equality of opportunity across the stated grounds within Section 75(1) in any revision of their current functions and PPR submit that this should be given urgent consideration.

December 2012