



## Observations on an excerpt from the Draft Report of the Advisory Group on Direct Provision

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### 1. Introduction

The DHPLG acknowledges the receipt of an excerpt from the draft recommendations of the Advisory Group on Direct Provision which was received on the 2 September 2020, and thanks the Group for the opportunity to provide observations. The draft proposals include obtaining accommodation in the private rental market for an existing cohort of 7685 residents of Direct Provision centres as well as 3,500 further new arrivals per annum for the duration of their application processes. It is envisaged that this service will be provided by local authorities overseen by the Department of Housing, Planning and Local Government (DHPLG).

The DHPLG is fully supportive of the efforts of the Advisory Group to deliver on Programme for Government commitments to tackle this very difficult issue and notes that a submission was made by DHPLG in June 2020, which set out key information and issues relating to the housing market and in relation to the provision of accommodation that this Department regards as important for the Advisory Group to address when reaching recommendations.

The risk of unintended consequences is present in any policy intervention, and on reviewing the draft recommendations DHPLG is strongly of the view that the draft Report, as it stands, does not effectively address the issues set out in our June submission, and indeed has the potential to cut across and impact negatively on a range of other Government commitments to other vulnerable groups in the Programme for Government.

It is essential that recommendations in relation to the provision of accommodation to one group in society has regard to broader housing supply and demand, particularly now in the context of Covid-19 and its impact on the market. It should be noted that the proposals made in the draft report are almost exclusively dependent on the private market, and are not considered workable or implementable without having a significant negative affect on the ability of other cohorts, such as homeless people, to access housing in a severely constrained housing market.

There is a lack of detail and data in respect of the impacts that the proposals in this report will have. In the Departments view, they will create a situation whereby the housing needs of vulnerable groups are being treated in a different manner and this may give rise to legal challenges. It is also certain that the proposals will create a





situation where homeless families and individuals are competing for accommodation with families and individuals in Direct Provision. Given the constrained housing supply, it is inevitable that the recommendations in this report will mean increased individuals and families experiencing homelessness and living in emergency accommodation, in direct conflict with the stated Programme for Government commitment.

The Department would recommend, as an alternative approach, that priority be given to providing new supply through the construction of state owned facilities which combine “own door” accommodation with the clustering necessary to enable central delivery of services. These facilities would be scaled to accommodate the anticipated annual demand of 3,500 asylum applicants. This permanent long term capacity could if needed be supplemented on an exceptional basis through recourse to the private rental market to provide contingency in the event of a surge in demand.

It is also the Department’s view that the impact of Brexit on the demand for housing, both for social housing applicants and for asylum seekers need further consideration and should be set out clearly for Government in the Report.

## **2. Context**

The Draft Report sets out “own door” proposals for the accommodation of asylum seekers. In doing so it implicitly increases the level of demand for housing. This demand should be seen in the context of the broader housing market.

The Irish Housing Market has suffered from an inadequate level of supply for several years. Supply has been growing, with over 21,000 new homes built in 2019. However, this was short of amount needed to keep up with the level of structural demand, which the National Planning Framework estimates at approximately 25,000 units per year to 2040, with higher levels of over 30,000 per annum required in the shorter term to address the backlog of pent up demand. Issues of undersupply are likely to be amplified by the pandemic which will hinder both investment and construction of new housing and completions are likely to fall short of the original supply targets. The ESRI forecast that house completions in 2020 could fall to between 15,000 – 16,000 this year, down from a pre pandemic expectation in the Quarterly Economic Commentary of 24,500 completions.

This shortage of housing supply has placed increased pressure on the rental market, both for private rental and for applicants whose social housing needs are met through rental support via the Housing Assistance Payment(HAP) and the Rental Accommodation Scheme (RAS). There are currently 57,825 active HAP tenancies and it is expected this number will grow to further by the end of 2020. In the longer term, it is intended that the increased output of new build social housing will address a significant portion of the social housing demand that is currently being met through the rental market, but in the interim the availability of private rental accommodation remains a fundamental cornerstone of social housing support



In addition, many households also participate in the private rental market with support via the Rent Supplement payment. Rent Supplement is available to households that have suffered loss or reduction in employment, as is currently the case as a result of the pandemic. Clearly such households have a reduced ability to pay and will require state support. Applications for Rent Supplement have increased since the onset of the pandemic, and are expected to increase further as state supports such as PUP or TWSS are either reduced or wound down over time. There are currently 19,435 tenancies being supported by Rent Supplement, with a further 830 applications for support in the pipeline.

However, supply of rental property has not kept pace with this increasing demand, leading to significant rental inflation. Since 2011 rents have increased consistently. The year-on-year growth rate of the national standardised average rent was 5.4 per cent in Q1 2020. Compared to Q4 2019, the national standardised average rent increased from €1,221 to €1,231 in Q1 2020. As of Q1 2020, the standardised average rent for Dublin stood at €1,735, up from €1,647 in the same quarter the previous year. A significant portion of homeless presentations are coming from the private rental market. Rent increases are generally considered to contribute to these increasing levels of homeless presentations



A particular challenge for this Department is the significant numbers of households experiencing homelessness. The Department publishes a monthly report, setting out the numbers of individuals accessing State-funded homeless emergency accommodation. The latest report for July 2020, showed that **8,728** people were homeless in that month, including 6,077 adults and 1,142 families with 2,651 dependants. As such, at a minimum, over 6,000 properties are required, utilising the various available social housing supports, including HAP, to exit these families from



emergency accommodation. In parallel, ongoing regular presentations to homeless services continue and accommodation for this new cohort will also need to be provided. The focus of the Department has, therefore, been both to prevent homelessness where tenancies are at risk and also where presentations as homeless occur to obtain accommodation as quickly as possible, often in the private rental market.

Local authorities and their service delivery partners work with households in emergency accommodation to identify and secure appropriate housing solutions. These housing solutions include allocations to local authority and AHB owned properties but the housing solution for the greatest number of households will be a HAP-supported tenancy in the private rented market. However, securing the necessary properties in the private-rented market is very challenging and it is evident that the supply of housing is not sufficient to meet existing demand.

As previously advised, at the time of the last Summary of Social Housing Assessments in 2019, there were **68,693** households waiting for local authority or approved housing body (AHB) provided housing. All of these households had been assessed as being entitled to social housing supports (including HAP), but had not yet received supports. Over 27% of those on the social housing waiting lists are waiting more than seven years for local authority or AHB housing.

### **3. Ongoing Collaboration to Accommodate Refugees and former Asylum Seekers with leave to remain**

Notwithstanding the constraints in the housing market set out above, local authorities have worked very well with the Department of Justice on the issue of accommodation of refugees and asylum seekers. Critically in both cases, access to social housing supports is underpinned by the fact that they are provided to refugees who by definition are eligible to apply for social housing supports as they have leave to remain in the State, and to asylum seekers who have been through the protection process and have been granted leave to remain, and are also therefore eligible for social housing support.

In addition to supporting refugees under the IRPP, local authorities are currently aiming to accommodate approximately 100 individuals per month from the cohort who have leave to remain and this is proving to be challenging given capacity constraints. The paper submitted by the CCMA<sup>1</sup> dated June 2020 regarding their work on asylum seekers with status to remain provides comprehensive information about the work of the various interdepartmental groups and NGO's involved. This work substantially improved the move on rate but approximately 800 individuals with leave to remain are still living in direct provision centres.

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<sup>1</sup> CCMA Submission to Advisory Group on Those with Status, June 2020



#### **4. Analysis of the Advisory Group Proposals**

The DHPLG is very aware of difficulties confronting the Advisory Group in respect of making recommendations on accommodation. However, there is an inherent risk in making proposals on accommodation that are focused on one cohort only and as such it is important that full consideration is given to the impact of the Groups proposals on the entire housing market to avoid unintended consequences.

##### *Supply and Demand*

The DHPLG has outlined at a number of meetings that the lack of housing supply is such that any solution based on existing supply rather than new supply would create significant pressures for other vulnerable cohorts. The proposal to provide own door accommodation for 3,500 households per annum would lead to increased competition in the rental market and some analysis of the effect this would have on the existing cohorts who already struggle to find housing or meet rental payments would be needed to inform such a change in policy.

The report suggests local authorities could meet the mandatory obligation to house asylum seekers from its own stock or from AHB stock, without addressing the position of the 68,000 households already on the waiting list for local authority or AHB housing or why local authorities should be mandated to house asylum seekers before, for example, people on the list with disabilities or older people. The absence of such analysis is a concern given the significant implications these proposals would have for the process of exiting families and individuals from emergency accommodation or the process of allocating accommodation to those on social housing lists either through local authority or AHB housing or via the private rental market supported by the Housing Assistance Payment.

The draft Report has not provided any explanation to reconcile how housing stock provided through funding voted through appropriation accounts and approved as such by the Oireachtas for the provision of social housing would be transferred to another cohort without prior approval by the Oireachtas. The recommendations in this regard clearly raise significant legal, equity and operational issues.

The Department considers that any expectation of there being sufficient private rental accommodation available to make this proposal viable to be most unrealistic, especially given the numbers already eligible for HAP from other cohorts and given that it is expected that HAP will support an additional 15,000 households in 2021. As set out in our June submission and above, given that supply is severely constrained in the short term and also due to the current downturn arising from the pandemic, it follows that a shortage may occur in some markets, as demand increases and supply is unable to adjust.

The addition of 7,685 Direct Provision residents into the market immediately and the subsequent demand of approximately 3,500 per annum that would arise in future years



could foreseeably have a displacement effect for low to medium income families currently in rented accommodation. The capacity of the private rental sector to reliably provide accommodation into the future at the scale and in the locations required would need to be carefully examined and considered across Government, in consultation with relevant stakeholders and this does not appear to have been sufficiently addressed in the draft Report. It is imperative that any report recommending that more competition for housing should occur should address the detrimental impact on social housing applicants, those in private residential tenancies and those experiencing homelessness. It is therefore a significant concern that proposals to house applicants for international protection envisages housing solutions being secured in the private rental market.

Furthermore, given that local authorities are currently unable to source accommodation for all households already in emergency accommodation, it is clear that they will be unable to secure the additional properties required for asylum applicants. Applicants in this situation would then be forced to rely on emergency homeless accommodation after the initial three months in the reception centre.

#### *Experience to Date Relocating Direct Provision Residents*

The Advisory Group will be aware that it has proved difficult to move large numbers of those in direct provision who are already eligible for social housing and HAP into private rental accommodation. Notwithstanding this, it has, as its main recommendation, posited that a similar system based on access to the same limited housing stock, with initial access for over 7,685<sup>2</sup> people and further access for an additional 3,500 people per annum, should be instituted. The basis for optimism for success of such a scheme is not evidenced in the draft recommendations and no analysis is provided as to why it is the case that this new cohort would have a different experience in the same housing market.

The timeframe of 2.5 years suggested to clear the existing backlog and be ready for a new approach is overly ambitious. As set out in above, it is currently proving challenging to accommodate 800 persons with status into own door style accommodation under HAP etc. If the objective is to now broaden this to provide all of those households currently in direct provision with own door accommodation, and also the 8,750 individuals anticipated to arrive over the next 2.5 years, the overall requirement would be to accommodate 16,435 applicants over the 2.5 year period.

#### *Funding and Value for Money*

The D/JE costings document which accompanied the draft report outlines a number of scenarios. The figures for the most relevant scenario regarding housing in the private rental sector with a HAP type payment and social welfare payments appear to be limited to a **nine month** timeframe (assuming the initial three months is spent in a

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<sup>2</sup> Based on figures provided by D Justice



reception centre) and are not ongoing annual costs. They appear to suggest that for a nine month timeframe based on providing a HAP type payment & social welfare for the current cohort of over 7,000 in direct provision, the cost would be up to €137m. Further estimates regarding 3,500 new applicants annually would cost up to €71m for a nine month period. No further costs are provided for the case where the applicant does not receive a decision after this 9 month period or appeals a negative decision. The construction of the document makes it difficult to form a view as to the long term value for money that any of the scenarios propose.

The potential for these costs to rise significantly as further applicants were added to any new system was noted in June. The Advisory Group have now noted that they are estimating adding approximately 3,500 applicants every year and this would mean much higher costs than DHPLG had estimated on an ongoing basis and the costings provided by D/JE do not adequately reflect that.

## **5. Operation of Advisory Group Proposals and Effect on Parallel Assistance Systems**

As the proposed levels for this payment are commensurate with homeless HAP, there is a clear risk that additional pressure will ensue to raise the current thresholds across the board in comparable systems, such as HAP and Rent Supplement, which would have a very serious impact across the entire housing budget and no analysis is provided in the draft Report around the potential consequences for analogous systems.

### *Parallel Systems for Social Housing Applicants, Homeless Individuals and Families, and Asylum Seekers*

The recommendations in the draft plan will essentially create an environment where homeless individuals and families in emergency accommodation or at risk of homelessness will be directly competing for rental accommodation with those currently in Direct Provision and it is inevitable, given the constraints in housing supply, that one of the impacts will be to increase the monthly numbers reported by Government for those individuals and families in emergency accommodation and experiencing homelessness.

The recommendations, if implemented, would also mean that local authorities would have to use their own stock, which was meant for social housing applicants, to meet a mandatory requirement to house asylum seekers. DHPLG considers that insufficient policy rationale or impact assessment has been set out to underpin this radical change in how local authority allocation currently works. The draft Report states that “*the proposed solutions do not include any changes to existing social housing lists*” but fails to explain how the mandatory requirement to house asylum seekers already set out in the draft Report will not *de facto* prioritise housing asylum seekers before others on those housing lists.



The level of uncertainty regarding the duration of tenure associated with asylum applicants may need to be considered further, and could jeopardise the supply of rental properties to the market – it is important that the wider dependence of the State on the private rental market is not negatively impacted by the short term and transient nature of the accommodation requirement of the asylum seeker cohort. This possible unintended consequence does not appear to have been considered thus far.

### *Rental Inflation*

The increased use of Homeless HAP type rental supports (including, presumably, a similar ability to exceed HAP rental limits by up to 50%) to accommodate these additional households in an already undersupplied private rented sector has the potential to exacerbate any existing inflationary impact on the rental market at a time when Government policy is focused on achieving the opposite outcome. Providing accommodation assistance payments at the same level as HHAP would be the equivalent of a 30% increase in the use of such payment levels, and would inevitably lead to rental inflation.

### *Required Capacity*

It is unclear from the report whether, aside from the existing backlog, the 3,500 annual applicants will require housing for a fixed 12-month period or longer. If applicants are not processed and either given leave to remain or deported within such a 12-month period, the demand for accommodation will in effect spill over into a second year. In such circumstances, the actual demand would in fact be closer to 7,000 applicants (if processing time is up to 24 months) or 10,500 applicants (if processing time extends to 36 months). This point was also made clear in our June submission but does not appear to have been addressed in the report. There is also no clarity as to whether all of these applicants will then move on from that tenancy once they get permission to remain and how they will transition to normal HAP based on a lower rental payment threshold. In reality, the suggestion that short term housing will be provided in the rental market and that applicants will relocate out of this accommodation upon receipt of leave to remain is potentially built on a false premise. It is more likely that people who have settled and integrated in a tenancy and a community will not wish to move on and will want to remain for the long term in what was intended as a short term tenancy. This could potentially consume any “short term” accommodation capacity to address a temporary need as applicants will not be passing through the system but instead will be remaining in the tenancy long after they have received leave to remain.

### *Tenancy Management*

It is unclear from the draft Report whether the applicant will be required to make some contribution to the rent (social housing support recipients pay a differential rent for their accommodation). If the HAP type support is to be provided on a time-limited basis (i.e. for a period of 18 months after approval to remain is granted or 3-6 months after



permission has been refused), it would be necessary to put in place robust mechanisms to safeguard the collection of this source of income and limit the accumulation of arrears on the part of tenants (which could jeopardise the income available to maintain the scheme). This very high risk of arrears is not discussed in the draft Report as it appears to assume that asylum seekers simply will not pay rent. This assumption is not explained nor is the policy rationale for treating asylum seekers differently to, for example, HAP or Rent Supplement recipients who must pay rent. The draft Report states that this asylum seeker housing assistance payment would be a short term support but any resident in the private rental market is entitled to tenancy protections under law. Residents in HAP accommodation, as well as residents in receipt of Rent Supplement, are tenants and, as such, their tenancies are governed by the Residential Tenancies Acts (2004-2020). Tenants enjoy a range of protections through the Acts and have recourse to regulatory and quasi judiciary services provided by the Residential Tenancies Board. For example, a tenancy of 6 months in duration attains Part 4 security of tenure right for the following 5 and 1/2 years. The status of residents in Direct Provision and the associated obligations of both tenant and landlord would need to be considered in this regard.

The report also envisages a role for Approved Housing Bodies (AHBs). The regulatory framework for the AHB sector is centred on the provision of social housing, cost rental housing and affordable housing. There is no provision, nor is there a regulatory capacity, to regulate the provision of own door accommodation to asylum seekers. A customised regulatory framework could be required for short term asylum applicant accommodation.

## **6. The Negative Decision Risk**

A very significant issue will arise where the asylum seeker receives a negative decision, which is very lightly touched on in the draft report and is a very clear policy gap. It has been reported that the rejection rate at first instance for 2019 was 47%<sup>3</sup>. Under the existing HAP structure when eligibility for the scheme ceases, the tenant is fully liable for 100% costs to the landlord. In the proposed new asylum seeker housing assistance scheme, the Group has recommended that the State continue to pay rent for a period after a negative decision but notes that this would eventually end and the failed asylum seeker would be supported to return home. It is unclear when supports are actually to end, whether it is after the first instance decision, any subsequent appeal to the IPAT or any further appeal to the Courts which could entail a period of many years.

The DHPLG notes the very high rate of rejection and the very low rate of deportation currently, and notes the far more likely scenario that this cohort will try to remain in the State without supports. At present those who receive negative decisions and exhaust the courts process can stay on in direct provision centres. In the alternative scenario

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<sup>3</sup> [https://www.asylumineurope.org/reports/country/republic-ireland/statistics#\\_ftn2](https://www.asylumineurope.org/reports/country/republic-ireland/statistics#_ftn2)



proposed, the asylum seeker who receives a negative decision, after a period, will then become liable for full rent, presumably with no state supports at all. The logical reality is that they may then instead end up either building up arrears in rental accommodation and resisting tenancy termination or presenting to homeless services but this is not addressed in the draft Report.

The draft Report does not address whether landlords would be willing to accommodate persons who could receive a negative decision at any time during their tenancy and therefore could carry a high risk of default on their rent once the obligation on the State to pay the rent ended. As they would be tenants under the Residential Tenancies Acts, depending on their length of tenure, it would be a time consuming and expensive process for a landlord to evict such a tenant. The reputational damage caused by non-payment of rent to this schemes, and similar schemes which rely on supply from the private rental market must also be borne in mind.

While it is recommended in the draft report that the State develops a strategy around dealing with those that are non-returnable, the approach adopted in the report effectively leaves this most difficult issue for others to solve at an indeterminate point after the system with this critical flaw has already been initiated. Based on the 2019 rejection rate it is reasonable to assume that if half of the 3,500 per annum are rejected, the State could face an increase of at least 1,000 per annum either going in to homeless accommodation once supports are removed or becoming involved in lengthy tenancy eviction proceedings, with no exit strategy. This is not an issue that should be left unresolved before a system is recommended as it has potentially an extremely serious and detrimental outcome for the State, for the asylum seeker and for the continued supply of rental property to the wider rental market.

## **7. Administration of the System / Roles and Responsibilities**

DHPLG noted in its June submission that a separate legal and regulatory base would be required for any new system of accommodation proposed. The Advisory Group appear to have accepted that any system modelled on HAP should be new and separate to HAP, but would appear nonetheless to intend to recommend that it should be run through local authorities. Presumably the Department with responsibility for this would be the D/CYA who will have responsibility for Direct Provision but this is very unclear in the draft report which refers to means testing by D/EASP and a mandatory obligation on local authorities, which it should be noted they would be unable to meet given that the solution proposed is dependent on the private sector. The legal risk created by such an obligation is not addressed or justified in the report. The operational challenge for local authorities would be significant as any such system would need to be fully independent of and separate to the administration of HAP.

Local authorities perform a wide range of functions for a range of Government Departments and Agencies. The fundamental principle that underpins this approach



is that policy and funding responsibility remains with the parent Department. In this way, for example, local authority transport related functions are funded and overseen by the Department of Transport, and enterprise supports are funded and overseen by the Department of Business and Enterprise. Nor does it follow that as the Housing Department DHPLG should take responsibility for provision of accommodation for asylum seekers. There are several examples in the Irish Public Service of individual sectors providing sector specific accommodation that does not require recourse to the Department of Housing, ranging from staff and student accommodation in the education sector to facilities provided to medical personnel in hospitals, and barracks accommodation for members of the Defence forces. The Department of Justice already provides residential accommodation for members of An Garda Síochána while attending the Garda Training College in Templemore, and the Irish Prison Service, through its estate management directorate, provides an accommodation capacity of circa 4,000 underpinned by a Five Year Capital Strategy (2016-2021).

It does not follow, therefore, that the responsibility at central government level should lie with the Department of Housing. Furthermore, the scope of this Department's functions currently ranges from housing, planning and local government to water, franchise and electoral systems, fire and emergency management, and Met Eireann. The heritage function was also assigned to the Department earlier this year. Given the need to focus on the housing crisis, any further broadening of the remit of the Department would be counter-productive and would jeopardise its capacity to deliver on its core strategies in the above areas.

The question of responsibility at local level is also challenging. While local authorities do indeed perform an important role facilitating community development and integration, the report does not indicate, other than in a cursory manner, the level of capacity that would be required at local level or the time needed to build it up. It is not feasible that existing capacity be diverted from provision of social and affordable housing to provision of own door accommodation for asylum seekers, and a new fully funded recruitment and resourcing plan would be needed to respond to the draft Report's recommendations.

References in the report to the role of local authorities in accommodating refugees and asylum seekers with leave to remain also understates the difference between these two categories and the cohort being addressed in the report. Refugees and asylum seekers with leave to remain are entitled to access social housing supports. As such, their demand is channelled into and managed through the existing social housing administrative system. Asylum seekers who have not yet obtained leave to remain are an entirely different cohort with limited experience of living in Ireland and high levels of need, and a new approach is needed to addressing their accommodation needs. Clearly local authorities have experience in the provision of accommodation, and this can be shared as needed, but the approach envisaged in the report differs fundamentally from the approach to accommodation of successful applicants for social housing currently being provided by local authorities.



It is also unclear why the housing placement service that would be run from reception centres would need to be provided by local authority staff or indeed why it would liaise with local authority housing functions instead of having a stand-alone payment system. A dedicated placement service which understands the many and varied complex needs of applicants as set out in the report should not need recourse to local authority expertise and should be able to deal directly with third parties for the provision of accommodation. It is also unclear why the Department of Housing would be responsible for implementation of a policy which is central to the D/CYA under its new Integration portfolio. If this asylum seeker housing payment solution is proceeded with, there is ample opportunity to set up a bespoke service. A separate service would have the benefit of a singularity of focus, clarity of purpose and specific skills to deal with the relevant cohort.

Separately, the CCMA have met the Advisory Group separately to the DHPLG and have provided a written submission.). The Department is aware that the CCMA stated their concerns to the Group re the capacity of the local authority sector to work with very vulnerable asylum seekers after only three months in the State and they have noted that the cohort with leave to remain that they deal with currently have typically been in the State for a long time and have adjusted accordingly. The DHPLG would share those concerns about the capacity of local authorities to take on this additional type of work and level of demand.

## **8. Alternative Solutions**

The Department recommended in our June submission that a blended solution be considered, with new build appropriately scaled direct provision centres blended with other solutions such as re-use of vacant housing. Given the draft recommendations that have been provided, the DHPLG is concerned that no additional housing stock or appropriate centres, beyond short term reception, will be provided and the overall housing shortage will be compounded. Very little reference is made to any solutions other than private rental beyond noting that incentives to improve supply or re-use vacant stock should be explored.

State owned centres provided by D/JE or D/CYA which are built to clear standards agreed with stakeholders would, in the Departments view, meet the original objective of the Advisory Group. This approach would achieve the dual objectives of providing own door accommodation for the duration of the asylum application process while at the same time enabling the provision of centralised supports. The distributed accommodation model through the private rental market would not facilitate central support provision, nor would it represent the best value for money. The distributed private rental model would also be at variance with the position set out in the programme for government to reduce reliance on the private rental market and to increase new build accommodation instead.



State owned centres would be available for the long term to provide temporary accommodation to each new wave of applicants for the duration of the application process and would avoid the ongoing erosion of capacity that would inevitably occur when an applicant obtains leave to remain but continues to reside in the same private rental accommodation that was intended only for the short term. State owned facilities would also prevent many of the invidious side effects that could manifest in the private market. They would enable more intensive supports to be provided at the outset of the asylum seekers stay in the State, readying them appropriately for transition once their claim has been processed.

D/ Justice or D/CYA could work with the OGP to secure new, purpose built capacity for short term accommodation. This Department is willing to share its experience of provision of family hubs (previously provided to D/Justice). Family hubs have many of the same features as those envisaged for asylum applicants in the draft Report.

This state owned approach would be a new permanent system – exactly what the draft Report aspires to achieve. In contrast, any capacity contracted in the rental market would not be new and would not be permanent – a landlord could terminate a tenancy at any point, or an applicant could remain in a property following leave to remain, thereby removing the property from the short-term capacity.

The state owned approach would see the construction of dedicated accommodation to the specification outlined in the report, for a capacity of 3,500 applicants or 7,000 applicants depending on the duration of the asylum process, with recourse to the rental market being on an exceptional basis to provide contingency for any unexpected surge in numbers beyond that level.

In tandem, DHPLG will build on its commitment to provide increased levels of social housing overall, thereby facilitating throughput from state owned centres and providing the long term solution for those who obtain leave to remain and are eligible for social housing supports.

## **9. Conclusion**

DHPLG recommends that further consideration be given to the issues and proposed solutions in the draft Report. As currently framed, the recommendations raise significant housing supply issues and also raise significant issues in terms of equity and access to housing by the range of vulnerable groups in society. Unintended consequences would include increased levels of rental inflation and homelessness. It is the strong view of this Department that consideration should be given to other solutions.

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14 September 2020