

FOR CONSIDERATION BY ARD FHEIS 2007

Housing is a Right



All-Ireland Housing Policy

Policy Review and Development Department

Housing is a Right – All-Ireland Housing Policy

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1. Introduction

Good housing is one of the most important elements of a healthy society, and is crucial to the welfare of our people and our communities. It is for this reason that access to adequate housing is widely recognised as one of the most fundamental human rights.

Few deny that Ireland today faces a major crisis in housing.

In the past several decades, as a result of the policies of administrations north and south, house prices have risen dramatically and home ownership is now increasingly out of reach for people on low or even average incomes. Across the whole island there is a major shortage of social (publicly owned and rented) and affordable (privately owned) housing in both urban and rural communities. Rents have likewise inflated, and the private rented sector is predominantly made up of low quality, high cost accommodation.

In rural areas, towns and cities across the country, property speculators and private landlords are buying up land and houses by out-bidding working class families and first-time buyers, thus effectively excluding them from the housing market. Rural communities along the entire west coast from Donegal to Kerry witness extensive new builds, but many of these are holiday houses or tax-break developments, far beyond the financial reach of young local individuals, couples and families. Meanwhile, new planning proposals relating to rural areas of the 6 Counties will severely restrict new build within these communities, thereby further increasing the demand and prices for housing in northern rural towns and villages or urban centres.

As a consequence, there are now approximately 70,000 families on housing waiting lists nationally, and many thousands more who cannot afford to buy a home of their own. The private rented sector has ballooned, and homelessness has more than doubled. There are now more than 5,000 people who are recognised as 'official' homeless in the 26 Counties and more than 20,000 people self-declared homeless in the 6 Counties.

While the current housing system undoubtedly benefits private developers, speculators, big landowners, landlords, estate agents, management companies and the establishment parties they sponsor, it is clearly failing to meet the housing needs of the population.

Housing policy in Ireland is fundamentally inequitable and unbalanced in a number of respects, and needs to change. There has been an over-emphasis on the financial gains to be made from housing at the expense of its social role, which is central to the well-being of the nation. The private property speculator, developer and rental sectors are being hugely subsidised by the State at the taxpayer's expense. The decrease in social and affordable housing is pushing people into the private rented sector where they lack security of tenure, or forcing them into dangerous over-mortgaging in order to buy, or into crowded accommodation with their extended family or – in the worst case scenario – out on the streets.

Irish republicans have always viewed the ability to rent one's own home fairly and with fixity of tenure, or to outright ownership of that home, as a social good and as part of the birthright of all Irish people. From the just demands of the 19th century Land League and the 20th century Civil Rights Movement, housing rights have been a touchstone of our struggle over generations, and remain so today in the 21st century.

Sinn Féin has a realistic alternative vision for housing, based on our understanding of housing as a human right.

We are committed to do whatever it takes to fully and finally end homelessness in Ireland.

We accept that a variety of housing choices should be available, in terms of tenure and type, to meet the housing needs of all our people at different stages of their lives.

Our objective is to establish an equitable, balanced and fairly regulated housing market led by the social (public) sector. This requires a strategic approach, coordinated on an all-Ireland basis.

This means expanding the social sector to the extent that it meets the needs of all those in need of housing on the waiting list and offers a viable and attractive alternative to private home ownership. This, in addition to measures to tackle excessive land costs and speculation, will contribute to stabilising private house price inflation.

In the owner-occupied sector we plan to address the increasing problem of excessive house prices and ensure that the market works to the benefit of the people as a whole rather than exclusively for big landowners, private developers, and anti-social speculators.

A balanced housing system also requires a private rented sector that is reasonable in terms of both cost and quality. Sinn Féin therefore calls for a more robust tenant protection regime for the private rented sector, to regulate housing standards, ensure reasonable rates of rent and protect against unfair or illegal eviction. Increased stability in this sector would be of benefit to all – landlords, local authorities and tenants alike.

We are strongly committed to ending discrimination and forced sectarian evictions and ensuring equality in housing. We want to contribute towards creating conditions conducive to the eventual establishment of stable and sustainable mixed unionist and nationalist communities in the 6 Counties. We also advocate recognition of the specific housing needs and rights of the Traveller community and people with disabilities.

In the 1960s, the failure of the State in the 6 Counties to provide adequate housing for all those in need led to street protests and civil unrest and, eventually, change. In 2007 – when current Governments have more money within their budgets than at any previous time – there is no excuse for waiting lists, exploitation by private landlords or developers or banks, discrimination in housing or homelessness. We will continue to demand the equal right to housing, and pledge to work and campaign until the policy proposals in this document are achieved.

2. Guiding Policy Principles and Objectives

The 1916 Proclamation commits us as republicans to pursue the happiness and prosperity of the whole nation and all of its parts, and to assert the right of the people of Ireland to the ownership of Ireland. This guides us to prioritise the public interest over private profit in our housing policy. The 1919 Democratic Programme of the First Dáil asserts the Irish Nation's sovereignty over all Ireland's material possessions. It asserts the duty of the Republic to make provision for the physical wellbeing of the people, ensuring that no one shall suffer from lack of shelter, and to legislate for the continuous improvement of the living conditions of working class people. This guides us to recognise the central role of the State in housing provision.

Sinn Féin is therefore committed to the establishment of rights-based governance, and specifically to respect, protect and promote housing rights.

The principles outlined in the 1916 Proclamation, the Democratic Programme of the First Dáil, and our *Rights for All* document,¹ along with the specific rights to housing enumerated in the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the revised European Social Charter therefore inform and underpin Sinn Féin's housing policy.

Guiding Policy Principles

Every person in Ireland has the right to live in security, peace and dignity, and to the continuous improvement of living conditions.

Every person in Ireland has the right to adequate and appropriate housing.

Every person has a right to housing regardless of income or access to economic resources.

Every person has the right to protection from homelessness.

Every individual and every family is equally entitled to adequate and appropriate housing regardless of age, economic status or other affiliation or status, and has a right to freedom from discrimination in housing.

The right to 'adequate' housing involves adequate privacy, space, security, lighting, ventilation, basic infrastructure, and location with regard to work and basic facilities – all at a reasonable cost.

¹ *Rights for All* is a discussion document outlining a framework of civil, political, economic, social and cultural rights that Sinn Féin believes should be constitutionally enshrined in a progressive society.

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Every person has the right to security of tenure which guarantees legal protection against forced eviction, harassment or other threats, regardless of the form of tenure: whether public or private rental, co-operative, lease, owner-occupied, emergency or informal accommodation.

Every person has the right to housing that meets a habitability standard – that provides inhabitants with adequate space, protecting them from cold, damp, heat, rain, wind or other threats to health, including structural hazards, disease vectors and environmental contamination. All tenants have a right to repair of housing.

Every person has the right to housing that meets an affordability standard – where associated costs are at such a level that other basic needs are not threatened or compromised – and to protection against unreasonable rent levels or increases.

Every person has the right to housing that includes adequate materials, facilities, services and infrastructure, including those essential for health, security, comfort and nutrition, as well as access to safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage, and emergency services.

Everyone has the right to housing that is accessible and appropriate to their needs. Disadvantaged groups – including but not limited to the elderly, children, people with disabilities, and lone parents – have a right to affirmative action in housing.

Travellers have the right to housing that is culturally appropriate in that it enables the expression of and does not suppress their cultural identity.

Everyone has the right to freedom of association for the purposes of tenancy, as well as to the right of freedom of movement and choice of residence.

Everyone has the right to protection against unlawful interference in their home.

Everyone has the right to be nomadic or sedentary and the right to change from one mode of living to another.

Everyone has the right to participate in public decisions that affect their right to housing.

Everyone has the right to procedural remedies and other safeguards to ensure an effective right to housing.

The right to own property is recognised and shall be limited only by the public good.

The operation of market competition shall not be allowed to develop in such a way as to result in the concentration of the ownership or control of essential goods including property in the hands of a few individuals, corporations or a single class, to the common detriment.

Policy Objectives

To firmly establish a fully enforceable right to housing on an all-Ireland basis.

To end the housing crisis, eliminate homelessness and ensure that adequate and appropriate housing is available and accessible to every person on the island without exception.

To bring about a progressive improvement in living conditions for lower income people, and to allow for tenure of choice.

To ensure that the State plays its rightful central role in social housing provision and in housing market regulation.

To encourage co-operative ownership in housing.

To protect the right of tenants to be free from exploitation by unscrupulous landlords.

To protect the right of home buyers to be free from exploitation by private developers and banks.

To end the dominance of private developers and speculators over access to housing.

To ensure adequate protection against illegal, unfair and/or forced eviction.

To meet the specific housing needs of our increasingly diverse population, and to eliminate sectarian, racist and all other discrimination in housing.

To create the conditions that will allow for the eventual establishment of sustainable mixed communities within the 6 Counties.

To end class segregation in housing.

To end the crisis in Traveller accommodation.

To ensure that all people with disabilities can exercise their right to independent living.

To ensure that all housing is built or converted over time to environmentally sustainable and energy efficient standards.

To ensure that all communities are planned for sustainability and safety by including necessary physical and social infrastructure.

To ensure that our housing policy complements our rural regeneration policy and contributes to the development of sustainable and vibrant rural communities.

3. Enshrining the Right to Housing

Adequate shelter is one of the most basic human needs and is consequently one of the most important human rights. As such, the right to adequate housing is codified in a range of international human rights instruments, including those to which Ireland is a party, and has also been incorporated into the Constitutions of many European countries.²

While a limited right to housing is recognised in the 6 Counties under the Housing (NI) Order 1988,³ no such entitlement is in place in the 26 Counties. This contravenes the Good Friday Agreement, which commits the Irish Government to ensure 'at least an equivalent level' of human rights protection in the 26 Counties. For this reason, in 2003 Sinn Féin introduced a constitutional right to housing bill in Leinster House.⁴

Failure to take a rights-based approach to housing has important consequences. The fact that adequate housing has not been given the full status of a human right in Irish law has meant that the housing crisis has not received the attention it deserves. It has helped to create a situation in which severe housing need has been tolerated and successive Governments have been able to avoid their responsibilities for addressing the crisis. The legal recognition of housing as a right would mark a major shift and commit future Governments to meeting the housing needs of all our people. A referendum on the right to housing would also provide much needed opportunity for public policy debate.

A legal right to housing will not on its own solve the complex housing and homelessness crisis. It needs to be underpinned by adequate public investment and structures that can deliver on this right. While provision of housing should be planned and organised at a local level, there is a strong need for a National Housing Strategy and a coordinating body such as a National Housing Agency that would maximise the efforts of local authorities and/or the 6 Counties Housing Executive throughout the island, by focusing funding and expertise where housing need is greatest. Such a body would be responsible for dealing equitably, effectively and efficiently with all housing problems afflicting communities throughout the island. It could coordinate public, private, co-operative and shared ownership schemes while also providing direction for research into international best practice solutions. It could establish legally enforceable codes of practice for house builders and vendors, mortgage brokers, auctioneers and solicitors, etcetera.

While the right to housing should be fully enforceable in law, an independent Housing Ombudsman would help provide an effective remedy short of the courts. The Housing Ombudsman could protect the housing rights of all – whether home owners or renters – and monitor for fairness the implementation of housing and planning legislation as well as

² This includes at least six EU member states, as well as post-Soviet States.

³ Under the Housing Order 1988 persons meeting the homelessness criteria who are also 'in priority need' *must* be provided with accommodation.

⁴ The Twenty Seventh Amendment of the Constitution (No. 2) Bill 2003, which sought to amend Article 40 of the 1937 Constitution. For full text, see Annex A.

house prices and the practices of banks, estate agents and property managers. It could also help enforce codes of conduct established by a National Housing Agency.

Sinn Féin Policy Proposals:

- The Irish Government to accept Article 31 of the European Social Charter (revised) on the right to housing and push for the British Government to ratify the European Social Charter (revised) including acceptance of Article 31, so that between now and reunification this will apply across the 32 Counties.
- Hold a referendum to amend the 1937 Constitution to include a fully enforceable right to adequate housing.
- Include the right to housing in a Bill of Rights for the 6 Counties.
- Include a fully enforceable right to housing in an All-Ireland Charter of Rights.
- Enshrine the right to adequate housing in any future Constitution for a United Ireland.
- The wording of any Constitutional or Charter provisions should affirm:
 - adequate and appropriate housing as a human right;
 - State responsibility for ensuring that this right is fulfilled; and
 - preeminence of the right to housing over the right to private property (as recommended by the Kenny Report).
- Enshrine the right to housing in legislation that is harmonised between the 26 and 6 Counties. This should include a human rights-compliant definition of 'adequacy'.
- Review all existing housing legislation and amend or repeal if necessary to ensure full conformity with a rights-based approach.
- Establish a Department of Housing to deliver this right, with a full Minister for Housing to implement and oversee the ambitious programmes related to the Sinn Féin housing policy.
- Develop a National Housing Strategy and establish a National Housing Agency to plan and coordinate all aspects of housing provision.
- Introduce equality-proofing, rural-proofing, environment-proofing and public health proofing to all housing policy, law and practice.
- Establish a Housing Ombudsman to provide an administrative remedy short of the courts, in the interests of speedier and less expensive resolution of housing disputes and redress of violations of the right to housing.

4. A Commitment to Ending Homelessness

Homelessness is the most acute denial of housing rights in our society. It is to a large degree a manifestation of social exclusion, poverty and an inadequate supply of secure and appropriate social housing.

Homeless people may sleep rough in doorways or parks, or in derelict sites or cars. But there is also an 'invisible homelessness' involving people who live in emergency accommodation, shelters, hostels, refuges or B & Bs, or who stay with relatives in overcrowded conditions on a 'temporary' basis. The numbers of such people are estimated by the Simon Community to be ten times greater than those 'visible' homeless sleeping rough.

The official data on homelessness in the 26 Counties substantially underestimates the extent of the problem. However, even according to the statutory definition, there are currently at least 5,500 people experiencing homelessness. This is almost a 375% increase since the first assessment was made in accordance with the Housing Act 1988.⁵

We know the problem is much larger than this. There are almost 44,000 households on the local authority waiting lists, of whom 85% have an income of less than €15,000 per annum and are clearly never likely to be in a position to access private housing on the open market. More than six out of ten of those households have been on a waiting list for more than a year. These individuals and families are underhoused at best, and at risk of homelessness at worst.

Homelessness has also significantly increased in the 6 Counties over the last ten years.⁶ In 2005, 20,000 people on the housing waiting list presented themselves as homeless.⁷

It is no coincidence that the numbers of homeless people have increased dramatically in recent years as the crisis in social housing has worsened – it is a direct result. The slowdown in the construction of social housing by the relevant authorities in both jurisdictions in the late 1980s and early 1990s, the rise in the cost of renting private accommodation and the increased cost of purchasing property have all resulted in an increased demand for social housing that is not being met.

These circumstances will continue to prevail unless and until the current levels of social and supported housing provision are dramatically increased, alongside an extensive reform and the raising of standards in the private rented sector.

Sinn Féin cannot accept any homelessness in a Celtic Tiger economy.

⁵ *Housing Bulletin* (26 Counties Department of the Environment and Local Government November 2002).

⁶ According to figures provided by NI Housing Executive cited in the *House of Commons Hansard* Written Answers for 07 June 2005 in reply to Question 2263.

⁷ *Housing Market Review 2006-2009* (NI Housing Executive 2006).

The absence of legislative and constitutional frameworks adequately defining and giving effect to the right to housing means that there are no statutory imperatives on the two Governments to achieve meaningful solutions for people who are homeless. Ultimately, therefore, the most important measure for the prevention of homelessness is a fully enforceable right to housing as proposed in the previous section. Elevating the development of social housing to a position of primacy is also necessary, as is increasing affordability of owner-occupied housing for low and average income families, and stringent regulation of the private rented sector – all of which are subjects of detailed proposals in the subsequent sections of this document. We believe that Government should be the primary provider of social housing. However, we recognise that the development of *additional* capacity – and specifically supported housing – by community and voluntary sector providers also deserves State support. Emergency accommodation, while necessary, does not provide an acceptable solution, and over-reliance on this stop-gap measure must end.

The Simon Community has identified a number of specific events that can trigger homelessness, including leaving the parental home as a result of family conflict (including physical and/or sexual abuse); marital or relationship breakdown; widow/erhood; eviction; discharge from the armed forces, care facilities, or prison; or a sharp deterioration in mental health or increase in alcohol or drug use.

The needs and requirements of people who find themselves homeless or at risk are therefore multi-dimensional and as such need to be dealt with in a holistic way via a multi-disciplinary approach. Coordination between statutory, community and voluntary organisations working with the homeless sector is of vital importance. Multi-annual funding for this sector must be made adequate and secure.

Most importantly, we need a much greater emphasis on preventative work and early intervention measures to help reduce the number of people at risk of becoming homeless.

Sinn Féin Policy Proposals:

- Develop an All-Ireland Strategy on Homelessness, with meaningful targets and adequate resources to progressively reduce and eliminate homelessness (beginning with elimination of street homelessness by the year 2010), and monitoring mechanisms to ensure targets are met.
- Establish an All-Ireland Housing Needs Monitor to annually assess the extent of homelessness and housing needs, including the flow of people in and out of homelessness. Recognising that there is no one method that will give an accurate account, such a monitor should utilise several methods and/or combine different sources, and conform with international best practice. Prevalence studies (quantitative research tracking incidence, ie rates of homelessness among discrete groups) should be commissioned using multiplier and network analysis techniques, as this would be an appropriate method in estimating numbers of hidden homeless.

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- Implement the outstanding recommendations in the 26 Counties National Action Plan Against Poverty and Social Exclusion 2003-2005 in relation to housing, namely: to enable households experiencing poverty and disadvantage to have available to them housing or accommodation that is affordable, accessible, of good quality, suitable to their needs, culturally acceptable, located in a sustainable community and as far as possible in a secure tenure of their choice.
- Implement in full all recommendations contained in the NI Housing Executive's Homeless Strategy Document, within specific timeframes.
- Put the existing homelessness strategies and Local Homelessness Action Plans on a statutory footing.
- Immediately establish the National Homeless Consultative Committee proposed by the Irish Government on an all-Ireland basis, and ensure not only that the community and voluntary sector play an integral role in this new structure, but that homeless, formerly homeless and at-risk people themselves can also participate in a meaningful way.
- Immediately consult with all the relevant voluntary and statutory agencies and with people directly affected to develop urgent action plans on homelessness among the most vulnerable: youth, those with mental health problems and ex-prisoners.
- Provide a multiannual, adequate and secure funding package to community and voluntary sector organisations working with homeless people and those at risk, with an emphasis on funding for prevention programmes and services.
- Establish a full review of the 6 Counties Housing (NI) Order 1988 to address deficits, including the lack of provision for needs assessments and appeals mechanisms for people who are homeless.
- Keep to the commitment made in *Towards 2016* (the new 26 Counties social partnership agreement) that by 2010 nobody will be living in emergency accommodation for longer than an actual emergency.
- In keeping with Sinn Féin's health and drug policies, establish a new national programme of 'wet facilities' (in which alcohol is not prohibited as a condition of residence but addiction counseling is provided) where homeless people can be supported and monitored in a safe environment on the basis of a harm reduction approach to improve their health and access to housing, as well as being encouraged to access other services and treatment.
- Adopt and implement the recommendations of the 26 Counties National Economic and Social Council (NESC) on the provision of social housing (*see Section 5: Putting Social Housing at the Centre of Provision, page 17*) and take the necessary steps to ensure that its target is reached within the recommended timeframe.

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- Provide a major renewed state investment in a comprehensive, all-Ireland social housing programme, with front-loading of funding under the new 'National Development Plan 2007-2013'.
- Set an all-Ireland target for elimination of housing waiting lists, with an immediate target of 70% of applicants to be provided with suitable accommodation within two years.

5. Putting Social Housing at the Centre of Provision

In 2005 over 40,000 households were on the waiting list for social housing in the 26 Counties.⁸ Nearly four out of ten of these households had spent over two years on the waiting list while one in seven had been on the list for more than four years. In the 6 Counties, approximately 30,000 households were on the waiting list in the same period.⁹

Increased demand for social housing, combined with the selling of a significant proportion of the social housing stock and low levels of new build, has caused decline in the social sector's share of the overall housing stock. In the 26 Counties it fell from 33% to 8% between 1975 and 2000. In the 6 Counties, where sales of social housing to owner-occupiers have exceeded new builds, the social stock decrease has been nearly as dramatic, dropping from 30% to 18% between 1992 and 2005.¹⁰

Although house building activity was up in 2006 in the 26 Counties, with 21,894 housing units completed in the first three months, a mere 719 of these units were local authority houses and 184 were voluntary and co-operative units. This shows that although housing output is growing, it is of virtually no benefit to those who are suffering at the heart of the housing crisis – those in great need of social housing.

Meanwhile, according to Davy Stockbrokers, there are also an estimated 230,000 vacant properties in the 26 Counties many of which are long-term vacant and some of which have emerged as 'ghost estates'.¹¹ This represents more than 13% of the total housing stock. It means that one house in seven is standing empty.¹² This is more than three times higher than the British rate. It is estimated that up to half of new builds are now being bought by private investors and speculators to be left vacant.

Regrettably the two Governments have shown no appetite for addressing the underlying structural issues or assuming real responsibility for the crisis.

Their current efforts to replenish the housing stock are totally insufficient to overcome the huge shortfall in social housing. The preferred response has been to further subsidise the private market for first time buyers under 'affordability' schemes, which are not affordable in real terms (*see next section*). The private rental sector has also been further subsidised with high levels of supplements to private landlords through the rental accommodation

⁸ *Annual Housing Statistics Bulletin 2005* (26 Counties Department of Environment, Heritage and Local Government 2005).

⁹ *Housing Market Review 2006-2009* (NI Housing Executive 2006).

¹⁰ The move towards privatisation in the 26 Counties predates its introduction in the 6 Counties under the Thatcher government.

¹¹ D McWilliams 'A Warning From Deserted Ghost Estates' *Sunday Business Post* (01 October 2006).

¹² John Fitzgerald 'The Irish Housing Stock: Growth in Number of Vacant Dwellings' *Quarterly Economic Commentary* (Economic and Social Research Institute May 2005).

schemes (*see subsequent section*). Indeed, in the 26 Counties, a Government that legislates to please developers has also watered down Part V of the Planning and Development Act 2000, so that developers now no longer have to meet the target of 20% social and affordable housing as a condition of all new developments. In the 6 Counties, the Housing Executive was stripped of its responsibility for and powers over social housing provision in 1999, and these were effectively outsourced to publicly unaccountable – and frequently problematic – community and voluntary sector Housing Associations who either won't or can't meet necessary new build targets.

In contrast to the minimalist approach currently in operation, Sinn Féin believes that the social sector should move from a residual to a leading role in housing provision. In the first instance, a significantly expanded social sector offering good quality housing would better equip the housing system to meet the needs of low income people, particularly those on the waiting list. However, Sinn Féin also believes that the social sector could have a wider role in regulating the housing market by offering a viable and attractive long-term alternative to home ownership. This would have a number of benefits. Increasing the popularity of social renting as an option would dampen demand in the owner-occupied market and thereby help to stabilise house prices. It would also create pressure to improve standards in the private rented sector as landlords compete with the social sector.

Based on the experience of European states with more balanced housing systems, we recommend a target for the social sector to constitute 25% of total housing stock. To help accelerate towards this objective, Sinn Féin proposes to launch a major new State investment programme in social housing, to amend the 26 Counties Planning and Development Acts to nullify the Part V 'get-out clause' for developers, and to legislate north and south to stipulate that at least 30% of all new developments must be earmarked for social and affordable housing (*see subsection on Regulating to End Class Segregation in Housing, below*).

To prevent the further depletion of social housing stock, the local authority or Housing Executive should have the first option to 'buy back' a house that was sold to a tenant who now wishes to sell (*see subsection on A Strategy for Expanding the Social Housing Sector below*).

For housing stock that is under the jurisdiction of the local authority or Housing Executive, the implementation on an all-Ireland basis of a standard periodic remedial works scheme funded by central government (such as the cyclical maintenance scheme in the 6 Counties) would prevent units from falling into a state of dilapidation and ensure that social housing units are maintained in a good state of repair.

In addition, social housing rent schemes need to be progressive. We need to move away from branded rent schemes, rent schedule schemes and fixed percentage schemes, as these have been demonstrated to contribute to poverty traps. A standard national

differential rent scheme would make renting from a local authority fairer.¹³ Such a scheme should be poverty-proofed to ensure that it does not contribute to hardship.

Sinn Féin Policy Proposals:

- Bring social housing to the centre of housing provision in Ireland, and use the social housing sector to deliver an enforceable right to housing.
- Set progressive and sustainable targets to increase social housing output, with a corresponding decrease in private sector housing output, with the goal of ensuring that over time the social sector constitutes 25% of the total housing stock.
- Establish national minimum standards regarding existing and new build social housing, by way of regulation.
- Ensure that the social housing stock is appropriate for different sizes of families, including single parents with shared custody of children, and also ensure that single people living alone are not excluded from social housing.
- Establish a fully enforceable right to maintenance and repairs of social housing within a reasonable timeframe, and a national standard for maintenance of social housing, by way of regulation.
- Impose a legal obligation on local authorities to refurbish all publicly-owned derelict houses within three months of vacancy to prepare them for new occupants.
- Establish a national standardised differential rent scheme to ensure fairer rents for all in the social housing sector.

A Strategy for Expanding the Social Housing Sector

As outlined above, the social sector has suffered from decades of low levels of new build combined with high levels of conversion into private stock through house sales. Therefore, if social housing is to meet current and future need, it will necessitate a high level of new build. Barriers to new build and the loss of public stock to private sale both need to be addressed by a strategy for expanding the social housing sector.

In the 26 Counties an authoritative report from the National Economic and Social Council (NESC) argued that 73,000 additional housing units were required *net of house sales* in the social sector between 2005-2012. This would certainly contribute to addressing the waiting list and Sinn Féin supports this target. Beyond 2012, we would set a new target

¹³ Under a differential rent scheme, rents are determined by the relevant authority in a manner that ensures that the proportion of income charged as rent is reasonable and does not lead to financial difficulties. Rent amounts are determined following a rent review process, and such amounts may be adjusted based on changes in a householder's financial or other circumstances.

that factors in the need to expand the role of the social sector to 25% of total housing stock, as outlined above.

In the 6 Counties the Housing Executive has estimated by that at least 2,000 additional new builds per annum are needed just to keep pace with growth in demand, and that 70,000 new units will be needed between 2005-2025.

In order to achieve these targets it will be necessary first and foremost to address the high cost of land in both jurisdictions. In the 26 Counties the Irish Government-commissioned Kenny Report looked at this problem as far back as 1973, and recommended that local authorities be empowered to acquire land sites through Compulsory Purchase Order at existing use value plus 25%. However, this proposal has not been enacted, as Irish Governments have argued that it would be incompatible with 1937 Constitutional property rights.

If land is to be acquired for social housing at a reasonable price, local authorities in the 26 Counties and the Housing Executive in the 6 Counties need the power to issue a Compulsory Purchase Order for housing development, particularly on vacant or derelict properties. This should allow for land to be acquired fairly as recommended by the Kenny Report. We recognise that landowners may have genuine reasons for not wishing to sell land, and therefore there should also be an appeal process.

Although House Sales Schemes (whereby a tenant occupying a social house for a specified period can apply to buy it outright or through shared ownership) have been tightened-up recently in both jurisdictions, the loss of social housing through private sale continues at a level that undermines the capacity of the sector to meet housing need.¹⁴ Therefore, it is essential that any social housing stock sold off to private owners must be replaced on a unit-for-unit basis. The money gained from these sales should be ring-fenced and matched by central Government. This would enable the provision of needed units of social housing while also allowing tenants who wish to purchase their homes to do so.

Finally, in the 6 Counties the transfer of responsibility for new build from the NI Housing Executive to independent Housing Associations in 1996 has caused serious problems. These Housing Associations have consistently failed to deliver sufficient levels of social housing or even to meet the modest new build targets set. Whereas twenty years ago the Housing Executive was building 7,000 homes per year, between 2001-2005 the Housing Associations delivered less than 60% of the target of 1,500 new dwellings per year.¹⁵ The current system in which a variety of small autonomous organisations are responsible for delivering the new build programme is in our view incapable of providing the required level of coherence, expertise and accountability. We therefore recommend that responsibility for the new build programme be returned to the Housing Executive, pending its decentralisation to local authorities in future (as is the case in the 26 Counties).

¹⁴ For example, between 2000-2004 over 23,000 social housing units were sold but only just over 4,000 new builds completed in the 6 Counties.

¹⁵ *Housing Market Review 2006-2009* (NI Housing Executive 2006).

We reject completely the idea that government should 'get out of the housing business' and outsource this responsibility to private interests.

Sinn Féin Policy Proposals:

- Aim to implement the NESC report recommendation of 70,000 new units by 2012 to accommodate social housing need in the 26 Counties (a new build rate of approximately 14,000 per annum).
- Aim to implement a social housing new build programme to effectively tackle the urban and rural housing crises in the 6 Counties, involving a target of at least 5,000 social housing units constructed per annum to keep pace with housing demand.
- Pending decentralisation of powers on social housing provision to local authorities in the 6 Counties, restore the Housing Executive's powers on social housing provision and its role as the primary provider of social housing, and restructure this QUANGO to make it more representative of and accountable to the communities it serves.
- Require local authorities and/or the 6 Counties Housing Executive to provide the majority of social housing units.
- Use Compulsory Purchase Orders to acquire land (at existing use value, plus 25% where warranted by fairness and the public good), derelict properties and properties vacant for 12 months or more, for social housing, with a fair and transparent appeals procedure in place.
- Maintain land banks of publicly-owned land for social housing new build.
- Reclaim British military and police barracks for civilian use as part of the demilitarisation process in the 6 Counties, and convert these to social housing where need is identified (or to other identified community use contributing to necessary infrastructure for sustainable communities).
- Release 26 Counties army barracks and other State lands – where these are surplus to requirements – to local authorities to build social housing.
- Establish an island-wide standard requirement of 2 years' minimum occupancy for tenant purchase of a social home.
- Establish tight, standard restrictions on the resale of social houses purchased under tenant purchase schemes by ensuring that local authorities/the Housing Executive must give prior consent to resale within 20 years of purchase, and by ensuring that in such cases the local authority/Housing Executive have first option to repurchase.

- Introduce new legislation to prevent social houses being used for speculative purposes in the 6 Counties, similar to that already in place in the 26 Counties.
- Legislate to require that any social housing stock sold is replaced on a unit-for-unit basis, with the profits received by local government ring-fenced and matched by central government to replenish social housing stock.
- Oppose any sale of public land to private developers by local authorities in the absence of adequate social housing provision.

Regulating to End Class Segregation in Housing

The increasing privatisation of housing has also reinforced and heightened class segregation in Ireland. Separating private housing areas from social housing estates entrenches class inequality by creating concentrations of social and economic disadvantage that also lack local services, and are associated with a degree of stigma.

In the 26 Counties, some effort was made to address this issue through Part V of the Planning and Development Act 2000, which originally provided that at least 20% of a private housing development must be reserved for social and 'affordable' housing. However, a number of problems exist – not least of which is that social housing and affordable housing have generally been poorly 'mixed' to date, and the law has therefore added little to social integration. In addition, a range of 'get-out clauses' introduced in 2002 now allow developers to pay compensation rather than build social units. As a consequence, there are more private affordable homes than social homes being built and most developments have not included a proper mix of tenure. Indeed, in 2005, less than 1,400 of over 80,000 housing units built were in the social/affordable category. Thus the positive potential of this legislation has been wasted.

Sinn Féin wants a housing system that encourages an integrated and cohesive society and reduces class differences. To this end, Sinn Féin believes that in addition to making maximum use of Part V of the 26 Counties Planning and Development Act 2000 and similar legislation to be introduced in the 6 Counties, local authorities and the Housing Executive should revert to their traditional primary role in acquiring and building social housing units. Such an approach would help to:

- provide mixed tenure housing estates
- eradicate distinctions between the quality of social and private homes
- reduce excessive land costs and stabilise house price inflation
- encourage new build in the social and affordable sectors

Sinn Féin Policy Proposals:

- Legislate to ensure that all new estates are of mixed tenure to provide greater societal integration.
- Amend the Planning and Development Act in the 26 Counties to remove the 'get-out clauses' for developers in Part V, and to ensure that Part V is used to its fullest potential by stipulating that all new developments must allocate 30% to social and affordable housing, with at least 10% social and at least 10% affordable housing to make a real impact on the housing waiting lists.
- Introduce similar legislation in the 6 Counties to oblige private developers to set aside 30% of all development for social and affordable housing, with at least 10% specifically for social and at least 10% for affordable housing units.
- Reject any local authority housing plan that does not contain social and/or affordable housing.

6. Making Principal Home Ownership More Accessible

Out-of-control house price inflation has all but priced working families and first time buyers out of the private housing market, with average costs of over £180,000 in the 6 Counties¹⁶ and approximately €308,000-€516,000 in the 26 Counties.¹⁷ House prices in the 6 Counties rose by 22% in 2005,¹⁸ and the average price of a new home in the 26 Counties was up over 11% in 2006 compared with the previous year. Figures for the same period show a more than 17% increase in second-hand house prices in the Dublin area. This follows steady increases over previous years, by which the average price of a new house in the 26 Counties increased by 77% between 1998 and 2003, and the average price of a second-hand home increased by 99% during the same period. Indeed, house prices are now increasing at nearly twice the rate of wage increases. Little wonder then that public sector workers such as nurses, fire-fighters and teachers can no longer afford to buy in our major cities.

As low and middle income buyers stretch themselves financially to obtain a home, the number of repossessions has also increased. In 2005-2006 more than 2,600 actions for mortgage repossession were initiated in the 6 Counties alone,¹⁹ an increase of almost 20%.

While a key factor in the staggering rate of house price inflation is the erosion of the supply of social housing which has forced many who can ill-afford mortgages into the private market, the problem has been worsened by extremely high land costs and widespread speculation.

The issue of land costs has already been mentioned in the context of social housing. However, it is also relevant to the private market, as some landowners make huge unearned profits at the expense of society, with higher house prices the result. The scale of the problem is reflected in the fact that land is estimated to constitute 40%-50% of house prices in the 26 Counties.

In the context of the prevalent policy that has favoured speculators and private developers at the public expense, it is important to also remember that the potential for such exorbitant profits has deeply corrupted the political system, with senior politicians seeking to gain a cut from decisions to zone land for development. *Our proposals for fundamental reform of the planning system and for regulation of the development sector/s are beyond the scope of this document, but will be dealt with by a separate future Sinn Féin policy.*

¹⁶ *University of Ulster House Price Index*. Accessible online at <http://news.ulster.ac.uk/releases/2006/2863.html>.

¹⁷ *Quarterly Housing Statistics* (26 Counties Department of Environment, Heritage and Local Government June 2006).

¹⁸ Council of Mortgage Lenders *NI Regional Fact Sheet 2006* (21 July 2006).

¹⁹ *NI Housing Bulletin 2005* (6 Counties Department of Social Development 2005).

The Irish and British Governments have responded to the house price inflation crisis by subsidising first time buyers through a variety of 'affordability' schemes. Sinn Féin is sympathetic to measures that assist first-time buyers in accessing adequate primary accommodation in the private sector. However, these schemes often do not actually produce housing that is 'affordable' for those on average or lower incomes, and instead they put even more public money into the pockets of private developers.

What is needed is a robust package of intervention measures that will reduce house price inflation and curb the appetites of private developers and anti-social speculators, together with the measures outlined above on increasing the social housing stock, and below on regulating the private rented sector.

In addition, the potential of co-operative housing to contribute to increased affordability through collective rather than individual property ownership should be explored, promoted and supported.

Sinn Féin Policy Proposals:

- Legislation to ensure that housing units designated as 'affordable' are priced at cost-price, meaning a price equal to the cost of construction, as per the proposed Sinn Féin amendment to section 5 of the Housing (Miscellaneous Provisions) Bill 2004.²⁰
- State-led initiatives, in partnership with progressive financial institutions such as credit unions, to allow lower income earners to purchase their own homes.
- Increased mortgage interest relief for first time mortgage-holders who earn up to the average industrial wage.
- Significant State-led initiatives to support and promote co-operative housing ownership.

Strong Action Against Anti-Social Speculative Practices

The encouragement of property speculation is one of the most obvious ways that housing as an investment opportunity has been given prominence over housing as a social good.

The extent of speculation is indicated by the fact that in 2005 nearly one in five mortgages in the 26 Counties were for the purpose of investment.²¹ In fact, this figure probably

²⁰ Note that the European Social Council defines housing as 'affordable' only if the household can afford to pay initial costs, current costs (such as a mortgage payment) and other costs (such as utilities and maintenance) on a long-term basis while still being able to maintain a minimum standard of living as defined nationally.

²¹ *Annual Housing Statistics Bulletin 2005* (26 Counties Department of the Environment, Heritage and Local Government 2005).

understates the extent of speculation, as investors are less likely to require a mortgage than people buying a principal home.

Certainly, not all speculation is harmful, such as speculative investment in new build that increases the supply of social and affordable housing. However, strong action is needed to deter particular forms of speculation such as the practice of buying up housing and renting or leaving it vacant for a period before selling it on at a massive profit.

We accept the recommendation by the Economic and Social Research Institute that the tax system should be used to reduce the demand by private investors in the property market for output by the building sector, which is driven by those purchasing second and subsequent homes for pure profit rather than social benefit, and is fuelling house price inflation.²²

The taxation system should be reformed to promote socially beneficial speculation and punish speculative practices that either add no social value or conflict with the common good.

Sinn Féin Policy Proposals:

- Return Capital Gains Tax to its 1997 level of 40% (in the 26 Counties) and harmonise Capital Gains Tax across Ireland.
- Introduce a tax on windfall gains from planning decisions, in recognition and compensation for betterment by the State.
- Introduce a tax on second properties.
- Retain stamp duty at current rates but ring fence in the order of €500 million annually for the next five years for the construction of additional units of social housing.
- Introduce a statutory ceiling on the price of land zoned for housing.
- Abolish 26 Counties tax incentives that effectively encourage unfair competition between investors and first-time buyers.
- Consistently employ existing enforcement mechanisms including fines and levies to prevent or eliminate dereliction (for example, Section 15 of Part II of the Derelict Sites Act 1990 in the 26 Counties).

²² *Ex-Ante Priorities for the National Development Plan 2007-2013* (Economic and Social Research Institute 2006).

Regulation of Estate Agents

The practices of some estate agents may also play a role in inflating house prices. They have a inbuilt incentive for inflation, as they receive a percentage of the amount for which a house is sold. There is plenty of anecdotal evidence to suggest that some estate agents use underhand measures to increase the cost of housing and their own profits. This combination of incentive and opportunity requires a robust policy response.

In order to ensure that estate agents act appropriately we call for the regulation of the profession, and for a Housing Ombudsman with the power to impose a code of conduct, to investigate complaints and to take disciplinary action when fair practice has been breached.

Sinn Féin Policy Proposals:

- Introduce regulation of estate agents.
- Establish a Housing Ombudsman with the power to impose a code of conduct on estate agents, to investigate complaints and to take disciplinary action when fair practice has been breached.

Strong Regulation of Management Companies

We recognise that it is necessary to have management bodies in blocks of flats. However, Sinn Féin is opposed to the involvement of private for-profit management companies in the maintenance of roads and common open spaces in housing estates, as this should ordinarily be the responsibility of local government and such services paid for through direct progressive taxation.

The main problem with private management companies is that they impose a form of double taxation through management fees. It is fundamentally inequitable that some residents must pay for a service that their neighbours receive for free.

At present, though they are subject to company law, such private estate management companies are unregulated. Many specific problems are associated with their proliferation in the 26 Counties, in particular the total lack of accountability to the residents who pay for their services, and the fact that the fees charged are often exorbitant and subject to huge increases (in some cases by up to 300% in a single year) without corresponding improvement in service.

Sinn Féin Policy Proposals:

- Ensure all public areas are managed by the local authority and not outsourced to private management.

- Provide local authority funding to foster community engagement projects in running and co-operating in estate management (*see subsection on Enhancing Participation in Community Planning and Management in Section 9 on Sustainable Homes in Sustainable Safe Communities, below*).
- Ensure that apartment blocks, which are necessary to prevent further urban sprawl, will only be subject to not-for-profit management companies and will cover only structural insurance, internal communal areas and walled gardens.
- Legislate to prevent traditional housing estates from operating under a private management company, and to regulate the operation of private management companies to cover housing estates with non-essential features such as fountains, pools, etc who may need a form of management company for maintenance of these features only, which fall beyond essential services.
- Legislate to ensure that no management fees can be charged until the development is deemed complete by the local authority, therefore preventing the gouging of residents for development construction costs.
- The proposed Housing Ombudsman to adjudicate on disputes between residents and management companies.

Abolition of Ground Rent

Sinn Féin has long demanded the abolition of ground rents. Ground rent is an annual rent paid to a ground landlord in return for no service whatsoever. The majority of ground rents are charged on foot of leases that are in perpetuity.

Ground rents are a feudal hangover tax from the days of British colonial rule and they must be abolished. We do not believe that amendment of the 1937 Constitution is required, and we do not agree that ground rent landlords should be compensated. As a legacy of colonialism, ground rents have been unjust from the start. To compensate is to legitimise.

There are currently 25,000 ground leases in the 26 Counties. The State itself pays ground rents in many cases to English landlords. Many ground leases are now held in the name of solicitors and other native Irish landlords and interests. The Government pays ground rent on many public offices in Dublin and around the State.

The majority of ground leases are of course on private households. People think they own their own house, and they do, but they don't always own the land upon which the house is built. When the ground lease is up, people who believed that when they bought their houses they owned the land face an appalling choice. Under the Landlord and Tenants (Ground Rents) Acts 1967-1984, when a lease expires, the landlord has a statutory entitlement either to one eighth of the current value of the house, or to renew the lease for a further 99 years. Therefore, the householder must either buy a freehold for their house

at a cost of one eighth of its value, or sign a new lease for a drastically increased rent. With the hugely inflated value of houses, ground landlords are set to make a financial killing either way.

Ground rents represent an ongoing injustice against hundreds of thousands of Irish people who have suffered at the hands of land speculators, both native and foreign, avaricious builders and many opportunists in the legal profession since the foundation of the 26 County State. Indeed, however, not only are many leases of recent origin and set up by Irish builders, but these landlords have been among the most voracious in their demands for annual rents.

Sinn Féin Policy Proposals:

- Immediate abolition of ground rents.
- Appropriation of ground rent leaseholdings by the State.
- No compensation for ground rent landlords.

7. A Robust Tenant Protection Regime

The erosion of the social sector has meant that the private rental sector increasingly acts as a refuge for people on low incomes. However, in recent years the unaffordability of home ownership has also led growing numbers of middle class households to turn to private rental accommodation.

While dependence on private rental accommodation has swelled rapidly, the sector's reputation for high levels of cost and low levels of quality has not changed.

Inspections of private rental properties do take place to ensure they are habitable, but enforcement of minimum standards is far from stringent. For example, in 2005 legal action was initiated in just 11 of the more than 2,000 cases where dwellings in the 26 Counties were found to be in breach of current regulatory requirements.²³ In addition, no regulatory action has been taken to control high rents, north or south.

What we need is a robust, all-Ireland tenant protection regime to protect the equal rights of all to adequate and appropriate housing.

One potentially important initiative in the 26 Counties is the Residential Tenancies Act 2004 which established compulsory registration of landlords and the Private Residential Tenancies Board to resolve landlord-tenant disputes. However it remains to be seen whether this body is equipped to tackle the widespread problems of insecurity, illegal evictions, deposit retention, unfit dwellings and escalating rents. At the moment the Irish Government is starving it of resources and, as a consequence, it is only open to the public for two hours a day and there is already a two month backlog in tenancy registration.²⁴ Similar regulatory measures for the private rental sector, including mandatory landlord registration and dissuasive penalties for non-compliance, must also be introduced in the 6 Counties.

Sinn Féin acknowledges that regulating private landlords will drive some out of the market, potentially reducing supply. However, in our view the loss of unscrupulous landlords and substandard accommodation in the short term is a price worth paying for better quality accommodation and tenant protection in the long term.

Another problem with this sector is that, like the private owner-occupied sector, it has become increasingly state-subsidised in more than 40% of private tenancies. In the 6 Counties over 50,000 households in private rental accommodation claim Housing Benefit at a cost of £135 million annually – an increase of 55% in less than 10 years.²⁵ This money could have built up to 1,600 homes per year in the social sector. In the 26

²³ *Annual Housing Statistics Bulletin* (26 Counties Department of the Environment, Heritage and Local Government 2005).

²⁴ Accurate at time of writing.

²⁵ *The Increased Role of the Private Rented Sector in Catering for Social Housing in NI* (UUJ 2006).

Counties, over 60,000 individuals in the private rented sector in 2005 were in receipt of the Rent Supplement, representing an annual expenditure of more than €368 million. This means that every day in the 26 Counties alone, more than one million euro of public money is shovelled into the pockets of private landlords rather than being used to build social housing. This has got to stop. We need a managed transition away from state subsidy of private tenancy and towards increased public resources for social housing, where tenure is by definition more secure.

Sinn Féin Policy Proposals:

- Significantly increase regulation of the private rented sector, and harmonise tenant protections north and south.
- Provide strong powers and adequate resources for the enforcement of the tenant protection regime.
- Bring legal protection against eviction into line with international human rights standards.
- Introduce a system of rent control in both jurisdictions that guarantees a fair rate of return for landlords and is linked to both the Consumer Price Index and the quality of the property.
- Introduce compulsory registration of all private landlords in the 6 Counties within a specific timeframe, with enforceable financial penalties for non-registration.
- Introduce a Private Residential Tenancies Board in the 6 Counties, equivalent to that in the 26 Counties.
- Introduce a mandatory contract between landlord and tenant, providing for enhanced security of tenure, and scrap the four year limit in the 26 Counties.
- Provide for the Private Residential Tenancies Boards to hold and refund deposits paid, as withholding of deposits was the single biggest cause of complaints brought by consumers in the Small Claims Court in the 26 Counties in 2004.
- Legislate for and enforce minimum dwelling standards, and legislate for a right to maintenance (including cyclical maintenance) and repairs within a reasonable time frame.
- Legislate for the power to bar unscrupulous landlords from letting property.
- Phase out the Rent Supplement and Housing Benefit subsidies to the private rented sector as social housing becomes available for such tenants to move them into more secure social tenancy. Spend monies saved on the social housing sector.

8. Ensuring an Equal Right to Housing

The right to housing is an equal right for all. We need to act to end all discrimination in housing provision, and to recognise and ensure the different housing needs of our increasingly diverse community. No community should suffer systematic underhousing, yet in Ireland this is the case for nationalists in the 6 Counties, and for Travellers and people with disabilities across the island. Therefore, as a matter of priority, we need to end sectarianism in housing provision, respect and protect Travellers' equal right to adequate and appropriate accommodation, and fully support independent living for people with disabilities.

We also need robust action to end forced eviction as a result of sectarian or racist attacks or intimidation. This is an ongoing major human rights violation in the 6 Counties.

Ending Sectarianism in Housing Allocation

The establishment of the Housing Executive in 1972 was ostensibly in response to Civil Rights Movement demands and aimed at ending the political abuse and discrimination which prevailed under the Stormont Government. Sinn Féin recognises that the introduction of objective criteria of need in the allocation of housing has greatly improved the situation since that time. However there is evidence that in some areas political considerations continue to unduly influence housing allocation. Nationalists are on housing waiting lists an average of one and a half times longer than unionists, and the rate of increase for nationalists on waiting lists is double that of unionists. Of particular concern are:

- North Belfast, where nationalist households make up more than seven out of ten on the urgent need waiting list, despite constituting less than four out of ten households in the area.
- West Belfast, where nationalists who represent approximately three quarters of the housing waiting list were allocated less than half the housing, whereas unionists who represent less than one third of the housing waiting list were allocated more than half the housing.
- South Belfast, where nationalists were awarded no housing in 2004-2005 despite representing almost four out of ten on the waiting list.
- East Belfast, where only one house was awarded to a nationalist but 90 houses were awarded to unionists.

The striking correlation between the unionist political goal of stabilising the declining unionist electoral majority and the conduct of the Housing Executive strongly suggests that political lobbying has interfered with housing policy.

In order to ensure that the delivery of housing is more fully insulated from political agendas, Sinn Féin recommends that all housing services, not just the allocation of

homes, be grounded in objective need criteria. In particular we would welcome the introduction of such procedures for the new build programme and for urban renewal funding.

Sinn Féin Policy Proposals:

- All social housing in the 6 Counties to be built and allocated based on objective need alone.
- The Housing Executive to develop and resource a Housing Strategy to provide housing on the basis of need alone and to eliminate the communal differential.

Ending Sectarian, Racist and Other Forced Evictions

Forced evictions arising from sectarian intimidation and attacks are a major ongoing human rights violation in the 6 Counties.²⁶ Forced evictions arising from racist harassment and attacks are a growing problem.²⁷ The Housing Executive had to find emergency accommodation for almost 500 people as a consequence of forced evictions, according to its Annual Report for 2006. Forced evictions are also estimated to be the reason for almost 1 in 10 cases of homelessness in the 6 Counties, according to the Simon Community.

Forced evictions also occur due to harassment or other attacks based on a person's sexual orientation or disability, and are totally unacceptable.

All actions amounting to or contributing to forced evictions should be consistently prosecuted and punished as serious human rights violations.

Sinn Féin Policy Proposal:

- Prosecution of all those engaging in actions amounting to illegal forced eviction or other sectarian, racist, or other intimidation or attacks that result in persons fleeing their homes.

Promoting a Transition Towards Mixed Communities

In regard to 'mixed' (nationalist-unionist) communities in the 6 Counties, the Housing Executive has initiated pilots of integrated housing estates. These have generally not

²⁶ According to even the most conservative estimates (PSNI statistics), almost 1,500 crimes in 2005-2006 were motivated by sectarianism, including approximately 700 crimes of violence against people and 700 crimes against property.

²⁷ In 2006 more than 30 racist assaults were reported in the media, approximately 90% of which occurred in loyalist areas. Many areas have recorded very significant increases in racist attacks – a 60% increase in Antrim, an almost 40% increase in East Belfast, and a 300% increase in Banbridge, for example.

been successful, and have been marred by sectarian intimidation which has forced people to flee their homes as outlined above.

Establishing safe and sustainable fully mixed communities in the 6 Counties is an enormous longer-term challenge – one that is probably about a generation from realisation. Furthermore, given the existing communal differentials in housing, the British Government's focus on mixed housing has the potential to further discriminate against those requiring housing in single identity areas. Nevertheless, we urge the Housing Executive to develop a strategy for the promotion of mixed communities over the next ten years while taking into account the difficulties and needs that surround single-identity and interface areas.

Sinn Féin Policy Proposal:

- The Housing Executive to take a more proactive approach to the issue of mixed community housing in the 6 Counties by producing, resourcing and implementing a ten year strategy to address the issue.

Respecting and Protecting Travellers' Equal Right to Adequate and Appropriate Accommodation

It is widely recognised that Travellers endure some of the worst and most overcrowded living conditions in Ireland today. This is largely because Travellers face systematic discrimination by the settled community. Adequate accommodation appropriate to Travellers' needs has not been forthcoming and many local authority proposals for Traveller accommodation meet with fierce opposition from settled residents. This frequently forces Travellers onto marginal and/or 'unofficial' halting sites, where they may lack access to basic necessities including safe sources of electricity, heat, potable water, waste disposal and sewerage.

In addition, the Thatcher Government's removal of the statutory duty to provide halting sites marked the beginning of a policy of criminalisation of Travellers in the 6 Counties. In the absence of suitable sites, northern Travellers have effectively been faced with the option of assimilation or criminalisation. This approach was later replicated in the 26 Counties in the Housing (Miscellaneous Provisions) Act 2002, which allows the Gardaí to move families on demand and without notice. Failure to comply with such a demand may result in a heavy fine or term of imprisonment. This in itself constitutes a major human rights violation.

Little consideration has been given to the cultural values of Travellers when providing accommodation to date. As a result, much of this has not been designed in a way that meets Travellers' specific needs. Indeed, some of the current Traveller Accommodation Programmes in the 26 Counties also do not meet basic standards. Likewise, fewer than 130 halting site units have been provided out of the necessary 2,200, yet nothing has been done to address this lack of progress. It is crucial that Traveller accommodation

standards are set at a national level and that there are real consequences for failure to meet these standards.

The Traveller accommodation crisis is at least as intense as the general housing crisis. Solving it requires decriminalisation in the first instance. It requires a strategy for desegregation, involving the enforcement of targets in Local Traveller Accommodation Plans and sanctions for local authorities who do not meet their targets, accompanied by a mechanism and process to reduce conflict with and resistance by settled communities. Finally, it needs a package of options to meet the full range of Traveller accommodation needs and ensure the full provision of essential facilities that are part and parcel of the right to adequate and appropriate accommodation.

Local authorities need to truly consult with Travellers on the design of both the accommodation and the site itself. Where feasible, existing sites should be regenerated and redeveloped. Each site should have its own entrance and access to sufficient safe play and work areas and to adequate facilities and services including electricity, water, sewerage and waste disposal. The redevelopment of existing sites should be carried out in full consultation with all existing and prospective tenants and should take into account the distinct needs of Travellers. Strategies that reconcile the cultural traditions of Travellers around the function and role of the extended family should be reflected in all planned and future site developments.

Recognising the wish for some Travellers to continue a nomadic way of life, local authorities should also make available a national network of transient halting sites.

There are now a number of Travellers who wish to live in permanent housing, so it is imperative that housing providers and local authorities incorporate the need for Travellers' accommodation into all proposed developments. Given the extent of their exclusion, Travellers should also benefit from affirmative action in social housing and in the affordable housing scheme should they wish to purchase housing.

Due to discrimination, many Travellers also find themselves in a much more difficult position than settled tenants when it comes to accessing private rental accommodation. For example, in the 26 Counties the local authority Rental Assistance Scheme's 18 month rule makes it inaccessible to most Traveller tenants. Travellers should be able to access this payment irrespective of its 18 month condition.

As outlined in the section above, mixed tenure will provide Travellers greater inclusivity within the community. New Traveller accommodation should therefore be mainstreamed into urban developments around the country at an early stage so as to minimise settled purchasers' fears when Travellers are located near to their new homes. Traveller accommodation, built early, of high quality and good design and in full consultation with Travellers, can lend to more positive relations between the two communities.

Sinn Féin Policy Proposals:

- Reform all legislation that penalises Traveller culture and ways of life, and in particular repeal the relevant sections of the Housing (Miscellaneous Provisions) Act 2002.
- Establish a statutory All-Ireland Traveller Accommodation Agency, as recommended by the Report of the Task Force on the Travelling Community (1995). Such an agency would ensure that the Traveller Accommodation Programmes are of a quality standard that is uniform across the country.
- Establish an all-Ireland programme for provision for nomadism, in co-operation with all local authorities in the 6 and 26 Counties.
- Establish national criteria for measuring progress in each Local Traveller Accommodation Programme, including:
 - numbers of Travellers in the county versus number in need of accommodation;
 - quality of Local Traveller Accommodation Programmes;
 - percentage of the accommodation programme achieved;
 - probability of real progress over the next 18 months; and
 - full consultation with the local Traveller community and NGOs.
- Incorporate local development plan zoning objectives with provisions of the Traveller Accommodation Programme (especially in relation to the use of temporary or transient halting sites).
- Amend legislation (such as the 26 Counties Planning and Development Act 2000) to make the Traveller Accommodation Programme a mandatory consideration on an application for planning permission.
- Prescribe that the use of land as a transient halting site for a specified number of weeks per year should be as an exempted development (for example, under Section 4 of the 26 Counties Planning and Development Act, 2000).
- Bring the development of private halting sites within the 'open for consideration' or 'acceptable' categories under agricultural zoning.
- In keeping with Sinn Féin's commitment to the Anti-Racist Protocol for Political Parties and our commitment to the reduction of social conflict through dialogue, use external mediation of disputes where Traveller and settled communities come into conflict over Traveller accommodation issues, and develop a broader, meaningful Traveller-settled reconciliation process.

Independent Living for People with Disabilities

The inaccessibility of Irish housing for people with disabilities impacts negatively on their ability to live independently and play a full role within the larger community. It means they have less freedom of choice and also creates an unnecessary dependence on others. It can lead to isolation and very often results in people with disabilities having to reside in an institution because quite simply there is nowhere else to go.

The main barriers facing people with disabilities with regard to housing are the following:

- The link between disability and low income (given the 70% unemployment rate among people with disabilities) usually puts owner-occupation out of reach for first time buyers with a disability.
- For the same reason, the cost of adapting one's home for an acquired disability can be prohibitive.
- There is no standard requirement on local authorities or private developers to provide accessible housing as the 'norm', nor any national guideline for the number of universally accessible houses to be built each year.
- Inaccessibility of surrounding infrastructure and the wider environment leads to isolation from other services and support systems.

Sinn Féin recognises that people with disabilities are equal citizens and are therefore entitled to equality in relation to housing. The right to independent living for people with disabilities should underpin housing policy.

The provision of accessible housing involves not only the disability community but local authorities, developers, builders, landlords and voluntary groups. Everybody from the design to the construction process has their part to play in making housing in Ireland inclusive for all.

Universal Design and Lifetime Adaptable Housing as the Standard

All new developments should be built with the idea of 'universal design' in mind. This means that designed features are those that are comfortably useable for all people, not just those without disabilities. Universal design also facilitates 'Lifetime Adaptable Housing' standards.

An 'adaptable' home is one where features can be easily added or removed depending on the needs of the individual. If a home is built as adaptable from the very beginning, the home owner is not limited to marketing the unit only to people with or without disabilities. Homes can then be accessible to all – children, elderly, people with disabilities – and easily adapted to satisfy changing requirements such as temporary or permanent disability.

The main features of universal design and Lifetime Adaptable Housing are:

- No steps at entrances
- Wider doors and corridors
- Low level light switches
- Main level toilet facilities
- Bigger, more accessible bathrooms to allow installation of grab-bars
- Easy to operate taps and fittings
- Easy-open doors and windows

Society as a whole benefits from inclusive design. Sinn Féin believes that the construction of universal access housing should be integrated into mainstream house building, and that Lifetime Adaptable Housing features should be implemented in legislation (through Part M of the Building Regulations in the 26 Counties, for example).

Indeed, if Lifetime Adaptable Housing becomes the norm, some specific financial supports for independent living (like the 26 Counties Disabled Persons Grant) will only need to be used in unusual circumstances.

Sinn Féin aims for Ireland to become a model of best international practice in providing housing for people with disabilities.

We therefore also need a system for monitoring the building of adaptable houses to ensure compliance with all regulations, and to provide training and guidance for all stakeholders in the house-building process. Access to universal design expertise would guarantee that building standards reflect the most recent advances in construction.

Increased Support for Independent Living for People with Physical Disabilities

When a person acquires a physical disability, their house often becomes inaccessible. To facilitate independent living, renovation will usually need to take place to adapt the bedroom or bathroom.

In the 26 Counties, for example, the Disabled Persons Housing Grant is available to ease the cost of these renovations. It currently provides for 90% of the overall cost. However, the maximum grant that is available is only around €20,000, and this does not reflect current building costs. In addition, the need for the applicant to provide the 10% shortfall often presents problems due to the well-documented links between poverty and disability.

These problems are compounded by the fact that each local authority has a different assessment procedure and may reduce the maximum grant available, sometimes to as low as €6,000. This non-standardised process often results in an excessive waiting period with applicants living in inappropriate and poor conditions. This in turn can lead to people having to move to institutional units as they cannot live in those conditions independently, and they can become more isolated from the wider community.

We need to introduce common standards and increased support for adaptation assistance for independent living. The Disabled Persons Housing Grant should be increased to fund 100% of housing adaptation with no cut-off point, to minimise hardship and to reflect the differing costs of building across the 26 Counties.

Such grants should be made payable not only to individual home owners, but also to voluntary housing agencies and private landlords who are willing to adapt to the requirements of a long-term tenant.

Improving Community-Based Accommodation for People with Intellectual Disabilities and for People who Experience Mental Illness

A large number of people with intellectual disabilities and people who experience mental illness are forced to continue to reside in institutions because there is no suitable accommodation for them in the community. Sometimes people with intellectual disabilities are also wrongly accommodated in facilities for people who experience mental illness. These situations are not only inappropriate but very unhealthy.

We need island-wide accommodation strategies for people with intellectual disabilities and for people who experience mental illness. Any supported housing for people with intellectual disabilities or for people who experience mental illness should be fully integrated in the community.

Sinn Féin Policy Proposals:

- Establish Universal Design and Lifetime Adaptability Guidelines and incorporate them as legal a requirement for all new build houses, with a national monitoring system for implementation.
- Introduce national standards for support for housing adaptation such as the Disabled Persons Housing Grant, and ensure that such grants fund 100% of housing adaptation with no cut-off point.
- Make funding such as the Disabled Persons Housing Grant payable to voluntary housing agencies and private landlords who are willing to adapt to the requirements of a long-term tenant.
- Introduce a once-off payment of funds to enable local authorities in the 26 Counties to clear the expanding backlog of Disabled Persons Housing Grant applications.
- Develop All-Ireland Strategies for Accommodation for People with Intellectual Disabilities and for People who Experience Mental Illness.
- Fully integrate supported housing for people with intellectual disabilities and for people who experience mental illness in the community, and increase support for sheltered accommodation schemes.

9. Sustainable Homes in Sustainable, Safe Communities

The Sinn Féin vision for housing in Ireland is about more than bricks and mortar. It is about building environmentally and socially sustainable communities that we all feel safe and proud to live in. We want Ireland to lead the way in environmentally sustainable and energy efficient housing and environmentally responsible planning. We want to ensure that all communities have the infrastructure necessary to be socially sustainable. We believe that housing policy must contribute to rural regeneration. We believe that good housing policy and planning can also contribute to freeing working class areas from higher levels of crime and 'anti-social behaviour'. One of the main ways we propose to accomplish these goals is through increased participation in community planning and community safety by members of the community themselves.

Supporting Energy Efficiency for Sustainable Homes and to Prevent Fuel Poverty

The residential sector accounts for more than one quarter of Ireland's primary energy consumption and energy-related CO₂ emissions – the second largest sector after transport.

The need to reduce CO₂ emissions and energy consumption from buildings has never been more urgent. In reaction to the developing global environmental crisis, the European Commission is now calling on Member States to reduce greenhouse gas emissions by at least 20% by 2020, a figure that many environmental groups feel is still too low. Either way, the necessary reduction in dependence on fossil fuels will involve serious changes in the way homes are designed and constructed in order to increase their energy efficiency.²⁸

People on low incomes are most likely to live in the least energy efficient housing – that is, housing that costs more to heat – and to experience 'fuel poverty': the inability to heat one's home to an adequate (safe and comfortable) level owing to low household income, and the need to spend more than 10% of household income on fuel to achieve an acceptable level of comfort. In the 26 Counties over 60,000 households experience persistent fuel poverty and at least 160,000 others experience intermittent fuel poverty.²⁹ In the 6 Counties 200,000 homes – one third of the population – are at risk of fuel poverty and in some nationalist areas almost half the population is fuel-poor. These numbers represent some of the most vulnerable people in society – single parent families and older people generally, and those living in rural areas in particular.

²⁸ *Energy Consumption and CO₂ Emissions in the Residential Sector 1990-2004* (Sustainable Energy Ireland 2005).

²⁹ *A Review of Fuel Poverty and Low Income Housing* (Sustainable Energy Ireland 2003).

Social welfare fuel and heating benefits and grant programmes such as the Greener Homes and Warmer Homes Schemes in the 26 Counties and the Warm Homes Scheme in the 6 Counties are welcome. However, they have not made a sufficient impact where most needed. Recent pledges of increased funding are still not enough. For example, wood pellet boilers range in cost from €9,000 – €16,000, but the grant paid through the Greener Homes Scheme is a flat amount of €4,200 paid in arrears – after installation and inspection. This puts access to cost-efficient and energy-saving technology out of reach for low income and many moderate income households.

Given all of the above and the continuing rise in fuel costs, it is more important than ever to develop both affordable and environmentally friendly methods of providing heat and power to our homes. Doing so will require serious and substantial support from Government. In particular, national energy efficiency standards must be set and met for social housing and other new developments. Significantly greater financial support for conversion must be made available to people on low incomes to enable them to access energy efficient renewable technologies. Sufficient resources must also be provided to ensure full compliance with the EU Energy Performance of Buildings Directive.

The Baile Glás local authority housing project in Lombardstown, North Cork (8 social housing units and 4 affordable housing units) represents a model of excellence in environmentally and socially sustainable development. Largely by maximising passive heating through intelligent design, its units will achieve a 60% reduction in heat energy usage compared to typical houses, yet their development cost is on par with standard social housing. Baile Glás demonstrates that with will, innovation and support, it can be done.

Sinn Féin Proposes:

- Introduce Low Income Full Cost Residential Renewable Energy Grants for Fuel Allowance recipients.
- Increase the Greener Homes Scheme grants to cover a greater percentage of approved cost.
- Extend the Warmer Homes Scheme in the 26 Counties to meet the needs of an additional 10,000 homes a year.
- Broaden the Warm Homes criteria in the 6 Counties so that energy efficient central heating will be made available to all those who don't have an operational heating system.
- Ensure all new social housing is fitted with energy efficient alternative energy sources.

- Encourage and support the development of indigenous industries and training programmes that contribute to cost-effective, environmentally sustainable and thermally efficient housing construction technologies, methods and materials.
- Fully enforce environmental sustainability regulations on new build, and review these to ensure they are sufficiently robust.

Social Infrastructure for Sustainable Communities

All communities require essential physical and social infrastructure if they are to thrive as sustainable and healthy communities. Essential infrastructure for sustainability includes local access to employment, to services such as public transportation, healthcare centres, childcare centres and schools, and to amenities such as public play and recreation areas, and shopping and social centres.

One effect of the housing crisis and the high property prices in urban centres has been the forcing of average and lower income first-time buyers into so-called commuter towns that are often poorly serviced by transportation infrastructure and childcare services – both of which are necessitated by long commutes for employment.

We must not repeat these or other past mistakes, whereby ghettos were created by building housing but failing to provide the necessary infrastructure. Therefore, property developers must not be allowed to build new housing developments without taking into account the need for provision of basic facilities and amenities.

Sinn Féin Policy Proposal:

- Introduce minimum legal requirements for spatial and service planning for all zoned residential areas and proposed housing developments, to ensure that a community's social needs are incorporated into all housing schemes from the earliest stage.

A Sustainable 21st Century Approach to High-Density Housing

Sinn Féin has long opposed poorly planned high-density housing developments such as those at Divis in Belfast, and Ballymun and Fatima in Dublin. We cannot support high-density housing developments if they are constructed as ghettos or tenements.

However, we recognise that modern best practice in high-density housing development is very different, having taken account of these past disasters. Where there is good planning, good management and the necessary social infrastructure, high-density housing has proven capable of supporting sustainable, integrated and inclusive communities.

Equally, we recognise that in the 21st century housing density will need to increase in order to meet the twin challenges of rising housing demand and falling land supply in urban areas.

Therefore, Sinn Féin can support well-planned high-density housing where it complies with international best practice. In addition to the necessary physical and social infrastructure outlined above, the crucial factors that determine whether or not high-density housing works well include location, tenure mix, unit size, allocation policies, child density, maintenance standards, and opportunities for residents' participation in management.

Sinn Féin Policy Proposals:

- Support high-density housing developments only where they are:
 - designed to support family living (as regards unit size);
 - located in mixed tenure areas to promote community sustainability;
 - located in accessible areas with good transport links;
 - located in areas with access to employment;
 - close to schools, shops and other essential services and facilities; and
 - where they will have access to sufficient open public spaces.
- Require Councils and Housing Associations in urban areas to examine the option of best practice high-density developments in Local Area Plans where there are excessively long housing waiting lists.

Limiting Concentrations of Houses of Multiple Occupation (HMOs)

The massive growth in the private rented sector across the 6 Counties in recent years has raised concerns in many communities about whether a concentration of private 'multiple occupation' housing undermines the creation and maintenance of sustainable communities. Many residents believe that where such accommodation is highly concentrated it can undermine community cohesion, as it tends to attract a high turnover population and this can lead in turn to a concentration of residents without a permanent stake in their area.

Recently the British Government carried out a consultation around Houses of Multiple Occupation (HMOs) and their potentially destructive influence where this type of development reaches saturation levels in particular communities. The Department for Social Development stated that they recognised the negative impact concentrated HMO developments were having on parts of South Belfast and would recommend restrictions in that area. Despite this recognition, they also recommended an increase of HMO concentration in other parts of Belfast.

Sinn Féin respects the growing concern in many areas that communities carefully nurtured over generations are now threatened by the destabilising influence of an oversaturation by HMOs. Sinn Féin therefore proposes a series of safeguards specific to HMO developments in addition to the introduction of a more robust tenant protection regime and better overall regulation of planning and development.

Sinn Féin Policy Proposals:

- Freeze all HMO developments pending completion of a full audit and impact assessment with sufficient community input.
- Establish a legislative framework for HMO development approval and management, including a regulation to limit localised concentration of HMO housing.
- Establish a limit on the quantity of private rental units per street in areas currently facing saturation of HMO housing, in a manner consistent with the principle of establishing a constructive social balance through mixed tenure estates.
- Require universities to provide adequate good quality, affordable student-specific accommodation.

Enhancing Participation in Community Planning and Management

Local people are often better placed to inform decisions on community planning and management matters. People also have a right to participate in decisions that affect them.

Communities need to have a greater input into the planning process so that their concerns are accounted for and to best meet their needs for sustainable developments that are safe, affordable and accessible and that minimise environmental impact. We believe that giving the community itself a role in advising on planning matters would lead to better integration from the outset of decisions relating to planning and community need. We believe there should be greater community involvement in the housing planning process regardless of whether it is a private or public development. Local authorities should therefore ensure that their planning activities are closely connected to the people that they represent, and act in partnership with the local community.

We also want to end bad planning and corrupt planning practice and we believe that direct community involvement in the planning process can provide an additional safeguard.

Consistent with our commitment to participatory democracy, Sinn Féin advocates a Community Planning model. We believe that community planning should be established on a statutory and enforceable basis, so that all agencies involved are obliged to act according to the plan as passed by the council following genuine democratic participation in its formulation. We also believe that the current short council cycle is too restrictive for effective community planning. We therefore propose a 10-year planning cycle, containing three action plan/review cycles within it.

When a development is proposed, the local authority should demonstrate that they have appropriate arrangements in place to ensure grassroots community consultation, co-operation and participation. This could be facilitated through the establishment of Local

Area Community Planning Fora, which could involve a clustering of established area-based Community Partnerships and Neighbourhood Partnership Boards or networks, Neighbourhood Renewal Structures and Regeneration Projects within a defined geographical area.

The Local Area Community Planning Forum should be where the local authority disseminates information to the community, consults with them and takes their feedback on board. This would provide an opportunity for joint-decision making with the community.

Effective Residents' Associations can also enhance participatory involvement in the ongoing management of communities and therefore community cohesion and sustainability. These should be encouraged and supported to engage in best practice that is consistent with equality and human rights obligations.

Sinn Féin Policy Proposals:

- Establish Local Area Community Planning Fora on a statutory basis to allow for direct community participation in housing planning.
- Local Area Community Planning Fora should:
 - co-ordinate forward planning by residents' organisations, Community Partnerships, council officials and the private sector at neighbourhood management level;
 - ensure the involvement of residents at the beginning of community planning processes rather than the end; and
 - ensure that the articulation of defined community priorities takes place within the wider strategic context of community planning within the area of a local authority.
- Legislate to ensure that local authorities must take Community Planning Forum recommendations into account in all new developments.
- Extend the local planning cycle to 10 years with three interim reviews.
- Provide funding and training to Residents' Associations – particularly equality and human rights training, which should be a prerequisite for any other public funding.

Re-Gaelicising Street Names and Reviving Townland Names

Sinn Féin has spearheaded the Gaelicisation of street names in Belfast, Derry and Armagh and especially welcomed the abolition of Section 19(4) of the Public Health Act 1949 in the 6 Counties which prohibited councils from erecting signs 'other than in the English language'. We believe that all new developments should be given names as *Gaeilge*. If in English, these should be at least relevant to the locality. Place names that glorify imperialism or the occupation of the island should not be used.

Townland names should also be revived. Our townlands, their names and the townland boundaries are one of the most ancient and unique aspects of Ireland's cultural heritage and many of us throughout the 32 counties continue to take great pride in our local townlands. However, many households no longer use the townland name in their home address. As a consequence, just one generation from now our children could be deprived of this rich source of local pride and identity and our townlands could be lost forever.

Sinn Féin Policy Proposals:

- All new developments to be given names as *Gaeilge* or, if in English, names that are at least relevant to the locality.
- Involvement of local authorities in the promotion of townland revival.

Housing for Sustainable Rural Communities

Many people brought up in a rural area want to remain there, where they feel secure in the knowledge that they 'belong' in a community built upon strong family connections. However, as outlined above, the increasing cost of land and housing very often leaves rural people priced out of the rural housing market. Even where they have access to land on which to build a home, planning permission is frequently refused. Such people are often forced to move to the nearest town or to other urban centres. This not only further depopulates rural areas, it increases pressures on the urban housing stock.

People from rural communities have a right to live in their home areas and they have a right to demand that Government policy supports rural regeneration and sustainable rural development. Indeed, it is only by people living in rural communities that those communities can be made sustainable. Young people and families will create a need for services – particularly schools and transport links – and for rural businesses, making these more economically viable. Therefore, we need to actively support young people who wish to make their home in rural communities.

A significant factor that should allow people in the countryside to build and own their homes more easily than some urban dwellers is that many have been given a family site or otherwise already own the land. If these sites had to be purchased at market value, it would be impossible for many to afford a home. A comprehensive strategy for increasing access to rural housing and regenerating rural communities therefore needs to address the need for rural planning reform.

Sinn Féin proposes to address genuine rural housing need by permitting one-off housing to house people from the locality, in tandem with a fundamental change in the rural planning process. Currently planning is granted to an individual for a piece of land (regardless of ownership), and this permission rests with the site, not the individual. We propose that when permission is granted to an individual under specific criteria, she or he would be the only person allowed to take the development forward throughout the build process, and this must be followed by an occupancy agreement. We also propose a

restriction in the number of planning permissions granted to any one individual for one-off houses in the countryside.

Rural people must be allowed to come together where land is available and to build homes in conjunction with the Housing Executive and Housing Associations in the 6 Counties and local authorities in the 26 Counties. As outlined above, Sinn Féin is demanding a specified amount of land within designated development limits zoned for social and affordable housing in rural areas (*see sections above*). We also propose to address the problems created by property speculators who 'bank' planning permission and tie up land banks zoned for housing development (*see sections above*).

We also need to carefully manage the issue of second 'holiday' homes. The development of cottage type holiday accommodation in the form of single units or small groups should be permitted specifically where it can contribute to farm diversification and promote tourism for the benefit of the local economy. However, it is essential to ensure that those who farm on either a full time or part time basis can make a home on or near their farm – regardless of personnel hours, 'viability' or hobby farming. Each application should be based on set criteria governing all applicants.

Many of the problems created by rural social housing have been the result of poorly-planned density of housing and a lack of social infrastructure including recreation and play facilities. As also outlined above, we believe that the introduction of community planning would ensure that local communities have a planning framework that best suits a local area while conforming to high standards in relation to the protection of the environment, design and integration, and support for sustainable rural communities. This approach should also improve the fit of local services and the development of supporting infrastructure with the full spectrum of needs of rural communities.

In keeping with our commitment to sustainability, we also want to ensure that the environmental footprint of rural houses is as small as possible. To that end, we advocate support for increased use of geothermal heating systems, together with solar and locally produced and utilised wind energy, all used to maximum effect (*see subsection above*). Planning applications for one-off rural housing that incorporates such systems should get favourable consideration.

We also fully support the implementation of measures that deal effectively with sewerage from one-off housing – for example, with a biodegradable system or a package treatment plant, whichever is most appropriate for the location – with an in-built maintenance contract and backed by much stricter monitoring and enforcement.

We believe that rural housing must also be developed in keeping with the countryside. The planning services have abjectly failed to control for excessive size of houses, unsuitable exterior finishes, unsuitable location of new builds and the unnecessary removal of mature vegetation. Sinn Féin proposes the development, implementation and enforcement of a Guide for Rural House Design (as comprehensive as the Cork Rural Design Guide) that reflects the traditional rural style and also conforms with sustainability

concerns and standards. We would support, in consultation with interested bodies, a limit on the size of houses, alongside a regional approach to the type of house and materials that could be used, favouring local materials.

In addition, we must bring existing derelict rural dwellings back into use. The vast majority of these dwellings are fully integrated with the countryside and fit well with rural character. The redevelopment of derelict dwellings can also allow depopulated and dispersed rural communities to be repopulated. These dwellings should be restored on or as close to the original dwelling as possible. However, the fact that the restoration of derelict dwellings is currently more expensive than a new build constitutes a significant barrier to overcome.

In view of the above, Sinn Féin is opposed to the approach of the Planning Policy Statement 14 (PPS14), published by the Department of Regional Development for the 6 Counties. PPS14 is a clear attempt to impose a British model of rural living onto Ireland where the nature, history and structure of rural communities are very different. The plans ignore the traditional rural settlement pattern and the social and cultural traditions that have driven this. We believe that the proposals in PPS14 will adversely affect not only nationalists but a range of groups from across our rural communities who experience systematic discrimination.

The British Government has not taken into account the negative impact this policy will have on the long-term sustainability of rural communities. Taken in tandem with the current drafting of area plans by the 6 Counties Department of the Environment – where many rural settlements, hamlets, villages and towns are having land de-zoned for housing – implementation of PPS14 will immediately create a rural housing crisis. For these reasons, Sinn Féin will continue our campaign to oppose it.

Sinn Féin Policy Proposals:

- 'Rural-proof' all housing law and policy.
- Amend the planning legislation to allow for the building of one-off housing in rural areas where this will be used for housing people in the locality, including proper guidelines to ensure this is not abused.
- Reintroduce reconstruction grants for derelict and abandoned rural houses, with proper safeguards to ensure against abuse.
- Oppose the imposition of PPS14 in the 6 Counties.
- Review local authority Development Plans in the 26 Counties where rural one-off housing is virtually prohibited to longstanding residents, as these prohibitions have adverse impact on the viability of rural communities.
- Waive 26 Counties building development levies on one-off first-time or principal homes.

- Provide interest-free, low-interest or fixed rate loans for low and average income first-time buyers to acquire sites and build homes in rural areas in compliance with amended planning regulations, with proper safeguards to ensure against abuse.

Safe Communities and Effective Resolution to Community Conflict

As repeated throughout this document, the right to accommodation is an internationally recognised fundamental human right. However, in our view, all people also have a right to safety in their homes and communities. These two rights often clash where particular residents engage in criminal activities that have a negative impact on family and community safety, and/or engage in 'anti-social behaviour'.³⁰

A 'safe community' is one that protects everyone's rights.

We subscribe to the view that rights in general are subject to the limitation that they must not be exercised in a way that infringes the legitimate rights of others. Therefore, we do not underestimate the complex challenge posed by effectively and fairly balancing the right to housing with the right to a safe community.

Striking the correct balance between these rights involves a variety of measures, ranging from preventative intervention up to and including prosecution and/or eviction by the authorities where appropriate.

In the interests of safe communities and the effective resolution of community conflict, criminal behaviour must be properly policed and prosecuted and non-criminal nuisance behaviour ('anti-social behaviour') must be responded to appropriately.

There is currently a range of powers available to Housing Authorities in the 26 Counties and the Housing Executive in the 6 Counties to prevent and tackle anti-social and criminal behaviour in public estates. These measures include the power to evict and to seek exclusion orders from the courts against tenants engaging in anti-social and/or criminal behaviour. Our objective is to ensure that such powers are exercised both effectively and responsibly, subject to adequate safeguards from abuse. We also want proven-effective preventative and restorative approaches to be given greater priority, effective and accountable community policing to ensure that criminal behaviour is deterred and consistently prosecuted, and that communities are directly involved in contributing constructively to greater safety and the reduction of conflict.

³⁰ Note that while 'anti-social behaviour' is a popular blanket term commonly understood to cover a variety of different behaviours ranging from criminal behaviour (for example assaults, drug dealing, 'joy riding/death driving' and vandalism) through to non-criminal and nuisance type behaviour (such as loitering, verbal abuse including racist abuse and excessive noise), we believe that it is crucial to distinguish between criminal and non-criminal activities.

We are committed to taking every care to ensure that the measures we propose do not wrongly punish innocent parties, such as family members including children, or people who actually need medical treatment such as those with mental illness.

Likewise, we undertake to ensure that none of the measures we propose are applied on a discriminatory basis, or are unduly punitive (disproportionate) or infringe other basic civil rights (ie freedom of expression, freedom of association, freedom of movement).

A Focus on Prevention, Support and Community Restorative Justice

Sinn Féin's All-Ireland Justice Policy Principles and Core Values commit us to a primary focus on prevention, including early interventions where there is risk of interpersonal, family or community conflict and/or criminal behaviour leading to conflict with the law. They also stipulate our strong support for the 'community restorative justice' approach, which requires an emphasis on mediation, restitution and reparation where appropriate. This approach does not preclude but can be complementary to law enforcement where criminal behaviour is involved.

Thus, in our view, statutory agencies, local councils, accountable civic policing, and communities themselves each have an appropriate role to play in creating safe communities, and should work in equal partnership.

Eviction Only as a Last Resort

We recognise that a preventative and restorative approach is not always sufficient, and prosecution and/or eviction may become necessary. The United Nations Bill of Rights sets out the State's obligations in regard to evictions, stipulating that where the purpose is the promotion of the public good, lawful evictions are permissible, but only where such action is:

- reasonable and proportionate;
- subject to due process and fair procedures; and
- subject to a further State obligation to take all appropriate measures to ensure that evicted individuals are not rendered homeless.

Equally, however, we are concerned that eviction action – even where justified and subject to adequate safeguards – does not always best serve community safety objectives. Indeed, we acknowledge that it frequently runs the risk of merely moving a problem or conflict on to another area. For this reason, eviction alone rarely represents the most effective response.

Furthermore, we are not convinced that the withdrawal of housing benefit/rent allowance is an appropriate tool to address either criminality or anti-social behaviour. Such measures are based on an unacceptable concept in the delivery of social assistance – making it conditional on acceptable behaviour rather than need alone. This can constitute a discriminatory punishment, targeting only those people in receipt of housing benefit when no equivalent sanction is applied to other groups of people. It can also have the

effect of punishing innocent family members including children. Moreover, there is no evidence that such sanctions change problem behaviour in the longer term.

Eviction must only be used as a last resort after preventative and other interim processes such as warning letters, interviews and case conferences have failed. It must be made subject to the principle of proportionality, and must not be used as punishment but rather as a remedy. If eviction must happen, this is an indication that the process has failed.

Criminal Sanction for Criminal Behaviour

Our clear position is that criminal behaviour needs to attract criminal sanction. However, much activity that constitutes 'anti-social behaviour' is not criminal behaviour but is non-criminal 'nuisance' behaviour.

There are currently a number of different legal definitions of anti-social behaviour in use on the island. Generally, the problem with them is that they fuse criminal and non-criminal acts and make them liable for comparable sanction. Therefore, while we recognise that the term 'anti-social behaviour' is commonly-used, convenient shorthand, in our view it is problematic as it encourages the blurring of this important legal difference.

If the behaviour complained of is criminal we need to call for criminal sanction. Eviction is not an appropriate substitute for this, as it may subvert or subsume due process and/or cover up inadequate or ineffective policing. That being said, eviction or the potential for eviction may validly be taken into account in sentencing – or may indeed be validly linked to conditions of probation or parole. However, using eviction as an additional stand-alone sanction for past criminal behaviour once a sentence has been served – in the absence of evidence of ongoing criminal behaviour – is not acceptable. This runs contrary to natural justice and may violate the human rights prohibition against double punishment. Equally, eviction must never stand in lieu of a criminal trial for criminal behaviour.

Sinn Féin Policy Proposals:

- Introduce a positive 'Good Community Agreements' scheme to enhance community input, participation and ownership of strategies to prevent and tackle criminal and anti-social behaviour in their local areas. Local authorities and local Gardaí/police, in conjunction with tenants' committees or residents' associations and other community stakeholders, would host public meetings on an estate-by-estate, development-by-development, or even street-by-street basis, at which all residents (including tenants and owner-occupiers) and private landlords are invited to discuss general issues around community safety, culminating in the drawing up of a collective Good Community Agreement. Such Agreements would:
 - apply equally to everyone, and thus allow private sector residents to become part of the collective community agreement in their area;
 - outline the rights and responsibilities of residents, private landlords, local authorities and An Garda Síochána/the police to each other; and
 - complement existing tenancy agreements.

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Such Agreements should be:

- brought to the attention of all new residents;
 - renewed every few years to ensure ongoing ownership and relevance;
 - incorporated into the pre-tenancy courses run by local authorities;
 - subject to oversight by the Equality Authority/Commission and Human Rights Commissions, as appropriate; and
 - used as a basis for mediation where conflicts of a non-criminal nature arise.
- Increase funding to community restorative justice programmes, with a view to establishing at least one project in every county and major urban centre.
 - Increase support for Community Watch and other co-operative and voluntary community-based programmes. Develop similar programmes to provide additional security for children and for older people who may (rightly or wrongly) perceive threat from young people in groups.
 - Increase resources to community policing and to community accountability structures for policing oversight, to ensure consistent criminal sanction against criminal behaviour.
 - Increase the focus on prevention by amending anti-social behaviour complaints procedures to provide for a mandatory multi-agency case conference following complaints of anti-social behaviour, to assess the needs of the family or individual who is the subject of the complaint, make referrals and ensure timely access to the appropriate services such as mediation, parenting or family supports, drug (including alcohol) treatment programmes or mental health services. Any later case conference determining whether to seek an application for eviction must consider the outcome and effect of the earlier conference.
 - Establish 'Anti-Social Behaviour' Units in each local authority, and review the practice of local authorities on an island-wide basis with a view to establishing national best practice standards, to enhance consistency in responses within and between councils.
 - Require the authorities to keep a record of all complaints of anti-social behaviour, and issue an Anti-Social Behaviour Ledger to all residents lodging complaints to help them keep an ongoing record to assist them in later giving evidence needed for successful legal actions.
 - Introduce a legal obligation on the Courts, when determining an application for a warrant to repossess, to consider whether a restorative justice approach offering the opportunity to make structured reparations might be usefully attempted prior to consenting to an eviction. In making such a decision, the judiciary must of course also have regard to the right of communities to be freed from criminal and other anti-social behaviour without undue delay.

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- Legislate to ensure that eviction or the prospect of eviction is taken into account in criminal sentencing and/or linked to conditions of parole, to bring further judicial oversight to this process.

In the 26 Counties:

- Introduce a mechanism similar to the Introductory Tenancies provisions of the Housing (NI) Order 2003, which has increased the Housing Executive's ability to deal with anti-social behaviour by providing for 'Introductory Tenancy' agreements granted on a provisional basis for 12 months, subject to an appeal mechanism.
- Give housing authorities the power to seek injunctions against not only local authority tenants but also any individual engaged in criminal or other anti-social behaviour on local authority estates, as is the case with the Housing Executive in the 6 Counties.
- Amend Section 14 of the Housing (Miscellaneous Provisions) Act 1997, which enables a local authority to refuse housing to otherwise qualifying applicants where it considers that the applicant has been involved in anti-social behaviour, to ensure that the same standards apply in each local authority area and to prevent refusals based on 'soft information'. For example, where an individual has neither charge nor conviction against them, this can amount to a denial of due process and creates potential for grave injustice.
- Repeal Section 16 of the Housing (Miscellaneous Provisions) Act 1997, which enables the governing authority to refuse or withdraw rent allowance for private accommodation under the supplementary welfare scheme where persons have been evicted or excluded from local authority housing. This increases the potential for those lawfully evicted to be rendered homeless and, as such, contravenes international human rights law.