

Home for Good Opening Statement to Joint Oireachtas Committee on Housing, 5th July 2022

Introduction

Home for Good would like to extend our thanks to the Committee for the invitation to present on the right to housing.

Home for Good is a coalition of organisations and individuals who believe that constitutional change is an essential underpinning for any programme to tackle our housing and homelessness crisis.

As many of our members are advocates from frontline organisations, we understand how important a right to housing is for those experiencing housing exclusion, homelessness, and for those living in inadequate, unsafe, insecure or overcrowded accommodation. As citizens we understand the importance of a home as the fundamental social and economic infrastructure of our society.

The meaning of home became abundantly clear during the Covid-19 pandemic, which starkly demonstrated the importance of an adequate home to keep a person safe. As we have redoubled our efforts to assist those in housing distress during the pandemic, we are more certain than ever of the need to amend our Constitution to ensure that the necessary policies can be implemented to end the housing and homelessness crisis in Ireland.

Increased urgency

The Committee will be aware that the last number of months have seen an unwinding of COVID restrictions, as many areas of life return to some version of normal. What we have seen in housing is a return to crisis. Homelessness in the last six months has increased 16% and we now have 10,325 people living in emergency homeless accommodation, including over 3,000 children. The cost of housing and rent has continued to grow and supply has constricted further.

In the first three months of this year, 1132 Notice to quit have been issued, the highest since data collection started in 2019. 3,818 eviction notices have been issued since the COVID ban on evictions was lifted last April.

While the recent heightening of the housing crisis has had a number of driving factors, we firmly believe that the seeds of this crisis were sown in the belief that home is not understood as central to our social infrastructure, and it is not a right for individuals and families in Ireland.

The lack of balance in our Constitution has facilitated the development of a housing system based on financial commodification to a level that now undermines the capacity of too many to people to participate fully in society.

Next Steps Necessary to Progress Positive Development

Home for Good have welcomed the recent support for and the developments towards a referendum on the Right to Housing, particularly the launch of the Housing Commission which has included a sub-committee tasked to bring forward wording for a referendum on housing.

The Housing Commission is due to present its deliberations on a referendum on housing in the coming months. Housing in Ireland is truly in a state of crisis at all levels and a referendum on the right to housing cannot be delayed; we hope that the recommendations from this upcoming report lead to timely progress towards a positive referendum on the right to housing.

Home for Good want to ensure that two key actions are taken as next steps to progress the right to housing:

1. that a referendum is called as soon as is practical after the Commission publishes its report, and;
2. to ensure this, we hope that Commission in its report will includes a positive proposal for wording for a referendum on the Right to Housing. From our perspective, this would ideally build upon the work that Home for Good have done in this area. Of course we remain open to engagement with the Commission.

The sense of urgency for a referendum on a Right to Housing is driven by the ongoing housing crisis; we cannot afford postponement. In 2018, during his time as Taoiseach, Tánaiste Leo Varadkar TD declared a national homeless and housing crisis in Ireland. More than four years later, we have over 10,000 people living in emergency homeless accommodation, record high rental costs, and an increasingly unstable housing market.

Why we need a referendum on the right to housing

The Constitution is a statement of fundamental values that the people of Ireland believe in. It shapes all Government policy and legislation. A home is fundamental for a persons' dignity and necessary to form a foundation for life.

People experiencing ongoing housing insecurity in a turbulent housing market are failed by an imbalance in our Constitution. Currently, the Constitution is fundamentally imbalanced towards private property rights, which are protected in both Article 43 and Article 40.3. There is no equivalent right to housing in the Constitution. This means that the starting point of Government policy and every legal analysis in respect of the regulation of land and property begins from the perspective of a property owner's right. While this right may be restricted in the interests of the common good, the starting point for analysis remains the private interest, with the common good only relevant as a secondary and subjective thought.

The imbalanced Constitutional structure has proven repeatedly to fail people in need of housing. It perpetuates high levels of vacancy and dereliction across the country, it allows for land hoarding, and it has contributed to our national housing crisis.

Including a Right to Housing in the Constitution would not alone solve our current housing crisis. However, it has an enormous potential to be a catalyst for change.

Including a Right to Housing in our Constitution places an onus on the State to develop and implement policy and practice that will meet the right to adequate housing of our citizens, and safeguard against future housing crisis' from occurring the first place. As political and policy actors in Ireland, you have a unique understanding of the capacity for issues – even as critically important as housing – to fall between stools of responsibilities.

A right to housing in our Constitution provides every level of Government with a guiding principle and a commitment to ensuring there are sufficient homes for all of our people.

In practical terms, this means refusing to accept endemic housing crisis in our society. It means a new level of respect for the levels of affordable housing and social housing needed.

It means having sufficient levels of housing suitable for people's needs including housing with universal design for people with disabilities, catering to the housing needs of our ageing population, and housing for small and large families alike.

Home for Good wish to work closely with this Committee and the Housing Commission to get the process underway of determining the aims and wording of a Constitutional amendment proposed at referendum, and ultimately holding and winning this referendum.

Recommended Working from Home for Good:

The insertion of a new Article 43A on Housing in the Constitution as follows:

Housing

Article 43A

- 1 The State recognises, and shall vindicate, the right of all persons to have access to adequate housing.**
- 2 The State shall, through legislative and other measures, provide for the realisation of this right within its available resources.**