



DE GRUYTER
OPEN

Administration, vol. 66, no. 2 (2018), pp. 9–31
doi: 10.2478/admin-2018-0016

An absence of rights: Homeless families and social housing marketisation in Ireland

Rory Hearne

Department of Sociology, Maynooth University, Ireland

Mary Murphy

Department of Sociology, Maynooth University, Ireland

Abstract

This paper discusses the outcomes of a participatory research process with homeless parents living in Dublin-based emergency accommodation, during which a critical appraisal of a range of government schemes was co-constructed. The focus is on examining the impacts on vulnerable families of the marketisation of social housing. This is examined through the homeless families' attempts to procure private rented housing using the Housing Assistance Payment (HAP) and their experience of life in family hub emergency accommodation. The significant challenges experienced by homeless families are examined from the perspectives of human rights and capability theory. The paper concludes that the Rent Supplement, Rental Accommodation Scheme and HAP are costly market-oriented schemes and unlikely to provide satisfactory long-term housing solutions, while family hubs are far from ideal from a capability or human rights perspective. Only a significant increase in the direct provision of social housing by local authorities and housing associations can provide ontological security and well-being, and advance human-rights-based social housing.

Keywords: Homelessness, social housing, marketisation, participation, human rights

Introduction

The Irish state has traditionally played a central role in the delivery of social housing for both rent and ownership. However, over the last three decades neoliberal policies have shifted the provision of social housing in Ireland from the state and local authorities as the primary social housing provider (through local authorities directly building social housing) to the market. The shift to marketisation in Irish social housing policy and delivery has been undertaken relatively rapidly through various mechanisms and pathways, including increased sourcing of social housing from the private rental sector, acquisition from the private market, and public–private partnerships between local authorities and private developers (Byrne & Norris 2017; Hearne, 2011).

The extent of the decline of direct state building of social housing can be seen in the contrast between 1975, when local authorities built 8,794 social housing units, representing one-third of that year's housing provision, and 2005, when local authorities built 4,209 units, representing only 4.8 per cent of housing provided (Central Statistics Office, 2008). Austerity intensified the neoliberal orientation in housing policy and the social housing budget suffered the second-highest proportionate budget reductions between 2008 and 2012 (Byrne & Norris, 2017). This led to an effective cessation of state housebuilding, with only 75 local authority housing units built in 2015 (Hearne, 2017). Had these austerity measures not been implemented, an additional 31,136 social housing units would have been built in the period from 2010 to 2016 (Hearne, 2017).

Marketisation of social housing delivery in the private rental sector emerged initially as an income support policy in the form of the Rent Supplement (RS) scheme of 1974. Use of this income support expanded in the 1990s and again over the recent economic crisis. Marketised social housing became more fully embedded in housing policy through the Rental Accommodation Scheme (RAS; set up in 2004) and the 2014 Housing Assistance Payment (HAP) scheme. The Irish Government's latest housing plan, *Rebuilding Ireland* (Department of Housing, Planning and Local Government, 2016), represents a decisive shift towards marketisation, presenting the private housing market as the primary provider of new social housing. A total of 65 per cent (87,000) of new social housing provision over the 2016–21 period is to come from HAP tenancies while just 15 per cent (21,300) will be provided through new builds by local authorities and housing associations (Hearne, 2017).

In order to address the increase in rents and family homelessness in 2015 the Dublin Regional Homeless Executive (DRHE) established a pilot ‘Homeless HAP’, which enabled homeless families to access higher levels of rental subsidies than the mainstream HAP. While in January 2017, in the context of public pressure to address the growing numbers of homeless families in emergency accommodation such as hotels and B&Bs, the government announced the development of a new type of ‘improved’ emergency accommodation: family hubs.

To date there has been no academic research undertaken into the experience of homeless families of the marketisation of social housing through HAP or their experience of family hubs. Furthermore, there has been little discussion of this marketisation process and its implications for the right to housing, and indeed social policy more generally – Byrne & Norris (2017) being a notable exception. This contrasts with considerable debate on the negative impacts of marketisation and neoliberalism in social policy and social housing internationally (Hearne, 2011; Madden & Marcuse, 2016). This paper aims to contribute to this policy and academic debate by presenting the findings of research undertaken into the experience of homeless families in Dublin of the marketisation of social housing through the private rental subsidy HAP. The research is part of the EU-funded H2020 Re-InVEST project and involved participatory action research using a human rights and capability framework with homeless families staying in family hub emergency accommodation in Dublin.

The paper is organised into six sections. Following the introduction, there is a brief overview of the private rental subsidy schemes through which marketisation in Irish social housing has been undertaken, and an introduction to the family homelessness crisis and emergence of family hubs. The methodological framework and research methods are then detailed, followed by the outcomes from the research in terms of homeless families’ experience of HAP and family hubs. An overarching theoretical and policy-oriented discussion on the human rights implications of marketisation is then provided, and followed by the conclusion.

Marketisation and private rental subsidies in Irish social housing

Murphy & Dukelow (2016, p. 20) see social housing as one of the most prominent areas of welfare state or social policy privatisation. They understand marketisation as the transfer of activity from the state to

the market through concessions, delegated management contracts, leasing and public–private partnerships, as well as the transformation of how welfare is delivered and paid for by using market concepts such as competition into the public sector. One of the most significant pathways of marketisation in Irish social housing has involved the increased sourcing of social housing from the private rental sector.

The first private rental subsidy scheme set up in Ireland, the RS scheme, originated in 1977, not as a social housing support but rather as a temporary income support to low-income households in private rental accommodation who were not in full-time employment. During the economic crisis of 2008 to 2013, rising unemployment and lack of social housing caused numbers on RS to grow to almost 100,000 in 2010/11, with expenditure on RS increasing from €388 million in 2006 to €502 million in 2011 (Department of Public Expenditure and Reform, 2017). A second scheme, RAS, was introduced in 2004 as social housing support for long-term RS recipients. In RAS the local authority sources accommodation in the private rental sector for qualifying tenants, directly contracts with landlords to lease their properties for a minimum of four years and rents the accommodation to the tenant under the differential rent scheme (which enables the tenant to work full-time). In the event of a landlord exiting the scheme, under RAS the local authority is responsible for finding an alternative RAS property for the tenants (Department of Public Expenditure and Reform, 2017). The Housing Act, 2009, institutionalised rental accommodation schemes with private providers as a form of ‘social housing support’. Furthermore, the landmark 2011 *Housing Policy Statement* outlined ‘a restructuring of the social housing investment programme’ with RAS, classified as ‘long-term social housing support’. This meant that RAS recipients, unlike those on RS, are not entitled to be on the social housing waiting lists (Department of Environment, Community and Local Government, 2011, p. 2).

However, numbers entering RAS slowed from 2011 onwards. Policymakers interviewed for our research believed this was due to landlord discontent with RAS regulations, requirements on standards, offers of only 80 per cent of market rents and the long-term nature of the leases. In this context a more landlord-friendly scheme, HAP, was developed as an alternative to RAS and introduced on a phased pilot basis in 2014. Under HAP, the tenant must source his or her own accommodation in the private rental market and make a direct HAP

tenancy agreement with the private landlord, while the local authority then pays the rent to the landlord. The tenant pays a differential rent to the local authority. HAP (and particularly Homeless HAP which is up to 50 per cent above the general HAP limits) enables higher rents to be paid to landlords and has shorter lease arrangements with fewer obligations on landlords. Where a landlord ends a HAP tenancy, the tenant is responsible for sourcing new accommodation in the private rental sector. Similar to RAS, HAP tenants are removed from social housing waiting lists but are eligible for internal local authority housing transfer lists (Department of Public Expenditure and Reform, 2017).

By the end of 2016, there were 50,000 households in receipt of RS, 16,000 HAP recipients (5,000 of which transferred from RS) and 20,000 RAS recipients. By the end of 2017, there were more than 31,200 households in HAP tenancies, with 17,916 new HAP tenancies established in 2017 and just 910 new RAS tenancies provided in 2017. The total expenditure allocation for the private rental schemes represented 43 per cent of housing expenditure in 2017, divided between RS (€252 million), HAP (€152 million) and RAS (€134 million) (Department of Public Expenditure and Reform, 2017).

New homelessness crisis & Homeless HAP

A new housing crisis emerged in Ireland from 2014 onwards, including a dramatic increase in family homelessness, which was largely concentrated in Dublin. Very significant rent increases,¹ increases in demand for rental housing and the lack of new housing supply led to increased evictions of low-income tenants from private rental accommodation. Part 4, Section 35 of the Private Rental Tenancies Act enables private landlords to terminate leases relatively easily by declaring that the property is to be sold or is needed for a family member, thus making private rental accommodation very insecure. The increase in rents also resulted in a growing gap between the rent limits available for tenants under RS, RAS and HAP and the market rent. These factors, combined with the absence of new social housing stock, resulted in a tripling of the number of homeless individuals in emergency accommodation from 3,226 in July 2014 to 9,200 in January 2018 (DRHE, 2018). In Dublin, where 78 per cent of homeless families are located, between July 2014 and September 2017 there was

¹ Average Dublin rents increased from €1,024 in Q1 2013 to €1,434 in Q4 2016, a 40 per cent increase in the period (Residential Tenancies Board, 2017).

a four-fold increase in the number of homeless families living in commercial hotels and B&B-based emergency accommodation – from 271 families to 1,138 families, with 2,416 children (DRHE, 2017). A majority (67 per cent) of homeless families in Dublin are lone parents (of which 86 per cent are women) and 65 per cent are Irish. While DRHE (2017) sees ‘family circumstances’ (52 per cent), followed by issues with the private rented sector (44 per cent), as the primary reasons for homelessness, a more in depth Focus Ireland analysis (2017) suggests that the main cause of new family homelessness is insecurity in the private rented sector associated with affordability and landlords ending leases. Particular at-risk families include those on RS and on low incomes, young families experiencing income poverty and difficulties in the family home, migrant families, victims of domestic violence and families who are residing in overcrowded accommodation (Focus Ireland, 2017). Lack of availability of traditional social housing meant that in 2017 HAP became the primary mechanism for preventing homelessness and for assisting people to exit emergency accommodation (DRHE, 2017).

Emergency accommodation and family hubs

Rebuilding Ireland acknowledged that any medium- to long-term period living in emergency accommodation such as a hotel ‘seriously impacts on normal family life and is particularly detrimental to children’, and committed to ‘ensure that by mid-2017 hotels are only used in limited circumstances for emergency accommodation for families’ (Department of Housing, Planning and Local Government, 2016, p. 26). However, as Table 1 shows, by February 2017 both the total numbers and the average length of time spent in emergency accommodation had grown.

Table 1: Family duration in emergency accommodation in Dublin

<i>Duration in emergency accommodation</i>	<i>September 2016</i>	<i>February 2017</i>
Families in 24+ months	22	40
Families in 18–24 months	42	138
Families in 12–18 months	192	220
Families in 6–12 months	278	231
Families in 6 months or less	385	374
Total	919	1003

Source: DRHE (2017).

In the context of public pressure to address the issue of family homelessness and the increasing time families spend in this accommodation, in early 2017 the government announced the development of a new type of ‘improved’ emergency accommodation: family hubs. They are provided in refurbished buildings (including former religious institutions such as former Magdalene laundries, convents, warehouses, retail units, and former hotels and B&Bs). By February 2018, seventeen ‘family hub facilities’ were operational in the Dublin region, providing emergency accommodation for 437 families. One hub had 98 families, another had 50, with others ranging from 40 down to 12 families (Dublin City Council, 2018). DRHE (2017) describes the hubs as ‘family-focussed facilities to provide better short-term accommodation solutions for families’. The families stay in the hub on a six-month ‘licence’ and their stay is contingent on actively seeking HAP accommodation. They are supported in their search for accommodation by key workers who also function as management running the homeless hub. In some hub models the support and management functions are separate (Hearne & Murphy, 2017) while other hubs have been outsourced to private businesses to manage (Fitzgerald, 2018).

Methodological framework

Housing rights are intrinsically linked to other rights, including health, work, leisure, family and children’s rights, and have been codified by a wide range of international legal instruments. The UN Special Rapporteur on Housing Adequacy has established that the human right to adequate housing includes legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy (UN, 1991). For Wang (2017), family homelessness is a ‘severe form of poverty’, leading to increased vulnerability to traumatic life experiences and systematic challenges, which rob children and families of their basic human rights and capabilities, disrupting family functioning (routines, parenting behaviours, developmental outcomes). The Irish Constitution does not contain a fundamental legal right to housing, housing policy does not provide for the right to housing, and Ireland has opted out of providing for Article 31 of the Revised European Charter, which includes the right to housing. And while Ireland has signed up to the International Covenant on Economic, Social and Cultural Rights, which includes the right to housing and has some

moral and political standing, it is not legally enforceable. Nevertheless, limited dimensions of the right to housing are covered in the 1966 Housing Act (adequacy of housing) and the 1988 Housing Act (legal definition of homelessness). Local authorities have an obligation under the first Act, but not the second. The 2009 Housing (Miscellaneous Provisions) Act extended and amended the Housing Acts, 1966–2004.

The Re-InVEST Participatory Action Human Rights and Capability Approach (PAHRCA) (Murphy & Hearne, 2016) combines a human rights and capability approach with participatory action research to investigate how policy shifts in areas of social investment impact on the rights and capabilities of vulnerable groups. This approach views participants as co-researchers with unique knowledge about their own situation.

The PAHRCA approach was applied by the researchers to co-construct the experience of homeless families of marketisation of social housing investment in Ireland. The research was conducted by the authors over six months (January–June 2017) working in a collaborative partnership with two peer researchers from an Irish housing NGO and ten families living in a family hub emergency homeless accommodation in the Dublin area, some of whom had previously lived in hotel-based emergency accommodation. Fifteen qualitative interviews were also conducted with key policy experts, local- and national-level housing officials, practitioners and NGOs working with families in emergency accommodation. The PAHRCA research took place over twelve weeks, with weekly sessions taking place in the morning in the children's playroom in the family hub. The two female peer researchers played an important role in building relationships of trust with the families. The approach was a prefigurative form of developmental socialisation – where the capacity of both peer researchers and families was enhanced in a collaborative way using trust-building exercises, information sessions, discussions, role play and drawing. The final session was a 'dialogue' with senior policymakers and the chief commissioner of the Irish Human Rights and Equality Commission (IHREC). The transformative participatory methods resulted in the co-construction of new and important understandings related to the marketisation of social housing policy and new forms of institutionalised emergency accommodation. The focus on empowerment and participation of peer researchers and homeless families as equal co-researchers ensured that the research findings reflected their grounded realities, while also enhancing their

capacity to understand their own challenges in the wider policy context of human rights and capabilities. However, significant challenges were faced by the researchers in the application of the PAHRCA methodology, including ensuring active participation of the families through the sessions, dealing with the day-to-day challenges they faced and the emotional trauma of homelessness, and managing relationships between the researchers, the NGO and participants. Furthermore, there was insufficient time and resources available to achieve a meaningful empowerment of participants, while the relatively small sample size – ten families in one location – presented challenges for validity and generalisability. However, the evidence gathered from desk research and interviews with NGO practitioners and a number of the policymakers supports the PAHRCA findings with the families.

Homeless families' experience of marketisation and HAP

This section explores the research findings under a number of themes, including competition and access to private sector, issues associated with security of tenure, and the families' experience of family hub emergency accommodation.

Competition and access to the private rental sector

The first major theme identified by the families in relation to HAP was the challenge of competing for accommodation in the private rental market. Families are experiencing not just discrimination but also *a structural exclusion* from the private rental market in Dublin, which results in a denial of access to housing. Experiences included a mixture of:

- attending many viewings without any subsequent replies;
- no responses from emails to landlords and letting agents;
- competing with professionals with work references;
- inability to engage in bidding wars or to offer extra top-ups;
- use of work references to filter access to viewings;
- rent above HAP and Homeless HAP limits;
- discrimination against single mothers;
- issue of viewing times with young children;
- forced to look in areas where they have no family or local connections;
- impacts on child from having to relocate child in new school.

The homeless families and their key support workers explained that even with Homeless HAP's higher rental subsidies they still find it extremely difficult to compete for the limited (and increasingly expensive) private rental accommodation available on the market. They also described the impact of discrimination they experienced from landlords. Families felt depressed and rejected with consequent negative impacts on self-esteem. As one mother explained:

The very few replies from my emails I do receive are asking for current work references and landlord references. The trouble is I do not have a landlord reference as I ran into rent arrears in my last home. I do not have a current work reference either, as I am not working. I feel like I am at a loss trying to find a home for my kids and I simply do not have what they are looking for. (Amy²)

This situation is, in some instances, reinforced by the HAP system where, in contrast to RAS, responsibility for locating and negotiating the property is transferred to the homeless families. This leads to a reinforcement of the inequalities in access to housing as the more vulnerable families (who often experience higher levels of discrimination) face even more challenges in undertaking the process of searching for available property. Migrants, single parents, Travellers and people with other complex issues, such as families with children with disabilities, experience discrimination from landlords. Their reduced capacity and resources reinforce their disadvantaged status in trying to compete for private accommodation through HAP. The already significant challenges and trauma experienced by homeless families are compounded by the sense of failure provoked by the inability to compete and to access housing in the market. A key worker outlined the impact on the parents' self-esteem:

Some families here have been to thirty-five viewings. How hard is it getting turned down all those times? They just cry afterwards. What does that do to your self-esteem? They have learned not to tell the kids until they have the keys in their hand... it's just knock back after knock back for them. (key worker)

The families, the majority of whom were female lone parents, identified a particularly gendered experience of marketisation. Under

² The names used in the parents' quotes are not their real names.

HAP they suffered a double aspect of stigmatisation as they were discriminated against within the private rental sector for being both single mothers and homeless. Landlords asked if they were single and if they were in relationships, and asked them their age. As one mother explained:

I have been in the family hub for six months and I have had no replies to emails from landlords. I am still looking for accommodation through HAP. The agencies and landlords keep asking for work references and past landlord references. But we don't have that. They say they do not take children and they do not allow children in the house. When I tell them that I am a single mom, they say the viewing list is full, but there is a waiting list and they will put my name on that. But I never get back a reply. They are saying they are not taking me because I am a single mom because they think I can't pay. (Sandra)

Another important 'gendered' aspect of the families' particular experience of homelessness and housing exclusion as lone-parent mothers was their expressed requirement to access housing close to their vital support networks. Lone-parent families necessarily prioritise familiar neighbourhoods and support networks (Fisher et al., 2014), but are often forced to move to other locations (owing, for example, to a lack of rental property accepting HAP in that area), leading to further exclusion and negative impacts on family and community development. Lone-parent mothers therefore found that their capability to function is impacted by the loss of local family and community support networks, firstly as they become homeless, and then potentially on a more long-term basis if they are forced to accept HAP accommodation in a different part of the city away from their support networks.

Security of tenure

A second significant theme identified by the families was the issue of security of tenure. Families highlighted the insecurity of HAP accommodation as a key concern, particularly given that tenants can be evicted relatively easily from the private rental sector. They are fearful that taking up HAP housing will put their children at risk of becoming homeless again:

I don't want to keep moving my daughter around all the time... and then I'm afraid that I will end back up in the homeless

services again after my lease is up... I would take HAP if I was guaranteed to be able to stay in the accommodation for a five-year lease or whatever, and that I would be guaranteed somewhere else after that lease was up... once it's not back to the homeless services. I will not keep putting my daughter through the same situation – it's not fair on her. (Emilia)

Accessing housing with adequate security of tenure is a fundamental requirement for homeless families with children, who it must be remembered have already suffered the trauma of the loss of a secure base:

Security for families? No HAP doesn't give it. If they are looking for social housing they know they are getting to have a long-term tenancy and that is their long-term goal – if they take HAP it's one year or two years – one year goes by very quickly. It's huge, especially when you have children, the security. Families are saying to us they want a minimum of five or ten years' security – an obvious thing you need. (key worker)

Using methods of participative art, the families described what, for them, are the key aspects of having the right to a home. They identified security, stability, safety and freedom. The families' expressed housing need was for long-term secure accommodation. Traditional social housing managed by local authorities or housing associations is seen as the only way to provide a long-term secure home for their children. As one mother stated, 'I would love a right not to be evicted' (Laura).

HAP therefore denies the achievement of ontological security to these families, the fundamental need for human beings to have a secure, permanent home (Padgett, 2007). Ontological security describes the deep meaning that is attached to home as a place where a family can carry out its daily routine and normal functioning without fear of disruption. The issue of insecurity may escalate in coming years as more landlords exit HAP to sell or re-rent their property, or capitalise in a context of rising rents and house prices. Since the HAP scheme commenced in 2014, 435 landlords have exited the scheme, requiring those HAP households to find alternative accommodation.³

³ Data provided in interview to researchers, April 2017, from Department of Housing, Planning and Local Government.

Emergency accommodation and family hubs

Family hubs are presented as better alternatives to hotels and B&Bs as ‘family-focussed facilities to provide better short-term accommodation solutions for families’ (DRHE, 2017), and are therefore legitimated in the public discourse as a positive improvement for homeless families. The PAHRCA research was undertaken in a family hub in Dublin. In order to protect anonymity we are limited in our description of the hub. It was essentially a refurbished religious institution (that had recently been used for student accommodation). Up to thirty-four families (mainly lone parents and their children) are housed in small bedrooms. They share a kitchen, toilet and laundry facilities with up to four other families, and can eat dinner daily in a large communal dining room. The research meetings took place in the mornings in the children’s playroom in the family hub.

This research, the first to capture the experience of living in Irish family hubs, while limited in scale, finds that certain aspects of the hubs are detrimental to family well-being. These findings are in line with the international literature on emergency accommodation (Culhane et al., 2007; Fisher et al., 2014; Rafferty & Shinn, 1991), which shows they do not facilitate normal family living. Hubs therefore can be understood as a form of institutionalisation, following a long Irish history of gendered forms of social violence inflicted on poor mothers and their children. Significant rules and conditions meant practical restrictions on the ability to live a normal family life. For example, living behaviour is monitored with strict curfews, visitors are not allowed to bedrooms, overnight leave rules only allow a maximum three days per month permitted absence, and there are restrictions on movement (a ban on being in others’ bedrooms) and parental rules (including a ban on holding and/or minding each other’s children). As the mothers explained:

I feel my parenting is checked all the time... I got a warning... it feels like an institution instead of a home... we don’t need our authority taken away in front of our children... our parenting is questioned in front of our children... they are taking the parenting role off the parent... when someone speaks down to you like this, you feel you are on the bottom. (various parents)

Parents reported feeling ‘demeaned’ and ‘spoken down to’, ‘like a child’, like being ‘in school’ and ‘in prison’, and described consequences for their physical and mental health, as well as increased

use of antidepressants and other prescription medications. As with Milburn & D'Ercole (1991), we found that monitoring and rigid rules meant living in circumstances that can undermine otherwise effective parenting practices and capacity to parent autonomously, with related issues of stigma and discrimination and, what parents report as, humiliating and dehumanising experiences which impact on parental stress and mental health. Over the ten-week period of the research, the general sense of well-being visibly deteriorated:

Since we met them they all have gone downhill... the first week they were happy, they were bubbly. Now it's all negative. Every time we see them something new is happening that they don't like. It is really unfair not being allowed to talk to each other in corridors and in each other's kitchens. They cannot even socialise with each other. It is affecting them because they have to stay in their room constantly. Now they are miserable. Now a lot of them want to give up. (peer researcher)

Human rights implications of the marketisation of social housing through HAP

HAP and the Homeless HAP provide an important form of housing support to an increasing number of low-income households in Ireland. A clear strength of HAP is the use of differential rent, which enables full-time employment – a clear improvement over the poverty trap of RS, which limited employment options for recipients. HAP also offers some choice in location and the possibility of mobility. However, a human rights and capability lens reveals a number of fundamental problems with HAP.

Drawing on a number of UN (1991) housing rights indicators, we provide in Table 2 an overall assessment of how different social housing mechanisms in Ireland enhance or diminish already meagre and limited housing rights. Using this framework, a diminution of aspects of the right to housing can be seen to take place under more marketised forms of social housing in contrast to traditional local authority and housing association provision. The reduction in rights takes place most acutely under the HAP mechanism.

This deterioration in human rights and capabilities is associated with broader processes of neoliberalisation of the Irish housing system. The shift to HAP fits as part of longer-term processes of reducing state welfare entitlements while deepening commodification

Table 2: Assessment of housing rights indicators across social housing mechanisms in Ireland

<i>Human right</i>	<i>Traditional social housing (local authority & housing association)</i>	<i>RS</i>	<i>RAS</i>	<i>HAP</i>
Adequate housing – legal security	Very good – life lease with inheritance	Poor – security of tenure is limited 2014 Private Residential Tenancies Act (PRTA) exemption clause for landlord to sell or give to family member (+ 3 other reasons)	Good – local authority legally obliged to rehouse	Poor – security of tenure is limited 2014 PRTA exemption clause for landlord to sell or give to family member (+ 3 other reasons)
Adequate housing – accessibility	Fair – access available for vulnerable households but insufficient stock available	Poor – discrimination & exclusion Tenant responsible to source & dependent on market supply	Fair – local authority obliged to source accommodation but dependent on limited market supply	Poor – discrimination & exclusion Tenant responsible to source & dependent on market supply
Adequate housing – affordability	Good – differential rent, legislative controls	Rent review every two years Tenants paying ‘top-ups’ in competitive market where rent exceeds RS limits	Rent review every two years, differential rent	Rent review every two years, differential rent Tenants paying ‘top-ups’ in competitive market where rent exceeds HAP limits

Table 2: Assessment of housing rights indicators across social housing mechanisms in Ireland (contd.)

<i>Human right</i>	<i>Traditional social housing (local authority & housing association)</i>	<i>RS</i>	<i>RAS</i>	<i>HAP</i>
Adequate housing – redress	Poor – subject of collective complaint	Good – Private Residential Tenancies Board (PRTB)	Good – PRTB, but some confusion	Good – PRTB
Adequate housing – habitability	Stronger, but redress and enforcement issues	Standard – PRTB, but enforcement issues	Standard – PRTB, but enforcement issues	Standard – PRTB, but enforcement issues
Adequate housing – choice	Choice-based lettings, 3 refusals	Some, but limited by competitive market	Choice-based letting, 3 refusals	Some but limited by competitive market
Social housing list priority	Transfer available to other social housing stock	Yes, tenant can be on local authority social housing waiting list	No, tenants must forgo place on local authority social housing list	No, tenants must forgo place on local authority social housing list

and financialisation of social housing provision in Ireland. For example, the use of private rental subsidies such as HAP contribute to the neoliberal transformation of how social housing is perceived by citizens. Rather than being understood as a social and human right to a permanent home or ‘housing for life’ for low-income households, the enactment of social housing is now a temporary ‘support’, with access and entitlement restricted. The removal of HAP recipients from social housing waiting lists is indicative of this process. As one policymaker explained:

The HAP introduction was done in a way to keep people off the social housing waiting lists, so that they don’t expect to get social housing. It is trying to remove the aspiration of social housing as legitimate. (policymaker)

Despite this attempt to shift expectations, the aspiration and desire for traditional forms of social housing remain strong amongst HAP recipients, with a majority opting to go on the social housing ‘transfer’ list.⁴

The transfer of responsibility for sourcing accommodation from a local authority to those in housing need, such as homeless families, reflects the values underlying neoliberal approaches (Brown, 2015). For instance, policymakers interviewed explained that the requirement on individuals to source their property under HAP is effective because individuals are ‘more motivated’ to find housing than local authority officials. As one policymaker explained:

if you really need somewhere to live you will be highly motivated to find somewhere... and you will keep putting in effort until you do. The local authority official behind a desk is not as motivated.

This rationale from policymakers underestimates the degree to which a forced engagement to seek accommodation in the private market severely impacts on families’ mental health when they experience constant rejection and internalise the failure to secure HAP accommodation. It also ignores the practical structural exclusion resulting from market competition and discrimination, which is particularly intense for vulnerable families, and thus deepens their disadvantage and social exclusion.

This shift also has political implications and underpinnings. The designation of RAS and HAP as a form of social housing and the associated removal of these tenants from social housing waiting lists enable government and authorities to minimise the scale of the social housing crisis. For example, the social housing waiting lists increased from 43,000 households in 2005 to 98,000 households in 2011 and then decreased (despite the housing crisis) to 92,000 households in 2016. However, if RAS and HAP recipients (who are in an insecure private rental accommodation, and therefore without the protections of traditional social housing and an adequate right to security of tenure) were included in the 2016 waiting list figures, the list would increase to 128,000 households and demonstrate a pattern of a worsening crisis.

Rental schemes such as HAP also fit with wider state attempts to financialise the Irish housing system. For example, a number of

⁴ Data provided in interview to researchers, April 2017, from Department of Housing, Planning and Local Government.

policies implemented in the post-2008 crisis period proactively encouraged buy-to-let landlords, global equity investors, and vulture and real estate investment funds to invest in Irish residential and commercial property. This was done in order to facilitate economic recovery and, more recently, increase housing supply. Rental subsidies such as HAP play an important role in acting as an economic floor for investors who can use HAP as a mechanism to guarantee a baseline return on investment, thus reinforcing the profitability of the Irish private housing market as a site for international investors. With state-subsidised private rental tenancies now accounting for almost a third of all tenancies in the private sector, marketised social housing provision in Ireland provides a substantial, guaranteed annual income to landlords and investors. Receipt of these subsidies also enables some local landlords to survive high levels of mortgage arrears for buy-to-let investment properties, thus shoring up Ireland's financial institutions and economic model. Financialisation can also explain the political reluctance to address a key issue identified in this research, that of inadequate tenure security in HAP. Increasing the right to housing for vulnerable families has been perceived by government as potentially negatively impacting on investor 'appetite' and related supply (Coveney, 2017).

Furthermore, the strong institutional and state support for a deepening marketisation of social housing policy has been paralleled by reduced institutional support for local authorities to build social housing. For example, national targets for social housing provision through HAP were exceeded in 2016 but the number of new social house buildings was well below target (Hearne, 2017).

The processes of marketisation of social housing, combined with austerity and financialisation, have negatively impacted on the access to housing for vulnerable households, contributing to the structural causes of the continued rise in family homelessness. Homeless families, having been made homeless from the failures of the private rental market, are then re-exposed to market failure as they are re-excluded and discriminated in their search for HAP accommodation.

Cost-benefit analysis of HAP

It is questionable whether HAP as a form of social investment provides 'value for money'. It can be argued that, from a number of perspectives, HAP is actually a much more expensive form of social housing provision than direct-build social housing. For example, the financing of a direct-build social housing unit in Dublin through state

borrowing would cost approximately €800 per month (Reynolds, 2017). In contrast, the monthly payment for a HAP unit in Dublin is €1,244. This means financing a HAP unit in Dublin is €5,328 more expensive to the state per annum than a new build unit. Over a thirty-year period this equates to a HAP unit being €159,840 more expensive. Furthermore, if private market rents increase (as they have done in recent years), then the cost of HAP necessarily has to increase in time. In addition, at the end of a typical thirty-year borrowing period, the private landlord has accumulated an asset via HAP state payments. In contrast, in direct-build social housing it is the state which has invested in, and accumulated, an asset. This asset can then either provide a further social housing home, where the state is then gaining an income in rent on the asset, or it can be used as collateral to draw down further borrowing for investment in social housing.

Rebuilding Ireland projects that in excess of 120,000 households will be in receipt of various private rental sector state subsidies by 2021. This will require state expenditure of approximately €1 billion per annum to private landlords. In contrast, an equivalent investment in direct building by local authorities and housing associations would provide approximately 55,000 social housing units over a ten-year period and 165,000 units over a thirty-year period. This suggests therefore that HAP represents a poor form of social investment.

Conclusion

While HAP is providing an important short-term housing support to tens of thousands of families, and preventing families entering homelessness, when assessed from a broader human rights framework and drawing on the real-life experiences of homeless families, considerable fault lines emerge. Many of these are found in HAP's marketised approach. Our findings contribute theoretical and practical insights into how marketisation in social housing impacts on housing for homeless families. The research methodology facilitated a co-construction between researchers and homeless families of new 'bottom-up' knowledge relating to the social housing marketisation mechanism HAP and the new policy response of emergency accommodation for homeless families – family hubs.

HAP is now operationalised as the primary housing mechanism in Ireland, with direct local authority or approved housing bodies' social housing only a secondary social housing investment. This suggests lower-income households will continue to be exposed to the private

market and its multiple inequalities, insecurities and failures. HAP detrimentally affects access to housing for vulnerable homeless families who experience competition, discrimination and exclusion within the private rental market. Homeless families are structurally excluded from the private rental market as they are at the bottom of the queue in a highly competitive housing market, and vulnerable to class, gender, ethnic or family status discrimination. Failure to compete in this marketised process compounds trauma associated with homelessness. HAP fails to provide the right to security of tenure and cannot meet the families' ontological need for a long-term secure home, resulting in ongoing fear and insecurity in the absence of a permanent, or 'forever', home. This has a particular re-traumatising impact on homeless families who had previously lost that secure base.

Our research suggests a more cautionary approach is required to the new form of emergency accommodation, family hubs. Hubs, while offering more facilities than emergency hotel accommodation, can still have a severely damaging impact on the well-being of parents and children. Our findings correlate with international literature on emergency accommodation: family hubs do not facilitate normal family living and are a form of institutionalisation that follows a long Irish history of gendered forms of social violence inflicted on poor mothers and their children.

The paper also demonstrates how the PAHRCA participatory action research approach empowered the homeless families to express their experiences, through which the key themes emerged, such as market exclusion, ontological security and the damaging experience of family hubs. The families found it useful to understand housing policy and housing rights, and were able to represent their views in direct dialogue with policymakers and influencers. This had an impact; for example, after engaging with the families, the IHREC subsequently recommended that emergency accommodation in Ireland should focus on the need for 'human dignity... the values of autonomy and privacy of people experiencing homelessness to be central to the provision of suitable family accommodation... alongside... children's rights' (IHREC, 2017). Further participatory research and dialogue can play an important role in the policymaking process.

The research poses questions about the appropriateness of classifying HAP, a marketised form of housing support that cannot deliver housing security, as a form of social housing. Increased direct building of social and affordable rental housing by local authorities and housing associations offers greater potential to maximise the

human rights of homeless families and realise a greater long-term return on state investment than private rental subsidies. Furthermore, a human rights approach to HAP necessitates legislative measures to address security of tenure in the private rental market, a minimum time limit of three months in emergency accommodation hubs, and the participation of homeless families within policy development and implementation.

Given the absence of a right to housing in Ireland, implementing a constitutional and legislative right to housing would strengthen the case for stronger rights-based policy interventions, offer standards against which to guide policy and practice, and ensure state institutions are obliged to ensure that the right to housing of homeless citizens is fulfilled (Hearne & Kenna, 2014; Watts, 2013). While present Irish political and policy institutional arrangements militate against the likelihood of such policies, the scale of the housing and homeless crisis is resulting in increased public and political interest in Ireland taking a step in such a direction.

References

- Brown, W. (2015). *Undoing the demos: Neoliberalism's stealth revolution*. New York: Zone Books.
- Byrne, M., & Norris, M. (2017). Pro-cyclical social housing and the crisis of Irish housing policy: Marketization, social housing and the property boom and bust. *Housing Policy Debate*, 28 (1), 50–63.
- Central Statistics Office. (2008). *Construction and housing in Ireland, 2008 edition*. Dublin: Central Statistics Office.
- Coveney, S. (2017) *Anti-Evictions Bill 2016: Second stage, Tuesday 17th January 2017*. Dublin: Government of Ireland.
- Culhane, D. P., Metraux, S., Park, J., Schretzman, M., & Valente, J. (2007). Testing a typology of family homelessness based on patterns of public shelter utilization in four U.S. jurisdictions: Implications for policy and program planning. *Housing Policy Debate*, 18 (1), 28.
- Department of Environment, Community and Local Government. (2011). *Housing policy statement*. Dublin: Government of Ireland.
- Department of Housing, Planning and Local Government. (2016). *Rebuilding Ireland*. Dublin: Government of Ireland.
- Department of Public Expenditure and Reform. (2017). *Spending review 2017: Analysis of current expenditure on housing supports*. Dublin: Department of Public Expenditure and Reform.
- DRHE. (2017). *Reported reasons for family homelessness in the Dublin region*. Dublin: DRHE.

- DRHE. (2018). *Families who are homeless in the Dublin region*. Dublin: DRHE.
- Dublin City Council. (2018). *Homelessness update 2017. Report to Housing SPC, February 8th 2018*. Dublin: Dublin City Council.
- Fisher, B. W., Mayberry, L., Shinn, M., & Khadduri, J. (2014). Leaving homelessness behind: Housing decisions among families exiting shelter. *Housing Policy Debate*, 24 (2), 364–86.
- Fitzgerald, C. (2018). *The firm behind Ireland's largest homeless family hub was previously paid millions to run a direct provision centre*. Retrieved from <http://www.thejournal.ie/family-hub-direct-provision-3827657-Feb2018/> [20 April 2018].
- Focus Ireland. (2017). *Insights into family homelessness No. 7. Survey of the families that became homeless during September 2016*. Dublin: Focus Ireland.
- Hearne, R. (2011). *Public private partnerships in Ireland: Failed experiment or the way forward?* Manchester: Manchester University Press.
- Hearne, R. (2017). *A home or a wealth generator? Inequality, financialisation and the Irish housing crisis*. Dublin: TASC.
- Hearne, R., & Kenna, P. (2014) Using the human rights based approach to tackle housing deprivation in an Irish urban housing estate. *Journal of Human Rights Practice*, 6 (1), 1–25.
- Hearne, R., & Murphy, M. (2017). *Investing in the right to a home: Housing, HAPs and hubs*. Kildare: Maynooth University.
- IHREC. (2017). *The provision of emergency accommodation to families experiencing homelessness*. Dublin: IHREC.
- Madden, D., & Marcuse, P. (2016). *In defence of housing: The politics of crisis*. New York: Verso.
- Milburn, N., & D'Ercole, A. (1991). Homeless women: Moving toward a comprehensive model. *American Psychologist*, 46 (11), 1161–9.
- Murphy, M. P., & Dukelow, F. (Eds) (2016). *The Irish welfare state in the twenty first century*. London: Palgrave Macmillan.
- Murphy, M., & Hearne, R. (2016). *A draft participatory capability and human rights based methodological toolkit*. Brussels: RE-INVEST.
- Padgett, D. (2007). There's no place like(a)home: Ontological security among persons with serious mental illness in the United States. *Social Science & Medicine*, 64 (9), 1925–36.
- Rafferty, Y., & Shinn, M. (1991). The impact of homelessness on children. *American Psychologist*, 46 (11), 1170–9.
- Residential Tenancies Board. (2017). *The RTB rent index quarter 3 2017*. Dublin: Residential Tenancies Board.
- Reynolds, M. (2017, April). State could save over €9bn over 30 years on social housing. *Village Magazine*.
- UN. (1991). *The right to adequate housing*. Geneva: Office of the UN High Commissioner for Human Rights.

- Wang J. J. (2017). *Reducing family homelessness and improving child outcomes: A housing-first approach*. Washington: Lee University.
- Watts, B. (2013). Rights, needs and stigma: A comparison of homelessness policy in Scotland and Ireland. *European Journal of Homelessness*, 7 (1), 41–68.