

## Opening Statement to the Joint Oireachtas Committee on Housing, Planning and Local Government Meeting, 13<sup>th</sup> of November, 2019.

From the Expert Group on Traveller Accommodation.

### Introduction:

The Traveller Accommodation Expert Group was established in 2018, by Damien English TD, Minister of State at the Department of Housing, Planning and Local Government with special responsibility for Housing and Urban Development, to review the Traveller Accommodation Act 1998 and other legislation impacting on the provision and delivery of accommodation for Travellers.

Its establishment reflects a commitment contained in the 'Programme for a Partnership Government' and confirmed in the Government's 2016 housing policy statement - *Rebuilding Ireland*, that the adequacy of arrangements for delivering accommodation for Travellers should be examined.

The Traveller Accommodation Expert Group was composed of three members:

- David Joyce, Barrister (Chair)
- Dr. Conor Norton, Head of School of Transport Engineering, Environment and Planning, Technological University Dublin
- Professor Michelle Norris, School of Social Policy, Social Work and Social Justice, University College Dublin

The Expert Group presented its report to Minister English and to the National Traveller Accommodation Consultative Committee in July 2019. Professor Norris and Dr Norton are pleased to be have this opportunity to discuss the report and its recommendations with the members of the Joint Oireachtas Committee on Housing, Planning and Local Government.

### Terms of Reference:

The Expert Group was assigned the following terms of reference

- To review the effectiveness, implementation and operation of the Traveller Accommodation Act 1998 with a view to examining whether it provides a robust legislative basis for meeting the current and future accommodation needs of the

Traveller Community, which takes effective implementation into account in the context of the recognition of Traveller ethnicity in 2017

- To examine national and international best practice in the provision of accommodation for nomadic communities, to inform the legislative basis for meeting the current and future accommodation needs of the Traveller Community.
- To review other legislation that impacts on the provision and delivery of Traveller-specific accommodation, including transient accommodation.
- Consult with all relevant stakeholders at local and national level, including Traveller representative organisations and other stakeholder groups represented on the National and Local Traveller Accommodation Consultative Committee.
- Draft and present report and recommendations to the Minister within six months of commencement.

## The Expert Group's Working Methods

The Expert Group used several methods to understand Travellers' accommodation needs and the issues and challenges associated with meeting these needs. These include:

- Reviewing the findings and recommendations made in key published reports.
- Collation of data from key sources; the Department of Housing, Planning and Local Government, Census data, Summary of Social Housing Assessments.
- A review of policy and practice in selected European countries.
- Written and oral submissions from key stakeholders, and
- A roundtable stakeholder workshop consultation with stakeholders.

The Expert Group also met the Joint Oireachtas Committee on Housing, Planning and Local Government in November 2018 and the Oireachtas Traveller Group on the 16th April 2019. The Expert Group members took great care to ensure that the issues raised with them by the TDs and Senators they met on those occasions were taken into account in their analysis and recommendations.

## Expert Group Report: Analysis and Recommendations

The Expert Group's report was based on an analysis of all these consultations, evidence and data. The report was prepared in a collaborative fashion, with all recommendations being agreed by all three of the Expert Group members. This report sets out an integrated set of

recommendations intended to improve the effectiveness of the arrangements for providing accommodation for members of the Traveller community which were established by the Housing (Traveller Accommodation) Act, 1998. These recommendations address four key themes:

- delivery reflecting need,
- planning,
- capacity and resources and,
- governance.

The review concludes that the arrangements established by the 1998 Act have important strengths and have enabled the delivery of significant amounts of accommodation for Travellers. However, they have failed to provide enough accommodation to meet the full scale of need among this community. This is evidenced by the extremely high rate of Traveller homelessness, the increase in numbers of Traveller households sharing accommodation and living in overcrowded conditions, and the uneven record of delivery of Traveller-specific accommodation among local authorities and also approved housing bodies. Therefore, it is time to overhaul the Housing (Traveller Accommodation) Act, 1998 and other relevant legislation and policies which impact on accommodation provision for Travellers.

A fundamental problem identified by the Expert Group relates to the lack of a strong evidence base for policy making. The current system for assessing the scale and nature of Travellers' accommodation need is not working effectively, and this creates difficulty in reaching a consensus on the true level and nature of this community's need.

The first theme discussed in the report is how to ensure that plans for delivery of Traveller accommodation reflect the actual needs and preferences of Travellers. The report sets out a series of recommendations intended to ensure that more robust evidence is generated to inform planning for Traveller accommodation provision, implementation of these plans and monitoring of the outputs achieved.

Monitoring of the implementation of Traveller Accommodation Programmes is required because the Expert Group's analysis identifies a clear implementation gap between the number of accommodation units planned for and the numbers delivered. Several local authorities have met or exceeded their targets, but others have failed to meet delivery targets, in some cases for an extended period. Opposition from residents' associations and councillors mean that the delivery of Traveller-specific accommodation is challenging, but the Expert Group's analysis indicates that the land use planning system is also a significant factor in delaying and blocking the delivery of accommodation. The functioning of the 'Part 8'

planning mechanism, which is used to deliver local authority social housing, gave cause for particular concern, because the use of this mechanism requires the approval of councillors which they regularly fail to provide. In addition, the acquisition and disposal of land by local authorities also requires the approval of councillors and this is often not secured.

Declining funding for Traveller-specific accommodation provision was identified as a barrier to provision by the Expert Group, but wider developments in housing policy over the last decade have inhibited Travellers' access to accommodation too. In particular, increasing reliance on housing allowances for private renting households, such as Rent Supplement and the Housing Assistance Payment, to house low-income households creates problems for Travellers because they face particularly strong barriers in securing and maintaining private rented tenancies. The Expert Group were also concerned by the low delivery of Traveller-specific accommodation by voluntary sector approved housing bodies because these organisations have provided a large proportion of social housing in recent years. Reforms to arrangements for allocating social housing, such as the use of choice-based lettings and allocation on the basis of time on the waiting list, also raised concerns because they have the potential to disadvantage Travellers. Therefore, the outcomes of these mechanisms, in terms of access to accommodation for Travellers and other particularly vulnerable groups, should be monitored.

Finally, reforming national and local arrangements for governance of Traveller accommodation provision is vital if the accommodation needs of this community are to be met. At local level, the Expert Group recommends that Local Traveller Accommodation Consultative Committees (LTACCs) are replaced with Strategic Policy Committees for Traveller accommodation. This will ensure that arrangements for the governance of Traveller accommodation provision are more closely aligned with arrangements for the governance of local authorities' other functions. At national level, the Expert Group recommends that the representative structure of the National Traveller Accommodation Consultative Committee be maintained, but that its functions should be expanded, strengthened and properly resourced, and it should be converted into a National Traveller Accommodation Authority.

We have provided all members of the Joint Oireachtas Committee with a copy of our report and we look forward to answering your questions on its contents.