

Homeless, Housing Need and Asylum Seekers in Ireland

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## **Preface**

This research was carried out on behalf of the Homeless Initiative. The Initiative was set up in late 1996 to improve the co-ordination and delivery of services to homeless people in the Eastern Health Board area. The Initiative is jointly directed and funded by the Eastern Health Board and Dublin Corporation. These agencies, together with the other local authorities in the area and voluntary organisations working with homeless people, operate in partnership to achieve the objective of the Initiative.

Since its inception, asylum seekers have been high on the Initiative agenda, giving rise to concern among agencies represented for a number of reasons: There appeared to have been no substantive research into asylum seekers, and it was not immediately clear what Government policies existed in relation to meeting their needs, or the role of homeless services in meeting these needs. Those agencies involved in providing services to homeless people were concerned that asylum seekers were dependent on their services for assistance, causing unprecedented demand for these services and affecting the quality of service provided both to indigenous homeless people and to asylum seekers. There were concerns too about the housing needs and other needs of asylum seekers and fears that the supply of temporary and private rented accommodation may not be sufficient if the numbers of asylum seekers continued to rise.

This research reviews the current situation and addresses the issues raised above. In doing so it provides a clearer picture of asylum seekers in Ireland, their needs and current responses to them. It makes projections for the future, on the levels of asylum seekers and how their housing and other needs might be met. Through fact and analysis, the report provides a context for the current public debate on asylum seekers and a basis for the development of more effective policies to meet their needs, now and in the future.

## **Summary and Conclusions**

Over the past three years there has been a significant increase in the number of persons applying for refugee status in Ireland. Although it is virtually impossible to predict the numbers of asylum seekers who will apply to Ireland for refugee status over the next few years, evidence from the first three months of 1997 would suggest that between 2,500 and 3,000 will apply for asylum during the coming year, a doubling of the 1996 figure, which in turn was a doubling of the 1995 figure. Even if the numbers peak in the next year, Ireland will continue to have a far greater influx of asylum seekers than was the case prior to 1994.

Ireland is the only member state of the European Union experiencing a large scale increase in the number of applications for asylum seekers, although its exceedingly low starting base must be taken into account. The very rapid increase over the past three years is the result of a combination of factors, including Ireland's enhanced international profile, knowledge of the relatively generous Irish welfare regime for asylum seekers within the refugee networks and, perhaps most importantly, restrictions in other European member states, both in terms of entry to the state and the welfare regime.

Government policy on asylum seekers and refugees can be divided into two primary areas: policies concerned with the process of how refugees are admitted to Ireland and their claims determined, and policies relating to the settlement of refugees once admitted to Ireland.

Government policy to date has largely concentrated on the former, as enshrined in the *Refugee Act, 1996*. The Act defines a refugee as

"a person who, owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable, or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it".

Asylum seekers granted refugee status under this Act and through existing mechanisms are known as Convention Refugees and must be distinguished from Programme Refugees who enter the country, as a group, on the basis of a government decision and whose resettlement and other needs are dealt with by the Refugee Agency, established by the Department of Foreign Affairs in 1991.

The Refugee Act, 1996 is due to be enacted during 1997 and should have the effect of streamlining applications for asylum. The massive increase in the number of asylum seekers in the past two years has placed unprecedented demand on the current determination process operated by the Department of Justice and has resulted in a backlog of applications in the region of 2,500 applicants. Only 57 decisions were made in the first 11 months of 1996, between 1994 and 1996 (information on other years is unavailable), only 144 decisions were made. Thus as a minimum, as of November 1996 -- and excluding those whose applications were withdrawn -- almost 1,200 asylum seekers were awaiting a decision on their status. The

number of such asylum seekers awaiting a decision has grown significantly even since late 1996 and by the end of 1997 it is possible that in excess of 3,000 persons will be awaiting a decision.

Government policy on asylum seekers remains *ad-hoc* and reactive, and consists mainly of basic income and housing support provided through community welfare officers employed by the regional health boards. In practice, asylum seekers are concentrated overwhelmingly in Dublin. Asylum seekers, unlike refugees, are legally prohibited from working in Ireland until a determination is made on their application for refugee status. Thus, they are entirely dependent on state subvention for their housing and income needs. Given their dependency on the income support provided, primarily under the supplementary welfare allowance scheme, their accommodation options are restricted to temporary accommodation, in the form of bed and breakfasts or hostels, and the private rented sector.

This additional demand by asylum seekers is having an effect on the supply of both temporary accommodation and private rented accommodation, and on services for homeless people in Dublin. Emergency accommodation for homeless people in the city is almost always full, and the practice has been to place asylum seekers, on a temporary basis in tourist hostels and bed and breakfast, until they secure private rented accommodation. While such accommodation is far from ideal, either for asylum seekers or other socially vulnerable people, it is all that is available to them. Finding private rented housing can be difficult - the pool of accommodation is generally limited - but even more limited for people, like asylum seekers and homeless people, who rely on the Supplementary Welfare Allowance Scheme for assistance with their rent, because many landlords refuse to take them. According to providers of homeless services, accessing private rented housing has become increasingly difficult in recent months, causing people to get stuck in temporary accommodation and giving rise to concern about the availability of temporary accommodation to meet future demands.

It would appear likely that Ireland will receive an increasing number of asylum seekers who will be dependent on state income support and a limited stock of rental accommodation. The response of the state to date has largely focused on establishing procedures for determining the status of asylum seekers. It must now also concentrate on the development of policies for the adequate reception of asylum seekers and resettlement of refugees, with particular regard to the provision of accommodation. International research (Joly, 1996; Quilgars, 1993) suggests that the wide dispersal of refugees should be discouraged and replaced by housing schemes where substantial clusters of refugees can be accommodated, voluntary housing associations appear to offer the most appropriate and cost-effective response to the housing needs of refugees.

The development of such policies cannot be devolved to one government department but must be developed at a local and national level by a range of authorities, which should also include

non government interests. Although Guidelines on the procedures for the reception of asylum applicants were drawn up by the Department of Justice in 1996, these simply outline the relevant responsibilities of various government departments and agencies and fall substantially short of the integrated and long term approach required.

Improving services and accommodation options for asylum seekers cannot be undertaken in isolation from the improvement of services and enhancement of accommodation options for those already homeless and inadequately housed in Ireland.

The following recommendations outline a starting point for the development of an adequate response to asylum seekers and refugees in Ireland, but cannot be divorced from the structural defects in the existing housing system in Ireland.

¥ Acceleration of the determination process for refugee status applicants and implementation of the *Refugee Act, 1996* (Department of Justice)

¥ Development of a policy position on the accommodation needs of asylum seekers and refugees, both in terms of general needs housing and special needs housing (Department of the Environment)

¥ Assessment of the need for reception centres with built-in supportive structures (social work intervention, language classes, etc.) for asylum seekers (Departments of Foreign Affairs, Justice, Environment and Health)

¥ Funding of voluntary agencies already providing a service to asylum seekers, such as advice, advocacy, flat finding, language classes (Departments of the Environment and Education)

¥ Additional funding for the Refugee Agency (Department of Foreign Affairs)

¥ Acceleration of social housing output (Department of the Environment)

¥ Revision of existing funding mechanisms for approved housing associations to allow them to play an enhanced role in the provision of accommodation to vulnerable groups (Department of the Environment)

¥ Development of a coordinated Government strategy for meeting the housing and other needs of asylum seekers and refugees, with particular reference to resettlement strategies

## **Section One:**

### **The Development of Policy and Procedures for Asylum seekers and Refugees in Ireland.**

#### **INTRODUCTION**

Ireland has played a very minor role in the provision of services for either asylum seekers or refugees. Traditionally, the number of people seeking asylum in Ireland was less than 100 per year and thus not of any great concern to the State. Indeed, it has been argued that Ireland actively discouraged asylum seekers and, in a number of notable incidents, asylum seekers arriving in Shannon Airport were unceremoniously placed back on the plane and denied the possibility of making applications for asylum (Ward, 1996).

Ireland was a relatively late starter in the acceptance of programme refugees and it was not until 1956 that it permitted entry to such persons. Ireland was relatively unaffected by the massive displacement of persons in the aftermath of the World War II and, while the issue of refugee policy was discussed, the Department of Industry and Commerce, in particular, was opposed to the adoption of a liberal refugee policy.

#### **UNITED NATIONS CONVENTION ON REFUGEES AND IRELAND**

It was these massive displacements that formed the basis for the United Nations Convention on Refugees in 1951 (more generally known as the Geneva Convention). This Convention was designed to oblige countries to accept, primarily, refugees resulting from 'events occurring in Europe' before January 1951. The Convention gives expression to the principle of *non-refoulement*, according to which no person may be forcibly returned to a territory where his or her life or freedom may be threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion.

The 1951 Convention includes two restrictions: one geographic and one relating to the deadline. First, it gave states the option of limiting their obligations under the Convention to persons who had become refugees as a result of events occurring in Europe; secondly, it applied only to events occurring before 1 January 1951. This dateline proved to be a serious obstacle to the protection of refugees in various new refugee situations, particularly in Africa. In order to remedy the situation, the 1967 United Nations Refugee Protocol was adopted which removed the time limitations enshrined in the 1951 Convention.

Ireland became a signatory to the UN Convention in 1956 at the time of its membership of the United Nations but, in the absence of specific domestic legislation for refugees, Ireland's policies on refugees remained uncoordinated and conservative.

In that year, Liam Cosgrave, the Minister for External Affairs, announced that Ireland would participate in the international response to the Hungarian refugee crises. Five hundred and

thirty Hungarians arrived in Dublin in November 1956, thus becoming the first programme refugees to arrive in the country. From Dublin, the Hungarian refugees were brought to a disused army camp just outside Limerick. The experience of the Hungarians was primarily negative, culminating in a hunger strike, and by 1958 only 61 Hungarians remained in Ireland. Ward has argued that

It is difficult to escape the conclusion that the Government was primarily, if not exclusively, concerned with its prestige abroad - how it presented itself as a new member of the UN - rather than with the welfare of the Hungarians whom it sought to assist' (1996:140).

The next group of programme refugees to arrive in Ireland were 120 Chileans in 1973, forced into exile following the overthrow of the Allende regime. Little is known of their experience and it is not known if any remain in the country. The third group of programme refugees to arrive in Ireland were 212 Vietnamese 'boat people' in 1979. Although the majority of the Vietnamese were from poor, peasant backgrounds, many adapted quickly to Ireland and gained employment, often in the fast-food business. At the beginning of 1996, there were 125 family groups consisting of 574 people in the Vietnamese community, of which 148 were born in Ireland.

A small number of Iranian Bahais were admitted to the country in 1985, but were sponsored by the indigenous Bahai Community and settled well. The largest group of programme refugees to arrive in Ireland to-date is the Bosnian refugees. The first Bosnian refugees arrived in July 1992 and 770 have been admitted to Ireland to date. It is understood that a further 250 Bosnian refugees will be admitted to the country in the next few months. On arrival in Ireland, the Bosnians were accommodated in a former nurses home in Cherry Orchard in Dublin run by the Red Cross. This is now managed by the Refugee Agency.

Responsibility for the resettlement of programme refugees rested initially with the Department of Defence but in 1985 the responsibility was transferred to the Department of Foreign Affairs. The Department of Foreign Affairs established a Refugee Resettlement Committee which, in turn, was replaced by the Refugee Agency in 1991.

The Refugee Agency has responsibility for the reception and integration of refugees in Ireland. Much of its work has concentrated on the provision of resettlement services for programme refugees, but it is planned that Convention refugees will also come under its ambit in the near future.

#### **REFUGEE ACT, 1996**

The *Refugee Act, 1996* places Ireland's international obligations to asylum seekers and refugees on a statutory basis. Prior to the Act, Ireland discharged its obligations under the UN Convention of 1951 and the 1967 protocol by way of an informal agreement between the Department of Justice and the UN High Commissioner for Refugees for Ireland.

Prior to 1985, no written agreement existed and it was only in that year that the terms of agreement were outlined in a letter from the Department of Justice to the UNHCR.<sup>1</sup> This letter set down a number of basic rules regarding the processing of asylum applications. The 1996 Act incorporated into domestic legislation many of the provisions of the UN Convention of 1951 and protocol of 1967, such as the definition of refugees and the principle of *non-refoulement*. The need for legislation in this area was recognised by the Interdepartmental Committee on Non-Irish Nationals in its interim report in 1994, in which it was noted that Ireland –was almost unique in not having a legislative base for the processing of applications for asylum” (1994:11).

The Committee also noted:

–that there has been disquiet expressed by the public and by organisations concerned with human rights in the operation of the existing procedures for dealing with applications for asylum. Criticisms have been levelled against the Department of Justice, in particular, to the effect that the procedures set out in the 1985 agreement with the UNHCR have not always been as rigorously followed as they might be. It has been argued that access to legal advice and assistance as well as proper interpretation has, at best, been restrictive. Criticism has been levelled also at the lack of any formal right of appeal” (1994:11)

Following this report a Refugee Bill was introduced to the Dail in 1994, but in light of the numerous amendments made, it was withdrawn and replaced by the Refugee Bill, 1995. The Bill was enacted in 1996 but will not be implemented until some stage in 1997 due to the need to establish the relevant infrastructure. The Refugee Act sets out *inter alia* to:

- ¥ Define a refugee
- ¥ Extend to refugees certain rights
- ¥ Establish a refugee applications commissioner and a refugee appeals board
- ¥ Establish the procedures for the determination of refugee status

A refugee for the purposes of the Act is defined under Section 2 as:

–a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable to, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his or her former habitual residence, is unable or, owing to such fear, is unwilling to return to it”.

Certain persons are excluded from the definition, primarily persons who have committed serious crimes. Those who have been defined as refugees are entitled to certain rights under

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<sup>1</sup> In the case of Ahmed Hussein Fakhri, Ali Hamdan and Mohammed Anis Slim v The Minister for Justice (Irish Reports, 1993) the High Court held that this letter was binding on the Minister for Justice.

Section 3. These include the entitlements to work, access to education and training, health care, social welfare and housing benefits to which Irish citizens are entitled.

Under Section 5 of the Act, the principle of prohibition of *refoulement* is provided for. This provides that :

–a person shall not be expelled from the State or returned in any manner whatsoever to the frontiers of territories where, in the opinion of the Minister, the life or freedom of that person would be threatened on account of his or her race, religion, nationality, membership of a particular social group or political opinion”

Under Section 8 of the Act, a person who arrives in the State shall be interviewed by an immigration officer who shall inform the person that he or she may apply for a declaration of refugee status. If it appears to an immigration officer that a child under the age of 18 arrives in Ireland, the immigration officer shall inform the relevant health board and the provisions of the *Child Care Act, 1991* shall apply to the child.

Once a person has arrived in Ireland, the person is entitled to remain in the State, and will be given a temporary residence certificate entitling him/her to remain in the State, under the terms of Section 9 of the Act, until:

- ¥ the date on which his or her application is transferred to a Convention country pursuant to the terms of the Dublin Convention<sup>2</sup>
- ¥ the date on which his or her application is withdrawn or deemed to be withdrawn, or
- ¥ the date on which notice is sent that the Minister has refused to give him or her a declaration

However, if an immigration officer or member of the Garda Síochána suspects that an applicant:

–poses a threat to national security or public order; has committed a serious non-political crime outside the State; has not made reasonable efforts to establish his or her true identity; intends to avoid removal from the State in the event of his or her application for asylum being transferred to a Convention country pursuant to the Dublin Convention; intends to leave the State and enter another state without lawful authority or without reasonable cause has destroyed his or her identity or travel documents or is possession of forged identity documents he or she may detain the person.<sup>3</sup>

On receipt of a temporary residence certificate, Section 9(4) prohibits an applicant from leaving or attempting to leave the State without the consent of the Minister, or the seeking or entering of employment before the final determination of his or her application. The

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<sup>2</sup> The Dublin Convention was signed in 1990 with the objective of ensuring that each application for asylum should be examined by a single State and that responsibility would rest with the state which had the main role in authorising entry either by issuing a visa, or having issued the visa of longest duration, or by not requiring any visa. The notion retained is that the first boarder reached would determine which state was responsible.

prohibition on entering employment was justified by Minister Joan Burton during the committee stage of the Bill, when she argued that:

-It must be borne in mind that asylum seekers are allowed to remain in the State temporarily pending determination of their applications. Where their applications are successful they will be allowed remain in the State and work without restriction. That is as it should be and this Bill copperfastens that principle. However, where applications are unsuccessful, if not permitted to remain for humanitarian reasons, they will have to leave the State. I do not consider it would be appropriate to allow people, with temporary permission only to remain in the State, to work and put down roots" (Dail Debates, 28 Feb, 1996. Col. 835.)

Section 11 establishes the function of the Refugee Applications Commissioner and sets out the procedure for the determination of refugee status. Section 13 deals with the result of the investigation and the decision arrived at. Section 12 pertains to 'manifestly unfounded applications'. The basis for manifestly unfounded applications originates from the desire to distinguish refugees from economic migrants. The UN Convention of 1951 accepted that there was a need for a special set of obligations for refugees because of their special circumstances and that the asylum process should not be used by economic migrants.

It appears to be generally recognised that many would-be immigrants use the asylum process to enter Europe, in particular, due to the lack of other mechanisms to enter EU member states. This has resulted in delays in the determination process to the detriment of asylum seekers. However, it is also generally recognised that the distinction between genuine and manifestly unfounded claims is often slight, and particular care is needed in declaring an application manifestly unfounded.

Section 12 outlines twelve criteria by which an application for refugee status may be termed manifestly unfounded. Section 15 establishes a Refugee Appeal Board and Section 16 sets out the procedures to appeal a decision made under Sections 11, 12 or 13. Section 17 provides for the Minister to either declare that a person has been recognised as a refugee within the meaning of the 1951 Convention, or that the Minister has refused to give a declaration. However, under Section 17(6)

-The Minister may, at his or her discretion, grant permission in writing to a person who has withdrawn his or her application or to whom the Minister has refused to give a declaration to remain in the state for such period and subject to such conditions as the Minister may specify in writing"

For those persons who have not been given a declaration, or who have not been granted leave to remain in the country and who are not subject to the prohibition of refoulement (Section 5), the Minister will make a deportation order requiring the person to leave the State, including, where necessary, the temporary detention or restraint of the person. Under Section

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<sup>3</sup> This section does not apply to persons under the age of 18

17 (8) (a) a person against whom a deportation order is made will not be required to leave the State before the expiry of 30 days from the making of the order.

Section 18 allows for a refugee to apply to the Minister for Justice to allow members of his or her family to join him in Ireland subject to certain conditions. Section 21 allows the Minister to revoke the declaration under certain conditions. Section 22 places the principles of the Dublin Convention into domestic legislation.

#### **CONCLUSION**

It is clear from this overview that issues and responsibilities in relation to refugees and asylum seekers were not considered an important policy concern. While limited numbers of programme refugees were admitted to the country, little in the way of resettlement was provided. It was only with the arrival of Vietnamese 'boat people' in the late 1970s that any semblance of a resettlement policy emerged. The transfer of responsibility from the Department of Defence to the Department of Foreign Affairs in 1985 and the establishment of the Refugee Agency in 1992 marked the development of a more coherent resettlement policy in Ireland.

The historic lack of concern for asylum seekers and refugees was most noticeable in relation to the lack, until 1996, of domestic legislation enacting the UN Convention on Refugees. Ireland has now moved from a position of being a reluctant participant in refugee programmes to a position of more responsible participation, with its international obligations set out in domestic legislation.

This has coincided with an unprecedented rise in the number of persons seeking asylum in Ireland and has resulted in a substantial backlog occurring in the determination process. The following section examines applications for asylum in Ireland in a comparative perspective.

## Section Two:

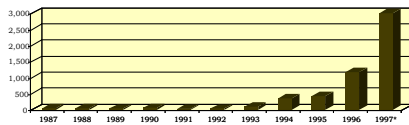
### Asylum Seekers and Refugees in Ireland: A Comparative Perspective

#### INTRODUCTION

Apart from the refugees who have entered as part of a government programme, Ireland was not, until recently, a destination for people seeking refugee status. This situation has changed in the past three years and the country is now experiencing unprecedented numbers asylum seekers. Uniquely, for a country with little tradition as a destination for those seeking asylum and perceived as a country of emigration rather than immigration, Ireland is currently the only member state of the European Union experiencing an increase in the number of asylum seekers.

There are a number of explanations for this phenomenon, and they largely originate in changes in legislation and determination procedures in other European states. Chart One highlights the growth in applications for asylum in Ireland from 1987 to 1997.

Chart 1: Applications for Asylum in Ireland, 1987.

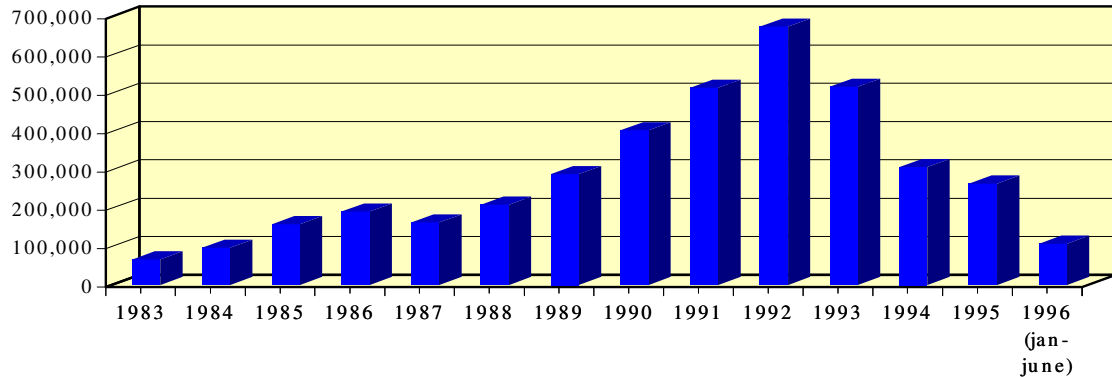


\* Estimate  
Source: Department of Justice, Irish Refugee Council

As can be seen, from a position where fewer than 100 applications were made per annum, it is estimated that approximately 3,000 applications will be made in 1997 if the current trend of over 200 applications per month continues. More than seven times the 1991 figure for asylum applications were made in the first month of 1997.

Chart 2 highlights the number of applications for asylum in Europe between 1987 and 1997. This shows a considerable decrease from the peak of 674,095 applications in 1992 to 264,842 in 1995. Data for the first six months of 1996 suggest that trend is set to continue. However, the rise from the early 1980s is remarkable.

**Chart 2: Applications for Asylum in Europe, 1983-1996**



Source: Eurostat/ IGC (1996) Asylum Seekers in Europe. UNHCR (1995) Populations of Concern to UNHCR: A Statistical Overview. NIDI (1993) Asylum Seekers and Refugees: A Statistical Report. Irish Refugee Council. (1996) Country Report for ECRE.

It has been suggested that the following factors contributed to the rapid increase in asylum applications from the early 1980s:

- ¥ Political instabilities, crises and the war in former Yugoslavia largely contributed to the increase, particularly in 1991 and 1993
- ¥ Many forms of immigration other than family reunification and formation had been stopped or significantly reduced
- ¥ The asylum procedure for some applicants came to be seen as a *de facto* immigration mechanism in that it allowed asylum applicants to remain in the country and often to work while claims were being processed
- ¥ As the number of applications increased, the existing procedures, designed to deal with small numbers of claims, became increasingly unable to cope and the determination time subsequently increased. Backlogs were created and cases remained pending for long periods of time before being considered. This created a pull factor as regards abusive claimants who, despite unfounded claims, nevertheless managed to remain for the time it took to process the application. Often, as a result of the time it took to make a decision, rejected asylum seekers were allowed to remain -- not because they were in need of

protection, but because they had been in a country for such a long period of time that it was no longer possible to return them

¥ Finally, other factors, such as the growing role of trafficking organisations, the role of networks that have been built up, and the fact that the world is getting 'smaller' -- as a result of better communication, easier and cheaper transport etc. -- have also contributed to the increase in asylum applications (Joly, 1996; Eurostat, 1996)

Explanations for the decrease in asylum seekers in Europe since 1992 include:

¥ Implementation of legislation to curb abuses of asylum procedures in most European countries

¥ The likelihood that lower recognition rates, shorter screening periods and shorter procedures, in general, along with considerable reductions and even suppressions of entitlements, usually associated with an asylum application (right to work, cash entitlements, housing) might have dissuaded those considering departure. In addition, safe country applications have led to a reduction in the number of abusive claims

¥ The streamlining of asylum procedures, accelerated procedures, computerisation of determination procedures and fingerprinting having led to a reduction in the length of procedures and the backlogs involved

There are a number of notable points from the comparative data which is shown in more detail in tables 1, 2, 3, 4, 5 and 6.

¥ **Firstly**, as mentioned in the introduction, Ireland is the only country within the EU which is currently experiencing an increase in applications for refugee status. Every other country shows a noticeable decrease in the number of applications received since 1992. It is not the case that the numbers of persons seeking refugee status has decreased *per se* but rather, that most EU member states have moved from a position of 'uncoordinated liberalism to one of harmonised restrictionism' (Joly, 1996). Ireland remains the only country without specific legislation on asylum seekers but with the enactment of the *Refugee Act, 1996* and the implementation of the Dublin Convention later this year, Ireland will fall more into line with developments in other European countries.

Due to Ireland's late development as a country of destination for asylum seekers, there has been no sustained political pressure to introduce legislation to restrict the entry of asylum seekers to Ireland. However, concern regarding the increase of asylum seekers has led the

Department of Justice to request the Gardai to increase surveillance at ports to combat illegal entry (Irish Times, 18/4/97).

**Secondly**, the data demonstrates how rapidly applications can increase over a short period of time. Applications for asylum in the United Kingdom rose from just over 4,000 in the early 1980s to 73,400 in 1991; in Sweden from 18,114 in 1987 to 84,018 in 1992. Finland, a country with many similar characteristics to Ireland, showed an increase from 49 applications in 1987 to 3,634 in 1992, but declined to less than 1,000 in 1995. The rate of increase in asylum applications is shown in table 2, illustrating that the majority of countries experienced a peak in the rate of applications for asylum in the early 1990s, Ireland being the only country still experiencing an increase in asylum applications.

**Thirdly**, as table 3 shows, Ireland receives the smallest share of asylum applicants in Europe with only 0.2 percent of the total number of asylum applications in 1995. Germany has received the largest share of asylum applicants since 1987, with nearly half the applicants between the years 1987 and 1996. The United Kingdom (16.6 percent), the Netherlands (11 percent) and France (7.6 percent) show similar high proportions of the total number of asylum applications in Europe in 1995. Only Finland and Portugal showed similar levels of distribution to Ireland in 1995.

However, when we examine the distribution of asylum applications in Europe relative to the total population in each country (Table 4), Sweden received the greatest number of applications for most of the period covered, the number peaking at 9.7 asylum applications per 1,000 population in 1992. In 1994 and 1995 the Netherlands received the greatest number of asylum applications relative to its total population. Using this measure, Ireland still only received 0.1 percent of asylum applications per 1,000 population in 1995, a similar level to Spain and Greece, but higher than the levels experienced in Italy and Portugal. Based on the estimated number of asylum applications in Ireland for 1996, applications for asylum will reach 0.3 percent of asylum applications in Europe per 1,000 population.

¥ **Fourthly**, in terms of country of origin, Ireland appears to have a disproportionate number of asylum seekers from Romania compared to other European countries (table 5). It must be stressed that the data available for Ireland on this point is rudimentary, culled from data from Focus Point and the Irish Refugee Council, because the Department of Justice does not release information on the country of origin of asylum seekers in Ireland.

In 1995, only 4 percent of all asylum applicants in Europe were from Romania, whereas 45 percent of applications for asylum in Ireland came from that country. Somalia is next with 8 percent. It would also appear that an increasing number of applications for refugee status are coming from family units rather than single males, as was the typical pattern in the past in Ireland. Preliminary data for the first three months of 1997 would suggest that

Romanians still form the largest group of asylum seekers in Ireland, but have declined to 25 percent of the total applicants for asylum in Ireland, with Zaireans accounting for almost 20 percent.<sup>4</sup>

¥ **Fifthly**, as table six highlights, Ireland reviews very few applications for refugee status. In 1995, only 57 applications were reviewed and 14 were recognised as refugees. This gives Ireland a relatively high recognition rate at 25 percent, compared to 0.8 percent in Finland and 4.8 percent in the United Kingdom, but the very low number of cases reviewed in Ireland distorts the comparability of the data. This low and slow level of case reviews in Ireland should change substantially with the implementation of the *Refugee Act, 1996* and the appointment of the Refugee Commissioner as noted in section one.

The recognition rate for refugees does not include those persons who were denied refugee status but were given 'exceptional leave' or humanitarian leave' to remain in the country of application. For example, although only 4.8 percent of the 43,000 claims for asylum in the United Kingdom in 1995 were given refugee status, a further 16 percent were given exceptional leave to remain in the country. In Sweden between 1985 and 1995, some 37,00 persons were given refugee status, but 142,000 were allowed on stay in Sweden on humanitarian grounds.

Ireland's record in this area is shown in greater detail in table 7. This shows the numbers of applicants in each year from 1992 and decision given for those who applied in that year, rather than the total number of cases reviewed as shown in table 6. The table highlights the low number of cases reviewed and the very high numbers of outstanding applications. Excluding the curiously high number of applications withdrawn, at the end of March 1997 it is estimated that over 2,000 applications are outstanding. The high number of applications withdrawn in 1994 and 1995 may indicate that asylum seekers see Ireland as a means to enter other European Union member states rather than as a country of primary destination.

Overall, this brief comparative analysis of claims for asylum highlights Ireland's late development as a country of destination for asylum seekers. The very rapid increase over the past three years is the result of a combination of factors, including Ireland's enhanced international profile, knowledge of the relatively generous welfare regime for asylum seekers within the refugee networks, and, perhaps most importantly, restrictions in other European

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<sup>4</sup> No detailed data are available on the characteristics of asylum seekers in Ireland in terms of their gender, age or household composition. The First National Report of Ireland under the *International Covenant on Economic, Social and Cultural Rights* stated that 'Asylum seekers have tended to be adult males in the age bracket 21-35: the question of children asylum seekers arises in very few cases and mainly only as part of a family seeking asylum rather than as unaccompanied applicants' (1996: 113). In 1994 there were 25 child asylum seekers and 35 in 1995.

member states, both in terms of entry to the state and the welfare regime. As the recent ESRI Medium-Term Review: 1997-2003 (1997) suggests:

–the rapid rate of growth in Ireland and the character of some of the employment being generated now seems to attract in a greater number of immigrants, some not of an Irish background. A rise in unskilled wage rates might make employment in Ireland attractive to some categories of unskilled workers elsewhere in the EU while still not being sufficient to make employment worthwhile for those eligible for Irish welfare rates. This might stimulate migration into Ireland of marginal workers from other EU countries, such as those originating in poorer, non-EU countries who do not have full EU citizenship rights. The Irish welfare system may also prove attractive in the future for immigrants who can qualify for assistance” (Duffy, *et al.*, 1997:20-21).

A short examination of the situation for asylum seekers in the UK highlights some of these issues.

The number of applications for asylum in the United Kingdom rose rapidly from the early 1980s peaking in 1991 with 73,000 applications, an increase of 1,252 percent since 1987. This rapid increase in asylum claims led to the introduction of new legislation to restrict entry to asylum seekers. The declared aim of the recent legislative changes in Britain is to:

–restrain the number of people who come to this country as asylum seekers. That must be the main thrust of the Government’s policy and of any party’s policy. The constant pressure of numbers coming in must be addressed.”

Among the recent changes introduced are:

- ¥ the drawing up of a list of countries -- known as the ‘white list’ -- where there is no fear of persecution, as decided by the Home Secretary. These currently include Bulgaria, Cyprus, Ghana, India, Pakistan, Poland, Romania, all EU countries, USA, Canada, Switzerland and Norway
- ¥ removal of entitlement to local authority housing and assistance under homelessness legislation
- ¥ removal of all benefit entitlement from those whose application to the home office for asylum was made after their initial entrance to the country. From the 5 February 1996, ‘in-country’ applicants are no longer eligible for even subsistence benefits of income support, housing benefit and council tax benefit unless their country of origin is declared to be in a state of upheaval within three months of their arrival
- ¥ the withdrawal of benefits from asylum seekers who receive a first refusal on their asylum application, regardless of any appeal against that decision
- ¥ cessation of the entitlement to family credit, disability working allowance, disability living allowance, attendance allowance, severe disablement allowance and invalid care allowance for new benefit claims made after 5 February 1996.

This highly restrictive policy towards asylum seekers stands in marked contrast to the relatively liberal, although uncoordinated, policy which exists in Ireland. As a consequence of these policy changes in the UK, and similar policy changes in other EU countries, Ireland has become a destination with many positive attributes for asylum seekers and will get an ongoing stream of asylum seekers to its shores.

#### **CONCLUSION**

Despite the rapid growth in recent years in asylum claims, Ireland still receives a very low number of claims relative to other European countries and relative to the size of its population. Although the number of applications is likely to increase for the next few years, evidence from other countries has demonstrated that greater coordination of asylum policies has led to a decrease in applications.

With the implementation of the *Refugee Act, 1996* and the consequent streamlining and acceleration of the determination process, the rate of asylum applications should stabilise. However, policies for asylum seekers to date have tended to focus, largely on the process by which they enter the country and have claims adjudicated. Little policy development has occurred with regard to the provision of services for those awaiting a determination of their asylum claim.

Although resettlement policies for those awarded refugee status, whether as programme refugees or Convention refugees, have improved considerably in the past five years, much work still needs to be done. Applications for asylum will become a permanent feature in Ireland for the foreseeable future and the temporary measures utilised to-date will not suffice to meet their needs.

## **Section Three:**

### **Housing Policies in Ireland**

#### **INTRODUCTION**

This section examines housing policies in Ireland, with particular reference to social housing developments over the past decade. It provides a general overview of recent changes, both in the composition and the nature of the housing market and recent policy developments, particularly in social housing provision.

The section moves on to examine local authority housing, voluntary housing and the private rented sector in some detail. These housing sectors are examined because they are the only housing options available to those who cannot afford to purchase their own permanent housing. Asylum seekers form part of this group and these housing sectors are assessed in terms of meeting their needs and those of other low income groups.

#### **OBJECTIVES OF IRISH HOUSING POLICY**

The stated housing objectives of successive Irish governments since independence have been:

‘To ensure that, as far as the resources of the economy permit, every family can obtain for their occupation a house of good standard at a price or rent they can afford, located in an acceptable environment. A secondary aim of housing policy is the encouragement of owner occupation as the widely preferred form of tenure’ (Department of the Environment, 1995).

This core statement of housing policy has been expanded in recent years, whereby future housing strategies aim to –develop and implement responses appropriate to changing social housing needs and mitigate the extent and effects of social segregation in housing” (*Plan for Social Housing*, 1991: 1).

State assistance with housing is provided to low income households through direct provision by local authorities and voluntary housing bodies at subsidised rents and through the provision of rent supplements to private tenants. Grants and tax relief are available to assist people with house purchase and tax relief is also available on rent for private tenants.

#### **Recent Trends**

Between 1971 and 1991 the number of private households in Ireland rose by just over 40 percent, from 726,363 private households in 1971 to 1,019,791 in 1991.<sup>5</sup> The number of permanent housing units has rose by a similar proportion over the same time span, from 705,180 units in 1971 to approximately 1,019,723 in 1991.<sup>6</sup>

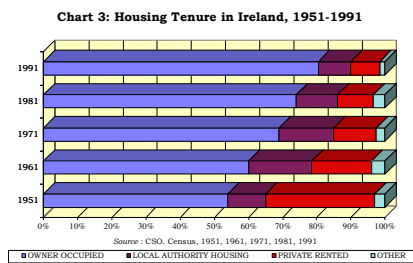
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<sup>5</sup> The ESRI Medium-Term Review has suggested that ‘assuming that the demand for housing for replacement and other reasons continues to run at roughly the level experienced in the early 1990s, there is likely to be a need for around 32,000 new dwellings a year over the rest of the decade falling to around 28,000 a year in the first half of the next decade (Duffy *et al.*, 1997:30).

<sup>6</sup> ‘A private household is defined as a group of persons living together (usually but not necessarily related), jointly occupying the whole or part of a private dwelling house, flat or

Alongside this increase has been an improvement in the quality of housing for the majority of citizens, with most households enjoying indoor piped water and indoor sanitary facilities. While there has been a substantial growth in the housing market in Ireland in the past 20 years, in terms of housing tenure it has been the owner-occupied sector that has experienced the most substantial growth and now accounts for approximately 80 percent of permanent private households in Ireland -- an increase of 70 percent since 1971. By contrast, local authority housing has declined by 12 percent. It now represents only 9.7 percent of permanent private households, compared to 15.5 percent in 1971.

While the furnished private rented sector has increased its share of the housing market, its starting base was minimal and it currently accounts for 6 percent of permanent private households. The unfurnished private rented sector has almost been eliminated as a feature of housing in Ireland, now accounting for only 1.7 percent of permanent private households. It has shown a decline of 72 percent since 1971. Voluntary housing occupies a marginal, but growing, role in Irish housing.



These trends have considerable implications for those who are currently homeless and for those entering the housing market, in that the housing options available are limited and are not geared for those on low incomes, those who are unemployed, those who are mobile or, particularly, for new households.

### Private Housing

Tables 8 and 9 show in greater detail the composition of structure of private dwellings in the Eastern Health and the State based on the 1991 census. Table 8 shows that nearly half the local authority dwellings rented in the country are found in the Eastern Health Board region, with the 48,000 units rented representing 13 percent of all private dwellings in the region. Fifty two percent of all private rented furnished dwellings in the State are found in the Eastern Health Board region, representing 8.8 percent of all private dwellings in the region. The remainder of the private dwellings are largely in the owner-occupier sector.

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temporary dwelling and sharing a common budget. A person who lives alone or a person who occupies only part of the living accommodation but does not normally share a common budget with the other occupants is also regarded as constituting a separate private household. A housing unit is a Conventional house, a structurally separate flat or a temporary dwelling, regardless of the number of private households it contains; when temporary dwellings are excluded the definition relates to a permanent housing unit. Generally, one private household occupies one housing unit, but households at the same address sharing toilet facilities are grouped into one housing unit.' (CSO, 1991)

Data from the 1994-95 household budget survey suggest that the stock of private rented dwellings has at best remained static. It reported that households in private rented dwellings (unfurnished and furnished) in urban areas accounted for 8 percent of total households surveyed. Table 9 displays the number of persons occupying these private dwellings. It can be seen that 169,938 persons were occupying private dwellings rented by local authorities, with 66,029 occupying private rented furnished dwellings. The average weekly rent paid by tenants in private rented furnished dwellings in the Eastern Health Board in 1991 was nearly £52, as shown in table 10. Dun Laoghaire-Rathdown had the highest average weekly rent at nearly £66, with Wicklow the least expensive. Renting accommodation in the private rented furnished sector is considerably more expensive on average in the Eastern Health Board region than for the rest of the nation.

**Table 10**

	<b>Average Weekly Rent in the Private Rented Sector</b>	
	<b>Private Rented Furnished</b>	<b>Private Rented Unfurnished</b>
Dublin Co. Borough	£48.21	£30.32
Dublin-Belgard	£56.24	£39.28
Dublin-Fingal	£58.3	£40.83
Dun Laoghaire-Rathdown	£65.74	£57.71
Kildare	£42.77	£25.52
Wicklow	£40.29	£28.81
<b>Total</b>	<b>£51.93</b>	<b>£37.08</b>
<b>State</b>	<b>£43.99</b>	<b>£27.05</b>

Source: Central Statistics Office (1997) Census 1991: Housing. Dublin: Stationary Office.

#### **SOCIAL HOUSING IN IRELAND**

Since independence, local authorities in Ireland have built approximately 300,000 dwellings for public rental. However, due to the policy of selling local authority houses to sitting tenants at discounted rates, by 1995 there were only 97,219 local authority houses managed by local authorities (Department of Environment, 1996).<sup>7</sup>

<sup>7</sup> Between 1975 and 1995 local authorities completed or acquired 94,314 housing units, an average of 4,491 housing units per annum over that period. However during the same period 91,484 local authority housing units were purchased by sitting tenants, an average of 4,356 sales per annum. Thus, only 2,830 more housing units were built than were sold over the period in question. It has been argued that it is clear that the savings

Until the late 1980s the Housing Act, 1966 formed the basis for the development of social housing in Ireland. This Act arose from public concern regarding housing conditions following a number of deaths from houses collapsing in Dublin in 1963 and 1964. In 1964 a White Paper on Housing was published which highlighted the age of the Irish housing stock, pointing out that 300,000 dwellings were over 60 years old and 160,000 over 100 years old out of a total stock of only 676,000. The 1966 Act stressed the key role of local authorities in providing, managing and funding housing for those unable to provide housing from their own resources; providing a scheme of financial assistance to individuals to enable them to purchase their own homes, and financial assistance to sitting tenants to purchase their own homes.

A substantial rethink on social housing occurred in the late 1980s shifting the emphasis to the development of professional housing management, estate based management and the incorporation of voluntary agencies as significant players in the social housing system. This shift arose from a number of inter-related factors: The sale of local authority housing, in conjunction with low numbers of local authority housing completions since the late 1980s, resulted in a growing number of households on housing waiting lists and the creation of local authority housing dominated by a narrow social mix of households, predominantly unemployed and unskilled, with high rates of crime and a lack of social amenities. As a response to the cost and difficulties of maintaining and managing increasingly dilapidated housing estates and blocks of flats, the Department of the Environment recognised that the resumption of large-scale housing by local authorities was not an advantageous route to take, and instead encouraged voluntary agencies to play a more active role in social housing provision.

Voluntary housing agencies had played a minor role in the provision of specialised housing, primarily for the elderly, from the early 1960s but this trend developed and expanded with the introduction of the *Capital Assistance Scheme* in 1984. With the introduction of the *Plan for Social Housing* in 1991, funding was made available under the *Rental Subsidy Scheme* for voluntary agencies to provide housing for households on the waiting lists, not just those with special needs such as the elderly or homeless.

Since the early 1990s, the movement towards voluntary agency involvement in the provision of social housing has accelerated and is likely to continue to play a significant role in the delivery of social housing. Although the role of voluntary housing agencies is fairly tightly constrained by the Department of the Environment, and many of those on the housing waiting lists still show a preference for local authority housing<sup>8</sup>, the recent comprehensive report on social

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on maintenance costs arising from such sales do not remotely balance the capital losses incurred by the local authorities' (NESC, 1993: 457).

<sup>8</sup> For example, voluntary housing agencies may not sell their stock to existing tenants, unless the majority of the tenants in the scheme are willing, a factor that makes many

housing in Ireland for by the Economic and Social Research Institute (ESRI) has argued that there may be:

–a case to be made for allowing them (voluntary housing associations) to develop more freely into the private rental market, that is, to provide rental accommodation for a broader range of tenants, drawn from low or even middle-income households across the spectrum of tenure types. The intention of such diversification would be to enable them to complement the existing role of private landlords, especially in areas where private rental accommodation is in short supply or is of inadequate quality. Freeing voluntary housing associations from a tight focus on the extremely deprived would have the advantage of broadening the options available to both the private sector and local authority tenants, improving the mix in voluntary housing, reducing tendencies towards residualisation in the voluntary sector and introducing a group of ‘landlords with conscience’ into the broader private rental market” (1995:203).

If the scenario proposed by the ESRI were to come to fruition, the output from voluntary housing agencies might expand beyond the present limited output.

### **SOCIAL HOUSING OUTPUT**

Table 11 outlines the total social housing output in Ireland between 1981 and 1996. Social housing completions rose from the early 1980s to reach over 12,000 first-time lettings in 1986. Output declined to 5,300 in 1991 and increased to just over 10,000 in 1996.

The most significant changes over the period in question is the increasing diversity of social housing options. Until the early 1980s, social housing was made available primarily through additions to the local authority stock and casual vacancies in their stock. Although local authority additions and casual vacancies still form a large component of total social housing output, the various schemes provided for in the two plans for social housing, in particular, shared ownership and voluntary housing, provided over 2,500 units of accommodation in 1996 and have increased their contribution to total social housing output since the early 1990s.

Nevertheless, completions by voluntary agencies declined for the first time in 1996 after a period of sustained expansion, from 1,011 in 1995 to 917 in 1996. Possible explanations for this decrease are outlined in section four of this report. Table 12 outlines the total social housing output in the Eastern Health Board region between 1992 and 1996. Social housing output has nearly doubled between 1992 and 1996 in the region.

### **PRIVATE RENTED SECTOR**

Alongside social rental housing, the private rented sector provides accommodation for households on low incomes, subsidised through the rent supplement operated through Scheme of Supplementary Welfare Allowance (SWA).

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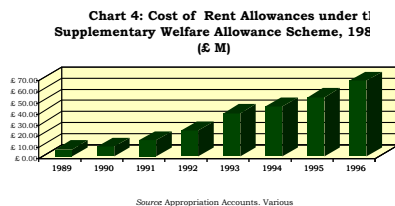
tenant choose local authority housing over voluntary housing. Furthermore, rents in voluntary agency housing projects under the Rental Subsidy Scheme are substantially more than tenants in local authority housing on equivalent incomes pay.

Despite recent government initiatives to stimulate the supply of private rented housing and improve its regulation, it has not changed substantially since the seminal and critical study of this housing tenure in the early 1980s by O'Brien and Dillon (1982). It remains a polarised, marginal and -- in absolute terms -- a declining form of housing tenure in Ireland. However, in the past few years, there has been an increase in the upper end of the sector, -- underpinned by generous grants -- in city centre areas, which has attracted young professionals who want the convenience of living adjacent to their workplaces.

#### **RENT SUPPLEMENT AND THE COMPOSITION OF HOUSEHOLDS IN THE PRIVATE RENTED SECTOR**

Although little evidence is available on the overall composition of households in the private rented sector, it would appear that the sector is polarised between those households who can afford to rent well-equipped and relatively luxurious (although probably very small) centre-city flats or houses in suburbia, and those for whom no option exists but to attempt to rent often poor-quality flats or bedsits, which do not always meet their need.

The lower end of the private rented sector is increasingly filled with unemployed households and this is reflected in the increase of payments to tenants are entitled to rent supplement under the Scheme of Supplementary Welfare Allowance.



The massive increase in the number of rent supplements paid to tenants in the private rented sector -- from just over £5m in 1989 to over £70m in 1996 as shown in chart 4 -- highlights the numbers of unemployed people who are dependent on this form of housing tenure.

In 1995, the total number of households claiming rent supplementation was nearly 72,000, compared to just over 67,000 in 1994. The average number of households in receipt of this payment in any given month is in excess of 30,000. Based on the number of households in the private rented sector enumerated in the 1991 Census, this suggests that in a given month, approximately one-third of households in the private rented sector claim rent supplementation. This finding led the recent ESRI report on social housing to conclude:

–SWA subsidies ... must be counted as playing a substantial role in the private rented sector in Ireland, and conversely, the private rented sector must be counted as playing an important role in housing poorer households” (1995:169)

Table 13 examines the distribution of rent supplements by health board region. This table shows that the number of rent supplemented households is out of proportion to the total population of the Eastern Health Board region, but is in keeping with its share of total private rented accommodation. It also highlights that average expenditure on rent supplementation per household is higher in this region than any other health board region, reflecting the higher costs of private rented housing.

The ESRI survey of households in receipt of rent supplementation showed that rent supplemented households were dominated by one-person households (66 percent), largely under the age of 34 (61 percent), with the median duration of dependence 14 months.

As a result of the substantial increase in both rent and mortgage supplementation payments, a review committee was established to examine the role of this form of housing benefit and its role in creating unemployment traps (Department of Social Welfare, 1995). The report examined the possible reasons for the increase in expenditure and suggested the following explanations:

- ¥ improved information facilities and increased awareness of social welfare assistance
- ¥ changing social expectations
- ¥ the demand-led nature of the SWA scheme itself
- ¥ the increase in one-person households
- ¥ the increase in lone parent families
- ¥ continuing high levels of unemployment and rising levels of long-term unemployment
- ¥ the slowing down of the local authority house building programme in the years 1987-1992
- ¥ the increase in the number of approved applicants for local authority housing since 1989
- ¥ the 'knock-on' effects of policies outside the SWA scheme itself
- ¥ aspects of the social welfare system which provide disincentives for unemployed persons to remain in the family household
- ¥ the possible effects of the Benefit and Privilege rule
- ¥ immigration

(1995: 21)

The report outlined three mechanisms for reducing expenditure on rent supplementation. These included the exclusion of single persons under the age of 25 with no dependents; increasing the minimum rent contribution payable by recipients of the supplement; and reducing the maximum levels of rent acceptable by the health boards. The review group went on to acknowledge that if any of the three options were implemented, there would be "substantial negative social and financial implications for beneficiaries" (1995:14). To date none of these recommendations have been implemented and the primary concern at present relates to the desirability of transferring the administration of SWA rent supplementation from the health boards to local authorities.

Table 14 outlines the implementation of the Housing (Registration of Rented Houses) Regulations, 1996 at the end of December 1996. Less than 20,000 private rented houses were registered. Based on the 1991 census data, that represents less than one-quarter of the total stock of private rented housing. Of greater concern are the high numbers of private rented dwellings inspected which do not meet the requirements of the *Housing (Standards for Rented Houses) Regulations, 1993*<sup>9</sup>. Thirty five percent of all private rented dwellings in the Eastern Health Board region did not meet the requirements of the regulations. This figure fluctuates considerably within the area, from a low of 0.3 percent in South Dublin to 72 percent in Dublin County Borough.

Overall, the figures highlight the differences in quality within the private rented sector and the high concentration of poor-quality accommodation in the geographical areas where large numbers of tenants in receipt of rent supplementation are concentrated.

<b>Table 14</b>	<b>Implementation of the Housing (Registration of Rented Houses) Regulations, 1996</b>			
	<b>Private Rented Houses Registered</b>	<b>Dwellings Inspected</b>	<b>Dwellings not meeting the requirements of the regulations</b>	<b>%</b>
Dun Laoghaire-Rathdown	1911	1516	14	<b>0.9</b>
Fingal	373	316	40	<b>12.7</b>
South Dublin	481	1159	3	<b>0.3</b>
Kildare	483	20	15	<b>75.0</b>
Wicklow	509	37	5	<b>13.5</b>
Dublin CB	7900	2606	1888	<b>72.4</b>
<b>Total EHB</b>	<b>11657</b>	<b>5654</b>	<b>1965</b>	<b>34.8</b>
National Total	19384	6048	219	<b>3.6</b>

Source: Department of the Environment. Annual Housing Statistics Bulletin, 1996

Recent government initiatives aimed at improving the quality and regulation of the sector have been broadly welcomed, yet it is clear that much more needs to be achieved to make the private rented sector in Ireland a viable alternative to owner-occupation and not simply a place

<sup>9</sup> The Regulations require a landlord to: ensure that the house is in a proper state of structural repair; provide a sink with hot and cold water facilities; provide toilet and bath or shower facilities; provide adequate means for heating, for installing cooking equipment and for storing food; maintain installations for the supply of electricity or gas in good repair and safe working order; provide proper ventilation and lighting to each room; maintain common facilities for cooking, food storage, lighting and heating in good repair and safe

of temporary abode or a last resort for those who cannot obtain local authority housing. In the short term, it is difficult to foresee any appreciable change in the overall role of private rented housing. Its share of the overall stock should not change substantially with new private rented provision balancing losses due to obsolescence or conversions to owner-occupation. However, the introduction of statutory minimum requirements should improve the quality of the existing stock.

## **CONCLUSION**

The primary source of housing in the Republic of Ireland for those unable to enter the owner-occupier sector -- which, by and large, means those with insufficient income, due to unemployment and low pay, -- comes from the local authority, the private rented sector and increasingly the voluntary housing sector. The shortage of supply in these sectors has serious implications for those already homeless or living in inadequate accommodation, and for all those without sufficient income to enter, this preferential form of housing tenure.

Despite some changes in the Irish housing in recent years, the years of stagnation in the area from the mid-1980s until 1991 have resulted in an accumulation of households in urgent need of accommodation in Ireland. This, coupled with persistent high levels of unemployment and the promotion of home ownership above all other housing options -- will ensure that unless radical changes occur in Irish housing policy, those least able to purchase their own accommodation will remain homeless or exist in accommodation unsuitable and inappropriate to their needs for the foreseeable future.

The recent increase in asylum seekers, in addition to the programme refugees, in Ireland has added to an overburdened social housing sector and a private rented sector that has not expanded to meet an increasing demand. The extent of housing need is examined in the next section, which concludes with an identification of the housing options available to those households currently occupying accommodation unsuitable or inappropriate to their needs.

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working order; maintain common sinks, toilets, baths/showers and other common areas in good repair and clean condition and provide a secure handrail for any common stairway.

## **Section Four:**

### **Housing Need, Homelessness and Asylum Seekers in Ireland**

#### **INTRODUCTION**

This section sets out to examine current levels of housing need and homelessness in Ireland, drawing on data from the recent assessments of housing need and homelessness. The objective of the section is to examine the housing options available for asylum seekers and refugees, as well as those already inadequately housed or homeless in Ireland, with special reference to the Eastern Health Board region. In particular, it examines the capacity of social and private rental housing to meet the needs of these households and reviews service provision for asylum seekers.

#### **ASSESSMENTS OF HOUSING NEED**

Housing need in the Irish context has tended to be defined in a narrow manner, relating primarily to those households in need of local authority accommodation. Data on the extent of housing need and homelessness in Ireland on a national basis is limited, the only consistent source being the assessment of homeless carried out by the local authorities. On 31 March of every second or third year, local authorities are obliged under the terms of Section 9 of the Housing Act, 1988 to conduct an assessment of housing need and, separately but simultaneously, an assessment of homelessness. The assessment of housing need has been conducted on the night of 31 March in 1989, 1991, 1993 and 1996. The separate assessment of homelessness has been conducted since 1991. Included in the assessment of housing is the category 'homeless', but this figure indicates only those homeless deemed in need of local authority accommodation.

The first three assessments focused exclusively on assessing the need for local authority housing, while the 1996 assessment broadened its scope to include households on the housing waiting list who did not necessarily require local authority housing, but whose housing needs could be better met by other housing options.

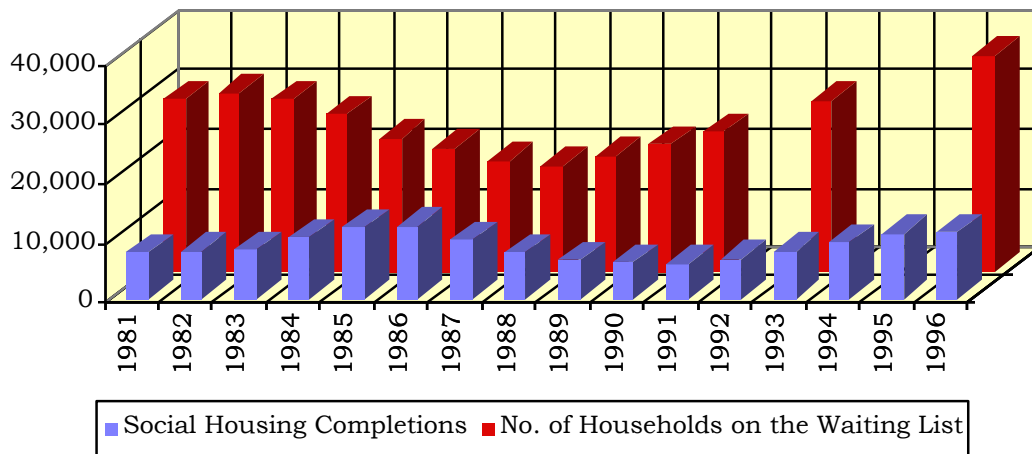
As was highlighted in section three of this report, there are approximately 30,000 households at any one time in receipt of rent supplementation, yet it would appear that only one-quarter are on the local authority housing waiting lists. In attempting to explain the limited overlap between low-income households in receipt of rent supplementation and low-income households on the housing waiting list, Fahey and Watson suggest:

–it appears the main reason lies in the targeting differences between local authority housing and SWA rent supplementation, especially as far as one person households are concerned. One person households are the characteristic beneficiaries of rent supplementation, whereas, unless they are elderly or homeless, they are treated as a low housing priority by most local authorities. Many such households feel it pointless to apply for local authority housing or are informally discouraged from doing so by housing officials. Another part of the explanation lies in the transient nature of need among some households on SWA rent supplementation. While a large proportion of households in

receipt of SWA rent supplementation have depended on the scheme for a year or more, there is a significant minority with much shorter periods of dependence” (1995:189).

Chart 5 highlights the number of households on the local authority housing waiting lists (although for the 1996 figure, not all those included are deemed to require local authority accommodation) and social output from 1981-1996. Although the chart does not identify all households who could be considered in need of local authority accommodation due to the reasons outlined above, it does give us an indication of the extent of housing need in Ireland.

**Chart 5: Social Housing Output and Number of Households on the Housing Waiting List Nationally, 1981-1996**

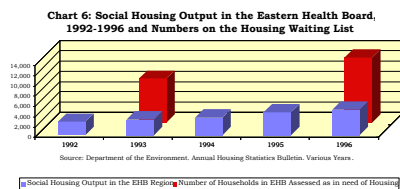


Source: Department of the Environment. Annual Housing Statistics Bulletin. Various Years.

The chart highlights the decrease in the number of households on the waiting lists during the 1980s, and the decrease in social housing output from the mid-1980s. In March 1996 there were over 37,000 households on the housing waiting list, with just over 10,000 social housing units made available in that year.

Although a range of factors, such as the intensification of long-term unemployment, an increasing rate of household formation, immigration and deinstitutionalisation, have contributed to increasing the demand for social housing, the low levels of social housing output have resulted in households remaining on the housing waiting list for increasingly longer periods of time.

Chart 6 outlines a similar trend for the Eastern Health Board region between 1992 and 1996. Nearly 13,000 households were deemed to be in need of accommodation in 1996, but just over 5,000 units of social housing were made available during that year.



As argued above, the primary reason for the growth in the numbers of households on the housing waiting list is not so much the increase in new households requiring social housing but the increasing length of time households are on the housing waiting list. This can be seen in table 15<sup>10</sup> which shows that the time between acceptance and eventual housing has increased between 1991 and 1996, with the biggest rise in those on the list for over four years.

Table 15 shows that the number of households nationally accepted onto the waiting list for the first time as a result of the assessments decreased from 12,700 in 1991 to 4,600 in 1996. A similar trend is evident for the Eastern Health Board region where the figure dropped from 4,300 to 1,300 between 1991 and 1996. Thus, the number of households accepted on the housing waiting lists for the first time declined from 50 percent to 17 percent between 1991 and 1996. The households that have increased most between 1991 and 1996 are those that had been accepted for more than 4 years, from 1,378 to 3,376.

Table 16 highlights that of the 12,727 households assessed as in need of housing those living in overcrowded accommodation and materially unsuitable local authority housing are the two largest categories in the Eastern Health Board region.

Within the Eastern Health Board region, Dublin County Borough accounts for over half those households in need of accommodation. Although the Eastern Health Board has a slightly lower share of total households in need of housing, relative to its population, disproportionate numbers are found for certain categories of households: Homeless households, households involuntarily sharing accommodation, households living in overcrowded accommodation and households involuntarily resident in overcrowded materially unsuitable accommodation.

This reflects, in part, the nature of the housing stock in the area, with over half the local authority dwellings in the country. It may also well reflect the methodologies used by different local authorities to assess housing need, although Fahey and Watson (1995) found little variation in the assessment procedures.

Looking at the family structure of households assessed as in need of local authority accommodation in table 17, we can see that fewer than 7,500 were single person households.

<sup>10</sup> Table 15 provides information on the length of time on the housing waiting lists for those households deemed to require local authority accommodation. No data are available on the

Table 18 provides data on the family structure of households on the housing waiting list but deemed not to need local authority housing (data for the entire country in relation to these households is not yet available). Despite evidence suggesting that approximately 20,000 single-person households are in receipt of rent supplementation, only over one-third were on the housing waiting lists.

The most common family structure for those on the housing waiting list in 1996 was a family household with one adult and one child, followed by a family household with two adults and one child. The Eastern Health Board would appear from the data to be over-represented by family households with one adult with one or two children.

This short analysis of housing needs nationally and in the Eastern Health Board region highlights the growing number of households on the housing waiting lists and the longer length of time households are spending on the list before being housed. This trend has been growing since the early 1990s and has resulted largely from the low output from social housing from the mid-1980s to the early 1990s and slow, relative to demand, increase in social housing output from the early 1990s. It also highlights the fact that not all households who, objectively, could be considered in need of housing, are included in these data. This situation is unlikely to change dramatically in the foreseeable future.

#### **HOMELESSNESS IN THE REPUBLIC OF IRELAND**

Table 19 shows the numbers of homeless enumerated in each of the assessments of homelessness. Based on this data, there has been a reduction of just over nine percent between 1991 and 1996. The data also suggests that the majority of the homeless enumerated are to be found in the Eastern Health Board region (70 percent in 1996), which has experienced a growth of over 12 percent in homelessness since 1991.

However, the validity of these data have been questioned and it has been argued by many voluntary agencies that the figure produced in assessment seriously underestimates the real extent of homelessness. It has been argued that the data on the extent of homelessness is inaccurate and a number of ambiguities in the data have been highlighted with regard to the assessments. It has also been argued that no proper research methodology was utilised in the assessments, that there was little consultation with voluntary agencies providing services for the homeless, and that for the assessment to have any validity, independent researchers should be commissioned to conduct the assessments and publish the report. Furthermore, no data are available on the age, gender, marital status, nationality, health status or source of income from the assessment. It is simply a very crude count of some homeless people over the age of 18, at one point of time -- that is, a stock figure rather than a flow figure.

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length of time other households on the housing wait list, but not deemed to require local authority accommodation.

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<b>Table 19</b>	<b>Numbers of Homeless, 1991-1996</b>			
	1991	1993	1996	% change, 1991-1996
<b>Numbers of Homeless Nationally</b>	<b>2751</b>	<b>2667</b>	<b>2501</b>	-9.1
Numbers of Homeless in the EHB	1614	1617	1767	9.5
<i>Dublin as a % of Total</i>	<i>58.6</i>	<i>60.6</i>	<i>70.6</i>	

Source: Assessment of Homelessness 1991, 1993 and 1996. Dept. of Environment

Table 20 highlights the increasing number of local authorities, nearly 50 per cent, reporting no homelessness in 1996.

<b>Table 20</b>	<b>Frequency Breakdown of Overall Numbers of Homeless by all Local Authority Areas for 1991, 1993 and 1996</b>					
	<b>No. Of Homeless</b>	<b>No. of Local Authorities 1991</b>	<b>%</b>	<b>No. of Local Authorities 1993</b>	<b>%</b>	<b>No. of Local Authorities 1996</b>
0	<b>34</b>	38.2	<b>44</b>	50.0	<b>44</b>	48.8
1 - 10	<b>31</b>	34.8	<b>24</b>	27.3	<b>26</b>	28.8
11 - 100	<b>21</b>	23.6	<b>17</b>	19.3	<b>18</b>	20.0
101 - 1000	<b>2</b>	2.2	<b>2</b>	2.2	<b>1</b>	1.1
1001 +	<b>1</b>	1.1	<b>1</b>	1.1	<b>1</b>	1.1
<b>Total</b>	<b>89</b>	<b>100</b>	<b>88</b>	<b>100</b>	<b>90</b>	<b>100</b>

Source: Assessment of Homelessness 1991, 1993 and 1996. Dept. of Environment

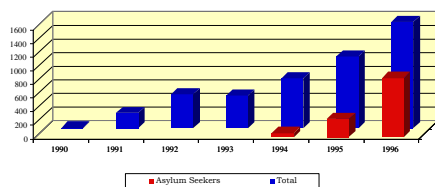
### **Homelessness, Asylum Seekers and Refugees**

None of the above data give any indication of the extent of homelessness or housing need among refugees or asylum seekers. Programme refugees, largely members of the Bosnian Community may have been included in the 1996 assessments, but are not listed separately. A small number of asylum seekers may also have been included because some health boards require claimants of rent supplementation to be registered on the housing waiting list. Whether in fact, persons whose status is as yet undetermined are entitled to be included on the housing waiting list is another matter, and one that requires clarification, and those

asylum seekers who are included may be in an advantageous position if their claim is successful.

Where we do obtain an indication of the housing needs of asylum seekers is through the emergency service for homeless persons and Travelers operated by the Eastern Health Board. As can be witnessed in Chart 8, the number of homeless households placed in bed and breakfast accommodation by the Eastern Health Board's Homeless Persons and Travellers Unit increased substantially from 1995 to 1996. However, the number of 'general homeless' placed in bed and breakfast type declined slightly between 1996 and 1995, from 657 households in 1995 to 629 in 1996, as did the number of Traveller households, from 127 in 1995 to 63 in 1996.

**Chart 7: Bed and Breakfast Usage for all Homeless Persons and Asylum Seekers in the EHB, 1990-1996**



Asylum seekers now account for more than half the households placed in bed and breakfast accommodation in the Eastern Health Board. As the number of households placed in bed and breakfast increased from 1,057 in 1995 to 1,567 in 1996 (an increase of 48 percent), so too did the cost. However, the cost of placing households in bed and breakfast increased at a greater rate than the numbers placed. In 1995, it cost £588,094 to provide bed and breakfast accommodation for 1,057 households, whereas in 1996 it cost £1,215,578 to provide 1,567 households, an increase of 118 percent.

Tables 21 and 22 provide further detail on the composition of households placed in bed and breakfast accommodation in the Eastern Health Board. The average length of stay in bed and breakfast type accommodation rose from 20 nights to 33 nights on average between 1994 and 1996 for all categories, but increased from 22 nights to 42 nights for asylum seekers. Although asylum seekers represented nearly 56 percent of those placed in bed and breakfast accommodation in 1996, they accounted for nearly 70 percent of all bed-nights, indicating the difficulties they encounter in obtaining alternative forms of accommodation.

The composition of households placed in bed and breakfast accommodation shows a significant divergence between asylum seekers and the 'general homeless' placed. Single males accounted for over 75 percent of asylum-seekers placed in bed and breakfast, compared to only 2 percent of the 'general homeless'. However, asylum seeking households with children have increased substantially from 1995 and, of all household categories of asylum seekers, households with men, women and children spend on average the longest period of time in bed and breakfast type accommodation at nearly 50 nights.

### **Asylum Seekers and Homeless Services**

Guidelines on the procedures for the reception of asylum seekers were drawn up by the Department of Justice in June 1996, allocating responsibility local health boards, through Community Welfare Officers, to ensure that asylum seekers are:

- properly accommodated
- receive appropriate welfare assistance and accommodation allowance
- referred for appropriate health checks
- assisted with schooling arrangements for children
- made aware of any voluntary/helping/ethnic groups or other social groups who may be of assistance
- receive assistance for any special needs (e.g. counselling, medical)
- receive appropriate care (in the case of unaccompanied minors)

These guidelines have no statutory status and it would appear that the neither the resources or the infrastructure necessary for their implementation have been put in place.

In practice, the overwhelming majority of asylum seekers are in Dublin city. As such, it has fallen to the Eastern Health Board Homeless Persons Unit in Charles Street to ensure delivery of these services. The experience of dealing with the substantial increase in the case load caused by asylum seekers has placed enormous strain on this service and led, in January 1997, to industrial action by the staff in the Unit .

The Homeless Persons Unit is designated for meeting the needs of homeless persons and the large number of asylum seekers using the service and the complexity of their demand, in addition to the inadequacy of the premises, placed unrealistic demands on staff. The increase in numbers using the service added to the increased length of time individuals had to wait before obtaining a service and this led to a deterioration in the service and tension between asylum seekers and other users of the Unit. In resolving the dispute, the Eastern Health Board agreed to renovate the premises in Charles Street and provide a separate service to deal with asylum seekers.

This experience is not unique to the Homeless Persons Unit. Other services for homeless people are experiencing similar difficulties. Emergency hostel accommodation for homeless people is almost always full to capacity and the practice of the Health board has been to meet asylum seekers immediate accommodation needs through referral to bed and breakfast and other tourist accommodation, so residential services for homeless people have been relatively unaffected by the influx of asylum seekers. Other services, particularly those providing food, advice, information and drop in services have faced increasing demand for their services from asylum seekers. Focus Point, which offers a flat finding service to homeless people has been particularly affected by the levels of asylum seekers using their seeking accommodation in the

private rented sector and is struggling to deal not just with increased demand but with more complex demand from people who do not know the city, understand the Irish system or speak the language.

While the influx of asylum seekers has placed strain on services for homeless people, it is important to acknowledge that these services were already under strain, working with inadequate levels of funding, staff and other resources. In the case of the Homeless Persons Unit, the premises had long been deemed unsuitable to its use and voluntary organisations consistently complained of inadequacies in services and provision for homeless people prior to the arrival of asylum seekers. Services for homeless people are attempting to respond to the needs of asylum seekers within their existing resources, without the language and other skills and resources necessary to make this viable. As these services come under increasing pressure, the quality of the service will inevitably suffer, both for asylum seekers and homeless people. Inevitably this raises questions who should provide services to asylum seekers.

**CONCLUSION EVALUATING SERVICES AND HOUSING OPTIONS FOR ASYLUM SEEKERS, REFUGEES AND OTHER HOUSEHOLDS IN NEED OF HOUSING.**

As highlighted in section three of this report, there are only two sources of housing for low-income households, including asylum seekers, in Ireland, social housing and the private rented sector. Although under the *Plan for Social Housing*, shared ownership is an option for some households, this scheme has no utility for asylum seekers due to their lack of income, but may prove a useful alternative to the private rented sector for some refugee households.

The private rented sector caters primarily for four categories of households: firstly, a declining number of largely elderly persons who have lived in the sector for a long period of time (mainly controlled dwellings); secondly, a young and mobile population for whom the sector provides flexibility and relative ease of access; thirdly, employment-linked accommodation; and, fourthly, low-income households who have difficulty obtaining access to social rented housing or owner-occupation.

Included in the fourth category are the increasing number of asylum seekers and refugees. As noted, the private rented sector in Ireland has declined substantially since the 1950s and in 1991 comprised over 81,000 dwellings. However, it cannot be assumed that there is equal access to the entire sector for all four categories. Households in the fourth category are dependent on rent supplementation from the health boards and many landlords are unwilling to accept such tenants because of their perception of such tenants as less reliable and a preference for a better class of tenant (Guerin, 1996). Of 173 landlords interviewed in a study in Cork city, almost three-quarters said they would not accept rent supplement tenants (Threshold, 1994). Of the housing that is available to this category in the private rented sector, much of it is of poor quality.

While we cannot quantify the exact scale of landlords in the private rented sector that are willing to accept rent supplemented tenants, it is difficult to foresee an increase. The *Housing (Registration of Rented Houses) Regulations, 1996* may well contribute to landlords withdrawing their dwellings from the market while the escalating average price for secondhand house (particularly in Dublin, where the average cost of purchasing a secondhand house for which loans were approved rose from £73,000 in the first quarter of 1996 to £82,000 by the final quarter) may prompt some landlords to place their dwellings for sale.

Changes in the population size and household structure, with smaller households becoming more numerous; increasing numbers of asylum seekers unable to access other forms of accommodation; sluggish social housing output; and stubbornly high levels of long-term unemployment, are creating an increased demand for the private rented sector, yet the sector has not expanded to meet the demand and may, in fact, be in decline. Anecdotal evidence from providers of services to homeless indicates that the supply of private rented accommodation available to SWA recipients in the Dublin region has virtually dried up. Thus, the short- to medium-term prospects for households attempting to access this form of accommodation appear bleak.

Even if the private rented sector were to expand to meet current demand, the very nature of the sector, characterised by insecurity of tenure, does not lend itself to a long-term solution for the housing needs of households. The issue of security of tenure emerged strongly from the ESRI analysis of social housing as a key motive for applying for local authority housing.

*The main reasons for applying for local authority housing point to the importance of dissatisfaction with the social aspects of the applicants' present circumstances as well as dissatisfaction with the physical defects such as unfitness and overcrowding. The desire for security of tenure was the single most important reason for as many private renters as unfitness and overcrowding combined". (1995:97) (italics added)*

However, the opportunities for households to acquire local authority housing are limited, particularly so for asylum seekers whose entitlement to apply is unclear. Even if they were entitled to local authority housing, completions are not at a level to meet the current need for this form of accommodation. Thus, in the short to medium term, local authority accommodation will not be in a position to offer solutions to the housing needs of large categories of households, particularly single-person households.

The sector of social housing that offers substantial potential to contribute to meeting the housing needs of low income households, is voluntary social housing. Although the contribution from voluntary agencies to the social housing output increased dramatically from the 1980s, from less than 100 in 1984 to over a 1,000 in 1995, the output declined slightly in 1996. Most housing schemes by voluntary bodies have been "once off" schemes for the elderly, disadvantaged, the handicapped or homeless, with only four or five large scale providers and

only three explicitly geared to the provision of general needs housing. This may be because of a preference on the part of housing bodies but it may also be due to the difficulties that voluntary housing agencies have in getting established and obtaining adequate funding from the Department of the Environment for their activities. As the director of one of the largest voluntary housing agencies in Ireland, Pat Cogan of Respond! recently argued:

-The costs of setting up a housing association are not inconsiderable and are usually not secured by any statutory funding. Costs will include the legal structuring of the association, its registration as a charity, all preliminary costings in respect of site surveys, building plans, the securing of the association office and of staff, if required, the planning and tendering procedures for both consultants (as required) and for contractors. Much of the building-development costs can be recouped later under the mortgage - provided the scheme goes ahead. No association should presume that this is a certainty. Our experience has been that many schemes never reach a site-start either because of planning difficulties, or political objections, or over-expensive tenders, or, indeed as happened recently, because the local authority may set about building upon the same site which it had offered to the housing association and for which it had given planning permission only three weeks previously" (1996:10).

In a similar vein, the Irish Council for Social Housing, in a recent submission to the Department of the Environment, has argued that the current funding limits for both the Capital Assistance Scheme and the Rental Subsidy Scheme are outdated and do not reflect current costs, resulting in the Capital Assistance Scheme having become virtually unusable in urban areas without the donation of sites or existing buildings suitable for economic conversion (ICSH, 1996).

Without a major revision of the funding schemes for voluntary housing, this sector of housing is unlikely to expand beyond its current limits and a valuable potential source of social housing will be lost.

The prospects of housing, adequate to the needs of households, either already on the housing waiting lists or newly-emerging groups such as asylum seekers and refugees in need of housing remain bleak. Although the Irish housing system has been remarkably successful in creating home-owners, the supply of social and private rental housing has not expanded in recent years to meet the needs of those who cannot afford to access this sector of housing and the likelihood of the supply increasing in the foreseeable future is doubtful.

In terms of services for asylum seekers, the current situation is clearly unsatisfactory, for them and for other homeless people, who are now sharing the same limited supply of service provision. Asylum seekers have obvious 'special' needs including counselling for those who have suffered torture or other trauma, interpretative facilities and other supports appropriate to people in a strange country. These needs are currently either not being addressed at all or are addressed by agencies ill equipped to do so, and possibly at the expense of services to homeless people. There is a clear need now to review the needs of asylum seekers and devise a strategy for meeting these needs, in a co-ordinated manner.



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