



**Northern Ireland
Assembly**

COMMITTEE FOR SOCIAL DEVELOPMENT

Please use this form to submit written submissions in relation to the Housing (Amendment) Bill. Return to committee.socialdevelopment@niassembly.gov.uk by Friday 4th September 2015.

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Date: 3 September 2015

(where possible, please structure your response to the specific clauses of the Bill and, if appropriate, suggest alternative or additional wording to clauses, which may assist the Committee's consideration of the need for any amendments to the Bill)

1.0 Introduction

The Chartered Institute of Housing (CIH) is the professional body for people who work in housing. CIH draws upon the experiences of housing professionals in Northern Ireland, the Republic of Ireland, Britain and beyond. We have approximately 500 individual members across Northern Ireland and the Republic of Ireland and 18,000 worldwide. CIH has expertise in analysing housing law, policy and practice in developing professional standards for housing practitioners. Anti-social behaviour is (ASB) an area of particular interest and practice for us. The Respect – ASB Charter for Housing was developed and jointly managed by CIH and the Social Landlords Crime and Nuisance Group (SLCNG) and HouseMark. It currently has over

500 signatories across the UK including Helm Housing locally:

<http://www.cih.org/respectcharter>

2.0 General comments

CIH Northern Ireland believes that the current range of enforcement powers available to social landlords and agencies in Northern Ireland to tackle ASB is comprehensive. We recognise however that there are circumstances where information sharing between authorities regarding ASB would help to support better housing management decisions and outcomes. ASB is a complex issue requiring a range of solutions. CIH Northern Ireland is supportive of a balanced approach that both supports residents and tenants affected by ASB and provides perpetrators and/or their families with the opportunity to change their behaviour through appropriate support.

DSD's initial consultation proposed tackling ASB in a very different way, mainly by introducing a form of demoted tenancy with support attached. CIH Northern Ireland welcomes the decision to not introduce the 'short secure tenancy' as there is no evidence that the removal of security of tenure would provide additional incentives for positive behavioural change. In fact, established practice has shown that intervention can be very effective where appropriate support is provided, rather than the tenancy threatened. The focus within the draft Housing (Amendment) Bill has shifted towards information sharing as the main way of addressing the problem of ASB. While the policy intention for information sharing is to support enforcement powers more than provide support, we interpret that under these proposals information sharing could support supportive intervention as well as the more punitive approaches. We acknowledge the need for information sharing between authorities and recommend that DSD develop a model information sharing protocol and template which meets data protection requirements. This will help to ensure a consistent approach which is understood by all stakeholders and meets legal requirements.

We would like to see other methods employed to tackle ASB as well as information sharing. More policy direction from government affirming the need to provide appropriate support would be helpful. For example, information sharing could also be used to inform NIHE or housing association about possible support needs to help sustain a tenancy and/or change behaviour.

CIH Northern Ireland believes there is scope for DSD to enhance its existing ASB toolkit, thereby encouraging robust ASB strategies to be developed by social housing providers. There is also scope to encourage better partnership working between social housing providers and local councils, the latter holding some relevant powers to take action on ASB. CIH Northern Ireland would welcome an opportunity to jointly-host with the Department a preliminary meeting with social housing providers to explore how the Respect – ASB Charter for Housing could be developed or contextualised in a local setting.

3.0 Comments on bill clauses

Clause 1 – Sharing of information relating to empty properties

The number of empty homes brought back into use will continue to be small in the context of overall housing need. It nevertheless represents a minor route to supply and so we support measures including the proposed clauses for information sharing which could help bring such homes back into use. CIH Northern Ireland supports the policy intention to allow information sharing between DFP and DSD or NIHE relating to empty homes and has no suggested amendments.

Clause 2 – Disclosure of information relating to anti-social behaviour

As well as being potentially required to take the specific available actions outlined in clauses (8) (a) through (f), information can facilitate supportive intervention such as sharing between criminal justice agencies/partners and the community to enable more sustainable housing solutions and related support to offenders, and to improve joint working around witness and victim intimidation. Thus, we support the inclusion

of clause (8) (g) which we think could be interpreted broadly enough to allow information sharing for broader actions, including supportive intervention under a social landlords' comprehensive ASB strategy subject to an information sharing protocol/template and the recommendations below. The clause could also be interpreted as a catch-all clause for supporting any enforcement actions omitted in (a) through (f), so DSD would need to satisfy itself that it can be used to support supportive intervention, in order to make full use of information sharing to resolve instances of ASB.

Clause 2 (1)

-we recommend that "a person" be defined as we believe this should be a named authority e.g. PSNI, Councils

-we recommend that "on request" be inserted as we believe that as the information must be used for a "relevant purpose" by NIHE or registered housing association that it should only be disclosed upon request by these housing providers

Clause 2 (3)

-we recommend that the "relevant information" should be evidence based

Clause 3 – Registration as statutory charge of certain loans

CIH Northern Ireland does not disagree with the principle of registering a statutory charge, however we cannot comment with authority on the impact of this as we are not aware of the detail regarding a scheme for loan assistance for private sector housing repairs and improvements. We have one specific comment – Page 5 line 18 after "paragraph (1)(a) is" insert "or" so the clause reads "So long as any part of the principal of, or any interest on, a loan under paragraph (1)(a) is **or** remains outstanding..." (emphasis added).

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