



VOICE & JUSTICE ALLIANCE NI | Written Submission

Homelessness Begins Before Housing

Housing (Amendment) Bill — Extending the Definition of “Threatened with Homelessness”

Submitted to:

Committee for Communities, Northern Ireland Assembly

Submitted by:

Voice & Justice Alliance NI

Prepared by:

Tracey Tedford,

Contributors:

Fifi Garrett & Kerry Millington

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The Bill extends the period during which the Housing Executive can prevent homelessness. It does not change the point at which homelessness becomes somebody’s responsibility.

About Voice & Justice Alliance NI

Voice & Justice Alliance NI is an independent systems reform organisation working at the intersection of trauma-informed practice, legislative scrutiny and cross-agency accountability. It is established by Tracey Tedford and Fifi Garrett, two practitioners with complementary expertise in policy analysis and political engagement.

VJA’s focus is on the architecture of the space between systems — on the structural gaps created when legislation, policy and practice are designed in silos and evaluated by the agency responsible rather than by the person affected. This submission addresses one such gap: not whether the Housing Executive should act earlier to prevent homelessness, but how people reach the Housing Executive early enough to benefit when it does.

This submission is prepared by Tracey Tedford, Co-Director. VJA has previously submitted evidence to the Department of Justice’s consultation on improving victim engagement in the parole process, to the Timms Review of Personal Independence Payment, and as a contributor to the SHERA Research Group’s legislative scrutiny submission to the Justice Committee (March 2026).

Executive Summary

Voice & Justice Alliance supports the Housing (Amendment) Bill. The proposal to extend the definition of “threatened with homelessness” from twenty-eight days to sixty days is proportionate, evidence-based, and addresses a genuine inconsistency within Northern Ireland’s existing housing legislation.

The Bill repairs one important legislative gap. Under the current framework a private tenant with a tenancy of more than a year must ordinarily receive at least fifty-six days’ notice to quit, yet the Housing Executive’s statutory prevention duty generally begins only during the final twenty-eight days of that period. A person can therefore know they are going to lose their home while remaining outside the statutory prevention framework for at least half of their notice period. The Bill corrects that inconsistency.

But the Bill also exposes something beneath the timing. The statutory system only becomes responsible for preventing a person’s homelessness after another part of the public system has already recognised the risk. The Bill moves that moment earlier; it does not change whose responsibility it is to notice in the first place. This is a question of ownership, not only of time — and homelessness rarely begins inside the housing system.

We support the Bill. We also ask the Committee to treat it as an opening to consider how responsibility for preventing homelessness is shared across public services, rather than resting almost exclusively with housing.

1. The Bill Repairs One Legislative Gap

The Bill makes a single substantive amendment: it replaces the twenty-eight day definition of “threatened with homelessness” in Article 3(6) of the Housing (Northern Ireland) Order 1988 with sixty days. Although modest, the change addresses a real inconsistency within the existing framework.

Under the Private Tenancies Act 2022, a tenant occupying a property for more than one year must ordinarily receive at least fifty-six days’ notice before the tenancy ends. Yet Article 3(6) currently delays the Housing Executive’s statutory prevention duty until only twenty-eight days remain. The Sponsor identifies this inconsistency directly in the Explanatory and Financial Memorandum. The practical effect is an avoidable gap: a tenant may hold a lawful notice requiring them to leave while remaining outside the statutory prevention framework for at least half of that notice period.

Extending the definition to sixty days closes the gap and provides a margin beyond the fifty-six day notice period. It brings Northern Ireland into line with comparable jurisdictions — Wales and England (fifty-six days) and Scotland (two months) — and with the “at least fifty-six days” standard recommended by the Assembly’s own Public Accounts Committee in February 2026. VJA therefore supports the amendment.

2. The Assumption Behind the Bill

Every piece of legislation makes assumptions about how public systems operate. The assumption underpinning this Bill is that homelessness prevention begins when the Housing Executive becomes aware that someone is threatened with homelessness. In practice, that is rarely the beginning of a person’s housing crisis. It is simply the point at which housing first becomes aware of it.

This is understandable. Legislation allocates legal responsibility; it necessarily asks when one public body becomes responsible for acting. But people do not experience responsibility. They experience vulnerability — and those two timelines are rarely the same. People experience one life; systems deliver fragments.

The Memorandum itself recognises that homelessness is a cross-cutting issue affecting health, justice, education and wider public services, and it identifies domestic abuse, family breakdown and loss of rented accommodation among the principal causes. The Sponsor's own figures record domestic abuse as the cause of 12.3% of homelessness presentations. None of these causes begins within the Housing Executive.

A woman fleeing domestic abuse does not first become threatened with homelessness when she contacts housing. A patient facing an unsafe discharge does not first become threatened with homelessness when the Housing Executive receives written notification. A prison leaver's housing crisis does not begin at the front desk. In each case the housing risk exists before any statutory housing duty is engaged; housing simply becomes the first organisation legally required to respond.

3. Homelessness Begins Before Housing

A person reading this Bill would probably recognise the extension from twenty-eight to sixty days as helpful. They might not recognise why they were invisible for the weeks before they contacted Housing. That invisibility is not simply an operational matter; it is a consequence of how responsibility is allocated across public services.

This distinction matters because prevention and response are not the same thing. The earlier a housing risk is recognised, the greater the opportunity to prevent homelessness altogether — and the Bill remains largely applicant-led. Article 3(6) continues to require the person to give written notice before the statutory definition is engaged.

For many people that presents little difficulty. For others it is a significant barrier. People experiencing coercive control may not recognise themselves as homeless. People leaving institutional settings often have multiple competing priorities. Those experiencing mental ill-health or trauma may struggle to navigate administrative processes. And many will disclose their circumstances first to another public service — a hospital, a court, a prison, a refuge, a domestic abuse worker — rather than to housing.

The additional thirty-two days therefore have value only if people enter the homelessness system early enough to use them. Time cannot prevent homelessness if the statutory clock has not yet started.

4. Earlier Intervention Requires Earlier Ownership

This leads to what VJA considers the central systems question raised by the Bill: who owns homelessness before housing does?

The Memorandum repeatedly describes homelessness as cross-cutting, yet the legislative response remains almost entirely housing-centred. Hospitals, prisons, probation, social services, domestic abuse services and mental health teams frequently become aware that someone is at risk of homelessness before the Housing Executive does. None is placed under any corresponding responsibility by this legislation.

The risk is visible. The responsibility is not.

It is worth being clear about why this gap exists. It is not the product of poor design or indifference. Housing legislation allocates housing duties; it was never intended to allocate health, justice or social work duties. Responsibility is carved up department by department because that is how government is organised. The gap is therefore architectural rather than accidental — which is not a criticism of anyone, but it does mean that a problem crossing departmental boundaries cannot be solved from within a single department. We understand why the system was built this way; we are asking the Assembly to look beyond those boundaries now.

The principle is straightforward: if responsibility for recognising homelessness risk already sits across public services, then responsibility for initiating prevention should sit there too. One mechanism for giving that principle effect is a Duty to Refer. England's Homelessness Reduction Act 2017 offers a working example — it requires specified public authorities to refer people they believe are homeless or threatened with homelessness to the housing authority, with the person's consent. We cite it not as a template to be copied across, but as evidence that the principle is workable; Northern Ireland would need its own design, fitted to its own services and its own context. VJA recognises such a duty would extend beyond the immediate scope of this Bill, but the Committee may wish to consider whether the Bill is an appropriate opportunity to begin that discussion.

This principle is neither hypothetical nor new to government. In November 2025 the Minister for Communities, together with the Minister of Health, launched New Foundations — a Programme for Government commitment to prevent homelessness among young people leaving care. The Minister set it out explicitly as a means of embedding “permanent systems change” and driving collaboration between statutory agencies, rather than leaving prevention to any single department. The Executive has therefore already accepted, for one group, precisely the principle this submission describes: that responsibility for preventing homelessness cannot rest with housing alone. What New Foundations does for care leavers, a Duty to Refer would begin to do more widely. On this point the Committee is not being asked to adopt an untested idea, but to extend a principle the Executive already holds.

5. Prevention Requires Visibility

The Bill assumes that earlier intervention will reduce homelessness. We share that assumption — but an assumption should be capable of being tested, and the legislation contains no mechanism requiring the publication of prevention outcomes.

This matters because systems learn from what they choose to measure. A system that does not measure prevention cannot learn to prevent. Unless prevention is recorded as an outcome in its own right, the system will keep counting what it does rather than what it changes.

We therefore recommend that implementation include the routine publication of prevention outcomes, disaggregated by cause — including domestic abuse — covering prevention activity, tenancy sustainment, repeat homelessness and use of temporary accommodation, so that both the Assembly and the public can judge whether extending the statutory period delivers the intended benefit.

6. Temporary Accommodation

The Housing Executive's concern that the Bill could increase demand for temporary accommodation deserves careful consideration. That concern is legitimate: the cost of temporary accommodation has risen sharply in recent years, from £7.6 million in 2018/19 to £38.6 million in 2023/24, and more than half of all homelessness expenditure is now spent on temporary accommodation alone.

The purpose of the Bill, however, is precisely to reduce crisis presentations through earlier prevention. The question is therefore not whether more people enter the prevention system, but whether fewer ultimately require emergency accommodation. As the Sponsor notes, most people who engage early want to remain in their existing tenancy; handled as prevention, earlier engagement should reduce the flow into temporary accommodation over time.

Monitoring should therefore focus not only on demand but on outcomes. Particular attention should be paid to those whose homelessness arises through domestic abuse or other safeguarding concerns, so that increased pressure on temporary and non-standard accommodation does not reduce access to safe and appropriate placements for the people who most need them.

The same concern applies with particular force to children. When a family is placed in temporary accommodation — especially where they are moved repeatedly, or out of their normal area — a child can lose contact with the school, GP and health-visiting support that hold their development together, at the very point of greatest instability. England has just legislated for exactly this: from September 2026 the Children's Wellbeing and Schools Act 2026 requires housing authorities to notify a child's school, GP and health-visiting service when the child is placed in temporary accommodation. It would be worth the Committee establishing whether any equivalent safeguard exists in Northern Ireland, where the Housing Executive performs the functions an English local authority would. And if Northern Ireland does act, it has the advantage of learning from the limits of the English model: that duty is triggered only once per homelessness application, so it does not follow a child through repeated moves — the very situation in which continuity is most often lost. The opportunity here is not to copy the English duty, but to close the gap it leaves open.

7. Implementation

VJA supports the proposed six-month commencement period, but commencement should be treated as an implementation programme rather than simply a delayed start date. The change to the threshold is straightforward to draft; it is less straightforward to operate. The period before commencement should be used to revise operational guidance, train frontline staff, establish cross-service referral pathways, update public information, and prepare outcome-monitoring arrangements. Because the duty is triggered by the person coming forward, public communication here is not presentational: an extended statutory period helps only those who know it exists.

Our concern is a familiar one: a duty that changes on paper on day one but whose supporting practice lags behind, so that the people it is meant to reach do not feel the difference for months. Legislation changes systems only when operational practice changes alongside it.

Summary of Recommendations

VJA asks the Committee to consider the following specific actions:

Rec. 1	Support the proposed extension of the definition of “threatened with homelessness” from twenty-eight to sixty days.
Rec. 2	Ensure that sixty days is understood and applied as a minimum — “at least sixty days” — consistent with the language used in the consultation and with the Public Accounts Committee’s “at least fifty-six days” recommendation, so that earlier intervention is treated as a floor rather than a ceiling.
Rec. 3	Give effect to the principle that responsibility for recognising homelessness risk — and for initiating prevention — should sit across public services, not with housing alone. One mechanism is a statutory Duty to Refer, requiring relevant public authorities (health, justice, prison and domestic abuse services) to refer people threatened with homelessness to the Housing Executive, with the person’s consent. The Homelessness Reduction Act 2017 shows such a duty is workable; any Northern Ireland scheme should be designed for local conditions rather than transposed.
Rec. 4	Ensure implementation guidance recognises that homelessness risk frequently emerges outside housing services, and that effective cross-agency referral pathways are in place at commencement.
Rec. 5	Establish whether any safeguard equivalent to England’s new duty exists in Northern Ireland for children placed in temporary accommodation — connecting a child’s school, GP and health-visiting service to their placement — and, if not, consider how continuity of education and health support could be protected, including for families moved repeatedly or out of area.
Rec. 6	Ensure implementation includes clear public communication, so that tenants and the public — not only professionals — understand they may seek assistance earlier than under the previous framework. Because the statutory duty is engaged by the person coming forward, the extended period benefits people only if they know it exists.
Rec. 7	Require publication of prevention outcomes following implementation, disaggregated by principal cause of homelessness (including domestic abuse), and covering prevention activity, tenancy sustainment, repeat homelessness and use of temporary accommodation.
Rec. 8	Review the operation of the amended legislation after an appropriate implementation period, to assess whether extending the statutory period has improved homelessness prevention.

Conclusion

Voice & Justice Alliance supports this Bill. It aligns the Housing Executive's prevention duty more closely with the realities of tenancy law and creates real opportunity for earlier intervention.

The Bill recognises that homelessness prevention requires earlier intervention. We agree. Our observation is simply that earlier intervention depends not only upon time, but upon ownership. Extending the statutory period allows the Housing Executive to act sooner. Ensuring that people reach the Housing Executive sooner requires the wider public system to recognise that homelessness begins before Housing.

And this is not, in the end, only about housing. The same pattern appears wherever public responsibility begins only after private crisis — where a system organised around institutions meets a life that is organised around none. It is the gap VJA was formed to examine: the space between how responsibility is allocated and how it is lived. The Housing (Amendment) Bill is a welcome opportunity to begin closing one instance of it.

The Bill extends the period during which the Housing Executive can prevent homelessness. It does not change the point at which homelessness becomes somebody's responsibility.

VJA is available to provide further evidence or to give oral evidence to the Committee should that assist.

Tracey Tedford

Co-Director, Voice & Justice Alliance NI

[REDACTED]
[REDACTED]

Fifi Garrett

Co-Director, Voice & Justice Alliance NI

[REDACTED]
[REDACTED]

Kerry Millington

[REDACTED]
[REDACTED]