



Submission Equality Impact Assessment Consultation on Anti-Social Behaviour Housing Proposals

February 2025

homelessconnect.org

Homeless Connect Response to Equality Impact Assessment Consultation on Anti-Social Behaviour Housing Proposals

Introduction

1. Homeless Connect has been working to prevent and alleviate homelessness in Northern Ireland since 1983. As an umbrella body, we represent over forty organisations working in the independent homelessness sector. We also support people with lived experience of homelessness to have their voices heard. We provide services that directly benefit people and communities, helping to sustain tenancies and diverting surplus nutritious food to charities and other not for profit groups. Our response has been informed by feedback from representatives of our Policy Forum.
2. At the outset, we welcome the decision on the part of the Departments of Communities and Justice to conduct a full Equality Impact Assessment on its Anti-Social Behaviour Housing Proposals. In our initial response to the consultation, we had made the following remarks in this regard:

“One further concern we wish to flag in relation to this response is our concern about the fact that a full and comprehensive Equality Impact Assessment has not been completed with regard to the proposals set out in the consultation. We do not believe that the equality screening exercise conducted properly considers the impact that these proposals, if implemented, would have on several section 75 groups. It will be evident from what we have outlined above that we believe that these proposals are likely to have differential impacts on several section 75 groups. We would particularly highlight age and disability in this regard. We would urge the Departments to conduct a thorough and comprehensive Equality Impact Assessment before proceeding further in this process.”¹

We are glad that the Department has heard our concern (as well as the concerns raised by others) and conducted a comprehensive Equality Impact Assessment on the proposals. The Department is correct in its assessment that “the development of a robust EQIA on proposals is... essential to ensure that the Department’s proposals are proportionate and fair for Section 75 groups and that it can withstand scrutiny and challenge in respect of equality and wider legal issues.”²

3. Before coming to the Equality Impact Assessment, we want to be clear that the comments above were only one element of our response to the initial consultation. We raised several other concerns regarding the proposals beyond the remit of an Equality Impact Assessment and we look forward to the publication of the response to the initial consultation in due course. It is acknowledged that the Department has cited considerably more evidence regarding the impact of their proposals on section 75 groups in the EQIA document, a concern we strongly highlighted in our initial response.

The Consultation

4. We recognise and appreciate the level of detail which the EQIA goes in to regarding the impact of the proposals on section 75 groups. Speaking generally, we believe the Department has correctly identified the categories where there is a potential for an adverse impact arising from the proposals namely age, men and women (gender), disability and dependants. The discussion over the potential adverse impacts is nuanced and well informed one, in contrast to the initial consultation.
5. We agree that the proposed mitigations set out in the document would be of some value in addressing some of the potential adverse impacts. If these legislative proposals go forward, it is right to update the Departmental Housing Guidance to reflect the potential impacts on these section 75 groups as well as to closely monitor the impact of any proposals on these groups. On this latter point, this was something we had called for in our response to the initial consultation at several points and we welcome its inclusion here.
6. However, we retain concerns about the proposed mitigations on two grounds. Firstly, the mitigations outlined in the main reflect the current approach of the Departments involved to anti-social behaviour. It is not clear here that any substantively different practices would be adopted from current approaches in mitigation for the impact of any legislative changes. We further note that the mitigations proposed do not seek to take a preventative approach beyond what is already practiced. In our estimation, a focus on the root causes of anti-social behaviour upstream and mitigations which make a difference at that point should be considered as mitigations. The EQIA appears to indicate that the Department proposes to in the main continue in the approach it already takes on anti-social behaviour without much adaptation in accordance with the impact the proposed changes would have.

7. Secondly, we have significant concerns about the idea that signposting to services provided through the Supporting People programme will necessarily serve as an effective mitigation. As the representative body for the homelessness sector, we represent several organisations who are funded through the Supporting People programme who do remarkable work supporting people with a range of complex needs in this society. It is true that in some cases, services funded through the programme could help to mitigate adverse consequences for section 75 groups.

8. However, it is important to be cognisant of the degree of pressure organisations funded through the programme are under. Back in 2020, the Strategic Needs Assessment conducted for the Northern Ireland Housing Executive identified a gap between the level of need and the supply of support services of 14%.³ For certain support categories the gap between need and supply was considerably wider: for example mental health (20% gap), people with substance dependency (24.2% gap), single people experiencing homelessness with support needs (18.7% gap) and people at risk of domestic abuse (49.4% gap). The overlap with section 75 categories is also evident here. It is widely accepted amongst providers and staff in the Housing Executive that the gap across many support categories has widened since that time the assessment was conducted. Indeed, this reality was predicted in the Strategic Needs Assessment itself when it made projections going forward.⁴ What this means in practice is that a considerable number of people who need support provided by organisations funded through the programme are unable to access it when they need it with all of the consequences this can have.

9. To be clear, we are not saying that it is wrong for the Department to include Supporting People funded services as a potential mitigation. However, we are drawing attention to the fact that it can only be a mitigation if people who need it are able to access services when they need it. At the current time, there is a risk that some of these groups will not be able to access the right support at the right time and that this will therefore not prove to be a meaningful mitigation of the issues identified. We know that a number of our member organisations funded through the programme who provide floating support services have to operate waiting lists, while several providers who provide temporary accommodation are operating at or close to 100% occupancy due to the level of need for temporary accommodation. The reason this situation has emerged is a direct consequence of consistent decisions taken over the last decade to freeze funding for the programme, with inflation eroding the value of the

programme year on year.⁵ For this problem to be meaningfully addressed will require substantial additional funding to be given to the programme.

10. One specific corollary of this that we would highlight is our continued concern about the impact of these proposals on individuals who are substance dependent as outlined in paragraphs 32 and 33 of our initial response. We recognise the remark made in the section on disability that “for programmes to be successful, a framework of support must also be available to help engagement.”⁶ At this stage, we retain significant misgivings over whether the Department will be able to ensure that this “framework of support” would be available for this group especially when it comes to the proposals around positive requirements.

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References

¹ Homeless Connect, “Homeless Connect Response to consultation on proposals to amend the legislation to help tackle Anti-Social Behaviour,” March 2024, accessed 7 January 2025, <https://homelessconnect.org/wp-content/uploads/2024/03/Homeless-Connect-Anti-Social-Behaviour-Consultation-Response.pdf> 11.

² Department for Communities, “Draft Equality Impact Assessment Consultation Report Proposals to amend legislation to help tackle Anti-Social Behaviour in Housing”, November 2024, 7.

³ Supporting People, “Strategic Needs Assessment Research & evidence based assessment to inform future housing support needs,” November 2020, 61.

⁴ Supporting People, “Strategic Needs Assessment”, 79.

⁵ For further discussion of this issue, see Homeless Connect “Homeless Connect Response to Consultation on the Department for Communities Budget 2024-5 Allocations,” July 2024, <https://homelessconnect.org/wp-content/uploads/2024/07/Homeless-Connect-Submission-to-Department-for-Communities-2024-5-Budget-Allocations-Consultation-1.pdf> 14-16.

⁶ Department for Communities, “Draft Equality Impact Assessment Consultation Report Proposals to amend legislation to help tackle Anti-Social Behaviour in Housing”, November 2024, 68.



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