

Implementing Alternatives to Direct Provision

Executive Summary

January 2021



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1. Introduction

- This report has been commissioned by the Irish Refugee Council (IRC). It aims to bridge the gap between the recommendations of the Advisory Group Report published in October 2021 and the Government White Paper due in February 2021, and to guide transition from Direct Provision to a new system of housing for people seeking protection and refugees in 2021 and beyond.
- This executive summary contains the headline recommendation and an exploration of the different accommodation models proposed.

Our approach addresses and answers five critical questions and challenges:

— **Models**

What models of accommodation delivery can be used to meet the aim of ending Direct Provision and congregated settings? What are the advantages and disadvantages of those models and what ownership, build and management structures do they have?

— **Transition and Timing**

How do we transition to those models? What has to occur for them to become live and at what point do they start to deliver accommodation?

— **Management and Control**

Who should have responsibility for protection accommodation? Who should commission and procure accommodation? Who manages accommodation and how should models be funded?

— **Exiting Direct Provision**

What strategy should be used to wind down Direct Provision?

— **Risk Analysis**

What risks are associated with each model and this wider policy challenge?

2. **Headline recommendations**

Who should have responsibility for protection accommodation?

- The responsibility should stay with the Department of Children, Equality, Disability, Integration and Youth (DCEDIY) in the short term. In the longer-term responsibility should move to Department of Housing, Local Government and Heritage (DHLGH) when certain indicators are met.
- This is a housing policy issue and it belongs in the government department with oversight of housing policy in Ireland.
- The accommodation of people seeking protection and refugees should be included in national and local housing development plans, regional spatial strategies and in the mandate of the Land Development Agency.

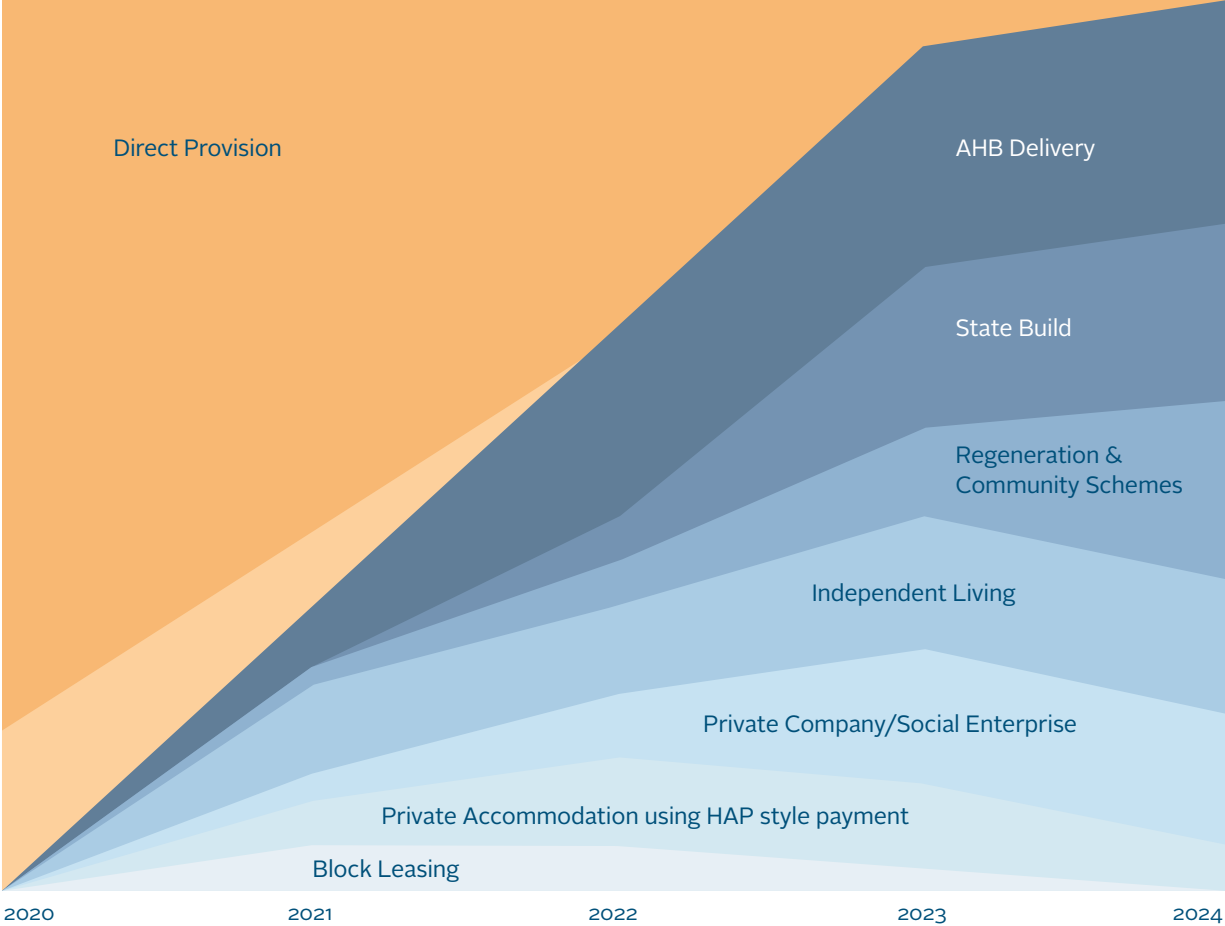
Three stage accommodation process:

- We agree with the ‘three stage’ accommodation process recommended by the Advisory Group. Approximately 875 Stage 1 reception ‘spaces’ will be needed if the Stage 1 process is kept to a minimum of three months and the number of protection applications remains at 3,500 per year or below. As the Advisory Group Report recognises, this could be a significant pressure point upon which other parts of the accommodation system fails.

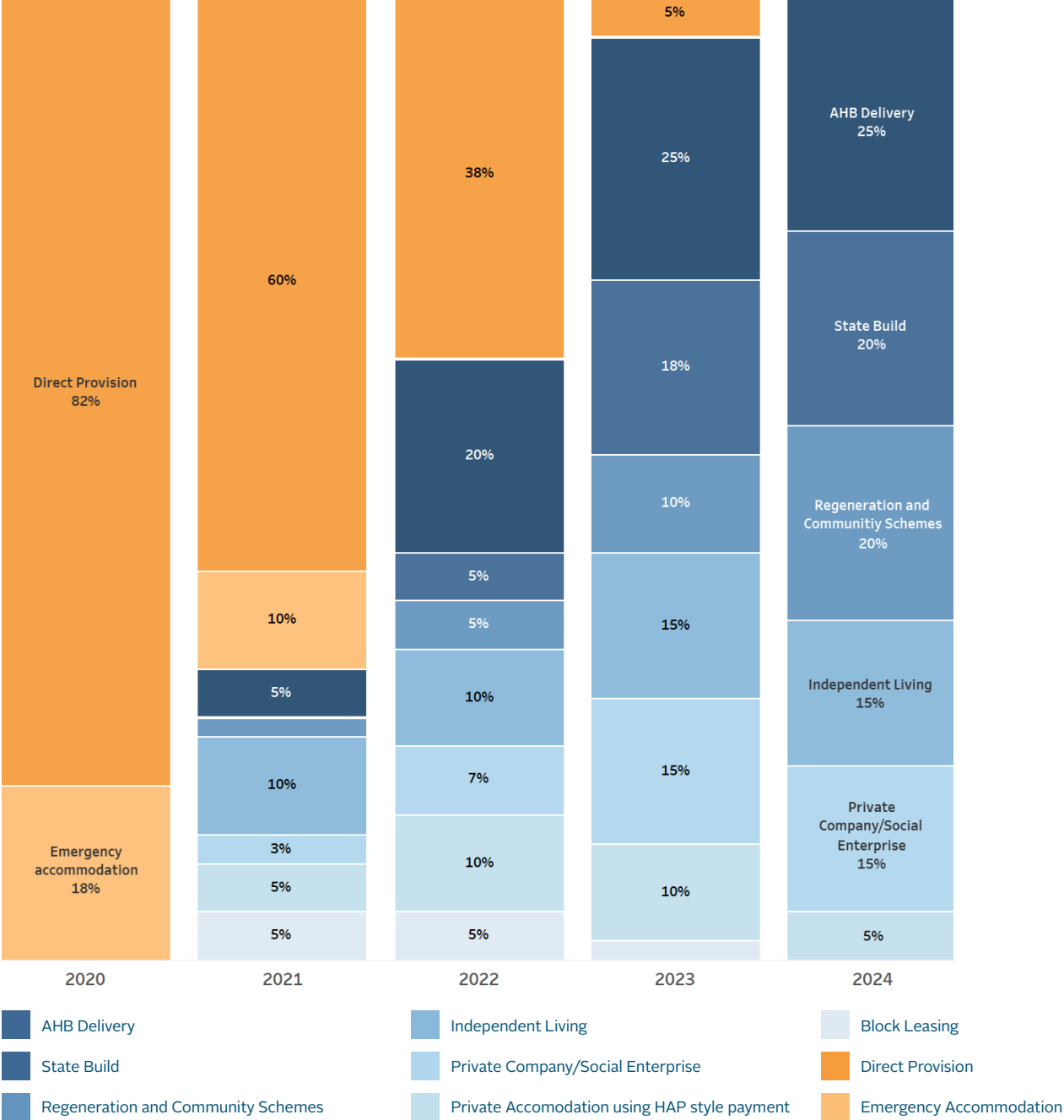
What models of accommodation should be used:

- Rather than using a single model, a blend of models should be used. There are risks with using different models, principally the challenge of co-ordinating and monitoring the implementation.
- However, there are also significant advantages and a lack of accommodation requires a multi stream approach. A variety of streams will be

Accommodation Type: Old vs New Models



Transition to new models of accommodation



needed to meet the demand for accommodation. Some streams can mobilise more quickly than others.

- As far as possible ‘new’ accommodation supply models should be pursued so that supply is not drawn from existing sources. However, all actors, including the DHLGH must accept that some existing supply will have to be used for this purpose. Accepting, and ultimately supporting this is an important part of moving protection accommodation in to mainstream housing policy into the future. While we dispute some of the observations of the DHLGH about the Advisory Group report, it makes valid points around the possible lack of capacity in the private rented sector and the need to identify new streams of accommodation supply.
- New modes of accommodation need to be brought on stream by mid-2021. Reflecting the need for urgent momentum, several accommodation pilots should be committed to build the momentum required over 2021.

Models of accommodation

- Very precise and particular approaches should be used to trigger the implementation of each model of accommodation. This report gives some guidance on how each model could proceed. However, there will be a need for specific implementation plans for each model.
- The introduction of new models of accommodation should commence as soon as possible and not wait for the existing protection backlog to be reduced.
- Various existing urban and town and vacant property regeneration and renewal policies could be used to either accommodate people or be used by bodies that are accommodating people such as AHBs.
- The non-profit aim of the Programme for Government should guide the process. However, in the short term (2021 and 2022) in particular, it is unrealistic for this to be the sole model for delivery.
- Swift implementation of independent inspections and National Standards may mitigate the perceived risks (e.g. variable quality of accommodation) of a for-profit approach.

- For a ‘mainstream’ approach (merging protection and housing policy and practice) to be viable, it requires a homelessness prevention policy and implementing infrastructure that works and a well functioning housing market, able to meet the housing needs of all people effectively. Neither of these two essential building blocks are in place at the moment.

The role of local authorities:

- While local authorities should be involved in this process, particularly in the longer term, significant doubts remain as to whether they are best placed to manage the delivery of accommodation. We suggest an approach involving regional ‘Accommodation Committees’ to identify needs and commission accommodation. This model aims to include local authorities, but does not place sole responsibility on them for addressing accommodation issues - rather they facilitate the sharing of responsibilities across several stakeholders.
- In the shorter term, there is a risk that the question of whether local authorities should deliver accommodation is a distraction; the focus should be on identifying streams of accommodation and bringing them online as soon as possible.

Control and commissioning:

- Who controls the model(s) of accommodation is a critical question. Any new approach will require agility and dynamism, particularly around procurement. Government track record on procuring public housing is relatively poor. Control could be with a single body or spread across different models. Models will exist independently and some may only bring supply online in the medium term.
- A Programme Management Office (PMO) style body, at arms length from central government but reporting to it, should be considered to manage the implementation accommodation.

Funding, value for money and costs:

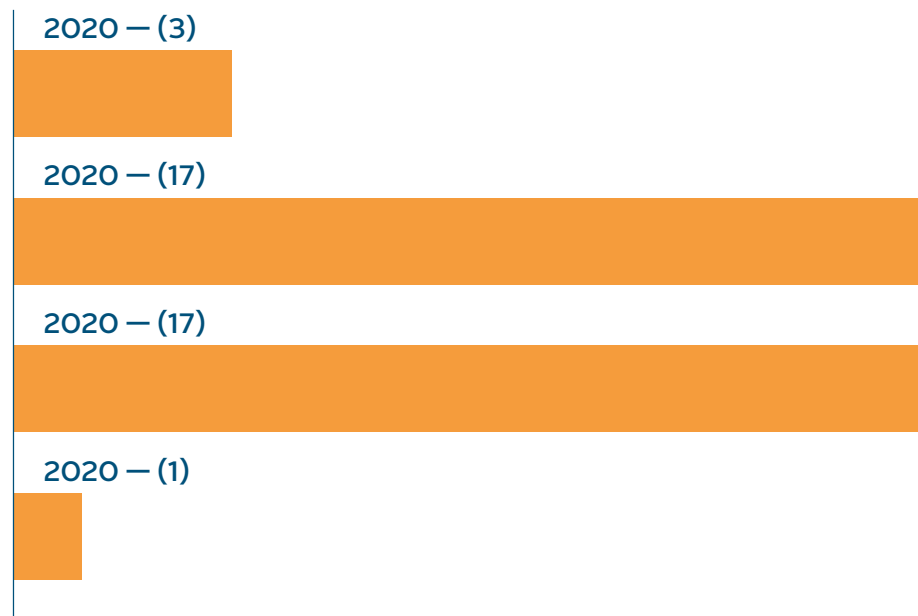
- It is essential that there are sufficient financial resources – capital and current - allocated for the whole term of this reform programme from 2021.

- A 5-year capital funding allocation is needed for protection accommodation.
- There will be a period of considerable spend increase as capital investment increases and legacy contractual arrangements are wound down, and therefore total public spending in this area will actually increase in the short term.

Strategy to wind down Direct Provision:

- There should be a clear strategy to end Direct Provision: focussing on closing emergency accommodation by the end of 2021, not renewing Direct Provision contracts when they expire and ensuring that all new applicants from mid-2021 are channelled towards the new system.

Direct Provision



Emergency Centre



Advisory Group recommendations and ‘whole system’ approach:

- The swift implementation of the recommendations of the Advisory Group are crucial, in particular around reducing processing times and the ‘case processing’ recommendation so that as few people as possible are brought across from the old system to the new.
- Approximately 2,895 people could possibly benefit from the ‘case processing’ recommendation (See Advisory Group paragraph 6.2) with a path being laid for them to leave Direct Provision. However, this case processing process scheme will take time to implement and then a further period of time for people to move out of Direct Provision.
- Creating a new system with no starting population is a completely different proposition than a new system that begins with the approximately 7,000 people.

3. Accommodation models:

Model 1: Community led and regeneration policies:

Name and Summary	Implementing body	Funding streams	Advantages	Disadvantages
<ul style="list-style-type: none"> — Variety of mechanisms that can be used — These can be divided into policies for urban and rural renewal and specific grants and policies for regenerating housing and Community Sponsorship — Can include upgrading a portion of the approximate 180,000 vacant homes in Ireland <p>Community Sponsorship and other forms of community involvement:</p> <ul style="list-style-type: none"> — Adapt the existing community sponsorship programme to protection applicants — Use other forms of community organisation similar to Area Based Childhood (ABC) programmes <p>Utilise Regeneration policies including:</p> <ul style="list-style-type: none"> — National Planning Framework — National Vacant Housing Reuse Strategy — Town Centre Living Initiative — Town Centres First programme for government commitment 	<ul style="list-style-type: none"> — Dependent on policy and or Department 	<p>EU funding initiatives:</p> <ul style="list-style-type: none"> — Urban Innovative Actions — European Regional Development Fund — European Social Fund Plus — Asylum and Migration Fund — Invest EU — EIB 'Disasters Reconstruction' loan <p>Specific construction policies that could foster and enable models:</p> <ul style="list-style-type: none"> — National renovation strategy — Repair and Lease Scheme 	<ul style="list-style-type: none"> — Alignment with other government policy and objectives, including energy grants, repair and lease scheme, — Can contribute to local construction employment — Overcomes barriers of local opposition due to investment, support services — 'Quick', as refurbishments take months, not years and no new infrastructure required, — 'Sustainable'- as short-term housing can roll-over into long term and residents have flexibility for long-term in same community — Easier and better to 'add' new communities/host towns than to move people around — Meet the challenging of providing accommodation but also wider regeneration policies — Huge potential in the power of communities — Can contribute to direct community buy in which is absent from some other proposals — Assists in rural and urban regeneration — Reduces criticism that housing for protection applicants is drawing from the same source as mainstream housing — Possible adoption of AHB approach to harvest community endeavour across spectrum of new build, regeneration or link with community services/buildings — Opportunity to prioritise community lead projects in terms of access to a range of funding and bottom up service supports 	<p>Practical concerns</p> <ul style="list-style-type: none"> — Some polices are not models in themselves but regeneration tools that could be used by a provider such as an AHB — Difficult to scale — Requires investment in building support of communities to adopt this approach — Variety of policies and tools that could be used that require significant overarching control and coordination — Aligns with broad government policies but needs a whole of Government commitment to invite and reward communities who embrace opportunity to bring forward projects — Risk of reducing people's ability to live in complete independence as opposed to being obliged to live and participate in a community

Model 2: Approved Housing Bodies (AHB) delivery

Name and Summary	Implementing body	Funding streams	Advantages	Disadvantages
<ul style="list-style-type: none"> — Accommodation delivered via AHBs — More suited to clustered style accommodation or pepper potting — AHB could provide accommodation only or wrap around supports — Creating of a new dedicated funding stream for international protection accommodation — Procurement process is amended to allow AHBs to deliver accommodation — Approach should consider creating a new dedicated AHB to focus on protection accommodation or an existing AHB pivots to focus on protection accommodation — 500+ plus AHBs in Ireland: engage the larger but also smaller and local AHBs who may be more nimble — Consider pilot using the Housing Alliance group of AHBs 	<ul style="list-style-type: none"> — Department of Children, Equality, Disability, Integration and Youth responsible but implementation via new arms length 'programme management office' 	<ul style="list-style-type: none"> — Amend existing funding streams to allow eligibility for protection accommodation — Create new funding streams that are attractive to AHBs and comparable to their existing funding lines — Amend Capital Assistance Scheme (CAS) and Capital Advanced Leasing Facility (CALF) to allow pilots 	<ul style="list-style-type: none"> — Non-profit and reflects Programme for Government commitment, therefore greater Government buy in — Wrap around supports can be built in if necessary — Reflects statement of Advisory Group that more vulnerable groups may need a different form of accommodation that is not delivered by local authorities — If large amounts of accommodation cannot be re-directed small proportions of accommodation could be leased from AHBs — Recapture origin of AHBs where schemes initiated to address specific or local community need — If pursuing a new body, there is precedent in that a similar body set up for programme refugees 	<p>Barriers to implementation</p> <ul style="list-style-type: none"> — No current funding structure is in place: CAS is linked to social housing lists — Current procurement for protection accommodation has been criticised for narrow focus on larger congregated units and also shorter contracts compared to possible 30-year funding for many AHB — AHBs already occupied by existing delivery and funding streams tied to local and central government — Difficult to scale quickly unless AHBs can provide a proportion of their accommodation stock or stock that is in the pipeline — The option of establishing a dedicated and new AHB will take time; unless an existing AHB pivots to this area

Model 3: State build and State or AHB or other delivery

Name and Summary	Implementing body	Funding streams	Advantages	Disadvantages
<ul style="list-style-type: none"> — This could be led by a Government department or by a type of ‘Arms Length Management’ or (like Model 2) by a project management office to take control of the delivery programme — Units could be provided in appropriately sized clusters with communal facilities for support and advice services — A dedicated capital budget line supporting the building over a period of 5 years — Broaden the powers of the Land Development Agency to use land for the purpose of developing the housing needed 	<ul style="list-style-type: none"> — Department of Children, Equality, Disability, Integration and Youth responsible but implementation via new arms length ‘programme management office’ 	<ul style="list-style-type: none"> — State capital funding over a period of five years, possibly using a third party to construct and build (e.g. an AHB or private developer) 	<ul style="list-style-type: none"> — Guarantee of accommodation — Designed and implemented as desired and high degree of control — Possible use of rapid build and/or modular construction — Support of the Department of Housing (see the Department’s Observations on Advisory Group Report) — Use by Local Authorities of Part 8 planning process could expedite provision and re-enforce community engagement aspect 	<p>Practical concerns</p> <ul style="list-style-type: none"> — Potentially long lead in time unless in progress accommodation can be accessed <p>Barriers to implementation</p> <ul style="list-style-type: none"> — Doubts as to whether state authorities are sufficiently resourced in the short term — Current procurement and administrative barriers — State can lead but competition for resources means that alternatives are needed to generate additional supply — Planning uncertainty, although local authority-led planning is more certain than that of private developers

Model 4: Self-funded and independent

Name and Summary	Implementing body	Funding streams	Advantages	Disadvantages
<ul style="list-style-type: none"> — Not a ‘model’ necessarily but a policy approach of increasing people’s ability to live independently — People seeking protection have right to work and rent accommodation — Approximately 22% of people who have applied for protection in Ireland in the last 5 years have not entered Direct Provision 	<ul style="list-style-type: none"> — Central government policies that aim to enable and increase independence 	<ul style="list-style-type: none"> — Person rents via private sector using own funds, for example through salary income 	<ul style="list-style-type: none"> — Allows a person to become completely self-sufficient and independent of the State — Requires broadening of the right to work and removing other barriers to independence 	<ul style="list-style-type: none"> — Only appropriate to relatively small proportion of people — Unclear how many of the 22% live independently through work compared to living with friends or family — Increased unemployment due to Covid-19 has reduced the number of people who can live independently

Model 5: private company or social enterprise delivery

Name and Summary	Implementing body	Funding streams	Advantages	Disadvantages
<ul style="list-style-type: none"> — Private company purchases or leases accommodation who then contract with Government to provide own door accommodation — Two distinct approaches: for profit private developer or landlord or social enterprise, social care company — See Dídean model 	<ul style="list-style-type: none"> — Department of Children, Equality, Disability, Integration and Youth responsible but implementation via new arms length 'programme management office' 	<ul style="list-style-type: none"> — Body could have separately organised finance to purchase or rent accommodation — Model is scaled as profits can be returned back into the initiative — Rolling open tender framework could be used to identify possible accommodation projects that could 	<ul style="list-style-type: none"> — Brings agility and funding and stock that is ready to go — Model that is dedicated to people seeking protection (in the case of Dídean) — Private provider could reinvest any profit back into the model pivoting to be type of social enterprise — Can scale if financing already in place — Locking in social ethos by having a social clause in procurement, social enterprise models could be prioritised, limit on profit and requirement to publish accounts — National Standards should apply, with inspections, e.g. HIQA 	<p>Practical concerns:</p> <ul style="list-style-type: none"> — For profit approach inconsistent with programme for government; unless provider commits to not draw down profits from the company and redirect into the service — Unclear if the model can scale significantly — Only one known organisation providing this type of model — Risk of blurring with existing Direct Provision accommodation if done badly — 'Ready to go' stock is predominantly in large, dense apartment developments, which may not be best suited to requirements — Ready to go option tends to emerge when market is struggling, or product represents poor value for public purse

Model 6: Local authorities source accommodation using Homeless Housing Assistance Payment or other delivery

Name and Summary	Implementing body	Funding streams	Advantages	Disadvantages
<ul style="list-style-type: none"> — Catherine Day Advisory Group recommendation on local authorities obtaining accommodation, predominantly via the Private Rented Sector — More a mode of control than an actual accommodation model — This would require local authorities to supply a quota of housing units based on county size and population — The housing would be sourced through a place finder style body commissioned by the local authority to find the numbers of units as established by the quota — Wide latitude given to local authorities in what type of accommodation they use 	<ul style="list-style-type: none"> — Local authorities identifying accommodation and being funded to do so on a per person basis 	<ul style="list-style-type: none"> — Payment, equivalent to or the same as Homeless HAP is used to pay landlord for private rented accommodation 	<ul style="list-style-type: none"> — Own door accommodation — Opposite to congregated settings — Considerable scope as to who does what and how it is implemented — Quick to implement if accommodation can be sourced — Person could remain in Private Accommodation if granted status — Possible positive change in Private Rented Sector market post Covid-19 	<p>Practical concerns</p> <ul style="list-style-type: none"> — Fragmented locations and difficult to introduce wrap around support if necessary — Private led with possible problems of perception — Well documented lack of supply of Private Rented Sector accommodation — There are 31 local authorities in Ireland: very difficult to control and monitor 31 modes of operation — Well documented opposition of the Department of Housing via observations on Advisory Report <p>Cost and value for money concerns</p> <ul style="list-style-type: none"> — Some stakeholders criticised approach as ‘dead money’ and no return to wider housing policy and stock in the long term — Depending on the specific market, increased demand may elevate rental prices — Many stakeholders consulted warned the local authority model has risks — Already difficult to leave Direct Provision and find accommodation via the private rented sector

Model 7: Housing Assistance Payment/supplementary welfare allowance (SWA)

Name and Summary	Implementing body	Funding streams	Advantages	Disadvantages
<ul style="list-style-type: none"> — Similar to Model 6 except delivered centrally and purely via private rented sector — Similar to pre-Direct Provision accommodation — Led by the Department of Housing, Local Government and Heritage (DHLGH) and delivered by local authorities using Homeless Assistance Payment or similar device — Similar to Model 1 above but is based on using HAP to enable people to access accommodation through the mainstream housing route. 	<ul style="list-style-type: none"> — Central Government via Department of Housing, Local Government and Heritage 	<ul style="list-style-type: none"> — Similar to Model 6 but using HAP equivalent payment 	<ul style="list-style-type: none"> — Full integration with mainstream housing policy — Possible positive change in Private Rented Sector market post Covid-19 — Prospect of increasing supply through targeted incentives 	<p>Barriers to implementation</p> <ul style="list-style-type: none"> — Considerable resistance from Department of Housing and likely other parts of government as HAP enables access to social housing list and requirement for habitual residence <p>Practical concerns</p> <ul style="list-style-type: none"> — Exposes protection applicants to possible discrimination and possible unsuitable accommodation — Well documented discrimination towards minorities who try to use HAP — Limited or at least difficult to project supply of private rented sector accommodation — Cost and value for money concerns — Some stakeholders raised the issue of this being ‘dead money’ bringing no return to wider housing policy in the long term

Model 8: Block leasing

Name and Summary	Implementing body	Funding streams	Advantages	Disadvantages
<ul style="list-style-type: none"> — Block leasing by Government directly with a landlord, similar to private company model 5 but fewer or no wrap around supports — Examples are in Galway in September 2020 and Ballinamore in November 2019 and most recently in Letterkenny in November 2020 	<ul style="list-style-type: none"> — Previously Department of Justice now — Department of Children, Equality, Disability, Integration 	<ul style="list-style-type: none"> — Government directly contract with a landlord for number of units 	<ul style="list-style-type: none"> — Accommodation ready — Several stakeholders spoke positively of the Galway experience — Wider support services could be included in contract with developer — People can live in proximity to each other, but not in the same living space — Ability to direct services to one location 	<ul style="list-style-type: none"> — Doubts over the ability to scale — No long-term gain to wider housing policy — Possible risk of replicating problems around Direct Provision — Cost and value for money concerns — Possible very high cost, poor value for money

4. Responsibility, control and delivery: mapping the new system

Government Department responsible	Cabinet Committee (as recommended by the Advisory Group)	Independent Monitoring body (as recommended by the Advisory Group)	Programme Management Office	Regional Accommodation Committees
<ul style="list-style-type: none"> — The Department for Children, Disability, Equality, Integration and Youth — Shifting to Department of Housing, Local Government and Heritage in the long term and when models are delivering and indicators met 	<ul style="list-style-type: none"> — Comprising all Government Ministers with responsibility for delivering the new system — Including monitoring in respect of deadlines, acting upon early warnings if problems or if backlogs occur — Clearing house to resolve inter departmental issues which arise between Departments — To be created in 2021 	<ul style="list-style-type: none"> — To ensure transparency and accountability — Civil society and representatives of applicants in the protection system — Evaluate the functioning of the system and identifying blockages and areas where change is needed — Annual Report to Oireachtas — To be created in 2021 	<ul style="list-style-type: none"> — Delegated authority for developing commissioning and developing new accommodation models — Reporting to DCDEIY — To be created in 2021 	<ul style="list-style-type: none"> — Recommended nine Accommodation Committees (Dublin, Mid-East, Midlands, Mid-West, North-East, North-West, South-East, South-West, West.) — Role to commission all next steps accommodation in line with agreed targets and to report to and be accountable for delivery to the Programme Management Office and Department for Children, Disability, Equality, Integration and Youth — Created when accommodation models are delivering sufficient numbers of units



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Published in January 2021 by Irish Refugee
Council, 37 Killarney Street, Dublin 1.

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The Irish Refugee Council (IRC) was established in 1992 to create
a just, fair and inclusive society for people seeking asylum.