

RHA 10

Ymgynghoriad ar yr hawl i dai ddigonol

Consultation on the right to adequate housing

Ymateb gan: Crisis

Response from: Crisis



Local Government and Housing Committee consultation on the right to adequate housing: Crisis response

March 2023

About Crisis

Crisis is the national charity for people facing homelessness across Wales, Scotland and England. We know that homelessness is not inevitable. We know that together, we can end it.

In Wales, we work directly with people experiencing homelessness at our Crisis Skylight in South Wales.

As well as providing services directly to people experiencing homelessness, we also carry out research into the causes and consequences of homelessness and campaign for the changes needed to end it.

Response

Crisis believes everyone should have a safe place to call home. Housing is a human right and homelessness in its broadest sense is the most obvious breach of the right to adequate housing.

Crisis believes that the incorporation of the right to adequate housing into Welsh law would have a positive impact in helping to consolidate efforts to create a future where everyone in Wales has a safe and secure home.

However, we are also clear that incorporating housing as a human right into domestic law alone will not end homelessness in Wales altogether. Crisis believes that this objective needs to be achieved through the delivery of a multi-faceted approach, which should include:

- Implementation of the Welsh Government's Ending Homelessness Action Plan
- Acting on recommendations from the Expert Review Panel, which is considering how legislative change can help end homelessness and is due to report to the Welsh Government by autumn
- An exerted effort to increase the housing supply across Wales, taking account of the diversity of housing need.

It is also important to note that the Right to Adequate Housing defines a floor rather than a ceiling and should not be the limit of our aspirations when it comes to designing public policy.

While legislating for the right to adequate housing will not in itself resolve homelessness, we feel that it would help to place further emphasis and momentum on the need to prioritise investment in supporting people into settled homes. This, in turn, will see cost savings across other public sector services as support needs often increase where people are left without a stable and secure home.

The impact a right to adequate housing would make across Welsh housing policy

The incorporation of the right to adequate housing into domestic law would offer further mechanisms to achieve the goals of the current policy direction. For example, the recently implemented Renting Homes Act makes significant strides to increase legal security of tenure, which is a key aspect of the right to adequate housing.

Incorporation of the right to adequate housing will complement this direction of travel and bring new dimensions of accountability to ensure the intentions of the current work are met.¹

We consider that incorporation of the right to adequate housing within legislation will also assist with securing greater consideration of housing and homelessness matters at a cross-policy level, resulting in action from public bodies beyond housing and homelessness teams.

Challenges

One of the most pertinent challenges in reaching realisation of the right to adequate housing in Wales is the undersupply of genuinely affordable housing available to meet the diverse needs of the Welsh population. It is important that the Welsh Government drives forward with action to address this issue. Another challenge is the freeze of Local Housing Allowance rates by the U.K. Government. Affordability is one aspect of adequate housing and with LHA rates reserved, the Welsh Government should look to a range of ways to alleviate affordability of housing in Wales.

Incorporating the right to adequate housing into Welsh law: how would this work in practice

Crisis would highlight the following research jointly commissioned by Shelter Cymru, CIH and Tai Pawb on the right to adequate housing in Wales:

- The Right to Adequate Housing in Wales: A Feasibility Report, 2019²
- The Right to Adequate Housing in Wales: The Evidence Base. An Independent Research Report by Alma Economics, 2021³
- The Right to Adequate Housing in Wales: Cost-Benefit Analysis, 2022⁴

In addition, Crisis would make the following observations:

- Given that the concept of adequacy can be culturally relative, adequacy should be clearly defined. It should not be limited to the absence of homelessness, but rather defined in terms of creating the stable housing and living conditions that allow people to flourish and reach their potential.
- It will be important to establish which mechanisms would be best used to protect the right to adequate housing.

¹ See [FS21_rev_1_Housing_en.pdf \(ohchr.org\)](#)

² See [The right to adequate housing in Wales: Feasibility report - Shelter Cymru](#)

³ See [FINAL-ENG-Alma-Economics-Back-the-Bill-Phase-1-EXEC-SUM.pdf \(taipawb.org\)](#)

⁴ See [The right to adequate housing in Wales: cost-benefit analysis - Shelter Cymru](#)

- The general public must be supported to understand the Right to Adequate Housing and how they can access this right.