**Questionnaire on the responsibilities of sub-national governments with respect to the right to adequate housing**

**Response of Ireland**

Ireland has no constitutional or legally established right to housing or accommodation for its citizens; however, we have an established housing policy to guide government housing provision and programmes.

A legal right to housing has not been provided for in Ireland on the basis that the funding commitment to the various housing programmes in place has resulted in increased outputs and that decisions in relation to the allocation of financial resources are a matter for Government, rather than the Courts. This approach is in line with the 1996 report of the Constitutional Review Group, which concluded that the Constitution should not confer personal rights to freedom from poverty or to other economic or social entitlements. The Group regarded these as being essentially political matters, which should be the responsibility of the elected members to address and determine in a democracy.

The legislative code governing social housing in Ireland is contained in the Housing Acts 1966-2014 and while it does not confer any statutory right to housing, the range and extent of measures implemented demonstrate the State's long standing commitment to ensuring that housing needs, especially social housing needs, are adequately addressed. The Government consider that the most appropriate way of addressing needs in relation to housing is to continue the various programmes and fiscal incentives currently in place, and to secure the necessary level of funding to support them.

**Rent Supplement Scheme**

Ireland’s Department of Social Protection operates the Rent Supplement scheme. Rent Supplement is a short-term income support to assist with reasonable accommodation costs of eligible people living in private rented accommodation who are unable to provide for their accommodation costs from their own resources. The scheme has operated since 1977. The aim is to provide short-term assistance, and not to act as an alternative to the other social housing schemes operated by local authorities and Department of the Environment, Community and Local Government (DECLG).

Policy decisions regarding the operation of the scheme are made at national level although the scheme is administered at local level by the Department’s staff in the Community Welfare Service, legally referred to as Designated Persons. The Community Welfare Service is considered the ‘scheme of last resort’ in the Irish state when it comes to alleviating hardship. Officers administering the scheme have discretionary powers which allow them to make payments to clients whom they consider in particular need. This discretion can often be used in the case of housing.

**Rent Supplement:**

* There are currently approximately 73,500 rent supplement recipients for which the Government has provided over €344 million for 2014. There are currently some 49,000 recipients in receipt of the scheme for 18 months or more.
* The qualifying conditions are set out in primary legislation under the Social Welfare Consolidation Act 2005, as amended and Statutory Instrument 412/2007 as amended.
* The Government’s strategic policy direction is to return rent supplement to its original purpose of a short-term income support scheme. To this end, in July 2013 the Government approved the introduction of the Housing Assistance Payment (HAP).
* HAP is being introduced to provide a more integrated system of housing supports under the auspices of DECLG and has been designed to allow any households that find full-time employment to remain in the scheme.
* HAP, is currently being rolled out in 7 local authority areas, which will transfer responsibility for recipients of rent supplement with a long-term housing need to local authorities.
* In effect, new customers who are assessed as having a long-term housing need will in future apply for assistance under HAP rather than rent supplement.
* Rent Supplement will continue to be paid to those who are already in the private rented sector but who, generally because of a loss of employment, require short term housing support in order to pay their rent. The provision of rent supplement to only this cohort will return the scheme to its original intention of being a short term payment.