

23.02.28

1 Deputy S.Y. Mézec of St. Helier South of the Minister for Housing and Communities regarding legislation to enshrine a definition of homelessness in law (OQ.35/2023)

Will the Minister advise whether he intends to bring forward legislation to enshrine the definition for homelessness in law and, if so, will he advise when this will be and whether such legislation will include a duty for public authorities to immediately house someone when they present themselves as homeless?

Deputy D. Warr of St. Helier South (The Minister for Housing and Communities):

I thank the Deputy for his question. I am pleased that by working with key partners we have been able to agree a working definition of homelessness. It is my intention to bring forward legislation to enshrine the definition in law. We currently fund a number of specialist organisations who provide accommodation for those presenting as homeless as well as for Islanders who need to access a safe house. This is a partnership approach with Government officials and one that we will continue to develop. We will work in partnership with key stakeholders to deliver the Island's homelessness strategy, which has my full support, which does include the definition.

3.1.1 Deputy S.Y. Mézec:

In the Ministerial delivery plan, P3.3 it says that one of his commitments is to fully implement the commitments made in response to the homelessness strategy in 2023. The homelessness strategy itself says that they will provide a statutory definition. Why in his delivery plan is there no commitment to bring forward a statutory definition in 2023?

Deputy D. Warr:

Given the length of time it takes for law drafting to take place it is important, first of all, to publish a definition. Right now we are in the process of collecting information around the level of homelessness. I would just like to remind the Assembly what we mean by homelessness today, which is as part of the definition. which is rooflessness without a shelter of any kind, houselessness, living in insecure housing, threatened with exclusion because of insecure tenancies and living in inadequate housing in caravans or illegal campsites. We have already published a definition which is very helpful for all of our states bodies to work to and, as I say, I am absolutely on the side of the Deputy which says we need to put this in legislation. But let us work this up and let us identify the existing issues. I would just quietly highlight one thing which happened a couple of weeks ago. I was approached by the Deputy for Health with an emergency case and that was a case of a gentleman who was sleeping on a floor. Within about 3 hours we were able to establish accommodation for this gentleman in emergency accommodation, so I would say to the Deputy that despite not having something in law at the moment we do have the ability to accommodate people who require emergency accommodation.

3.1.2 Deputy R.J. Ward of St. Helier Central:

I just go back to the original question, the part that says: "... whether such legislation will include a duty for public authorities to immediately house someone when they present themselves as homeless?" I accept the definition, and it is great that we are doing something about someone when they present but would the Minister not agree that by having a statutory duty in legislation it would make the Minister's job easier, it would be a reassurance for people who face homelessness and simply be better for the Island?

Deputy D. Warr:

I thank the Deputy for his question. I absolutely agree that if we can get something into statutory definition is the absolute right process but, as I have already said, I think this is a journey which we are going along and the first instance is let us define the definition of homelessness, which is absolutely vital so we all know what we mean by homelessness, and that is a really good starting point, which is why I brought that out so early on in my Ministerial role. I think that has been really important but, as I say, in terms of statutory definition we obviously require law drafting time. That is going to take time to deliver that. I appreciate these things take time to do that, however we have got a brilliant housing advice service, which was set up in 2021. I would like to remind people that if they are in trouble and are desperate to be housed tonight even, that they should approach our service. This service has seen an incredible amount of visitations. In fact, as of the end of January, I think we were something of the order of 80 per cent to 90 per cent up on inquiries. It is really working, what we are doing at the moment. I appreciate there is this need to bring in legislation but let us bring it in due course of time and get it right.

3.1.3 Deputy R.J. Ward:

Can I then confirm with the Minister that there will be no statutory legislation this year?

Deputy D. Warr:

I do not see it as one of my total priorities for happening this year. If, with a fair wind, we have an awful lot of other legislative stuff going on, particularly in terms of the Residential Tenancy Law, which is where I want to deliver that by the end of this year. We recognise that there is a lot of pressure on the Law Drafting Committee, and we have to prioritise that space. We would love to do that but, as I say, there are a couple of other priorities I want to get over the line first.

3.1.4 Deputy G.P. Southern of St. Helier Central:

Is the Minister at the stage where he can have targets about the reduction of homelessness or even the elimination of homelessness?

Deputy D. Warr:

I thank the Deputy for his question. The answer to that is at this moment in time, I have said this many times in this Assembly floor, we do not currently have the data. We need to build that data out. We will have data, and it is currently under collection by the end of March, and I am guessing I will be advised of what that data looks like by the first week of April, and when we start to triage that information then we can start thinking about what the potential solutions are like.

3.1.5 Deputy G.P. Southern:

While the Minister has put plenty of words around the concept I have yet to hear him say we are committed to statutory definition of homelessness. Will he do so now?

Deputy D. Warr:

I just remind the Deputy that we have got a definition here in place with regard to homelessness, which is absolutely key to setting the standard we need to meet for people who are challenged in the housing world. I think that has been absolutely crucial. That set the baseline for us. It has put a marker in the sand and we are going to move on from there. Next phase, let us collect data, let us identify where the gaps are, let us understand what we need to do and then follow it up with legislation.

Deputy G.P. Southern:

Once again plenty of words but no mention of statutory.

3.1.6 Deputy C.S. Alves of St. Helier Central:

I was heartened to hear of the case that the Minister just quoted there of the judgment that was sitting on the floor. However, does the Minister recognise that although we do have a fantastic housing advice service and that homelessness is not helped by the fact that we have this 2-tier system of registered and entitled, and I am currently dealing with a family of 6, 4 of which who are working, who have been trying to find accommodation since August, do not have entitled status and will end up leaving the Island if they do not find that, and are currently living in really poor accommodation that is about to be condemned.

The Bailiff:

Sorry, I did not quite hear the question.

Deputy C.S. Alves:

Whether he recognises that homelessness is not helped by the fact that we have a 2-tier system.

Deputy D. Warr:

I thank the Deputy for her question. You raise one issue, which is around homelessness and that is overcrowding.

The Bailiff:

The Deputy raised one issue.

Deputy D. Warr:

The Deputy raised, sorry, one issue. Thank you, Sir. What I would say is this issue is being looked at by the Chief Minister's Department and it is currently under review as to whether the 2-tier housing system is still fit for purpose. What I would say to the Deputy is that we are currently building many hundreds, literally, of homes at this moment in time to try to alleviate those issues which she has expressed.

3.1.7 Deputy C.S. Alves:

Does the Minister recognise that he may well be building lots of homes but that will not help if these people have not got entitled status? How likely is he to use his Ministerial powers to grant those

who are homeless, who do not have entitled status, to be given those entitled statuses if they are not eligible to go through the appeal system?

Deputy D. Warr:

I thought I had already answered the question and that was that the Chief Minister's Department is currently looking into this matter in an urgent way. I am obviously able to make Ministerial decisions in exceptional circumstances and I do that on a weekly basis. However, in terms of non-qualified individuals, this is something which I am very aware of is a high priority and we need to resolve as soon as possible.

Deputy A. Howell of St. John, St. Lawrence and Trinity:

Please may I raise the défaut on Deputy Morel?

The Bailiff:

Yes. That was not your question for the Minister presumably?

3.1.8 Deputy S.Y. Mézec:

The homelessness strategy is very clear, that part of it is to introduce a statutory definition of homelessness and indeed the Minister's responses to questions this morning, he has confirmed that that will not happen in 2023. But his Ministerial delivery plan refers to fully implementing commitments made in response to the homelessness strategy in 2023. Would he therefore agree to have this document amended so it says "partially implementing" rather than "fully implementing" seeing as that is what his plan actually is?

Deputy D. Warr:

Thank you to the Deputy for his point. Absolutely, let us do that.