

2

**Right to
an Adequate
Standard
of Living**



Every child has the right to a standard of living that is adequate to their development – physical, mental, spiritual, moral and social. While parents and guardians have the primary responsibility to provide for the child’s material needs, the State also has the responsibility to assist parents and guardians to alleviate poverty where needed.

Summary of Article 27 of the UN Convention on the Rights of the Child

Chapter Grade:

D+

2.1 Child and Family Homelessness

Section Grade:

F

➔ Government Commitment

A Programme for a Partnership Government commits to:

End the use of unsuitable long-term emergency accommodation for homeless families in part by providing 1,500 rapid-delivery housing units.

▶ **Progress: Poor**

'Child and Family Homelessness' receives an 'F' grade in *Report Card 2020*, the same as in *Report Card 2019*. This grade reflects a deepening housing crisis which has resulted in a significant increase in child and family homelessness since the *Programme for Government* was agreed in May 2016. Family hubs are being heavily relied upon to accommodate homeless families and the Government commitment to end the use of unsuitable emergency accommodation was never achieved. Output of social and affordable housing falls far below what is required. The Rapid Build Programme has so far delivered just 423 homes out of a planned 1,500.

Every child has the right to an adequate standard of living for his or her physical, mental, spiritual, moral and social development.¹⁴² The UN Convention on the Rights of the Child requires the State to assist parents and guardians who are in need by providing 'material assistance and support programmes particularly with regard to nutrition, clothing and housing'.¹⁴³ The right to adequate housing is defined as a right to housing that is accessible, habitable and affordable with certain 'facilities essential for health, security, comfort and nutrition'.¹⁴⁴ Households should have legal security of tenure¹⁴⁵ and States must take steps

142 UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3(UNCRC) Art 27.

143 *ibid* Art 27 (3).

144 UN Committee on Economic, Social and Cultural Rights, 'General Comment No. 4 on the Right to Adequate Housing (Art 11(1) of the Covenant)' (1991) UN Doc E/1992/23 Para 8 (b).

145 *ibid*.

to prevent illegal evictions.¹⁴⁶ The right to housing also means that States must 'progressively and to the extent allowed by their available resources, prevent and address homelessness; provide the physical infrastructure required for housing to be considered adequate ... or ensure adequate housing to individuals or groups unable, for reasons beyond their control, to enjoy the right to adequate housing, notably through housing subsidies and other measures'.¹⁴⁷ In 2016, the UN Committee on the Rights of the Child expressed its concern that families with children in Ireland were 'facing significant delays in accessing social housing and frequently living in inappropriate, temporary or emergency accommodation on a long-term basis'.¹⁴⁸ It called on the State to undertake measures to increase the availability of social housing and emergency housing support.¹⁴⁹ The UN Committee on Economic, Social and Cultural Rights has said that children, as a priority group, must be 'accorded full and sustainable access to adequate housing resources'.¹⁵⁰

► Homeless Families:

Throughout most of 2019, homelessness continued to increase with numbers reaching a peak in October, when there were 10,514 people in total in emergency accommodation, including 3,826 children living in 1,733 families.¹⁵¹ There was a slight decline in homelessness in November 2019, followed by a more marked fall in December when the overall number in emergency accommodation was 9,731, of which, 3,422 were children in 1,548 families.¹⁵² However, data on homelessness for December relates to the week including Christmas and so this figure may not be indicative of a trend: in both 2017 and 2018 declines in homelessness in December were followed by increases in the following January. When the *Programme for Government* was concluded in May 2016 the number of families in emergency accommodation was 1,054 and the

Children homeless in Ireland



Source: Department of Housing, Planning and Local Government, Homelessness Report.

number of children in these families was 2,177.¹⁵³

The official statistics do not include families that are homeless but are accommodated in own-door accommodation or transitional housing. Neither do they include women and children in domestic violence refuges, asylum seekers living in emergency accommodation, or people who have been granted asylum or some other form of protection but cannot find accommodation outside the direct provision system.¹⁵⁴

Children are the single largest group within the homeless population and during 2019 accounted for around 35 per cent of those who were homeless.¹⁵⁵ On average throughout 2019, lone parent families represented 57 per cent of the total number of families in emergency accommodation.¹⁵⁶ Almost 40 per cent

146 *ibid* Para 8 (e).

147 UN & Habitat, *The Right to Adequate Housing*, Factsheet No 21/Rev. 1 (Office of the High Commissioner for Human Rights, 2014) 34.

148 UN CRC 'Concluding Observations: Ireland' (2016) UN Doc CRC/C/IRL/CO/3-4 para 61.

149 *ibid* Para 62.

150 UN Committee on Economic, Social and Cultural Rights 'General Comment No. 4 on the Right to Adequate Housing (Art 11(1) of the Covenant)' 1991 UN Doc E/1992/23 para 8(e).

151 DHPLG, 'Homelessness Report October 2019' <<https://bit.ly/2SMerPY>> accessed 10 February 2020.

152 DHPLG, 'Homelessness Report December 2019' <<https://bit.ly/3bC8pDH>> accessed 10 February 2020.

153 DHPLG, 'Homelessness Report May 2016' <<http://bit.ly/383f8Ed>> accessed 7 January 2020.

154 Focus Ireland, 'Latest figures on homelessness in Ireland' <<https://bit.ly/35TAB1f>> accessed 2 December 2019; Colette Bennett 'Rebuilding Ireland for Everyone: A review of the government's housing strategy for young and old' in Brigid Reynolds and Sean Healy (eds) *The Challenges of Success: Addressing population growth in Ireland* (Social Justice Ireland 2019).

155 DHPLG, 'Homelessness Data', <<https://bit.ly/2SNYDWN>> accessed 11 February 2020.

156 *ibid*.



of families presenting as homeless in the Dublin region in 2018 were migrant families.¹⁵⁷ Almost 900 people who have been granted asylum or leave to remain in Ireland are living in Direct Provision centres because they have been unable to find suitable and affordable accommodation elsewhere.¹⁵⁸ Travellers are more likely to be homeless than the general population, with some Travellers experiencing difficulty in accessing emergency accommodation and a high level of 'hidden homelessness' and overcrowding among Traveller families.¹⁵⁹ No official figures exist on the extent of 'hidden homelessness' – where individuals or families are in effect homeless but are not accessing emergency accommodation, and are instead couch-surfing or living in overcrowded conditions with friends or family members.

While the majority of families that are homeless are located in Dublin, there is a significant level of family homelessness outside Dublin: there were 386 families with 869 children living in emergency accommodation in the regions other than Dublin in December 2019 (the figures for November were

429 families with 970 children).¹⁶⁰ The growth in family homelessness outside Dublin since May 2016, when the *Programme for Government* was agreed, is striking: in that month, there were 141 families with 330 children registered as homeless in these regions.¹⁶¹ Homeless families in the regions outside Dublin represented 13.4 per cent of the national total in May 2016 but throughout 2019 families in these regions represented around 25 per cent of the total.

Rebuilding Ireland: Action Plan for Housing and Homelessness, published in July 2016, included a commitment that, by mid-2017, 'emergency hotel and B&B type accommodation for families' would be used only 'in limited circumstances'.¹⁶² This deadline was not met. 2,038 families presented as homeless in the Dublin region in 2019; however, as a result of the intervention of services almost half of these families did not have to enter emergency accommodation.¹⁶³ Nationally, 5,971 adults exited homelessness to a home during 2019.¹⁶⁴ In some instances, these adults were accompanied by dependent children but the published data does not include a figure for the number of

157 Holly Morrin, *A Profile of Families Experiencing Homelessness in the Dublin Region: 2016–2018 Families* (Dublin Region Homeless Executive 2019) 30 <<https://bit.ly/35Ug5xC>> accessed 2 December 2019.

158 Sarah Burns, 'Direct provision risk reversals, refugee service warns', *The Irish Times*, 27 September 2019.

159 Independent Expert Group on behalf of the Minister of the Department of Housing, Planning and Local Government, *Traveller Accommodation Expert Review* (DHPLG 2019) <<https://bit.ly/2LLuWD5>> accessed 7 December 2019.

160 DHPLG, 'Homelessness Report November 2019' <<http://bit.ly/2FMjkw2>> DHPLG, 'Homelessness Report December 2019', <<https://bit.ly/38v2fU3>> accessed 10 February 2020.

161 DHPLG, 'Homelessness Report May 2016' <<http://bit.ly/383f8Ed>> accessed 7 January 2020.

162 Government of Ireland, *Rebuilding Ireland: Action Plan for Housing and Homelessness* (Government of Ireland 2016) 13.

163 DHPLG, *Summary Analysis of Homelessness Quarterly Performance Reports, Quarter 4 2019* <<https://bit.ly/2S6aGyh>> accessed 1 February 2020.

164 *ibid.*

children concerned. Such exits are obviously very welcome. Nevertheless, in December 2019, 70 per cent of homeless children in the Dublin region had spent longer than six months living in emergency accommodation, with 17 per cent spending more than two years in such accommodation.¹⁶⁵ Between January and August 2019, 15 families that had previously exited homelessness in the Dublin region became homeless for a second or subsequent time.¹⁶⁶

The monthly homelessness reports published by the Department of Housing, Planning and Local Government (DHPLG) are based on data provided by local authorities through the Pathway Accommodation and Support System (PASS).¹⁶⁷ Details on the number of exits from homelessness and the duration of time spent by individuals in emergency accommodation are submitted to the DHPLG by local authorities in Quarterly Performance Reports; however, no breakdown is available for families.¹⁶⁸ The PASS system is currently being upgraded, and the DHPLG is developing a revised methodology for the collection and publication of homelessness data.¹⁶⁹ It is expected that, when this work is completed, national data on the length of time children and families are spending in emergency accommodation will be available.¹⁷⁰ Currently, this information is available only for the Dublin Region.¹⁷¹

Despite the commencement of legislation to protect tenants in January 2017¹⁷² and May 2019,¹⁷³ high rents, lack of security of tenure and overall lack of housing supply, particularly of properties falling within stated rent limits for the purposes of Rent Supplement or the Housing Assistance Payment (HAP),¹⁷⁴ have fuelled the housing crisis. The gap between the HAP limits and actual rents in the private rental sector can result in households paying an unofficial 'top-up' directly to the landlord in addition to their differential rent

contribution which is paid to the local authority.¹⁷⁵

A survey in January/February 2019 by Threshold and the Society of St Vincent de Paul showed that the average top-up of this type being paid by the study's respondents was €177 per month, in addition to an average differential rent contribution of €233 per month.¹⁷⁶ This level of 'top-up' represents a significant financial outlay which may become unsustainable for families over time.

Each local authority has statutory discretion to agree to a HAP payment of up to 20 per cent above the prescribed maximum rent limit to secure appropriate accommodation for a household that requires it; in the Dublin Region there is discretion of up to 50 per cent above rent limits to enable homeless households, or those at risk of homelessness, to secure a HAP tenancy.¹⁷⁷ This additional support is welcome; however, the study by Threshold and the Society of St Vincent de Paul study shows that not all households who would benefit from receiving a higher rate of HAP are actually receiving it.¹⁷⁸ A Focus Ireland research study published in 2019 showed that most of the families involved in the study had stable housing histories and that, prior to becoming homeless, had been living in the private rental sector in receipt of Rent Supplement or HAP.¹⁷⁹ More than half of these families reported leaving their rental accommodation due to the property being removed from the market (for example, due to the landlord selling) or other issues in the private rental sector, including rent increases and overcrowding.¹⁸⁰ In spite of this, the reliance on the private rental sector as a means of responding to social housing need continues. For example, nationally, 64 per cent of those who exited homelessness in 2019 were accommodated in the private rental sector, whereas just 20 per cent exited into local authority housing and 16 per cent were accommodated under long-term

165 *ibid.*

166 Focus Ireland, 'Latest figures on homelessness in Ireland' <<https://bit.ly/35TAB1f>> accessed 2 December 2019.

167 Communication received by the Children's Rights Alliance from the DHPLG, 6 December 2019.

168 *ibid.*

169 *ibid.*

170 *ibid.*

171 *ibid.*

172 Planning and Development (Housing) and Residential Tenancies Act 2016.

173 Residential Tenancies (Amendment) Act 2019.

174 Simon Communities in Ireland, *Locked Out of the Market XVI: The Gap between Rent Supplement/HAP Limits and Market Rents, Snapshot Study December 2019* (Simon Communities in Ireland 2020) <<https://bit.ly/31Uujxz>> accessed 11 February 2020.

175 Threshold and Society of St Vincent de Paul, *The Housing Assistance Payment (HAP): Making the Right Impact?* (Threshold and SVP 2019) <<https://bit.ly/2RjMgT7>> accessed 5 December 2019.

176 *ibid.*

177 Communication received by the Children's Rights Alliance from the DHPLG, 30 January 2020.

178 Threshold and Society of St Vincent de Paul, *The Housing Assistance Payment (HAP): Making the Right Impact?* (Threshold and SVP 2019) <<https://bit.ly/2RjMgT7>> accessed 1 February 2020.

179 Alice Emily Long, Sarah Sheridan, Letizia Gambi and Daniel Hoey, *Family Homelessness in Dublin: Causes, Housing Histories and Finding a Home* (Focus Ireland 2019) <<https://bit.ly/2rJyWNc>> accessed 2 December 2019.

180 *ibid.*

leasing schemes or by approved housing bodies.¹⁸¹

In July 2017, the roll-out of family supported accommodation facilities or 'family hubs'¹⁸² began as a way of transitioning families out of unsuitable emergency hotel and B&B accommodation and of providing 'a greater level of stability than is possible in hotel accommodation'.¹⁸³ Nationally, there are now 32 family hubs in operation, providing almost 720 units of accommodation for homeless families.¹⁸⁴ Twenty-five family hubs are located in Dublin, two in Kildare and one each in Clare, Cork, Galway, Limerick and Louth.¹⁸⁵ Family hubs have been provided through procuring and adapting properties, as well as by reconfiguring existing emergency accommodation facilities such as hotels and B&Bs into hubs.¹⁸⁶ Accommodation standards in hubs vary considerably. Some hubs are run by non-governmental homeless service providers; others are run by private, commercial operators, in which case supports are provided to resident families by local authorities and contracted NGO service providers.¹⁸⁷ The operational costs of the hubs programme to end quarter 3 2019 was in the region of €16.8 million.¹⁸⁸ In 2017 and 2018, capital payments amounting to €8.7 million and €21.96 million respectively were made in respect of family hubs.¹⁸⁹ The funding to be provided in 2020 will depend on the extent to which local authorities develop additional family hubs.¹⁹⁰

The stated aim of policy is that families will exit from family hubs and move into a home within six months

as provided for in Service Level Agreements.¹⁹¹ The DHPLG contends that families will transition more quickly from hubs into tenancies than from other types of emergency accommodation.¹⁹² However, no data is currently being collected by the Department on the length of time families are, in fact, spending in family hubs.¹⁹³ It is important that such data be collected and published. A consultative study on family hubs, carried out by the Ombudsman for Children's Office in 2019, showed that while some parents living in hubs identified a number of positive features of this form of accommodation (for example, the stability and facilities, including cooking facilities, that they provided, as well as the support of staff) they also described very challenging living situations. Participants pointed out that the rules of the hub, noise levels, living in close proximity to strangers and the lack of space and privacy impacted on normal parenting routines and practices.¹⁹⁴ Children who participated in the consultation expressed feelings of shame, sadness, anger, embarrassment, confusion, frustration and worry as well as a sense of injustice at being homeless while other people have a secure home.¹⁹⁵ The lack of space and privacy was particularly difficult for teenagers having to share a room with parents and younger siblings.¹⁹⁶ A number of parents and older children living in hubs expressed the view that family hubs are not appropriate accommodation for families, and some expressed concern that the hubs are being seen as a longer-term solution to family homelessness.¹⁹⁷

Hubs may represent a more suitable alternative than hotel and B&B accommodation but they remain a temporary, short-term solution and the scale of investment in hubs is misplaced. More sustainable solutions are needed to provide families with a place to call home. Meanwhile, in light of the emphasis on and investment in family hubs as a response to family homelessness, there is an urgent need to implement consistent standards in the hubs, and to independently evaluate the suitability of family hubs as an approach to providing emergency, temporary accommodation to families.¹⁹⁸

181 DHPLG, *Summary Analysis of Homelessness Quarterly Performance Reports, Quarter 4 2019* <<https://bit.ly/2S6aGyh>> accessed 11 February 2020.

182 Olivia Kelly, 'Family hub centres to open at 19 sites in Dublin', *The Irish Times*, 25 July 2017.

183 *Rebuilding Ireland, Action Plan for Housing and Homelessness: Third Quarterly Progress Report* (DHPLB 2017).

184 Communication received by the Children's Rights Alliance from the DHPLG, 30 January 2020.

185 Minister for Housing, Planning and Local Government Eoghan Murphy TD, Written Answers, Homeless Persons Supports, 5 November 2019 [44233/19].

186 Ombudsman for Children's Office, *No Place Like Home: Children's Views and Experiences of Living in Family Hubs* (Ombudsman for Children's Office 2019) 7.

187 Communication received by the Children's Rights Alliance from the DHPLG, 30 January 2020.

188 Department of Housing, Planning and Local Government, 'Summary analysis of homelessness quarterly financial and performance reports Quarter 3 2019' <<https://bit.ly/2Yi5kCJ>> accessed 5 December 2019.

189 Communication received by the Children's Rights Alliance from the DHPLG, 6 December 2019.

190 *ibid.*

191 *ibid.*

192 *ibid.*

193 Communication received by Children's Rights Alliance from the DHPLG, 6 December 2019.

194 Ombudsman for Children's Office, *No Place Like Home: Children's Views and Experiences of Living in Family Hubs* (Ombudsman for Children's Office 2019).

195 *ibid.*

196 *ibid.*

197 *ibid.*

198 *ibid.*



**The scale of investment
in hubs is misplaced.
More sustainable
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a place to call home.**

The Joint Committee on Housing, Planning and Local Government¹⁹⁹ and the Joint Committee on Children and Youth Affairs,²⁰⁰ in separate reports published in November 2019, made a number of recommendations on the issue of child and family homelessness. These include considering enumerating the right to housing in the Constitution, ensuring that the best interests of the child are taken into account when responding to families that are homeless, placing a limit on the time a family may have to spend in emergency accommodation, the ending of self-accommodating and 'one night only' accommodation for families, the phasing out the use of hotel and B&B accommodation for families. Both reports recommend that the effectiveness of the overall response to family homelessness be reviewed, including the use of family hubs.²⁰¹ They also stress the need to accelerate the delivery of social and affordable housing in response to the crisis. The DHPLG, in consultation with local authorities, is undertaking a detailed analysis of the recommendations of these two reports.²⁰² Given that a number of the recommendations relate to the roles of other departments and agencies, the Homeless Inter-Agency Group (see below) is also examining the reports.²⁰³

► Inter-Agency and Consultative Structures:

A Homeless Inter-Agency Group was formed in 2017 to ensure the effective coordination of the supports provided by the various government departments and agencies involved in the delivery of services to individuals and families experiencing homelessness.²⁰⁴ This group meets on a bi-monthly basis and it has established a sub-group to examine issues relating to family homelessness.²⁰⁵ The Inter-Agency Group last reported to the Minister for

Housing, Planning and Local Government in June 2018.²⁰⁶ A National Homelessness Consultative Forum (NHCF), comprising representatives of homeless service-provider organisations and members of the Homeless Inter-Agency Group, met for the first time in April 2019.²⁰⁷ This group, which will meet biannually, is intended to provide a forum for engagement between state agencies, government departments and NGOs.²⁰⁸ A sub-group of the NHCF focusing on families and children experiencing homelessness has been established and met for the first time in December 2019.²⁰⁹

► Right to Housing:

Despite Ireland having long since ratified a series of human rights treaties, including the Convention on the Rights of the Child, which specify a right to housing, successive policy statements on housing, including the current Action Plan, *Rebuilding Ireland*, have failed to acknowledge that housing is a right. No concrete steps have been taken to respond to repeated calls for constitutional recognition of a right to housing in Ireland.²¹⁰ No action has been taken to fulfil the commitment in the *Programme for Government* that the question of constitutional recognition of economic and social rights, including the right to housing, would be examined by an Oireachtas Committee.²¹¹

► National Standards Quality Framework:

The *National Standards Quality Framework for Homeless Services in Ireland*²¹² has been fully operational in the Dublin region since February 2019. The framework is being implemented in other regions over a twelve-month period, which commenced in July 2019.²¹³ Full compliance with the standards in these regions will be required by 30 June 2020.²¹⁴ The standards are applicable to all homelessness service provision in receipt of funding under Section

199 Houses of the Oireachtas, Joint Committee on Housing, Planning and Local Government, *Family and Child Homelessness* (2019) <<http://bit.ly/3a2BkAa>> accessed 10 January 2020.

200 Houses of the Oireachtas, Joint Committee on Children and Youth Affairs, *Report on the Impact of Homelessness on Children* (2019) <<http://bit.ly/2tX50hq>> accessed 10 January 2020.

201 Joint Committee on Housing, Planning and Local Government, *Family and Child Homelessness* (2019) <<http://bit.ly/3a2BkAa>> accessed 10 January 2020; Joint Committee on Children and Youth Affairs, *Report on the Impact of Homelessness on Children* (2019) <<http://bit.ly/2tX50hq>> accessed 10 January 2020.

202 Communication received by the Children's Rights Alliance from the DHPLG, 30 January 2020.

203 *ibid.*

204 Membership of the group includes representatives from the DHPLG, DEASP, HSE, DCYA and Tusla. Representatives from the DES joined the group in May 2019.

205 Communication received by the Children's Rights Alliance from the DHPLG, 6 December 2019.

206 *ibid.*

207 *ibid.*

208 *ibid.*

209 *ibid.*

210 Jerome Connolly, 'A Constitutional Right to Housing: A Tale of Political Side-Stepping', *Working Notes*, Issue 80, October 2017.

211 Department of the Taoiseach, *A Programme for a Partnership Government 2016* (Department of the Taoiseach 2016) 20.

212 Dublin Region Homeless Executive, *National Quality Standards Framework for Homeless Services in Ireland* (Dublin Region Homeless Executive 2019) 10 <<https://bit.ly/34QS3mY>> .

213 Communication received by the Children's Rights Alliance from the DHPLG, 30 January 2020.

214 *ibid.*

10 of the Housing Act 1988.²¹⁵ A requirement of the Framework is that a homelessness service working with families and children should consult with children who use the service, provide information in an age and developmentally appropriate way to children, provide food preparation and storage facilities and provide access to outdoor play space for children.²¹⁶

► Rapid-Build Housing:

The rapid-build housing scheme initiated in 2016 has been slow to progress. In July 2016, *Rebuilding Ireland* set as a target the provision of 1,500 rapid-build homes.²¹⁷ By the end of 2018, however, just 423 units had been delivered.²¹⁸ A further 215 are expected to be completed in 2019²¹⁹ – fewer than the 270 indicated at the beginning of the year.²²⁰ A Design-Build Contractor Framework has been established by Dublin City Council and the DHPLG which aims to deliver up to 1,000 rapid-build homes across the Dublin region in the coming years.²²¹

► Investment in and Delivery of Social Housing Units:

Budget 2020 allocated €2.6 billion for housing to the DHPLG. The Minister for Housing, Planning and Local Government has stated that ‘the social housing needs’ of 27,517 additional households will be met in 2020.²²² It is proposed that 7,736 new social homes owned by local authorities or voluntary housing bodies will be provided; this a welcome increase in new social housing. However, such new provision would represent just over a quarter (28 per cent) of the target of meeting the housing needs of 27,517 households.²²³ A further 2,631 homes are to be provided through

long-term leasing and 800 through purchase.²²⁴ This means that ‘meeting the social housing needs’ of the remainder of the 27,517 households (i.e., 16,350 households, or 59 per cent of the total) is intended to be brought about through the creation of an additional 16,350 tenancies in the private rental sector with the rents publicly subsidised, primarily through the use of HAP. Tenants in these arrangements, unlike tenants of local authority or voluntary social housing, will have no long-term security of tenure; there is no guarantee the accommodation secured will meet minimum standards and some tenants may find they have to make significant ‘top-up’ payments directly to landlords.²²⁵

Investment in affordable rental and social housing owned by local authorities and voluntary housing bodies is essential to provide people with long-term and sustainable homes. This would help ensure that families would be less at risk of entering homelessness in the first place and, where they do, that children would not spend long periods living in inappropriate accommodation without access to their own space to play and learn. It would mean that families exiting homelessness would be moving into more secure and affordable housing than they are ever likely to access in the private rental sector. It is estimated that in total around 34,000 new dwellings each year are needed until 2030 to meet projected long-run housing demand in Ireland.²²⁶ Social housing provision is central to resolving the housing crisis and at least 10,000 newly built social housing units need to be delivered each year for the immediate future. In addition, more must be done to utilise vacant dwellings and encourage construction of affordable housing.

215 Section 10 of the Housing Act 1988 provides the legislative basis for funding for local authorities to enable them to provide homeless accommodation or contribute to the cost of providing such accommodation.

216 Dublin Region Homeless Executive, *National Quality Standards Framework for Homeless Services in Ireland* (Dublin Region Homeless Executive 2019) <<https://bit.ly/34QS3mY>> accessed 24 February 2020.

217 Government of Ireland, *Rebuilding Ireland: Action Plan for Housing and Homelessness* (Government of Ireland 2016) 17.

218 Minister for Housing, Planning and Local Government, Eoghan Murphy TD, Written Answers, Social and Affordable Housing Provision, 5 November 2019 [44980/19].

219 *ibid.*

220 Communication received by the Children’s Rights Alliance from the DHPLG, 8 January 2019.

221 Communication received by the Children’s Rights Alliance from the DHPLG, 6 December 2019.

222 DHPLG, ‘Minister Eoghan Murphy welcomes €2.6 billion housing budget’ <<https://bit.ly/2OQsLzO>> accessed 5 December 2019.

223 *ibid.*

224 Calculated from data in: Government of Ireland, *Budget 2020: Expenditure Report*, ‘Public Expenditure Allocations 2019–2021’, Vote 34, Housing, Planning & Local Government, Programme A – Housing (Stationery Office 2019) and in DHPLG, ‘Minister Eoghan Murphy welcomes €2.6 billion housing budget’ <<https://bit.ly/2OQsLzO>> accessed 5 December 2019.

225 See: Threshold and Society of St Vincent de Paul, *The Housing Assistance Payment (HAP): Making the Right Impact?* (Threshold and SVP 2019) <<https://bit.ly/2RjMgT7>> accessed 1 February 2020.

226 Thomas Conefrey and David Staunton, *Population Change and Housing Demand in Ireland*, Central Bank of Ireland Economic Letter, Vol. 2019, No. 14 (Central Bank of Ireland 2019) <<https://bit.ly/2sdGec9>> accessed 11 January 2020.

Child and Family Homelessness

Immediate Actions for 2020



Base housing legislation and policy measures on a recognition that housing is a human right, to be enjoyed by all persons without exception.

The UN Convention on the Rights of the Child and other international human rights treaties recognise housing as a fundamental human right, the realisation of which is essential not just to meeting the human need for adequate shelter but for the realisation of other rights, such as the right to development, health, personal security, education, and recreation. Through its ratification of these international treaties, Ireland assumed an obligation to adopt and implement housing policies that treat housing as a right.



Commit to the principle that long-term social housing need will be met through social housing provided by local authorities, voluntary housing bodies or some other new not-for-profit entities.

While supplementation of rents in the private rental sector can play an important role in meeting social housing need in the short-term, the policy of increasingly relying on such supplementation to respond to long-term social housing need has proven to be an expensive failure, and is a key factor in the creation of the current homelessness crisis.



Legislate to end the long-term use of unsuitable emergency accommodation for families and implement, as a matter of urgency, the recommendations of the reports on homelessness issued by two Oireachtas committees in November 2019.

Prioritise families with children and move them from unsuitable emergency accommodation, including hotels, into long-term sustainable housing. Children should be able to access play and recreational facilities while in homelessness accommodation. In order to avoid the risk of institutionalisation and the 'normalisation' of homelessness, families should not have to live for more than six months in family hubs before being re-housed. In order to hold the Government accountable for delivering on this aim, legislate to limit the use of emergency and temporary accommodation.



Fully implement the National Quality Standards Framework for Homeless Services and establish a robust compliance framework with an independent inspectorate.

In order to ensure that the standards are adhered to and applied consistently across all forms of homelessness accommodation, including family hubs, implementation of the Standards Framework must be accompanied by the establishment of an independent inspectorate.



Commission an independent evaluation of the use of family hubs as an approach to providing emergency, temporary accommodation to families.

A review of the family hub system has been urged by the Ombudsman for Children as well as by the Oireachtas Joint Committee for Housing, Planning and Local Government and the Oireachtas Joint Committee for Children and Youth Affairs.



Complete the Rapid-Build Programme as a matter of urgency.

Complete the programme as a way to deliver more social housing units.

2.2 Parental Leave and Income Supports

Section Grade:

B-

➔ Government Commitment

A Programme for a Partnership Government commits to:

Increase paid parental leave in the first year after birth and support stay-at-home parents through an increase in the Home Carer's Credit.

▶ **Progress: Good**

Introduce a new Working Family Payment to promote work over welfare and supplement the income of a household to ensure that every parent working at least 15 hours per week will have more take-home pay for each hour they work. Support middle-income lone parents in work by increasing income disregards through this scheme.

▶ **Progress: Partial**

'Parental Leave and Income Supports' receives a 'B-' grade in *Report Card 2020*, the same grade as in the 2019 Report Card. This grade reflects the introduction of two weeks' parent's leave, along with a new payment, Parent's Benefit, for each parent in the first year of a child's life. It also reflects increases in the income thresholds for receipt of the Working Family Payment and an increase in the income disregard for lone parents receiving this payment.

Every child has the right to an adequate standard of living for his or her physical, mental, spiritual, moral and social development.²²⁷ Parents and guardians have the primary responsibility to provide for the child's material needs but the State is also responsible for assisting parents and guardians to alleviate poverty, where necessary.²²⁸ In 2016, the UN Committee on the Rights of the Child expressed its deep concern at the 'significant increase in the number of children living in consistent poverty' in Ireland and referred in particular to single-parent households.²²⁹ Article 18 of the UN Convention on the Rights of the Child recognises that support for parents in the early years of a child's life is particularly important. In interpreting this provision, the UN Committee requires the State 'to take all appropriate measures to ensure that children of working parents have the right to benefit from childcare services, maternity

227 UN Convention on the Rights of the Child (20 November 1980) 1577 UNTS 3 (UNCRC) Art 27.

228 *ibid.*

229 UNCRC, 'Concluding Observations: Ireland' (2016) UN Doc CRC/C/IRL/CO/3-4 para 59.

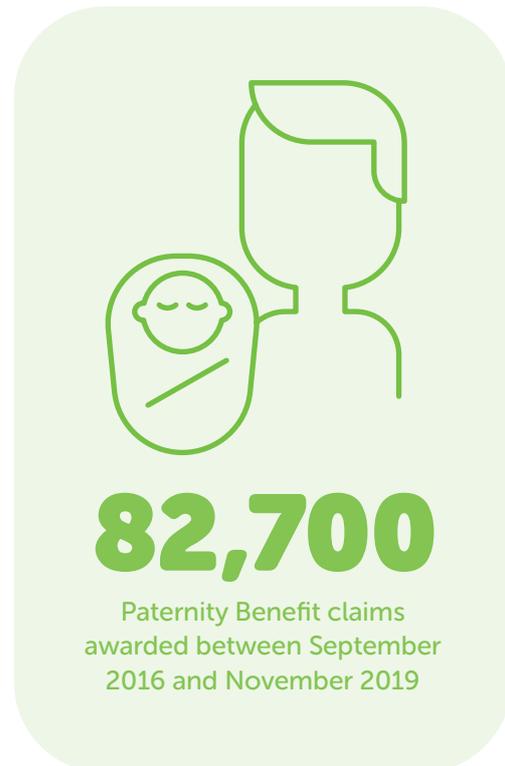
protection and facilities for which they are eligible'.²³⁰ The UN Committee also advocates 'an integrated approach' which focuses on health and education supports for new parents and includes 'interventions that impact indirectly on parents' ability to promote the best interests of children (e.g. taxation and benefits, adequate housing, working hours)'.²³¹

► Leave for Parents:

The Parent's Leave and Benefit Act 2019 gives parents a new statutory entitlement to parent's leave, that is, two weeks leave from employment per parent for the parents of a child born or adopted on or after 1 November 2019. This leave may be taken at any time during the first year of a child's life or during the first year of placement following adoption. Parent's leave cannot be transferred between parents except in specified circumstances, such as the death of one of the parents.²³² Parents availing of parent's leave may qualify for Parent's Benefit of €245 per week: this is available to employed and self-employed parents with the required number of social insurance contributions. It is estimated that 60,000 parents will receive Parent's Benefit each year, at a projected cost of €32 million.²³³

Parent's leave is distinct from parental leave, which is not covered by a state income support payment. The Parental Leave (Amendment) Act 2019 extended the period of parental leave from 18 weeks to 22 weeks for parents of children up to the age of 12 years (16 for a child with a disability) from September 2019.²³⁴ The Act also provided for a further four weeks' leave from 1 September 2020; this will bring the total period of parental leave up to 26 weeks.

Parent's leave is also distinct from paternity leave; this is an entitlement to two weeks' leave from work, which can be taken by fathers or same-sex partners during the first six months after the birth of a baby or an adoption placement. Those availing of paternity leave are entitled to Paternity Benefit of €245 per week if they have the required number of social insurance contributions. It is estimated that between September 2016, when the payment was introduced,



and the end of 2019 the total number of Paternity Benefit claims awarded was more than 82,700.²³⁵ The number of claims for Paternity Benefit each year equates to approximately 60 per cent of the number of claims for Maternity Benefit.²³⁶ Estimated expenditure on Paternity Benefit in 2019 was just below €11.7 million; the estimate for 2020 is €15.1 million.²³⁷

Research suggests that most children do best when cared for at home during at least the first year of their life.²³⁸ The combined effect of Parent's Benefit (two weeks for each parent), Maternity Benefit (26 weeks) and Paternity Benefit (two weeks) is that parents may receive state income support while caring full-time for their child for between the first 28 and 32 weeks of the child's life, depending on whether they are parenting jointly or alone. The *First 5: A Whole-of-Government Strategy for Babies*,

230 UNCR, 'General Comment No. 7 on Implementing Rights in Early Childhood' (2006) UN Doc CRC/C/GC/7 Rev.1 Para 21.

231 *ibid* Para 20 (a).

232 Citizens Information Board, 'Parent's Leave' <<https://bit.ly/37QAndd>> accessed 12 February 2020.

233 Minister for Employment Affairs and Social Protection, Regina Doherty TD, Written Answers, Parental Leave Expenditure, 13 November 2018 [46883/18].

234 Citizens Information Board, 'Parental leave' <<https://bit.ly/2OXA0ET>> accessed 12 February 2020.

235 Communication received by the Children's Rights Alliance from DEASP, 15 November 2019.

236 *ibid*.

237 Government of Ireland, *Budget 2020: Expenditure Report*, 'Estimate of Income and Expenditure of the Social Insurance Fund' (Stationery Office 2019) 221.

238 M. Marmot, J. Allen, P. Goldblatt, T. Boyce, D. McNeish, M. Grady and I. Geddes, *Fair Society Healthy Lives: Strategic Review of Health Inequalities in England Post-2010* (The Marmot Review 2010).

Young Children and their Families 2019–2028 commits to introducing an individual entitlement for each parent of seven weeks' paid parental leave by 2021.²³⁹ However, even if this commitment were to be met, Ireland would still be at least 10 weeks short of providing income-supported family leave to cover the first year of a child's life in the case of those parenting jointly, and would fall even further short of this in the case of those parenting alone.

The European Union Work-life Balance Directive entered into European law on 1 August 2019 and must be transposed into Member States' national law by 23 August 2022.²⁴⁰ The Department of Justice and Equality has responsibility for transposition of the Directive into Irish law.²⁴¹ The objectives of the Directive are to improve access to work-life balance arrangements for parents in employment and to increase the take-up of family leave and flexible working arrangements by men. The Directive is part of a package of measures to address the under-representation of women in employment, and to support women's career progression through improved conditions to reconcile working and private lives.²⁴² Measures under the Directive include the introduction of paid paternity leave, ensuring that some parental leave is non-transferable between parents, extending the right to request flexible working arrangements to carers and working parents of children aged up to 12 years old and policy measures which aim to remove economic disincentives for second earners within families.²⁴³

The commitments to increase state income-supported leave for parents in employment are welcome but momentum needs to be maintained to meet the target of having such supports for the duration of the first year of a child's life, in line with the strategic action outlined in the Government's strategy, *First 5*. It is also important to ensure that all children regardless of the relationship status of their parents, are able to benefit equally and fully from the extensions to state income-supported parent's leave. People who are parenting alone and their children, may be unable to benefit from the two weeks of parent's leave per parent which is now available because

this leave is non-transferrable between parents, even where it can be demonstrated that the second parent is not availing of the leave. There are, at present, no legislative proposals to address this issue.²⁴⁴

Overall, given the significant developments in recent years regarding the provision of increased entitlement to leave for parents so that they can care for their children, and the provision of state income supports for parents during this leave, it would be appropriate in the near future to review how parents, and in particular fathers, are availing of these entitlements.

► Additional Supports for Low-Income Families:

Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People 2014–2020 included a commitment that by 2020 there would be 70,000 fewer children living in consistent poverty, implying a reduction of two-thirds on the number in 2011.²⁴⁵ The 'consistent poverty' rate for children fell from 10.9 per cent in 2016 to 7.7 per cent in 2018, and the 'at risk of poverty' rate declined from 19.1 per cent to 15.9 per cent.²⁴⁶ While these reductions are very welcome they still mean that large numbers of children are growing up in poverty: over 200,000 children are in households at risk of poverty, and among these children more than 100,000 are in consistent poverty.²⁴⁷ A worrying development in 2018 was that the rate of consistent poverty in households comprised of two adults with one to three children showed an increase on the 2017 figure, rising from 3.9 per cent to 5 per cent (though this is still lower

239 Government of Ireland, *First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families 2019–2028* (DCYA 2018) Strategic Action 1.1.

240 Communication received by the Children's Rights Alliance from DEASP, 15 November 2019.

241 *ibid.*

242 *ibid.*

243 European Commission, 'EU Work-life Balance Directive enters into force' <<https://bit.ly/2UNe3gy>> accessed 12 February 2020.

244 Communication received by the Children's Rights Alliance from DEASP, 15 November 2019.

245 DCYA, *Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People 2014–2020* (Stationery Office 2014) Commitment 4.2.

246 Central Statistics Office, *Survey on Income and Living Conditions (SILC) 2018 Results* (CSO 2019), Table 3.1: 'At Risk of Poverty, Deprivation and Consistent Poverty Rates by Year' <<https://bit.ly/37RuM6w>> and Central Statistics Office, *Survey on Income and Living Conditions (SILC) 2017 Results* (CSO 2018), Table 3.1: 'At Risk of Poverty, Deprivation and Consistent Poverty Rates by Year' <<https://bit.ly/2wbgclA>> accessed 10 February 2020. The 'at risk of poverty' figures reflect the number and percentage of children living in households with a disposable income below 60 per cent of the national median income. The 'consistent poverty' figures indicate the percentage that are not only at risk of poverty but are unable to afford two or more items from a list of deprivation indicators.

247 Social Justice Ireland, *Poverty Focus 2019* (SJI April 2019) 3; Social Justice Ireland, 'More than 689,000 living in poverty in Ireland, over 200,000 are children', 28 November 2019 <<https://bit.ly/2HioOdS>> accessed 10 February 2020.

than the rate in 2016, which was 6.5 per cent).²⁴⁸

Data on poverty highlights the very significant role played by income transfers in alleviating poverty in Ireland, with this country being 'among the best performing EU States for reducing poverty through social transfers'.²⁴⁹ *A Programme for a Partnership Government* committed to introduce a Working Family Payment with the aim of reducing in-work poverty for families with children and to incentivise employment by making work pay.²⁵⁰ In 2017, the Family Income Supplement (FIS), a weekly tax-free payment for low-paid employees with children, was renamed the Working Family Payment.²⁵¹ To qualify for the payment, the applicant (and their partner where relevant) must be employed for at least 19 hours per week or 38 hours per fortnight, have at least one qualified child and have a weekly family income which is less than the set limit for their family size.²⁵² Families in receipt of the Working Family Payment receive an average payment of €135 per week.²⁵³ A nationwide information campaign on local and national media aimed at raising awareness of the Working Family Payment was undertaken in summer 2019.²⁵⁴

The requirement to work for 19 hours per week in order to qualify for the Working Family Payment poses difficulties for some families, particularly lone parents who must reach the 19 hours per week threshold alone, whereas a couple who are living in the same household can combine their hours of employment to reach the threshold. A review of the Working Family Payment published in November 2018 considered the argument that the requirement to work at least 19 hours per week to qualify for the payment should be reduced to 15 hours or below. The review concluded that the minimum number of hours should not be lowered as this could run counter to the policy

objective of increasing hours of employment.²⁵⁵ Other reasons for this conclusion included concerns about increasing rates of unsustainably low-hour and low-paid employment, the interaction with other schemes such as Jobseeker's Allowance, and concerns about increased expenditure implications.²⁵⁶ The review acknowledged that if a lone parent worked fewer than 19 hours per week and did so over more than three days in the week they would qualify for neither Working Family Payment nor Jobseeker's Allowance. This is highly unlikely to occur in the case of couple households due to the structure of the payments.²⁵⁷ It is not possible to estimate the number of additional families that would qualify for Working Family Payment if the minimum hours requirement were to be reduced to 15 hours per week, nor the cost of introducing such a change.²⁵⁸

Budget 2020 increased income thresholds for the Working Family Payment by €10 per week for families with up to three children from January 2020. In spite of various measures in Budget 2020 to reduce child poverty through child income supplement increases and investments in services, it has been estimated that the 'at risk of poverty' rate for children will increase in 2020. This is because of the failure to index link taxes and social welfare payments to wages and/or prices, although increased expenditure in areas such as childcare may offset some of the loss of disposable income.²⁵⁹

A Programme for a Partnership Government committed to tackling low pay by increasing the minimum wage to '€10.50 per hour over the next five years', strengthening the role of the Low Pay Commission to examine the gender pay gap and in-work poverty, and strengthening regulations on precarious work.²⁶⁰ The Low Pay Commission recommended that the rate of the National Minimum Wage (NMW) for an experienced adult worker be increased to €10.10 per hour in 2020, an increase

248 Central Statistics Office, *Survey on Income and Living Conditions (SILC) 2018 Results* (CSO 2019), Table 3.1: 'At Risk of Poverty, Deprivation and Consistent Poverty Rates by Year' <<https://bit.ly/37RuM6w>> accessed 10 February 2020.

249 Minister for Employment and Social Protection, Regina Doherty TD, Written Answers, Child Poverty, 31 January 2019 [4892/19].

250 Minister for Employment Affairs and Social Protection, Regina Doherty TD, Written Answers, Working Family Payment, 13 November 2018 [46862/18].

251 DEASP, 'Ministerial Brief June 2017 – Part A' <<http://bit.ly/2AQrDXI>> accessed 12 February 2020.

252 Government of Ireland, 'Working Family Payment (WFP), formerly known as Family Income Supplement: Operational Guidelines' <<https://bit.ly/2tNbfQu>> accessed 12 February 2020.

253 DEASP, 'Minister Doherty launches Working Family Payment Information Campaign', Press Release, 10 June 2019 <<https://bit.ly/2DxhfCY>> accessed 12 February 2020.

254 *ibid.*

255 DEASP, *Review of the Operation of the Working Family Payment* (2018) <<https://bit.ly/2P544Pg>> accessed 12 February 2020.

256 *ibid.*

257 *ibid.*

258 Minister for Employment Affairs and Social Protection, Regina Doherty TD, Written Answers, Working Family Payment Eligibility, 24 October 2019 [44088/19].

259 Karina Doorley, 'The distributional impact of Budget 2020 tax and welfare measures', ESRI Post-Budget Briefing, 11 October 2019 <<https://bit.ly/2Y1TkF4>> accessed 10 November 2019.

260 Government of Ireland, *A Programme for a Partnership Government 2016* (Government Publications 2016) 40.

of €0.30.²⁶¹ The increased rate came into effect on 1 February 2020.²⁶² The current rate is slightly lower than the target in the Programme for Government but that commitment was to reach €10.50 over a five-year period, which will not conclude until May 2021.

The Home Carer's Tax Credit reduces the tax payable by married couples or civil partners where one partner works in the home caring for a child or other dependent person and they are jointly assessed for tax purposes.²⁶³ Budget 2020 increased the Home Carer's Tax Credit for the fifth time in five years. The credit is now worth €1,600, where the home carer has an annual income of less than €7,200.²⁶⁴

► Low Income in One-Parent Families:

In 2016, there were 218,817 one-parent families in Ireland, of which almost 190,000 were headed by women.²⁶⁵ More than 350,000 children live in a household headed by a lone parent.²⁶⁶ In 2018, over one-third of one-parent families were at risk of poverty and almost one-fifth were living in consistent poverty.²⁶⁷ There has been a small decrease in the rates of poverty among families headed by a lone parent which is welcome; however, one-parent families are still almost four times more likely to live in consistent poverty than two-parent families (the rates being 19.2 per cent and 5 per cent respectively).²⁶⁸

The employment rate for lone parents in 2019 was 64.3 per cent, as compared to 78.5 per cent in the case of couples living with their children.²⁶⁹ An ESRI study in 2018 revealed that changes to the One Parent Family Payment eligibility criteria between 2011 and 2018 reduced the income of lone parents in employment.²⁷⁰ The study found that 16 per cent of

lone parents were financially better off not working due to the cost of childcare; however, it was expected that this would fall to 13 per cent with the coming into operation of affordable childcare subsidies.²⁷¹ In spite of the challenges facing lone parents in employment, the proportion of lone parents in work has increased significantly in recent years. However, this increase has been accompanied by a marked rise in the rate of in-work poverty among lone parents, which doubled between 2012 and 2017.²⁷² Lone parents in Ireland are almost five times more likely to experience in-work poverty than other households with children.²⁷³

Income disregards are a support to lone parents in work in that a certain portion of earned income is not counted in means-tests for a social welfare payment. Budget 2020 increased the earnings disregard for the One Parent Family Payment and Jobseeker's Transitional Payment from €150 per week to €165 per week. This is a welcome development.

The 2017 policy paper, *Better Outcomes, Brighter Futures: Whole of Government Approach to Tackling Child Poverty*, recognised that lone parent families are 'significantly more at risk of poverty compared to the population as a whole'.²⁷⁴ It committed to reform the One Parent Family Payment 'so that lone parents have access to a range of supports and services designed to provide them with pathways to work while acknowledging their caring responsibilities'.²⁷⁵ The review of the payment has not yet been completed.

261 Low Pay Commission, *Recommendations for the National Minimum Wage* (Low Pay Commission 2019) 61.

262 *National Minimum Wage Order 2020* (S.I. 8/2020) (Stationery Office 2020).

263 Revenue, 'Home Carer Tax Credit' <<https://bit.ly/31ScUG2>> accessed 12 February 2020.

264 Citizens Information Board, 'Home Carer Tax Credit' <<https://bit.ly/34ClPvw>> accessed 12 February 2020.

265 Central Statistics Office, *Census of Population 2016 – Profile 4 Households and Families* (CSO 2017).

266 *ibid.*

267 Central Statistics Office, *Survey on Income and Living Conditions (SILC) 2018 Results* (CSO 2019).

268 *ibid.* Table 3.1: 'At Risk' of Poverty, Deprivation and Consistent Poverty Rates by Year'.

269 Central Statistics Office, *Labour Force Survey Households and Family Units Q2 2019* (CSO 2019).

270 Mark Regan, Claire Keane & John R. Walsh, *Lone Parent Income and Work Incentives* (ESRI 2018).

271 *ibid.*

272 Society of St Vincent de Paul, *Working, Parenting and Struggling? An analysis of the employment and living conditions of one parent families in Ireland* (2019) <<https://bit.ly/33FYs3e>> accessed 12 February 2020.

273 *ibid.*

274 DEASP, *Better Outcomes, Brighter Futures: Whole of Government Approach to Tackling Child Poverty* (DEASP 2017) 23.

275 *ibid.* 17.

Parental Leave and Income Supports

Immediate Actions for 2020



Ensure that all children, regardless of the relationship status of their parents, can benefit equally and fully from parent's leave.

Where a parent is parenting alone and it can be demonstrated that the second parent is not taking up the available two-weeks of parent's leave, then it should be possible to transfer that leave to the lone parent. This parent should then become eligible to receive Parent's Benefit for four weeks, rather than two.



Complete and publish the review of the One Parent Family Payment in 2020.

In line with the commitment in *Better Outcomes, Brighter Futures: The Whole of Government Approach to Tackling Child Poverty*, complete the review of the One Parent Family Payment and introduce the necessary changes to ensure that lone parents can have the security of an adequate level of income support while also being enabled to enter employment.

2.3 Prevention and Early Intervention

Section Grade:

C+

➔ Government Commitment

A Programme for a Partnership Government commits to:

Tackle child poverty by increasing community-based early intervention programmes, such as the ABC Programme.

▶ **Progress: Steady**

Ensure the sharing and implementation of learning from such programmes.

▶ **Progress: Good**

Establish a dedicated Prevention and Early Intervention Unit in the Department of Public Expenditure and Reform/Finance in the first 100 days.

▶ **Progress: Complete**

'Prevention and Early Intervention' receive a 'C+' grade in *Report Card 2020*, the same grade as in *Report Card 2019*. This grade reflects the continued funding for the ABC Programme and its move into Tusla. It also reflects developments in the areas of data, information, leadership and networking for policy, practice and service provision for children and young people, particularly through the What Works initiative. However, in order to achieve a broader and more systemic impact, current measures need to be enhanced and further action at a 'whole-of-government' level should be taken.

Every child has a right to survival and development.²⁷⁶ The UN Committee on the Rights of the Child recognises that prevention and intervention strategies during early childhood have the potential to impact positively on young children's current well-being and future prospects.²⁷⁷ Prevention is defined as stopping a problem from happening in the first place; early intervention means acting at the first signs of trouble; treatment means responding once what could go wrong, has gone wrong.²⁷⁸ Prevention and early intervention mean intervening at a young age, early in the onset of difficulties, or at points of increased vulnerability, such as school transitions, adolescence and parenthood.²⁷⁹ The Recommendation of the

276 UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art. 6.

277 UNCRC, 'General Comment No. 7: Implementing child rights in early childhood' (2006) UN Doc CRC/C/G/GC/7/Rev. 1 para 8.

278 Michael Little and Sonia Sodha, *Prevention and Early Intervention in Children's Services* (NESTA 2012) 3.

279 DCYA, *Better Outcomes, Brighter Futures: The National*

Council of Europe²⁸⁰ with regard to fulfilling children's rights in social services planning, delivery and evaluation states that social services delivery for the protection of vulnerable children 'should, *inter alia*, adhere to the following principles: (a) prevention and early intervention; (b) child-focused partnership with parents; (c) careful assessment of the child's needs with regard to protective factors ... as well as risk factors in the child's environment'²⁸¹

The UN Committee on the Rights of the Child requires States to take all possible measures to improve perinatal care for mothers and babies, reduce infant and child mortality, and create conditions that promote the well-being of all young children.²⁸² Young children are especially vulnerable to the harm caused by unreliable, inconsistent relationships with parents and caregivers, by growing up in extreme poverty and deprivation, or by being surrounded by conflict and violence.²⁸³ States are required to render appropriate assistance to parents, guardians and extended families in the performance of their child-rearing responsibilities.²⁸⁴ An integrated approach would include interventions that impact indirectly on parents' ability to promote the best interests of children (for example, taxation and benefits, adequate housing, working hours) as well as those that have more immediate consequences (for example, perinatal health services, parent education, home visitors).²⁸⁵ The UN Committee calls on States to create a safe and supportive environment for adolescents, including within their family, in schools, in all types of institutions in which they may live, within their workplace and/or in the society at large.²⁸⁶

International evidence suggests that prevention and early intervention approaches achieve much better results for children than later intervention, and can reduce the need for costly, less effective interventions later in life.²⁸⁷ However, Ireland's balance of public spending is skewed towards crisis rather than preventative spending.²⁸⁸ For example, only five per cent of expenditure on homelessness services comes under the heading of prevention, tenancy sustainment and resettlement supports, while 83 per cent is spent on emergency accommodation.²⁸⁹

Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People 2014–2020 identifies prevention and early intervention as one of six 'transformational goals'.²⁹⁰ These goals aim to strengthen the system of supports for children and young people by improving the timeliness, effectiveness and responsiveness of policy and services, leading to better outcomes for children and young people in the future.²⁹¹ Strategically, *Better Outcomes, Brighter Futures* considers universal services as the main source of prevention and early intervention, naming specifically early childhood education and care services, schools, youth, community and health services.²⁹² Prevention and early intervention is also central to *First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families 2019–2028*, which was published in November 2018.²⁹³ The Strategy adopts a progressive approach, focused on providing universal services and programmes in child health, parenting and family supports, early learning and care with targeted services for families needing additional support.²⁹⁴ In the Strategy, there is a commitment to achieving four overarching

Policy Framework for Children and Young People 2014–2020 (Stationery Office 2014) 29.

280 The Council of Europe is a human rights institution. It includes 47 member states, 27 of which are in the EU. It promotes human rights through international conventions, monitoring member states' implementation progress and making recommendations through independent expert monitoring bodies. It oversees the European Convention on Human Rights. The European Court of Human Rights is a key institution.

281 Council of Europe, *Council of Europe Recommendation on children's rights and social services friendly to children and families* (Council of Europe 2011) 9.

282 UNCRC, 'General Comment No. 7: Implementing child rights in early childhood' (2006) UN Doc CRC/C/GC/7/Rev. 1 para 10.

283 *ibid* para 36.

284 *ibid* para 20.

285 *ibid* para 20a.

286 UNCRC, 'General Comment No. 4: Adolescent health and development in the context of the Convention on the Rights of the Child' (2003) UN Doc CRC/GC/2003/4/ para 39a.

287 Early Intervention Foundation, *Realising the Potential of Early Intervention* (Early Intervention Foundation 2018) 18; Prevention and Early Intervention Network, *The Case for Prevention and Early Intervention: Promoting Positive Outcomes for Children, Families and Communities* (PEIN 2013) 3.

288 Eilis Lawlor and Sinead McGilloway, *An Economic Appraisal of the youngballymun Initiative* (Just Economics 2012) 36.

289 Department of Housing, Planning and Local Government, 'Summary analysis of homelessness quarterly financial and performance reports Quarter 3 2019' <<https://bit.ly/2Yi5kCJ>> accessed 12 February 2020.

290 DCYA, *Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People 2014–2020* (Stationery Office 2014) 23.

291 *ibid* 23.

292 *ibid*.

293 Government of Ireland, *First 5 – A Whole-of-Government Strategy for Babies, Young Children and their Families 2019–2028* (Government Publications 2018).

294 *ibid* 26 and 102.

goals: Goal A: Strong and supportive families and communities; Goal B: Optimum physical and mental health; Goal C: Positive play-based early learning; and Goal D: An effective early childhood system.²⁹⁵

► Community-based Early Intervention Programmes:

From 2004, the State and The Atlantic Philanthropies co-funded evidence-informed programmes aimed at improving outcomes for children in areas of urban disadvantage, by intervening in their lives from the pre-natal stage to 18 years.²⁹⁶ The Area Based Childhood (ABC) Programme, operating since 2013, offers interventions in 12 urban sites around the country addressing child health and development, children's learning, parenting and integrated service delivery.²⁹⁷ Between 2013 and 2017, the programme was funded by The Atlantic Philanthropies and the Department of Children and Youth Affairs (DCYA), with a total investment of €30.7 million.²⁹⁸ The DCYA is now the sole funder of the ABC programme.²⁹⁹ In September 2019, the ABC programme transferred to Tusla as part of the national Prevention, Partnership and Family Support Programme (PPFS).³⁰⁰ The transfer is intended to enable the 'ongoing delivery of innovative measures, and mainstream evidence-based practice to improve outcomes for children and families'³⁰¹ and build on the Tusla PPFS programme.³⁰² The ABC programme continues to operate in the same 12 areas of urban disadvantage.³⁰³ As part of the ongoing work to integrate the ABC programme into the PPFS programme, two national ABC posts will be created in Tusla.³⁰⁴ €9.5 million was secured for the PPFS programme in 2019.³⁰⁵ Tusla area managers will agree

the budget for individual ABC sites with the local ABC manager on the basis of need and in consultation with internal and external stakeholders across each ABC area.³⁰⁶ This complex work requires investment in the relevant workforces in Tusla, early care and education services, and the HSE's public health nursing service. Consideration should also be given as to how to ensure the learning and mainstreaming from these initiatives are extended to rural locations.

► Sharing and Implementing Learning:

On 19 July 2019, What Works (formerly the Quality and Capacity Building Initiative, QCBI) was launched by the DCYA.³⁰⁷ What Works is an initiative which aims to maximise the potential of prevention and early intervention to improve the lives of children and young people, by providing practitioners with an evidence-supported approach to their work.³⁰⁸ Its objective is to enhance the use and availability of data and evidence, support capacity development and ensure quality at the levels of policy, service and provision.³⁰⁹ It is funded through Dormant Accounts Funding.³¹⁰ In 2019, Tusla received funding of €615,000 from the DCYA for What Works.³¹¹

The Network Support Fund was launched in 2018 to provide financial support for efforts to promote increased understanding and use of evidence-informed approaches to prevention and early intervention services for children, young people and their families. The Fund, which was part of What Works, supported organisations seeking to enhance their practice and to share experiences and knowledge in a more systematic and reflective manner. It was open to statutory as well as community and voluntary organisations involved in leading or co-ordinating networks, and to learning communities and forums.³¹² Awards totalling €379,012 were made to 30 networks in 2019.³¹³

295 *ibid* 28.

296 The Atlantic Philanthropies, 'Children and Youth: Prevention and Early Intervention' <<https://bit.ly/2OOkb48>> accessed 12 February 2020.

297 Pobal 'Area Based Childhood Programme' <<https://bit.ly/2SFxAN5>> accessed 12 February 2020.

298 C. Hickey, A. O'Riordan, S. Huggins and D. Beatty, *National Evaluation of the Area Based Childhood Programme: Summary Report* (DCYA, The Atlantic Philanthropies and the Centre for Effective Services 2018) 7 <<https://bit.ly/2RsVmwQ>> accessed 12 February 2020.

299 Minister for Children and Youth Affairs, Katherine Zappone TD, Written Answers, Area Based Childhood Programme, 24 October 2019 [43956/19].

300 *ibid*.

301 Government of Ireland, *First 5 – A Whole-of-Government Strategy for Babies, Young Children and their Families 2019–2028* (Government Publications 2018) 48.

302 *ibid* 127.

303 Communication received by the Children's Rights Alliance from the DCYA, 11 November 2019.

304 *ibid*.

305 *ibid*.

306 *ibid*.

307 *ibid*.

308 DCYA, 'Minister for Children and Youth Affairs launches What Works, a transformative new approach to policy, programmes and practice for children and young people', Press Release, 19 June 2019 <<https://bit.ly/31HayJP>> accessed 12 February 2020.

309 Minister for Children and Youth Affairs, Katherine Zappone TD, Written Answers, Child Protection, 22 October 2019 [43399/19].

310 DCYA, 'What Works FAQs' <<https://bit.ly/2YsqZbp>> accessed 12 February 2020.

311 Minister for Children and Youth Affairs, Katherine Zappone TD, Written Answers, Child and Family Agency Funding, 6 September 2019 [35433/19].

312 DCYA, '2019 Network Support Grant Guidance Information' <<https://bit.ly/39qPOJ9>> accessed 12 February 2020.

313 Communication received by the Children's Rights

A key project over 2018 to 2019 was the QCBI Innovation Fund (in 2019, renamed the Innovation Fund of What Works). This measure was designed specifically for innovative, one-off, time-bound initiatives aimed at improving the lives of children, young people and their families in local communities and nationally.³¹⁴ DCYA continued to support Innovation Fund grantees in 2019 where funding was needed to finalise activities or resource outputs relating to projects begun in 2018. The total amount awarded under this Fund in 2019 was €383,615.³¹⁵

A national programme of Action Learning Sets was announced by the Minister for Children and Youth Affairs, Dr. Katherine Zappone TD, in September 2019.³¹⁶ Action Learning is an approach to problem-solving and learning in small groups ('sets') which aims to bring about significant change in individuals, teams, organisations and systems.³¹⁷ Action learning uses a group process to help members reflect on their work and plan for future action.³¹⁸

In 2018, the DCYA and the University of Limerick developed a pilot Executive Leadership Programme for service providers and practitioners in Dublin North East inner city under the Quality and Capacity Building Initiative (QCBI).³¹⁹ This programme (now under the aegis of What Works) has now been extended outside the North East inner city, with a second executive leadership programme currently underway with practitioners and community leaders in Limerick.³²⁰ The focus of these programmes is on supporting groups and communities to develop their own solutions to some of the more intractable difficulties they are facing; further programmes will be rolled out in 2020.³²¹

Alliance from DCYA, 17 January 2020.

314 DCYA, 'Minister for Children and Youth Affairs launches What Works, a transformative new approach to policy, programmes and practice for children and young people', Press Release, 19 June 2019 <<https://bit.ly/31HayJP>> accessed 12 February 2020.

315 Communication received by the Children's Rights Alliance from DCYA, 21 January 2020.

316 DCYA, 'Minister Zappone launches What Works national programme to deliver learning and development opportunities for professionals working with children and young people' (Press Release, 12 Sept 2019) <<https://bit.ly/2Rq5BSJ>> accessed 12 February 2020.

317 Communication received by the Children's Rights Alliance from the DCYA, 11 November 2019.

318 *ibid.*

319 Dublin North East Inner City, 'Executive Leadership Course' (NEIC 2018) <<https://bit.ly/2RBKNSH>> accessed 12 February 2020.

320 Communication received by the Children's Rights Alliance from the DCYA, 11 November 2019.

321 *ibid.*

The 'Outcomes for Children National Data & Information Hub' was launched in July 2019.³²² This data hub is an online, interactive, area-based geo-mapping system, based on the five *Better Outcomes, Brighter Futures* national indicators.³²³ It has been developed in conjunction with Tusla, in order to support those working with children and young people to access and use published data sets to inform their work.³²⁴ The Hub is funded under What Works in alignment with that initiative's objective of enhancing the availability and use of data for those working with children, young people and their families.³²⁵

► Research:

In 2019 the Department of Children and Youth Affairs commenced a phased programme of research, funded through the What Works initiative, with the aim of deepening understanding of the persistence and effects of child poverty in Ireland. The first phase of this programme was a study begun in late 2019 which used existing data to establish a statistical baseline on children's and families' financial circumstances. The second phase is due to begin in early 2020 and will be realised through a Research Partnership between the ESRI and the DCYA. An element of the work in this phase will be an exploration of how to leverage the full value of the longitudinal data in the Growing Up in Ireland study for policy development in relation to preventing and responding to poverty.³²⁶

► Prevention and Early Intervention Unit:

The Prevention and Early Intervention Unit (PEIU) was established in the Department of Public Expenditure and Reform in May 2017. The unit focuses on prevention and early interventions that can improve the life outcomes of children as well as the quality of life of older people. In 2019, the PEIU published two Focused Policy Assessments (FPAs) in relation to families and children: *Family Services Supporting Children and their Parents and Programmatic Interventions for Children, Young People and their Parents*.³²⁷ These FPAs are part of the first phase

322 *ibid.*

323 *ibid.*

324 *ibid.*

325 *ibid.*

326 DCYA, 'Minister Zappone hosts Open Policy Debate on child poverty in Association with the Children's Rights Alliance', Press Release, 13 December 2019 <<https://bit.ly/2Hha43N>> accessed 12 February 2020.

327 Fiachra Kennedy, *Family Services Supporting Children and their Families*, Prevention & Early Intervention Series, Focused Policy Assessment No.6, October 2019 (Prevention and Early

of the work of the unit.³²⁸ It is intended that the second phase of the PEIU's work will build on the evidence from the FPAs and draw on the dialogue sessions which were held with key stakeholders in 2018 in order to provide a general understanding of prevention and early intervention as an approach to policy-making as well as a more specific examination of this approach in an Irish context.³²⁹

While this is welcome, the unit should broaden its work programme to develop a framework to estimate the benefits of frontloading investment across government in prevention and early intervention services for children and families, and to examine how to incorporate this into its work in progress on policy design and implementation guidance. There is evidence that organisations to the forefront of prevention and early intervention delivery are currently suffering squeezed budgets that particularly affect their ability to provide prevention and early intervention services.³³⁰ Since many of the savings from prevention and early intervention actions are realised in the long term, a commitment to future planning and cost-benefit analysis is required. Efforts to rebalance resource allocation towards placing greater emphasis on prevention and earlier intervention are required.³³¹

The PEIU should set out how it intends to support all relevant government departments to identify their current prevention and early intervention expenditure on children and families and identify targets for increased investment over the next 10 years. The unit could undertake and support reviews, evaluations and cost-benefit analyses of existing and new initiatives in order to identify the potential maximum impact on the needs of target populations requiring support and in achieving prevention and early intervention.

Outside the role of the PEIU, consideration needs to be given to how the principles of prevention and early intervention could be strengthened through

government and state funded programmes which get the balance right between universal and targeted services. For example, the Government launched a consolidated new scheme that brings together four existing funding streams to reach young people who are marginalised, disadvantaged or vulnerable.³³² While the rationalisation of funding streams to support youth work services is welcome, the funding for universal youth services also needs to be looked at. Universal youth service provision was cut by 31 per cent between 2008 and 2015 and while funding has been increased in recent years it is still 20 per cent below pre-recession levels.³³³ Building on the learnings of *What Works* and *Better Outcomes, Brighter Futures*, the development of the next national policy framework for children and young people provides an opportunity to look at how prevention and early intervention can be further mainstreamed across government.

Intervention Unit, DPER, 2019) Fiachra Kennedy, *Programmatic Interventions for Children, Young People and their Parents*, Prevention & Early Intervention Series Focused Policy Assessment No.7, October 2019 (Prevention and Early Intervention Unit, DPER 2019) <<https://bit.ly/2PyN5Fb>> accessed 12 February 2020.

328 Communication received by the Children's Rights Alliance from the Department of Public Expenditure and Reform, 3 December 2019.

329 *ibid.*

330 Just Economics, *Breaking Point: Why Investment is Needed Now to Ensure the Sustainability of Quality Services for Children and Families* (Barnardos 2019).

331 DCYA, *Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People 2014–2020* (Stationery Office 2014) 28–29.

332 'UBU – Your Place, Your Space' <<https://ubu.gov.ie/>> accessed 12 February 2020.

333 National Youth Council of Ireland, 'Future Proof with Investment in Youth', 2019 <<http://bit.ly/2SJ1eRw>> accessed on 10 February 2020.

Prevention and Early Intervention Immediate Actions for 2020



The PEIU should consider publishing a two-year plan, identifying objectives and activities.

A two-year plan for the PEIU is needed to enable the core objectives of the unit to be publicly outlined and the activities to achieve these clearly identified. An official definition of prevention and early intervention would be necessary for such a plan. A published plan would ensure that it is made clear how the PEIU can deepen awareness and understanding of prevention and early intervention approaches, enhance the value placed on evidence and how it informs decisions, and improve understanding of the processes required to deliver effective services and supports.



Consider how prevention and early intervention can be adopted further.

Building on the What Works initiative and the learnings from *Better Outcomes, Brighter Futures*, consideration could be given to how prevention and early intervention is further adopted as a principle and an approach throughout all government funded programmes relating to children and young people.