



Advice NI Consultation

Response Investigating future provision for victims of violence

January 2024

Advice NI
1st Floor Forestview
Purdy's Lane
Belfast BT8 7AR
028 9064 5919
info@adviceni.net

Advice NI contribution to ongoing research: “Investigating future provision for victims of violence and those at risk/under threat of violence including victims of domestic abuse within the Northern Ireland Housing Selection Scheme”

January 2024

Firstly, we believe that it is useful to clarify exactly what was originally proposed, what is happening now in terms of this research and set out comments in relation to this so as to avoid any confusion.

1. Proposal 7: The removal of intimidation points from the selection scheme
2. The email title in relation to the current research: FAO: Bob Stronge - Independent research – Fundamental Review of Allocations – Proposal 7
3. The current research study title: Investigating future provision for victims of violence and those at risk/under threat of violence including victims of domestic abuse within the NI Housing Selection Scheme.

We would be concerned that there is scope for confusion and misunderstanding in terms of the current research: whether it is focussed on Proposal 7; whether there are other gaps in relation to victims of violence / those at risk of violence & crucially whether filling those gaps are contingent open the implementation of Proposal 7.

Apparently the Advice NI response to the original consultation in 2017 represented a minority view when it expressed concerns about the proposal to remove intimidation points from the selection scheme, the detailed content is copied below:

- **“Removal of intimidation points**

Advice NI is concerned about this proposal. A recent story which made media headlines centred on sectarian intimidation and serves to illustrate the practical impact if this proposal is adopted, namely this family may have received less support in terms of rehousing. Any proposal to change the approach to intimidation must be viewed through the lens of threats to families in Cantrell Close. If we try to place ourselves in the position of that family (or any household subject to intimidation), it is difficult to justify providing less points (and therefore less support). We believe that the proposal to remove intimidation points requires further thought and therefore should be removed from any finalised set of Social Housing Allocation proposals.”

The decision by Minister to group this proposal within Group 4 and delay any action until November 2024-April 2025, we feel reflects the particular sensitivities involved and reflects a certain reticence to move on this particular proposal.

The covering letter to the research helpfully outlines the various threads of the research including work in other jurisdictions relating to “victims of violence and those at risk/under threat of violence, including victims of domestic violence/abuse”. A couple of points on this: 1) It is noteworthy that the word ‘intimidation’ has been omitted; 2) Given our particular history and the segregated nature of our housing stock, there may be limited learning in terms of the Proposal 7 & 3) Points in respect of domestic violence or harassment are already awarded under the separate provisions in Rule 43 of the [Selection Scheme](#) relating to Primary Social Needs, so we are not clear how those issues would come into the discussion around intimidation unless there is a proposal to merge the two, or to change the definition of Intimidation in Rule 23 to incorporate the Primary Social Needs. If this is the case, we believe this would need to be either a separate focussed piece of work or made clearer within this process.

In terms of “how all victims of violence should be prioritised and verified in a fair, equitable and consistent manner using a robust verification framework”, it would be helpful to set out how this process works currently. We feel it is unhelpful to conflate the removal of intimidation points with the separate issue of other victims of violence, including victims of domestic abuse. For example, one obvious approach would be to fill any current gaps in the selection scheme, something that would be unrelated to the rights and wrongs of Proposal 7.

Equally it would be helpful to set out the definition of ‘Intimidation’ alongside the list of definitions set out in Appendix 1 and how the process in relations to intimidation works currently. This would allow complete transparency and enable clear thinking in terms of trying to assess intended and unintended consequences of any decision around Proposal 7.

We would point to the following interview by the NIHE CEO in the Belfast Telegraph ([Housing policy not being manipulated by paramilitaries: NIHE chief executive | BelfastTelegraph.co.uk](#)) in particular:

“Housing policy not being manipulated by paramilitaries”

“The numbers of households presenting as homeless due to intimidation have reduced considerably in recent years.”

“To put this into perspective, there are currently over 45,000 applicants on the waiting list for social housing.”

“Last year the number of people presenting to us as homeless due to paramilitary intimidation was 124 — just under 0.3% of the total applicants on the waiting list.”

This highlights two issues: 1. The numbers seem small, therefore one would question what is driving the change; & 2. The impact on the individuals affected by intimidation is huge,

therefore one would have to say that there needs to be a bespoke solution in place for these small minority of people.

Finally we would flag the Judicial Review case [Thompson, Re Application for Judicial Review \[2022\] NIKB 17 \(27 October 2022\) \(bailii.org\)](#) and the commentary provided by Housing Rights ([A welcome judicial review decision on intimidation points | Housing Rights](#)). A number of important points spring out from this information:

- “There is a significant public interest at play in the allocation of social housing and the societal response to the ongoing issue of paramilitary intimidation” (JR decision)
- “Following the hearing, the court concluded that the Housing Executive had made an error in law by failing to understand what a ‘serious and imminent’ threat means” (HR)
- “The judicial review was in the public interest as it involved social housing and paramilitary intimidation” (HR)
- “In 2020, Communities Minister at the time, Carál Ní Chuilín made a statement expressing her commitment to change how intimidation points work, rather than ending them” (HR)

To conclude, on the basis of all the information presented in this submission, we remain concerned about the proposal to remove intimidation points from the selection scheme. Further, we would be concerned that the current research may steer thinking away from the issue of intimidation as opposed to focussing attention on how the current process works and filling any gaps that may exist.

Contact information:

Advice NI Policy Team

Kevin Higgins (Head of Policy)

Advice NI

Forestview

Purdys Lane

Belfast

BT8 7AR

Tel: 028 9064 5919

Advice NI Policy & Information Team

- Kevin Higgins - kevin@adviceni.net

- Bridget Meehan - bridget@adviceni.net
- Matt Cole – matt@adviceni.net



Contact information:

Advice NI Policy Team
Kevin Higgins (Head of Policy)
Advice NI
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Tel: 028 9064 5919

Advice NI Policy & Information Team:

Name :

Email:

Kevin Higgins
Charlotte Brennan
Bridget Meehan
Matt Cole

kevin@adviceni.net
charlotte@adviceni.net
bridget@adviceni.net
matt@adviceni.net

www.adviceni.net
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