

JERSEY HOMELESSNESS STRATEGIC BOARD



27 February 2024

The Minister for Housing and the Communities
Government of Jersey
Broad Street
St Helier
Jersey

OPEN LETTER

Dear Minister, Deputy Mézec

JERSEY HOMELESSNESS

Firstly, we would like to take the opportunity to congratulate you on your appointment as Minister for Housing and Communities. We look forward to working with you.

This letter has been prepared in consultation with member organisations of the Homelessness Cluster and has been informed by your recent meetings with me on 22 February and with member organisations of the Cluster on 23 February. References to “we” and “our” in this letter refer to those member organisations. Representatives of the Government of Jersey who are members of the Board have not provided input or comment on the contents of this letter.

The purpose of this letter is to take the opportunity to set out what we see as key priorities required to tackle homelessness in Jersey and ask for your ongoing engagement with both the Board and the wider group of organisations supporting those who find themselves homeless.

We would welcome your detailed response to the contents of this letter and especially the confirmations sought highlighted in bold at the end of each section.

1. **Homelessness Strategy**

We very much welcome the statement you made in the States Assembly on 30 January 2024 that you are absolutely committed to implementing all recommendations of the Homelessness Strategy. There is much to do here, not least the commitments made in the



Ministerial Response to the Homelessness Strategy presented to the States on 9 March 2021 by the then Minister for Housing and Communities.

We would be pleased to hear from you that you agree in full to the commitments made in this Ministerial Response and, if not, details of which changes you propose to make.

We would also be pleased to hear from you as to the steps and your planned timing of those steps that you expect to take to implement the Homelessness Strategy.

2. Definition of Homelessness

The very first recommendation of the Homelessness Strategy is to define homelessness and for this to become a statutory definition. This recommendation was, in fact, a key recommendation made at the inaugural meeting of the Homelessness Cluster held in December 1998, prior to this Strategic Board being established.

In the meantime, a great deal of work has been undertaken to develop a homelessness definition for Jersey which eventually culminated in the Definition of Homelessness presented to the States on 7 October 2022 by the former Minister for Housing and Communities. This definition includes 13 different categories of homelessness, informed by the European Typology of Homelessness and Housing Exclusion (ETHOS) developed by the European Federation of National Organisations Working with the Homeless (FEANTSA).

In the States Assembly on 30 January 2024, you described this as an “informal definition”. We do not agree that it is informal and would like to ask you to clarify your position in this respect.

We would be pleased to hear from you as to whether or not you stand by the homelessness definition as presented to the States and, if not, what changes you propose to make.

We were pleased to hear that you are committed to enshrining a homelessness definition in legislation, which we believe is critical step to tackling the issue. It is noted that such a statutory definition may be accompanied by actions or obligations that are required to be taken by relevant agencies. This is understood, but we believe this should not hold up law drafting. Legislation can be introduced setting out the definition with actions or obligations to be taken to be introduced later in secondary regulation.

We would be pleased to hear your plans and timescale to bring forward legislation for a statutory definition of homelessness.

3. Evidence the Scale and Nature of Homelessness

This is the second key recommendation of the Homelessness Strategy. Unless information on the numbers and types of homelessness is collated on an ongoing basis, we believe the Government will only be second-guessing as to the steps needed to tackle homelessness. This will also prevent the Homelessness Strategy being implemented in full.

Until comprehensive data is collated on an ongoing basis, it will be difficult to form preventative plans and instead reactive actions will be needed (such as many actions currently taken by the Housing Advice service, emergency accommodation providers and other agencies).

We were originally told, and it was publicly announced, that the first set of homelessness statistics to be published by the Government since the new definition was introduced would be released early in 2023, but this has not happened. We were subsequently told that there were delays due to data protection risks.

Whilst we recognise that some data will be difficult to collate, we believe that helpful data can be collected by the Government against many of the 13 categories of homelessness and this can be reported without risk of breaching data protection regulations.

We would be pleased to hear when and what actions you will take to collate and report on data against the 13 categories in the definition of homelessness together with your goals to reduce each category of homelessness.

4. Homeless Accommodation Providers Data

Since the beginning of 2023, we have worked with a sub-group of the Homelessness Cluster (consisting of the five main homeless accommodation providers) to collate and aggregate anonymised data of those seeking such accommodation. We have shared this data with the Government and the public by way of a quarterly Flash Report from January 2023.

We hope these reports help the Government with its own data collation, although recognising it covers only a few of the 13 categories in the definition. We recognise these Flash Reports are not perfect and only reflect an aggregated view of the five accommodation providers, but at least it provides a picture of what these organisations are experiencing. At this stage, the reports do not cross-reference residents between the accommodation providers, nor do they identify those who vacate accommodation and then return.

In 2023, the accommodation providers reported 406 instances of people seeking accommodation. At the beginning of the year 2023 there were 160 residents with a further 207 people accommodated during the year. There was a further 38 instances of people being turned away, in many cases because the hostel was full at the time.

The second quarter of 2023 saw the highest need, 226 instances of people accommodated and 14 turned away, mainly due to hostels being full.

During 2023 the number of reported male residents rose from 152 in the first quarter to 167 in the second quarter, dropping back to 152 in the third quarter and then dropping to 134 in the fourth quarter. Male residents represented an average of 69% of all residents during 2023.

Over the same period this compares with the number of female residents fluctuating from 59 in the first quarter to 70 in the second quarter, dropping back to 64 in the third quarter and then rising to 66 in the fourth quarter. Female residents represented an average of 30% of the total for the year.

In the fourth quarter of 2023, the majority of residents, 89% (197 people), were of working age and 81% (164 people) held Entitled residential and employment status. In the case of the latter, this compares with 54 people reported to be on Band 1 of the Government's Affordable Housing Gateway (the band reserved for those who are homeless or in the most precarious housing situations).

With the changes to the age eligibility criteria of Gateway from 50 to 35 there would be merit in understanding how many of those classed as homeless would qualify for social housing, and how many of them are actually registered with the Gateway at this time. It is suggested that those registered can only represent a relatively small percentage of the homeless, given the current number on Gateway Band 1.

Of the homeless residents in 2023, 68%, were British from Jersey or UK (51% being born in Jersey and 17% UK born), 18% Portuguese born and 4% Polish born.

The three most common reported reasons for residents needing hostel accommodation were as a result of domestic violence, relationship breakdown or being in unsafe or insecure housing. Eviction followed closely behind.

There are many reasons people find themselves homeless in Jersey. Here are some recent examples of reports received.

- Someone sleeping in a shed. Well-groomed, showering at friends, working in construction but zero hours and weather dependant. Tried shelters but full.
- 18 year old whose parent was passing away. Parent was the tenant so had no rights to stay in occupation. No family or friends able to help. Shelter not an option.
- Slept on a bench the night before, poor health, no cash. Held a pension but unable to access it. House was sold and surplus cash paid into directors Loan co-owned by a relative. Company trying to sell assets. Appears 'rich' but destitute. Applied to Income Support but was told support not available due to 'assets' even though they were inaccessible. Currently sofa-surfing at a friend's home.

- Off work, sick pay not enough to cover living expenses. Shortly being removed from property.
- Single parent with 2 year old, social housing provider gave eviction notice due to dispute with neighbour known to complain about tenants with children.

5. Quarterly Meetings

Quarterly meetings with representatives of the Homelessness Cluster and the Minister for Housing and Communities were fixed in the diary during 2024 on 26 February, 17 June, 23 September and 21 November. These are viewed as important meetings.

We would be pleased to receive confirmation that the quarterly meetings will still go ahead as planned (changing the actual dates as needed to suit diaries).

6. Housing Pathway for the Most Vulnerable

The data for the fourth quarter of 2023, provided by the five homeless accommodation providers, records that the median length of stay for residents was 209 days and an average of 496 days distributed as follows:-

Quartile	Median	Average
1	27 days	31 days
2	158 days	167 days
3	454 days	474 days
4	1,140 days	1,328 days

Jersey Association for Youth and Friendship (JAYF) provides accommodation for young adults under the age of 25 who may be expected to stay for one, two, three or more years. In the fourth quarter of 2023, the median length of stay for a resident at JAYF was 486 days and an average of 534 days.

The other four accommodation providers, on the other hand, are primarily established to offer short-term temporary accommodation, although some do provide longer term accommodation. In some cases, an extended stay is important to help residents be given support and prepare for independent living, however, others are accommodated because there is no current alternative. Once accommodation provider has reported having 8 residents who are otherwise ready to move, but suitable accommodation is not available.

This situation inevitably leads to hostels operating to capacity, which is reflected in the 2023 data, and reflects reports of difficulties finding emergency accommodation cited by the Housing Advice Service.

We would ask that you to take the necessary steps to investigate the reasons that might prevent people who are otherwise ready to leave temporary accommodation and put in place measures to ensure permanent and long term accommodation is available.

7. Affordable Housing Gateway

The majority of people who find themselves homeless are young and working age people. In 2023, 57% of those seeking accommodation at one of the five hostel providers were under the age of 40 (23.5% were under 25 and 36.3% were aged between 25 and 39).

We do not have the data, but we suspect that many more young people under the age of 35 are in a similar position, sofa-surfing or living in short-term or unsuitable accommodation unable to afford market rents.

The positive benefits to the Island of having socially and economically active young people to the Island are well understood, but this is not well represented in current policy through the Affordable Housing Gateway, which restricts applications to those over the age of 35 (recently reduced from 50).

We note it is proposed that a further reduction to 30 in March 2024 and then to 25 in October 2024 is planned which, combined with raising the maximum household income thresholds (to align with rental stress levels), will open up the availability of social housing to more people.

However, the data we have published suggests that social housing is not the answer for everyone. According to our latest Flash Report, 164 instances of people during the fourth quarter of 2023 held 'Entitled' residential and employment status. Comparing this against 54 applicants in Gateway Band 1 (the band reserved for those who are homeless or in the most precarious housing situations) indicates either some people are not aware of the Gateway criteria or perhaps are preferring not to apply for social housing. This needs a detailed review to better understand the reasons for this.

We would be pleased to hear from you what steps you propose to ensure that all people who fall within the criteria for social housing are aware of the change in criteria and review the reasons why some people are not registering on Gateway.

8. Government Supporting Charities

There are many wonderful charities supporting people who find themselves homeless, including the member organisations of the Homeless Cluster. The work of these charities is extensive and there is a heavy reliance on the goodwill of volunteers and private donors.

Charities have found fundraising harder since Covid 19 and also during the cost of living crisis. This has created an obvious impact on their service reach. By way of example, some of the emergency accommodation providers are finding cashflow very tight at a time when they are often operating at capacity and, in some cases, even turning people away because they are full.

Whilst the Homelessness Strategy is being implemented and the Government introduces preventative measures to reverse the likelihood of people becoming homeless, we ask that Government devote more funds to help the charities.

We would be pleased to hear of your proposals to provide additional financial support to charities who are supporting people who find themselves homeless.

9. Mental Health Illness and Homelessness

We have received reports of the lack of fully supported accommodation for people with severe mental illness and would like to hear about your plans to address this.

The reports received include challenges within inpatient mental health wards who are faced with the inability to discharge some people due to the lack of suitable supported accommodation. There is concern in respect of the fragility of their mental state if discharged homeless.

We would be pleased to hear what steps you propose to take to support people suffering from mental health and other illnesses, so they can be discharged to suitable accommodation and are never discharged homeless (including being discharged in the knowledge they are to move into a homelessness hostel).

10. Residential Tenancy Law (RTL) Consultation

We responded to the consultation in respect of proposed changes to the Residential Tenancy Law by our letter addressed to the former Minister for Housing and Communities dated 23 June 2023. We are concerned that whilst the report of the consultation was published some time ago, it has not been made available outside of Government and is now proposed to be amended. This is worrying and could give some cause for complaint and questions of transparency and open government. We would ask that a copy of the original report be made publicly available.

We believe that a number of the proposed changes to the residential tenancy law have the potential to materially affect the supply and cost of housing in Jersey, which is likely to impact the most vulnerable.

Our response to the consultation response covered many areas, but as a common theme, we were and remain concerned about the possibility for unintended consequences where changes made without rigorous research or analysis impact demand, supply and resulting cost of housing.

We would also like to highlight an important point we made in response to the consultation in respect of protection from eviction. When this subject is discussed in Jersey, reference is typically in relation to *tenants* and not *occupiers* of residential property. By not including all occupiers (especially those who are not deemed to be tenants), it will omit key sections of the population, many of whom are likely to be the most vulnerable in our society. This is a priority action in Recommendation 8 of the Homelessness Strategy.

In our response to the RTL consultation, we requested that the Minister include within the new law minimum security of tenure provisions for all occupiers of residential property together with procedures required for obtain possession (including adequate notice provisions). We also requested that the law be changed so that, in all cases, a property owner should give an occupier at least 3 months' notice to vacate and the occupier should give the owner at least two months' notice, whatever type of tenancy or occupancy exists, and the owner must obtain a court order before being able to evict a residential occupier.

We would be pleased to hear from you as to your proposals to publish the original consultation report, provide the evidence you are relying on as to the likely impact on demand, supply and cost of rental property of different sizes and types, and your proposed changes to the residential tenancy law (including provisions for the protection from eviction).

We look forward to hearing from you.

Yours sincerely



Simon Burgess
Independent Chair