

Policy Briefing

Review of Intimidation Points

December 2020

1.0 INTRODUCTION

Housing Rights is Northern Ireland's leading independent provider of specialist housing advice. For over 50 years we have been helping people to find and keep a home. We believe that prevention is better than the cure, and work to prevent homelessness wherever possible.

Housing Rights' policy work is based on the views and experience of the people who contact us for advice and aims to support the identification of evidence based, user informed solutions.

1.1 Context

In the Department for Communities' 2017 Fundamental Review of Allocations, the DfC proposed the removal of intimidation points from the Housing Selection Scheme.¹ However, in a recent address to the Assembly the Minister stated she does not intend to proceed with the proposal to remove intimidation points.² Instead the Minister intends to ensure the system is tightly focused on prioritising people in danger in their own home, including victims of domestic violence, and to prevent abuse and ensure a robust verification process.³

Housing Rights welcomes this commitment and shares the Minister's reservations regarding the proposal to completely remove this award without alternative necessary safeguards. **Housing Rights believes a blanket removal would be too simple a solution for such a complex issue and would not provide adequate protection to those in crisis whose lives are under threat.**

While Housing Rights does not support the blanket removal of intimidation points, **it is our view that there are issues with the current system. Notably the intimidation points test does not account for victims of intimidation in all areas of life e.g. domestic abuse victims or victims of human trafficking.**

1.2 Intimidation Points – the current system

Under the current system an applicant will receive 200 intimidation points if:

- The Applicant's home has been destroyed or seriously damaged (by explosion, fire or other means) OR The Applicant cannot reasonably be expected to live, or to resume living in his/ her home because, if he or she were to do so, there would, in the opinion of the Designated Officer, be a serious and imminent risk that the Applicant, or one or more of the Applicant's household, would be killed or seriously injured.

It must then be established that the above is

- as a result of a terrorist, racial or sectarian attack, or because of an attack motivated by hostility because of an individual's disability or sexual orientation, or as a result of

¹ <https://www.communities-ni.gov.uk/consultations/fundamental-review-social-housing-allocations>

² <https://www.communities-ni.gov.uk/news/housing-statement-communities-minister-caral-ni-chuilin-3-november-2020>

³ <https://www.communities-ni.gov.uk/news/housing-statement-communities-minister-caral-ni-chuilin-3-november-2020>

an attack by a person who falls within the scope of the NIHE's statutory powers to address neighbourhood nuisance or other similar forms of anti-social behavior.⁴

1.3 2017 Proposal to Remove Intimidation Points

In the Department for Communities' 2017 Fundamental Review of Allocations, the DfC proposed the removal of intimidation points from the Housing Selection Scheme. People who have been made homeless through intimidation would instead only receive 20 Primary Social Needs points (which recognise the trauma associated with violence or the fear of violence the applicant has experienced) and 70 points for Full Duty Applicant Status.

It is Housing Rights' view that the award of PSN points only (as proposed by the Department in 2017) does not alone acknowledge the level of crisis experienced. In fact, the Housing Selection Scheme Guidance Manual already states that PSN points will be automatically awarded to someone with intimidation points, therefore, the 2017 proposal would result in a straightforward deduction of 200 points.

2.0 ISSUES WITH THE CURRENT SYSTEM

2.1 Verification Process

Housing Rights acknowledges that the award or withholding of an award of intimidation points is one of the most contentious decisions that can be made under the current Housing Selection Scheme, owing to the fact that the decision to grant an applicant "intimidation points", results in an applicant receiving 200 points for intimidation, 70 points for FDA status and 20 points for fear of violence. This can often lead to individuals moving to the top of the waiting list, to the detriment of others who may have already been waiting for some considerable time.

Although Housing Rights has experienced some difficulties in the application of intimidation points and recognises that the system can be open to abuse, we have also seen the award of these points act as a necessary safeguard to clients who are at risk of death or serious injury; as a lifeline to protect them and their families.

Therefore, Housing Rights welcomes the Minister's commitment in her recent statement to ensuring that the mechanisms for this prioritisation "prevent abuse and provide robust verification" to ensure that "the manner in which the scheme responds to cases of intimidation does not distort the list."⁵ **Housing Rights believes it is important that this verification process strikes the difficult balance between preventing abuse and ensuring that it does not act as a barrier to those at genuine risk.**

2.2 Groups excluded under the current system

Housing Rights firmly believes that prioritisation should be given to everyone whose lives are under threat or who are at risk of serious injury in their own

⁴ Housing Selection Scheme Rules, Rule 23

⁵ <https://www.communities-ni.gov.uk/news/housing-statement-communities-minister-caral-ni-chuilin-3-november-2020>

home, including victims of domestic abuse and human trafficking. These groups are not covered by the current intimidation points system.

Housing Rights therefore strongly welcomes the Ministers' commitment to including victims of domestic violence in the new intimidation points system. **Housing Rights recommends that this inclusion encompasses all victims who fall under the definition of domestic abuse in the Domestic Abuse and Family Proceedings Bill** which is currently passing through the assembly.⁶

Housing Rights also believes that other groups whose lives are under threat or who are at risk of serious injury in their home should be encompassed by the new system, including victims of human trafficking. **Housing Rights recommends that the Department draws upon the experience of organisations providing specialist support for such groups in designing the new system.**

3.0 LOOKING AT INTIMIDATION POINTS ANOTHER WAY

3.1 Housing Rights' recommendations

In light of the above, **Housing Rights recommends that it would be appropriate to consider renaming intimidation points, creating a new award for applications experiencing a trauma which poses risk to life or serious injury. For example, such an award could be named "Trauma Points."**

Housing Rights recommends that such an award encompasses a wider range of specified groups and acknowledge the critical nature of their situation e.g. domestic violence victims or victims of human trafficking. In any situation of life-threatening trauma the need to safeguard lives must remain the priority, with Housing Selection Scheme points allocated accordingly.

This could be at a lower level of points than 200 but should still be sufficient to reflect the urgency and importance of rehousing the members of the household into a safe and secure environment. **We recommend the use of modelling to assist the Department in identifying the appropriate level of points for this situation.**

Furthermore, we continue to recommend urgent attention to be given to addressing the underlying problem of lack of supply. Increasing the supply of social housing in Northern Ireland is crucial in order to meet the needs of all those on the waiting list.

For further information on this briefing, please contact our Policy and Public Affairs Coordinator Kerry Logan by email at kerry@housingrights.org.uk

⁶ <http://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/session-2017-2022/domestic-abuse/domestic-abuse-and-family-proceedings-bill-as-amended-at-consideration-stage---full-print-version.pdf>