

Further evidence for the National Assembly for Wales' Equality, Local Government and Communities Committee inquiry on rough sleeping

In addition to our submitted written and oral evidence, we would like to submit further comments on the Welsh Government rough sleeping action plan.

Our view is that the action plan is the right direction for Wales and includes a number of very welcome measures particularly around promotion of Housing First. One element where we feel more work is needed, however, is in short term measures to improve consistency around priority need decisions. We strongly welcome that the Government has committed to consider the case for modifying priority need groups by 2020; however there is evidence that more urgent action is needed.

Our research has found that priority need is often a perceived and real barrier to people sleeping rough having access to accommodation. There is clearly some inconsistency in the way in which it is being applied across Wales; this was evident in the evidence from local authority representatives heard during the ELGC inquiry. Both Wrexham and Powys found that the majority of their rough sleepers are in priority need and both recognise the inherent vulnerability of people who are street homeless. In contrast, Cardiff reported that their outreach teams often do not find their rough sleepers to be in priority need and described the process as 'a distraction'.

While we support the aim for an eventual abolishment of priority need, at this time it is a very real barrier to people being assisted. Far from being a distraction, priority need is critically important in terms of assuring rough sleepers' rights to temporary accommodation that meets statutory suitability requirements, and to a permanent home under section 75 of the Act. Priority need gives people a much better chance of getting into social housing.

The evidence from the inquiry highlights the high level of discretion and inconsistency in how priority need is interpreted and applied. It is very unlikely that in Wales we will get to have any binding case law to clarify the interpretation of the law around priority need and vulnerability due to the structure of our appeals process, which has not yet resulted in any binding case law in Welsh homelessness. As such we feel that statutory guidance is the only way to get any consistency around this issue and that Welsh Government should take this forward without waiting for the outcomes of the priority need review.

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