

# Contents

<b>Page 4</b>	<b>Running Order of Evidence Hearing on the Right to Housing</b>
<b>Page 5</b>	<b>Introductions from Chair and Panel</b>
<b>Page 9</b>	<b>How the group came together</b> Nadine Morgan – Seven Towers Resident
<b>Page 11</b>	<b>Context: Seven Towers &amp; Housing in North Belfast</b> Liam Wiggins – New Lodge Housing Forum
<b>Page 16</b>	<b>Questions from the Panel on testimonies</b>
<b>Page 19</b>	<b>Children’s Commissioner Visit in March 2007</b> Catherine McLaughlin and Michelle Maxwell – Seven Towers’ Residents
<b>Page 21</b>	<b>Equality and Housing</b> Tim Cunningham, Committee on the Administration of Justice
<b>Page 26</b>	<b>What impact on the Seven Towers?</b> Nicola Browne - PPR Project
<b>Page 31</b>	<b>Questions from the Panel on testimonies</b>
<b>Page 38</b>	<b>Localised Human Rights ‘Baseline’: Seven Towers Survey</b> Nadine Morgan – Seven Towers Resident
<b>Page 42</b>	<b>Questions from the Panel on testimonies</b>
<b>Page 44</b>	<b>Human Rights and Housing: A Framework</b> Dr. Aoife Nolan – Queens University Belfast Prof. Padraic Kenna - National University of Ireland, Galway
<b>Page 55</b>	<b>Seven Towers Human Rights ‘Indicators’</b> Michelle McFarland, Kerry Haddock, Nadine Morgan - Seven Towers Residents
<b>Page 60</b>	<b>Panel Feedback and Questions from the Floor</b>
<b>Page 71</b>	<b>Chair closes</b>
<b>Page 73</b>	<b>Appendix 1</b> Biographies of Panelists and Speakers
<b>Page 76</b>	<b>Appendix 2</b> Messages of Support
<b>Page 82</b>	<b>Appendix 3</b> Summary of Evaluation Forms
<b>Page 83</b>	<b>Appendix 4</b> Attendance List

# Running Order of Evidence Hearing on the Right to Housing

**Evidence Hearing on the Right to Housing**  
**Wednesday 13th June 2007**  
**10am – 3.30pm**  
**Indian Community Centre**

## **RUNNING ORDER**

- 10 – 10.30am **Introductions from Chair and Panel**
- 10.30 – 10.35 **Seven Towers ‘Diary Room’** (Video)
- 10.35 – 10.45 **How the group came together** (Nadine Morgan – Seven Towers’ Resident)
- 10.45 – 11am **Context: Seven Towers & Housing in North Belfast**  
(Liam Wiggins – New Lodge Housing Forum)
- 11 – 11.15 **Questions from the Panel on testimonies**
- 11.15 – 11.30 **Break**
- 11.30 – 11.35 **Children’s Commissioner Visit in March 2007**  
(Catherine McLaughlin and Michelle Maxwell – Seven Towers’ Residents)
- 11.35 – 11.45 **Evidence presented to Children’s Commissioner** (Video)
- 11.45 – 12pm **Equality and Housing** (Tim Cunningham, CAJ)
- 12pm – 12.15 **What impact on the Seven Towers?** (Nicola Browne, PPR Project)
- 12.15 – 12.30 **Questions from the Panel on testimonies**
- 12.30 – 1.30 **Lunch**
- 1.30 – 1.50 **Localised Human Rights ‘Baseline’: Seven Towers Survey**  
(Nadine Morgan – Seven Towers’ Resident)
- 1.50 – 2.30 **Human Rights and Housing: A Framework** (Aoife Nolan – Queens University Belfast,  
Padraic Kenna - National University of Ireland)
- 2.30 – 2.50 **Seven Towers Human Rights ‘Indicators’** (Various Residents from the Seven Towers)
- 2.50 – 3.20 **Panel Feedback**
- 3.20 – 3.30 **Chair closes**

# Introductions from Chair and Panel



**Inez McCormack:** My name is Inez McCormack, I Chair the PPR Project and I'm facilitating the hearing today. But, the hearing will actually be conducted by the panel who I'll introduce to you shortly.

I'd like to welcome all of you and to thank you for taking time out as I know all of you are busy activists in different shapes and forms. Thank you for taking the time to come today to hear what I think is the extraordinary courage and determination of a group of residents who are no longer prepared to accept the humiliations in which they exist, but are challenging them in a way that is measured, strategic and makes change possible.

I would like to welcome particularly people who have come here today from Dublin. I know Frank Murphy's here from the Ballymun Law Centre, Fidelma Joyce has come from the Irish Human Rights Commission, Noleen Blacklaw from the Free Legal Advice Centres and Noleen Hartigan from Amnesty.

They've all taken the time and trouble to come today to support the idea that ordinary people in difficult circumstances have the capacity to challenge what is wrong and that our job as human rights activists is to

recognize that is what they are – human rights activists.

Before I move in to introducing the panel we have a number of messages of support. One is going up on the screen at the moment from Mary Robinson who was last in this Indian Community Centre when she was President of Ireland. She is now Director of an international globalisation initiative tackling these issues around the world but particularly in Africa. Mary Robinson calls this Hearing 'historic' because it's not easy to take the language of our right to adequate housing and make it practical in operation on the ground and she commends the residents of the Seven Towers for doing so. Additionally, because she knows many of these people, she makes the point that we've got a great panel of experts which we do.

We've also had a message from the Minister for Social Development, Margaret Ritchie, who phoned me last night to apologise that she could not be here because she's in Omagh. She said she would like to take a briefing on the working of the Hearing and would like to arrange a meeting in the New Lodge with the New Lodge Housing Forum and with the residents.

We've had many other messages of support which we'll display over the course of the day. One very practical one is a message of support from the public service union, UNISON, the one that I used to work for. The message is from it's General Secretary who is offering something very practical which is that tonight at 8.00pm in the UNISON offices, which is opposite Yorkgate, there's a social with Irish musicians, storytellers, food and drink.

There will probably be elected representatives calling in as the day goes on. People will be coming and going. But, the important thing to focus on today is the people that this is about, which is the group of residents who will be revealing their journey towards rights. The journey which starts in the appalling circumstances in which they are living which have been documented for over 30 years by the local housing forum.

The residents came together to name the issues which affected them. Issues which in 2007 are appalling in terms of sewerage coming through the sink and all of the other issues that you will hear about during their presentations. And, I think it would be fair to say that for many of them they didn't actually believe it was possible or useful to do so. Because, in reality many of them had had enough in every shape and form of being ignored and humiliated and their children being treated badly. So, a lot of work has been done in terms of them coming together and naming the issues and you'll hear this during the evidence.

Furthermore, significant work has been done by the residents in finding ways of presenting that evidence, not in terms of needs and problems, but in a manner which begins to identify that their needs and problems are actually a violation of their human rights. Their journey towards how these violations of human rights can be tackled with a timetable and a measurement that honours the right and dignity of their children and themselves will also be presented. That is what this hearing is about.

I would like to introduce you to Bruce Porter, on my left hand side, who gave us enormous help in getting

this off the ground. He has worked with us before when the project came into being especially when we were trying to get it off the ground few years ago and helped us through the hard thinking.

Bruce Porter is an internationally recognised human rights advocate. He's Director of the Social Rights Advocacy Centre in Canada and has played an important role in South Africa's work around establishing the power and implementation of social and economic rights. He's worked in many countries and we're deeply grateful that he's working in this one. I think Bruce has discovered the sad lesson that many people who work with us learn that if you work with us once we never, ever let you go.

On my far right hand side we've got Leticia Osorio from Brazil who's a senior lawyer who has been active in housing and land rights for many years. She has been involved in the Porto Alegre experiment. She has been involved in fighting issues around land evictions and has enormous experience not in just Brazil but in many Central and South American countries.

I've got Odindo Opiata on my right hand side who is the Director of the Hakijamii Trust in Kenya. He has been involved in housing and community issues for many years. He is someone who has been prepared to fight for housing rights at the very hard end, and has been involved in taking many landmark cases.

So that's my quick summary of the panel but I'm going to ask each of them to just talk for a few moments about who they are and what they do and then we'll move into the hearing.



After that, I'll take you through the running order.  
Bruce.

**Bruce Porter:** Thanks very much Inez. I would just like to thank everybody for having us over and for giving us the opportunity to participate in this ground-breaking work that's being done by PPR.

My work started in Canada about a quarter of a century ago when I started working in the area of housing rights with people living in poverty and facing increasing housing crises in Canada. It really started with the basic insight when I started listening to people who were in housing crisis, that they had so many answers that no one was paying attention to. And, that really the beginning of the solution to the increasing violations of housing rights was in the process of giving people some chance to speak and to be listened to.

The whole idea of the hearing to me is the essence of understanding the notion of dignity and voice that's behind our notion of human rights. So often that gets left out of social and economic rights and the right to housing. We think of it as if it is just an issue of governments making different decisions. But, it all

has to start with what's happening here today with the incredibly important work that this project has done which is to understand the problems from the perspectives of the people whose rights are being violated and to let them tell us what the solutions are going to be.

So, I'm really looking forward to hearing from the people today and I'm just very grateful to be able to be part of this incredible project. Thanks very much.



**Leticia Osorio:** I also would like to thank the PPR Project for asking me to be here. It's a great opportunity to learn from the residents of the Seven Towers who are now aware of their human rights. They are trying to develop tools and mechanisms to enforce these rights.

What I have learned from my own experience, working with communities and social movements, is that participation is the first step to really implementing human rights. I think you are on the correct way and I'm very happy to be here.



**Odindo James Opiata:** Thank you very much. Way back where I come from, that is Kenya, the organisation for which I do work is called Hakijamii. The organisation for which I work basically works with slightly over 60 community based organisations in urban areas.

One of the reasons why I felt that I needed to come here was so that I could be able to get some lessons that would assist us also in the work that we do in Nairobi. Basically, what you're trying to do is to try to transform the human rights discourse in such a manner that the touching point and the ending point is the people.

So that the knowledge and the skills in one field of human rights or the other should be made to be used by and for the people. And, I think that it is only when we begin to have or take back the human rights discourse to the very people who are directly affected by the violations that we will begin to have practical solutions.

So, that is why I am very excited to be here. I hope that at the end of it all we'll be able to have formed some linkages that will continue to assist us in trying

to find solutions to the issues and problems that are faced by the marginalised people, the people who are excluded from the decision-making processes. Thank you very much.

**Inez McCormack:** Thank you. Now if we could just move into the first presentation you will have in front of you. You should have your pack and you will have the agenda in front of you. It's a video done by the residents when they came together for the very first time. This was the beginning of their journey.

***The Seven Towers 'Diary Room' film can be found on the 'Seven Towers Evidence Hearing on the Right to Housing' DVD.***

**Inez McCormack:** That's the beginning of the journey when residents talked as individuals with, by the way, the quiet, hard work of the local housing forum and of Dessie Donnelly and Nicola Browne who you'd have seen on that project. They did the work of going out and enabling people to talk as individuals.

Now could I ask Nadine Morgan to come up and talk about how the group came together. She is a Seven Towers' resident and human rights activist.

# How the group came together



**Nadine Morgan – Seven Towers’ Resident**

**Nadine Morgan:** Hi everyone. On behalf of our group, I want to thank everyone for coming today and taking the time to listen to our stories, our evidence, and our plan to make our housing rights a reality. When you raise your voice or stand and be counted about issues which are affecting you, it is very easy for those in power, or those who do not live in the same conditions you do, to label you simply as at best a trouble maker, and at worst as a problem. It’s good to know that there are so many people interested in our stories and hopefully you will be able to help us on this journey.

My name is Nadine Morgan and I have a 3-year-old daughter named Alicia. I’ve been living in the Seven Towers for about 4 years.

When I moved into the Towers I thought it was brilliant – it was my first home with my first child. However, after living there for a month the sewage problems started. Raw sewage started coming up the bath. Someone from the Housing Executive came out to fix it. At first they put acid down the bath to stop it from happening. But, this kept recurring every few days for about two years.

Eventually the Housing Executive came out to put a thing called a restrictor on the plumbing in my bathroom. Now this is meant to stop it and it did for about 6 months. But, in the last two years the sewage has come up in the bath about twice. So it’s stopped working.

In terms of how the Towers affected my daughter, I have noticed that she has had constant chest infections. I don’t exactly know what’s causing it – but many of the parents in the Seven Towers complain of the same effects on their children. She is now on inhalers and has been nebulised twice this year. I put it down to the dampness, the Economy 7 heating, the coldness and the pigeon waste on the landings.

I first got involved in the group in January of this year following a survey about the conditions of Towers being dropped through my door. The front of the survey had a quote from the Chief Executive of the Housing Executive, which read:

“The Housing Executive entirely accepts that this type of accommodation is unsuitable for families with young children”

I also read a lot of articles in the newspapers when the New Lodge Housing Forum were raising issues about problems in the Towers. I agreed with that and

wondered why families were still being housed in the Towers. I decided I would go along and see what was happening. That was the beginning of my involvement.

The PPR development programme worked with us on developing our confidence, making the link between our housing needs and human rights, researching the extent of needs and problems we had identified as a group through the surveys and developing strategies to access our right to adequate housing.

The programme made me aware of my rights and helped me to fight for my right to housing. But working with the other residents showed me that it is not enough to fight for yourself and get a result for yourself, you have to fight with and for the others around you to make sure everyone's rights are protected.



I just got offered a house from the NIHE, which I accepted. However my involvement with this Project will not end with this. The reason I got involved was certainly to try and get better housing for me and my daughter, but it was also to make sure that no other parents or residents went through the same thing. All we are asking is to be treated with respect and dignity, to be involved in decisions affecting our lives and to have our human rights respected.

This programme was only the beginning for us and you will hear more about our journey through the rest of the day.

I also want to take this opportunity to thank all of those people and organisations who have worked for, and spoken on behalf of, residents of the Seven Towers tirelessly and thanklessly for many years: the New Lodge Housing Forum, local politicians, the Children's Commissioner and the many community activists on the ground in north Belfast.

Thank you very much for listening and for your support.

**Inez McCormack:** Nadine began her journey in January. I have to tell you that's January 2007. This is only June. Where do you think she's going folks?

Now, could I ask Liam Wiggins from the Housing Forum which has actually been battling on these issues for a long time. He gives enormous support to the residents and having these issues transformed into human rights standards and obligations.

# Context: Seven Towers & Housing in North Belfast



**Liam Wiggins – New Lodge Housing Forum**

**Liam Wiggins:** Good morning everyone. My name's Liam Wiggins. As Inez said I'm Chairman of the Seven Towers Residents' Committee. I'm also Chairman of the New Lodge Housing Forum. I just want to give a brief history of the flats and how the problem ties in with the wider housing problems in north Belfast.

Construction on the New Lodge Tower Blocks began in the early 1960's and they were a knee-jerk response to the chronic housing conditions, which existed even back then. People living in the tiny terraced houses in New Lodge and Carrick Hill endured appalling conditions; no heating, limited cooking facilities, an outside loo and in some cases the only water supply was a tap in the back yard. Maybe there was one bedroom for a family of 6 or more, etc.

Small wonder that the Belfast Corporation who were responsible for housing at the time had no problem in persuading people to move into what would have been seen as spacious, comfortable, warm accommodation. At least compared to what they were used to.

Few people could have foreseen the problems that lay ahead. The first flaw in this new concept of living centred around, as it does today, families with young children. Parents realised that if they allowed their children out to play they couldn't keep an eye on them. This is a much greater problem today. Back then in working class areas there were very few cars and streets were a lot safer. But, nevertheless, parents were reluctant to allow children out unsupervised. So play was restricted to the landings. Already cracks were appearing.

The Troubles were to have a profound effect on the Towers. After 1969 a massive population shift took place. People fled their homes through intimidation and arson. Nationalist areas became a no-go area for police and the need for housing became a battle for survival.

Some Protestants who had been allocated flats decided to move out. And, as they did, squatting became the new method of allocation. It was literally survival of the fittest. In fact, by the mid-1970's the Housing Executive, who were now responsible for housing in the Province, had no control in the blocks. Indeed, they had very little idea as to who was actually living there. It was the beginning of an era, which saw the flats degenerate into the hell that people now associate them with.

High-rise blocks are unique in that each one is its own little community - closed in and hidden from the wider community. It was an ideal place for someone to hide out and be involved in illegal activity.

By the late 1980's and early 1990's the Seven Towers had gained a reputation all over Belfast as the place where anti-social behaviour was the norm. Drug and drink fuelled parties, prostitution, drug dealing, were all taking place. Violent activity, fights, stabbings, beatings, etc, were regular occurrences and even rape and murder took place.

Sadly, most of the older residents who had persevered were leaving. Things couldn't get any worse. With decent people now reluctant to go into the flats, many lay empty. This prompted the Housing

Executive to agree to hand the first four floors of Grainne House over to the Sisters of Mercy to use as a homeless hostel.

At first this was met with opposition from existing residents for fear of sex offenders and paedophiles and that type of thing. But, when assurances were given that they would house homeless mothers and victims of abuse and that security would be extremely tight, agreement was reached. In fact, this was the first light at the end of a long tunnel.

It was noticed that with a concierge system in place and security cameras installed that anti-social elements were quick to vacate their flats - leaving them open again for allocations to decent residents. Grainne House soon became popular again.



The Seven Towers' Residents Committee supported by the New Lodge Housing Forum began lobbying the Housing Executive to spread the security out to the other blocks in a bid to reclaim these as well.

After several years of negotiation the Housing Executive embarked on a multi-million pound project, which has seen the Seven Towers linked in a unique security system. This has seen anti-social behaviour to drop to what would be seen as almost normal.

However, flat dwelling means people living on top of one another, as opposed to next door. So all night parties, etc, are unacceptable thus allocations need to be carefully monitored.

Also, due to a lack of traditional family housing in this part of north Belfast many young families have moved into the blocks, mostly out of desperation. And now they find themselves trapped with young children and seemingly no hope.

Unfortunately, over the past number of years other serious problems have manifested themselves, age and modern technology. In today's average home you see many appliances, which did not exist in the 1960's; washing machines, dishwashers, power showers, tumble dryers, etc. The old drainage system in each block was not built for the volumes of water constantly being pumped into it.

Unfortunately, the sewage and drainage use the same pipe, which after 40 years has already narrowed significantly. The resulting back flow causes raw sewage to spew up into resident's baths and sinks. The resulting nausea and embarrassment caused can only be imagined, as smells tend to linger no matter

what is done. Most tenants have suffered this and some on a regular basis.

The Housing Executive have introduced a valve system to stop anything from flowing back but admit that it is a temporary measure as they have no idea what will happen if too much pressure is allowed to build up.

Over the years we've been told constantly that the sewage pipe is encased in concrete therefore nothing can be done. However, in the past few weeks the Residents' Committee have been informed that another big money improvement scheme is set to begin in February '08 and will solve the problem. Along with the problem of years of bird droppings, which have caused insect infestation and has been blamed for several illnesses and rashes particularly in children.

We obviously welcome this measure and any others, which will improve the quality of life for residents. But, it does nothing to address the most important issue of all – families with young children. The only compromise we could get from the Housing Executive was to attempt to re-house families above the fourth floor and not to allocate these higher floors to families in the future. We felt this discriminated against families on the lower floors whose problems are exactly the same.

It was to this end that this group through the local councillor, Caral Ní Chuilín, arranged to have the then Child Commissioner, Nigel Williams, visit the flats and speak to some parents. The Human Rights Commissioner also did a walk around and more lately, the PPR invited the present Child

Commissioner, Patricia Lewsley, to visit and add her voice to the argument. All strongly lambasted the Housing Executive for its policy and agreed that problems existed on all floors and concluded that apartment living is not conducive to family life.

Medical evidence in the past number of years have strengthened the argument. All the local GPs who administer the blocks agree that the percentage of children who suffer from conditions such as ADHD or hyper-activity is greatly increased with flat dwelling. Also, the percentage of young parents of both sex suffering from depression and other stress related illnesses is greatly increased.

Given all this evidence it is with great sadness and disbelief that we read in the local press only weeks ago that the Chief Executive of the Housing Executive, Mr Paddy McIntyre, declaring that the future of housing in north Belfast is high rise and endorsing a 14-story, 180 unit development in Great George's Street. Even suggesting 3-bedroomed apartments for larger families.

Let's be realistic about this. This is only been inflicted on nationalists in lower-north Belfast, nowhere else. The reasons given are the lack of or the high price of land around the city centre. How can money be cited as a reason for denying one section of the community the right to traditional family accommodation?

Since 1984 over £20 million has been poured into the Seven Towers in upgrades and maintenance schemes. Surely, it would be more economical to pay extra for land and build housing with a low-maintenance return.

As to the shortage of land – St. Patrick's and St. Joseph's Housing Committee have for nearly 10 years been identifying and lobbying for small sites, such as car parks in the area. Initially 38 potential sites were presented to the Executive and to date none have been acquired with cost or a reluctance to use their vesting powers the reason.

In 2002 the group traveled to Liverpool to view a project in the defunct docklands there. Over 25 years the entire area was transformed into the Aldonian urban village, a vibrant, thriving, self-contained community on the door step of the city. We printed a booklet entitled, 'A Vision of an Urban Village Here', and launched it with the support from right across the board.

Once again walls appeared. Acres of land are available for a project such as this. Unfortunately, most of it lies behind the dock gates under the control of the Belfast Harbour Commission, a quango who stated that the land is port land and that Belfast City Council have no legal right to it.

The Commission is a public body, therefore the land is public land. If legislation is required to transfer it then it should be dealt with immediately.

Plans were thwarted when the Department for Social Development supported the placing of a 'wet' hostel in the middle of the urban village site. This is a hostel for chronic alcoholics and unfortunate people who society has given up on. Drinking is permitted 24-hours a day, 7 days a week and no form of counseling is available.

Since it opened 2 years ago there have been over 300 ambulance calls and a similar number of police

visits, not the ideal establishment to begin a social housing project.

We thought we had finally achieved some measure of success when planning permission was granted for a site on Nelson Street. We negotiated with Clanmil Housing Association, a project providing 48 low-rise apartments and 18 family homes, to be incorporated in a vehicle free courtyard providing a safe environment for children.

24 hours before the land contract was signed and with a press statement already prepared a property developer swooped in, paid double for the land and now proposes to build 225 high-rise flats with no amenities for children.

The frustration is unbelievable. Every site we have identified in the area has a proposal for high-rise. 1,300 to date and still no facilities for children.

Paddy McIntyre needs to realise what he is promoting. He also needs to realise something else. Any high-rise projects in the future will be built by housing associations, private companies with limited finance. The security and management it took so long to achieve in the Seven Towers will not exist. The system will be too costly to install and run.

The only way it could be possible is if the costs were met by tenants in the form of service charges which would push rents up to over £100 a week and accessible only to people on benefits. The classic poverty trap – even if people want to work they can't afford to.

The nationalist community of lower north Belfast has been discriminated against because of its position

close to the city. Government has a duty to tackle disadvantage by targeting objective need with positive action. Not to come up with excuse after excuse as to why they cannot provide adequate social housing in our areas.

Especially when we've identified time and time again acceptable ways of addressing the housing waiting list. This is a clear violation of our human rights. Why does the rest of the city enjoy traditional homes and gardens while we are told to move up or move out.

I just want to finish by referring back to my first paragraph where I said that in the 1960's no one could have foreseen the problems ahead. This time round everyone can see the problems. They're screaming out at us. I would appeal to Paddy Macintyre and company to think again and learn by the errors of the past. High-rise accommodation is not suitable for families and children. Thank you very much.

**Inez McCormack:** Thank you very much Liam. I'm just going to ask the panel to comment or for questions at this time.

## Questions from the Panel on testimonies

**Bruce Porter:** I just wondered if I could ask Nadine a little bit more about the response to the respiratory problems that she was telling us about with her daughter, Alicia. Did you at any point try to tell the Housing Executive that you were concerned about the effect of mould and pigeon waste?

**Nadine Morgan:** I did, yes.

**Bruce Porter:** It sounded like a fairly serious health issue. What was their response to that?

**Nadine Morgan:** Well, because I couldn't actually prove that it was coming from the conditions of the flats they said it didn't hold down. Unless I got a letter from my doctor they couldn't do anything about it. They didn't give me any extra help for it.

**Bruce Porter:** If I could ask one more question. Clearly these were high-rises that they were relying on to house families with young children. What are the available playing facilities, is there a vehicle-free area for your children to play at, or is there a playground that is provided for the building?

**Nadine Morgan:** There's one wee playground around beside Cúchulainn flats but other than that there's nothing. Inside the flats there's nothing for them. Most families I know of wouldn't let their kids out unsupervised so they don't even get round to playing in that wee play park.

**Bruce Porter:** So, where would Alicia get to play with her friends?

**Nadine Morgan:** She doesn't.

**Bruce Porter:** She doesn't get to play with her friends around near you?

**Nadine Morgan:** No. Thank you.

**Bruce Porter:** Thank you.

**Leticia Osorio:** I'd like just to make a comment first and then I will ask a question. I would like to pick from the last speech about the need for the government to address the necessities of the poor people. It's important to raise the issue that there is a legal obligation under International Human Rights Law to give priority to the poor. This is not something that the government should give as a gift but is an obligation.

Also, the Economic, Social and Cultural Committee of the United Nations has many times acknowledged the importance of resources in fulfilling the rights but the Committee does not consider 'resource availability' an escape clause. So, the government cannot say that the lack of resources is an excuse to deny the residents the right to have adequate housing. Even more, the government cannot deny the residents the right to participate.

My question is, I'd like to know more about the legal contracts the residents have. Do you pay for apartments? Do you have a contract? What do the contracts say about your rights and how you can use these contracts? Or, did you buy the houses? I would like to have more clarity about the way you own this apartment and how they can be managed and the obligations of the government?

**Inez McCormack:** Are you okay Liam?

**Liam Wiggins:** The flats are rented from the Northern Ireland Housing Executive on a weekly rental basis. Nobody owns the flats. You do have a right to buy but, unfortunately, if you did buy you would find yourself paying something like £8,000 a year in service charges because the Executive would say they still own the lift, the front door, the concierge system and stuff like that.

So, to my knowledge, no one has bought any of the flats. They are all rented on a weekly basis.

**Inez McCormack:** Is there a tenancy agreement in terms of paying rent, Liam?

**Liam Wiggins:** Yes.

**Inez McCormack:** Is there anything about obligations?

**Liam Wiggins:** No, there's nothing about obligations. Basic responsibilities such as repairs, if you need an electric switch plugged in or something like that, they would come out and do it. But, on the wider thing, particularly with the sewage problem, the Housing Executive told us for years that it was encased in a concrete pipe and we can't get at it – end of story.

Now, I've said, on television actually, that if this was a third-world country with sewage running down the middle of the street there would be a massive outcry. But, because it's in the flats here they just say we can't do nothing about it, sorry.

Hopefully this new scheme for February 2008 will do something about it but we'll wait to see. And, even that is going to take 5 years to run out. So, something needs to be done even in the mean time.

**Odindo James Opiata:** Let me just ask a question before you leave. In your presentation I also note that you have pointed out that there's resource allocation for the upgrades over the years.

**Liam Wiggins:** Yeah, £20 million has been spent.

**Odindo James Opiata:** My question is two interrelated questions. One, is the forum or any other residents associations involved in determining how this money is to be used?

**Liam Wiggins:** No.

**Odindo James Opiata:** Secondly, do you have or are you having a system where you monitor the use of the money?

**Liam Wiggins:** No. We have no say in what happens. The Housing Executive will come out from time to time and do an external cyclical maintenance – what they call it. Maybe new windows or something, over the years they've rotted, stuff like that there. We have absolutely no say in it. We don't know when it's happening, it just happens and we don't have any way of monitoring it. No way whatsoever.

**Inez McCormack:** Okay Liam. Thank you very much indeed and thank you Nadine.

**Break**

**Inez McCormack:** While you're settling down can I just read out a few more messages of support?

There's a message of support from the President of the Irish Human Rights Commission, Maurice Manning. He says he is following the work of the

project with great interest, and that what is important about the Hearing is the participation of people experiencing the consequences of poor housing and that they're using human rights commitments to get accountability and monitoring by the government. He wishes us every success with the hearing and looks forward to our continued cooperation. I'd like to thank Maurice who has helped us from the very beginning for those comments.

Now, I'd like to go to our next section, where we have Catherine McLaughlin and Michelle Maxwell who are going to present evidence around the Children's Commissioner and the visit in March 2007. Catherine and Michelle.

# Children's Commissioner Visit in March 2007



**Catherine McLaughlin and Michelle Maxwell – Seven Towers' Residents**

**Catherine McLaughlin:** Hello everyone. Thanks for coming today. My name's Catherine McLaughlin and I live in the Seven Towers with my two children, Jamie Lee, 8 and Daire, 4. I have lived there for eight years. I have been involved with the group since we first got together in January.

When Nadine spoke about the development programme, it has to be said that it was not simply about going to classes on a Thursday night and doing nothing in between. We were very aware that we were working on a human rights campaign and not just learning about rights.

In the last couple of years the New Lodge Housing Forum and local political representatives had invited Monica McWilliams, Human Rights Commissioner, and Nigel Williams, the previous Children's Commissioner, out to visit the Towers and meet residents. I met with both of them when they were out and raised my issues with them. Despite their visit and support, nothing changed for me.

When we got together in January, the first thing we did was write a letter to the newly appointed Children's Commissioner, Ms Patricia Lewsley, asking her to come out and meet us and see the conditions for herself. We did this because very little had changed since the others had come out – and many families continue to be allocated flats in the Towers.

We were delighted when the Commissioner said she would come out, so we decided to collect evidence about conditions through the use of cameras. For a period of one week, we took photographs of sewage overflowing into our baths, dampness, pigeon waste, lack of facilities and opportunities for our children, and many more things. We also interviewed residents about their experience of living in the Towers. We then put this together on a DVD, which we will show you in just a minute.

**Michelle Maxwell:** My name is Michelle Maxwell, I live in the Towers with my two children and my brother as well.

The visit with the Commissioner strengthened our determination to move on with the Project. In a press statement following the visit, she said:

"It is disgusting that in 2007 children are growing up in homes blighted with atrocious damp, where baths on occasion overflow with sewage, and have communal areas that are spoiled by waste and filthy pigeon droppings."

"Two years ago my predecessor, Nigel Williams, visited the flats and received assurances that the problems would be resolved. Since then, it appears from my recent visit, little has been done."

"I now call on the Minister for Social Development, David Hanson, to intervene on behalf of these children and for the Housing Executive to address the issues at Seven Towers within days not months or years."

The Commissioner's visit managed to provoke a positive reaction from the Housing Executive. Within a month many of the partitions littered with pigeon waste were cleaned. She played her role as a Children's advocate brilliantly – by coming and meeting parents and children face to face, and doing what she said she was going to do.

But, this is very telling. Why does it take someone with a bit of clout to get simple issues which affect our children's health resolved? Nobody can claim that they did not know about the pigeon waste – it was there for years.

That's what we're going to do with the Project. We want people who have a responsibility for our housing rights to know that when the attention has died down, and the spotlight is away, we will still be pushing for our rights. Thank you.

**Inez McCormack:** Catherine and Michelle are human rights activists extraordinaire. So now can we have the DVD?

***The 'Evidence presented to Children's Commissioner' film is included on the 'Seven Towers Residents Evidence Hearing on the Right to Housing' DVD.***

Inez McCormack: The residents have done a magnificent job in bringing these facts and figures together. Don't they have good taste in music as

well? Before I move on could I just welcome Patricia McKeown, Vice President of the Irish Congress of Trade Unions, and, perhaps more importantly, Regional Secretary for UNISON.

Could I welcome also Gerry Kelly who is Minister in the new Executive but also is here in his capacity as elected representative for north Belfast. You're all very welcome.

Now, we moved from the journey towards the naming of the issue to the naming of the right. And now we move towards establishing the evidence base for the right.

Could I firstly introduce Tim Cunningham from the Committee of the Administration of Justice.

# Equality and Housing



**Tim Cunningham, Committee on the Administration of Justice**

**Tim Cunningham:** Thanks a lot Inez and thanks to PPR for inviting me here. There was an excellent article in the Guardian yesterday by George Monbiot in which he basically did an analysis of the Olympics over the last 30 years. What he found was very interesting. The pattern of spending in the various cities, from Seoul to Barcelona, Athens to Beijing, had revealed the same thing. Basically, those who were in most need had finished up worse after the Olympics had visited or are about to visit their city than beforehand. Atlanta was another prime example.

What had happened was that each of the cities decided that there was a huge amount of money coming and something needed to be done to create a city that was fit for Olympians. So, what they did was, by and large, flatten areas in which the poorest were most concentrated. Roma Gypsies particularly suffered in Athens. African-Americans, perhaps unsurprisingly, particularly suffered in Atlanta.

Indeed, the police force in Atlanta was issued with blanket citations a year before the Olympics, which said, 'African-American, Male, Homeless' and all they had to do was go out, pick up the guys and fill their names in. The reason being that African-American, homeless, males, people who are mentally-ill, people who are living in the street, people who were beggars, people who were, particularly in Athens and Barcelona, more likely to be Roma Gypsies – they were considered basically undesirable. They would have spoiled the image of the five circles and what the International Olympic Committee wanted to convey.

Basically, his article said that he wasn't against the Olympics but what he was against was the fact that it was visiting a different city every four years and wreaking absolute havoc and destruction in those communities who were in most need. He was seen to be moaning the amount of money that was being wasted. He complained and was very much one of a lone voice in this in relation to London and his visage of what exactly was going to happen in London.

Now, what has this got to do with the New Lodge and the Seven Towers, I hear you ask? Admittedly, I don't see any Olympians in the room although I am happy to stand corrected. But, Northern Ireland has something else. Northern Ireland has something called a Peace Process. It's got something called a Peace Dividend. It's got £16 billion, I'll repeat that, £16 billion, that's going to be spent in Northern Ireland in strategic investment over the next decade in rebuilding Northern Ireland's infrastructure.

That's a huge amount of money, a golden opportunity, a once in a lifetime opportunity. Something that I

would say is basically Belfast's version of an Olympian amount of money being spent. And, what's going to happen as result of this Peace Dividend, this huge amount of money?

Well, the \$64 million question is "are people who are in most need now going to be like those people living in Seoul, like those people in Athens, like those people in Atlanta? Are they going to be worse off as a result of £16 billion coming in or are they going to be better off?"

Now, there's a general assumption in some parts that if money comes in it's going to benefit everybody. All the money automatically flows down. That wonderful economist JK Galbraith summarised that view. It's pretty much like saying, if you fed enough hay to a donkey there's enough will come out the far end that will get to the people who are going to be left at the bottom of the pile. That's essentially the danger of what's going to happen at the moment in terms of government spending.

Why? Because in situations over the last decade in Northern Ireland, and CAJ's report last year highlighted this point, statistically it can be seen that as a result of economic investment, economic development and this unprecedented economic success story that everybody's talking about – record levels of low unemployment and so on in Northern Ireland – those who are at the edges of society, the marginalised, the excluded, are effectively further away from the mainstream now than they were a decade ago.

In certain communities we can see the percentage of worklessness actually increasing. So worklessness is increasing in a context in which we have record

number of jobs being created. How does that happen? Well, basically, it happens very simply in what's called the middle-class success story. We're seeing an increase in the proportion of work rich households. Compared to the 1970's you're much more likely to find households now in which two people are working.

Generally speaking, the kind of jobs that are being created are appealing to people in which one member of the family may wish to work full-time, another one part-time. More women are in work but this tends to be more women who are in work in households in which the man is already working.

So, what we see is a concentration of work rich households but also the creation of what we have, a particular problem here – work poor households. What does that mean? It means that effectively as more money comes in, as more jobs are being created, as more investment arises, the gap between the rich and the poor gets further and further away.

The Peace Dividend for many people means that they're actually further away from the mainstream than they were 30 years ago. None of this is counter intuitive. If you think about it, it makes sense. If you're on an average wage and you're looking to buy house now you're significantly have less chance of buying one now than you had a decade ago.

If you think back to the 1970's in Belfast or even the 1980's and the 1990's – if you didn't have much money in Belfast, well you walked into the town and there wasn't much you could do even if you had money. The City Centre was closed off with security gates at night anyway. Even if you're absolutely loaded and there weren't too many who were loaded

but, by in large, they were all concentrated in a geographical area out around North Down.

If you had a wee bit more than average what were you going to do with it? There wasn't much you could do at night. Now, we've got record levels of investment. We've got all these new fancy restaurants, wine bars, all the rest of it on a development that's particularly concentrated down around the Laganside part of the city.

So, what do we have? Well, we've got this unprecedented boom which means that if you don't have money now – you know you don't because you can see the amount of wealth floating around. I was in a shop recently in London and I was talking to the shop owner and he said to me, 'Oh, Belfast, an interesting place. I was over there recently and there are some parts that are really wealthy.'

He confessed to me that he actually, you know when people hear you're from Northern Ireland, he says to me, 'You know I bought a shirt in the centre of Belfast and it was the most expensive shirt I've ever bought in my entire life but I thought, what the hell.' I thought that's very interesting. You're living in London but you come here – this is the kind of differences we're seeing in our society now.

What's this got to do with what we're talking about today? It has everything to do with what we're talking about today because what we're talking about today is the future and government living up to its obligations. What we're talking about is a situation in which there are unprecedented levels of development but the question is – is the development going to go to those who have or to those who are in need?

I cite this document here on a number of occasions. It was published by the Department for Social Development under David Hanson several months back, 'Belfast City Centre Northwest Quarter'. It was written by a group called GVA Grimley. You might not have heard of them. I hadn't beforehand but I have a feeling you'll probably be hearing a lot more of them.

They're an international property development company. They have offices from Australia to San Francisco. Why are they interested in the northwest quarter of Belfast, you ask yourself? Well, they were asked to come up with a draft plan for the redevelopment of the northwest quarter. Basically, what they said was clearly in this part of the city centre, which encompasses land to the north and North Street around Carrick Hill, Peter's Hill and over towards the Westlink, what's needed in terms of urban regeneration is mixed use land development.

Clearly we need a mixture so they've cited we'll want to keep the public library and BIFHE because it's got students and we'll want to keep retail — and then housing. Now basically they posed a particular problem. They said the difficulty is that the housing in the area is, at the moment, segregated and there's an overwhelming level of need in one community. Therefore, and I quote from the report, 'if social housing is provided it would lead to further segregation. In order to create a shared future we will not be able to deliver social housing. We will have to deliver private sector apartment buildings which will be mixed.'

In other words, those who can pay £200,000 plus for a nice private sector apartment – we're going to build them around on the land north of North Street – the

reason being that they'll be mixed, we won't have a segregated area there. So we won't have any of that nasty single-identity stuff - what we'll have is wealthy middle-class people who are happy to live in peace in harmony.

They also said, by the way, that as another alternative perhaps student housing could be looked at which would contribute to area. They obviously hadn't spoken to anybody living around the Holylands when they were talking about the benefits of having student accommodation.

We can see here a scenario whereby there's absolutely no recognition or acknowledgement of any level of need or what was going to happen to those people in need. I'm sure that's going to amaze you. The stories we heard today didn't feature in this report. They weren't on the agenda of GVA Grimley, the international property development company with offices from Brisbane to San Francisco. And, no doubt, from Brisbane to San Francisco this is the kind of world in which they operate.

They offered a solution. The question is what's going to happen? Is an agenda which basically is a total distortion of any kind of notion of a shared future based on what CAJ would talk about, a shared and equal future. The proposal here is to effectively marginalise and exclude. They did acknowledge that perhaps there could be some scope for social housing but that would have to involve the trading of land and the moving of social housing to insure it wasn't located on arterial routes. In other words, we might have some people in need but they can't be living on arterial route, i.e., Clifton Street and Carrick Hill.

There has to be some question, I think, about a commitment to social inclusion if we're in a situation in which the proposal is to literally move people out of sight, out of mind.

I was just thinking reading it, fortunately 200 years ago this policy wasn't in place or the poor house wouldn't be located where it is. It would have had to have been further away from the main road there.

This is a serious proposal from government. Needless to say, we wrote back and expressed our concerns about it. Obviously, since then, we've had the restoration of devolution and we now have a new Minister for Social Development and certainly we'll be asking her about what the plans are in terms of this.

But, the fact that this kind of thinking is on the agenda or certainly was on the agenda of David Hanson, who published it, would lead me to think that maybe these stories about the Olympians and what happens in these other cities – this is the kind of mentality that's floating around.

Obviously, the issues are complex and the problems are many. The question is what's going to be done about them? From CAJ's point of view, what we would like to see, we've got a comprehensive spending review going on at the moment, in which there was a commitment to take money from central government and put it into front line services.

I don't know about anybody else but it strikes me that this morning here we've heard an awful lot about front line services and front line need. I would like to know where this fits within the priorities and budget that's going to be getting published by the Department because clearly unless there's enough

money set aside for this it's going to be questionable as to what success is going to come out of it.

Those of you who know me know I talk a lot about Section 75 and you're probably wondering why I haven't mentioned it. I have to say George Monbiot's article yesterday was the best equality impact assessment I've seen in a long time. He didn't call it an equality impact assessment, he didn't call it Section 75 but he said, here's the story – we've got the last six Olympics, look at the cities, look at Seoul, Atlanta, Athens. Look at who suffered – people with mental health problems, Roma Gypsies and African-Americans. He looked at the outcome and then he looked at the action that was taken to lead to that outcome.

This is what we're essentially talking about today. You may not call it Section 75 but he, in effect, published what I think was an excellent equality impact assessment. Our question for government is to what extent is the equality impact assessment and the analysis of the comprehensive spending review, the future spending programmes, the priorities in budget, the procurement contracts – the billions of pound of procurement contracts that are coming in to Northern Ireland.

There seems to be a view sometimes, and this is something we'd be concerned about, that it's either one or the other. You're talking about infrastructure investments – so do we go for the economy or do we go for social? There's been some very successful work done previously in Northern Ireland to show that you can do both. It's not an 'either/or'.

You basically link your procurement contract and say okay what's our building programme going to be? Who is it going to benefit? We have to have it benefit those in most need. So, what do we do? We insert clauses in the contract saying that those who are going to achieve a contract for building anything need to be able to show they're going to recruit from among the unemployed or economically inactive. It's not rocket science. It's being done.

The Northern Ireland Water Service was shown as a best practice example of this a year ago when they successfully completed their pilots. And, certainly that's something that we'll be bringing to the various Ministers to draw to their attention. So, you can do both. In our view not only can you do both but unless you do both you're going to do neither.

And, we're going to finish up in a situation in which the Peace Dividend was effectively a story in which, as we have seen in the last decade in Northern Ireland, the rich are getting further and further away and those poorest and those most excluded are going further and further up the agenda. Literally, we are seeing consultant's reports and proposals for redevelopment in which those who are in most need, those who are in chronic need of housing, are told, sorry, you're not part of this future.

I'll leave it at that. Thank you.

**Inez McCormack:** Thank you very much. There are not many people I know that can make statistics funny but tough.

May I now move on to Nicola Browne who is going to look at the impact on the Seven Towers.

# What impact on the Seven Towers?



**Nicola Browne - PPR Project**

Nicola Browne: I'm using a gadget so forgive me if all goes horribly wrong.

I'm going to talk through some evidence on the impact of government policies and what the impact has been on the Seven Towers.

Measuring the impact of policies is an obligation under Section 75 as Tim's alluded to which is in the Northern Ireland Act that came out of the peace agreement. And, this contains the equality duty in Northern Ireland. However, the equality duty and the actions that arise from it can be put in the wider international context with this discussion going on about how you measure change and how you can gauge the impact of policies in local communities.

One way of doing that is indicators, and the group are going to talk about that later. But, public bodies which deliver services are also obligated to gather

information on the effect of their policies. I've tried to look at some of that information here.

I've tried to look at what Section 75 obligations and government policies, which are based on objective need, and what they need to be delivering for residents in the Seven Towers.

Some of the information that I'm going to talk about we received as a response to a freedom of information request which we submitted to the Housing Executive last month. The response we got raised a couple of issues and some questions around the information that's being collected by the Housing Executive to monitor the impact of their policies.

So, how can we measure impact? Under the equality provision in Section 75 public authorities including the Housing Executive, as I said, have obligations to collect information to measure the impact of their actions. Public bodies have to use the available data to decide whether there is, or is likely to be, a differential or adverse impact on a relevant group.

What this involves for the Housing Executive is carrying out impact assessments, which Tim talked about, on the effect of their policies on the various named group in the legislation. There are nine named groups for whom impact must be monitored. This includes on the basis of age, disability, religious belief and probably most relevantly for the Towers, those with dependents.

They're also required as a result of this legislation to draw up procedures to consult with the groups and their representatives when they're drawing up and planning their policies. But, again, this tool does

mirror in some ways what's happening at an international level.

There are increasing calls for impact assessment by international human rights bodies in the UN to ensure that governments are complying with their human rights standards. And, human rights law is very clear on the need to monitor disadvantaged groups of people. Specifically, to find out what the impact of policies is having on them. How far the money's going that's being spent there and the outcome it's having for them.

Another way we measure impact is by taking objective need into account. Government policy in Northern Ireland works on the basis of addressing areas and the people in the greatest need. The assumption being that when you target the need inequalities would be reduced and eventually they would be eliminated. What this has meant in practice is directing money to where there's the objective need. This has been done through a number of government programmes, which you may have heard of that again place the emphasis on spending money, directing resources.

We had 'targeting social need' that was followed by a 'new targeting social need' and both of these were announced as government priorities for expenditure. This is where they had to target their money. This approach was continued in our anti-poverty strategy for Northern Ireland, which is called 'Lifetime Opportunities'. It retained the principal of directing resources within government programmes at areas and individuals in the greatest objective need.

Now, the Housing Executive, like all public authorities, operates in this framework and they acknowledge

this. In their own draft Corporate Plan they've stated that they commit themselves to constructing a social housing programme for new build and for preparing district housing plans, which are based on need, citing the anti-poverty strategy, 'Lifetime Opportunities'.

So, measuring the need, we look at deprivation. We're trying to look at how these could be measured. Some of the work on how need can be measured started in the PPR statistical profile of north Belfast, which is at the back of the room. What this does is measure levels of deprivation in north Belfast across a number of themes. Some of which are housing based.

It uses statistics, which are provided by government departments and are freely available on the internet. What these statistics do in terms of deprivation is define unmet need. It looks at where objective need isn't being met.

It does so in an effective way because it does at a very small area level which is called super output area. Now, this super output area is made up of about 2,000 households. So it's quite easy to use these for comparison and to get down to the nitty-gritty of how one area compares to another. This is better than maybe using ward levels, which vary in size and could obscure areas that maybe are particularly deprived but are in an otherwise wealthy ward. So, looking at small areas makes sure pockets of deprivation aren't overlooked.

We can highlight where is poor but there are also statistics available on who is living there. So, who is affected in that area.

For example, I looked at some of this information and I took the example of Grainne House, which is one of the Seven Towers that Liam mentioned.

The super output area where Grainne House is – is called New Lodge Three and it's actually in the top 3% of the most deprived super output areas in Northern Ireland for housing access. There's 890 super output areas in Northern Ireland and New Lodge Three scores 21st. So, it's the 21st most deprived out of nearly 900. That's basically the top 3% of the most deprived super output areas.

Housing access is measured by looking at over-crowding and also the proportion of households which have been accepted as homeless. But, this was done a few years ago before the property boom and before prices rose the way they have done. Therefore, they might not even give the whole picture but it gives some idea of what's going on. We can tell that the area has high levels of housing access deprivation and there's high level of unmet need there.

We can actually go further down into an output area level which, the last one was 2,000 households, this one is looking at 125 households. We looked again at the output area in Grainne House. When the census was taken in 2001 this was effecting 280 people so we're looking at a very small area – 125 households affecting around 300 people.

The population density though for that very small area was 109 per hectare which doesn't sound like much but a hectare is an area equal to 100 meters by 100 meters. If you imagine two 100 meter tracks and there's 109 people living in there. Again, for New Lodge you can compare the 109 to the figure for New

Lodge which is 79 and Belfast the figure is 24, population density compared to 109 in this very small area. The Northern Ireland figure isn't even two people per hectare.

The Grainne House output area is in itself one of the most deprived output areas of New Lodge Three. So, we've established New Lodge Three as a very deprived super output area. The area around Grainne House is the most deprived of that area. There's 100% Catholic community background in the area. It's been ranked the 28th most economically deprived super output area in Northern Ireland.

On this measurement there's 5,000 output areas in Northern Ireland. So, again it scored extremely high in terms of deprivation. That's been calculated as the top 1% but really when you look at it's actually closer to the top 0.5% most deprived areas in Northern Ireland.

Obviously, this is going to have an effect on people and it's brought out in some of the statistics around health. Nearly 70% of households in this very small area, 300 people, have one or more persons with a limiting, long-term illness. So, that's 70% compared to the Northern Ireland figure which is 40%.

In terms of need the figures make the case that objective need does exist in this area and you probably could say that it is the most deprived area amongst other deprived areas.

Next, we tried to have a look in the project of whether this need is being met. We tried to do this by way of a freedom of information request. We've established that objective need exists in the area and that monitoring has to be taking place on the basis of

Section 75 groups. But, we tried to find out, is this happening basically?

We submitted the freedom of information request to find out what information the Housing Executive had on policies. On how they were being carried out and the impact they were having on these groups and areas they're meant to be targeting.

So, we asked a number of questions and we asked for the information broken down in a number of areas. We wanted it in that super output area. We wanted to see the effect on those 2,000 households which we used to measure the deprivation. We also asked for results for Catholic north Belfast and Protestant north Belfast to try and gauge the impact of the action that had been carried out according to Section 75.

The results we got raised a couple of issues on how the impact and outcome of the housing policy is being assessed. For a start, we asked what was the Housing Executive spend in north Belfast over the period of north Belfast housing strategy which is the last seven years, 2000-2007. We got a figure of £202 million, which is obviously a considerable sum.

We were also told that information on the expenditure isn't being recorded by the Housing Executive or the Department for Social Development on a religious basis. So, they've spent this money but they've no record of how it's been spent in terms of religious groups.

We also asked about the money that was spent on improving Housing Executive stock over the period of the strategy, 2000-2007. We got a figure of £53.8 million. We also got a response saying that they

record this information on a district basis not by religious grounds and not by the super output area that we've been talking about that was used to measure where the deprivation is. District basis is a measurement which is used by the Housing Executive. They have offices in districts. So it's basically a measurement that's used by them but not by deprivation measures.

We looked at then whether need was being met in terms of housing units. We asked about how many housing units and what types of housing units have been completed in north Belfast as a result of the strategy. We got this information by religious group. We got it broken down in terms of flats, houses and bungalows and a total. But, we got no information, again, for ward level for super output area level to see whether effort was being targeted at those areas which need it most.

This issue is of particular relevance in the Seven Towers because of the housing of families in the Towers. The Housing Executive said in their freedom of information response that there were 47 families housed in the Towers with 63 children. The figures we got said that they had 557 houses being built in catholic north Belfast during the life of the strategy over the last seven years.

Again, we have no indication as to whether they've gone to the areas with the greatest need or the impact that might have had on the Seven Towers resident's.

I just want to finish up by saying the importance of addressing the needs of vulnerable groups is there and it has been recognised and tools are in place

which should be used. But, probably the discussion now needs to move towards implementing these tools.

Again, it's a discussion that's happening at international level around how to measure impact. How to measure it over-all but also how we target it so we can measure a small area level and we can find out what's happening in particular groups and in particular communities which may be being overlooked. And, how we can relate it to groups which are experiencing the worst levels of deprivation.

That's all from me.

**Inez McCormack:** I'm going to ask Bruce to lead off the questions. A general point is that the voice of the residents wasn't being heard in bringing out the realities which they're experiencing and have been documented in terms of human rights indicators. The duty bearer, which is the Housing Executive, was telling us yesterday that there wasn't a problem. So, to an extent, what we have got is the law, the policy, and the evidence but it's not computing. So, Bruce, over to you.

# Questions from the Panel on testimonies

**Bruce Porter:** I just wanted to say first and I know I'm speaking for the rest of the panel in thanking all of the presenters for incredibly clear and eloquent presentations. It has really helped us to understand this so well. And, particularly, from the residents Catherine, Michelle and Nadine.

We were speaking as a panel beforehand about what it must be like to stand in front of this kind of crowd and to make your presentations. We all confessed to each other that even after the years that we've worked we still get nervous about standing and making a presentation in front of a group like this. So we can only imagine the courage that it took you three to stand up in front of all of us and make those wonderful presentations. So, on behalf of the panel we really just wanted to acknowledge how grateful we are for the courage that it took to do that. So, thank you very much for that.

If you wouldn't mind just a couple of questions that came to my mind on listening to you. I wasn't exactly clear that even with the Children's Commissioner and

so on raising these concerns and maybe Catherine and Michelle could answer, have you had meetings yourselves, have you been invited to meet with the Housing Executive once the Children's Commissioner raised these concerns? And they were so well publicised I would have thought the Housing Executive would have asked you to come and meet with them and to hear your concerns directly. Has that ever happened?

**Dessie Donnelly:** I'm Dessie Donnelly and I've been working with the group since January 2007. I was involved with organising the invitation and then setting it up when the Children's Commissioner came out. But, no there was no request to meet with the parents following the Children's Commissioner visit.

Really, the only tangible response that we saw from the Children's Commissioner visit was that within a space of a month the pigeon waste that had been accumulating for years in the Towers was cleaned up in most of the flats. So there's a direct response to that but in terms of engaging with the residents, no.



**Bruce Porter:** That was actually my second question. Basically, the response was just cleaning it up, right? Has there been a longer term solution to the problem with pigeon waste or the lack of safe play areas? Has there been discussion with the residents about how the problem that was raised by the Children's Commissioner could be solved in the longer term?

**Dessie Donnelly:** Directly, no, but the New Lodge Housing Forum had been at a

meeting with the Housing Executive recently where they stated that they intended in February 2008 to do a major renovation of the flats looking specifically at the issues that were raised with the Children's Commissioner.

Now they had been planning a large maintenance scheme for two years prior to that but it had been delayed due to lack of available resources for the last couple of years. But, now they say that they are going to plan major works in February 2008.

**Bruce Porter:** We were given a short tour yesterday, despite the rain, and I saw one building where there was still a lot of pigeon waste and, in fact, the odour was quite over-whelming. So, this is despite the Children's Commissioner's recommendations. So that continues to be a problem, is that right?

**Liam Wiggins:** Part of this maintenance thing that's starting in 2008 is a plan to clad the entire buildings in PVC. Forty years of weather has taken its toll and the brickwork sort of crumbled. So this is an idea to take that problem away. It remains to be seen but this should stop the pigeon infestation, as they won't be able to get in at all. Hopefully this new thing will put an end to pigeon waste.

**Dessie Donnelly:** Can I just say on top that that they've said it will take 4 to 5 years to completeæ

**Liam Wiggins:** 5 to 6 probably.

**Dessie Donnelly:** — 5 to 6. So, there still needs be something put in place to make sure that the pigeon waste is not there in the meantime. Just because it is put on the long finger for February 2008, which you'd hope that they would start it in February '08, but

there's still a 5-6 year gap before something possibly gets done about it. It doesn't get rid of the problem. In the longer term it starts to address it but there's still that interim period.

**Bruce Porter:** Just a final question. In terms of talking about the future of housing and new housing developments that could meet the needs of families in ways that this housing isn't, I just wondered has there been consultation with the residents who have organised around these problems about what kind of future housing development would avoid some of the problems they've encountered? Is there a resident's advisory group for the future developments? There has been recommendations heard from multi-national corporations, have the residents themselves been given the opportunity to talk about their housing needs and how they might be met?

**Dessie Donnelly:** I think this ties in very directly to Nicola and Tim's presentation beforehand. Essentially, the Housing Forum had been talking (and Liam can talk about this) but they've been meeting with the Housing Executive about development programmes. But, that conversation that's happened is not on the basis of objective need. The statistics are not being brought to the table to say here is the housing waiting list in catholic north Belfast, how can we work with you to address this problem. That is not in the conversation or the dialogue that's happening.

**Liam Wiggins:** To go back to what Nicola was saying about how many houses were built in north Belfast and where they were actually built - north Belfast is a very, very big area. It covers Ligoniel, which we would class as the country, out in the sticks, miles away. A lot of houses were built out there.

New build houses in and around the Seven Towers are non-existent and there's no plans for the future because of our proximity to the city centre. Our proximity to the city centre means that land values went up. The city centre boundary was moved last year and it comes very close to the New Lodge and it increased the land values.

Now our argument is that the cost of land shouldn't matter. If housing is needed it should be purchased and bought. But, there are no plans in the future for new building around the Seven Towers.

**Bruce Porter:** Okay, thanks very much.

**Odindo James Opiata:** Basically one comment and maybe two questions. I did indicate earlier on that I was intending to learn quite a bit, I've already learned something about the meticulous documentation that you've been doing during this short period. Africans, we are renowned for being known very oral in that we rarely document anything and we like talking quite a bit. You will soon be seeing evidence of that from me talking a lot. But it really ought to be clear to human rights organisations that this type of documentation is extremely important.

Now, two questions and I know one thing that I need to appreciate is that the time frame that you're talking about is very short anyway. And, in this kind of work one would not expect that you'd probably achieved more than what you've achieved.

But, I just want to ask one question particularly in relation to the Northern Ireland actors about the issue of equality and the government policy with regard to how to deal with this structural discrimination. It was indicated that one of the

focuses of government policy is to address the areas and people in the greatest need. My question is, and I don't know exactly who I should direct it to, but whoever feels comfortable may answer it. Are there any plans to try and get an authoritative interpretation of this phrase, areas and people in the greatest need?

The other issue is with regard to the very comprehensive data that was presented by Nicola about the budgetary locations, the figures of the houses in the different sectors. Again, here the question is to the future. Do you also have an intention to try to do a kind of rigorous analysis of the budgetary allocations so that you can be able to determine which proportion is going to people in most need?

**Inez McCormack:** Could I ask if Tim could go up because the microphones are handy and if Nicola could go up to answer both those questions.

**Tim Cunningham:** Just to clarify in relation to the previous question. You mentioned Bruce about consultation or participation with people who actually lived in the areas around the private sector development with the international business consultants. Interestingly, about the report if you actually look at the list of people they consulted, St. Patrick's and St. Joseph's Housing Forum is listed as one of the people they consulted. That came as a major surprise to Liam because nobody in St. Patrick's and St. Joseph's was aware that they'd been consulted. But, according to the document they had. It's an interesting interpretation of participation, I would suggest, but perhaps not the one that would be compliant with international models.

In terms of your question about is there any analysis of areas of objective need, yes there is. In fact, one thing we do have a very great supply of in Northern Ireland is detailed statistics. Governments own departments, the Northern Ireland Statistics and Research Agency, have reams of data, analysing exactly the areas of objective need. We know exactly where they are and that's some of the data that Nicola was pointing out. So, one only has to go and look in the government website.

In our view, that's one of the problems. The law requires government to identify areas of need and skew resources towards them. So government knows exactly where the areas of need are. They have all the statistics.

It's government's job to carry out an equality impact assessment. It's government's job to look at those areas of need which it has identified, look at its spending and say, okay, how are we mirroring up here? Are we directing resources in a way that will deliver greater equality?

Our experience has been they're very good at gathering the data. They're not very good at then redirecting the resources. We know statistically, north and west Belfast have particular problems that dominate the objective need criteria. Government however has been very loathe to publish its spending plans and identify.

The questions that Nicola asked there, the freedom of information requests, Nicola shouldn't have had to do that. The Housing Executive is under a legal duty to publish this information in its equality impact assessments. It publishes lots of information but it

doesn't publish the information that we need. It publishes the information that it wants people to read which is very different.

One of the problems we have and we've talked about this, is the fact that the law is there for requiring government to carry out these analyses. The law was there for government to say this is how we're analysing our spending. We have to rely on things like the freedom of information, a different law, to ask for information that we should have been given in the first place. They hold all the cards and the law is there in place. And, instead, we have to basically ask questions in a roundabout way and in a very difficult way. When you don't know the budget and you don't manage the budget, you don't really know the particular nuances.

But, we do know and we do see proposals coming out that, as I say, are suggesting things like excluding social housing from the centre of the town because it's going to be divisive. So, that would at the very least question the extent to which resources are being put in areas of need.

**Nicola Browne:** I think it goes back probably, Opiata, to your question as well, about whether the groups are involved, are they at the table when people are deciding where money is spent. The answer to that question is, no. When we've approached the Housing Executive with requests for the information which they're under a legal duty to supply and to allocate their resources by using that information – we've hit a bit of a wall.

We've had some information available but, again, being told that we're not monitoring on specific super

output area, ward level which is the most efficient tool to identify where the need is. Also, in some cases we're not monitoring by religious group which goes straight to their Section 75 obligations to monitor the impact of their policies on particular groups in Northern Ireland.

So, it's something that we want to move forward on and to get that information out. I know Leticia has experience with how budget analysis can be a very, very useful tool for communities in terms of seeing exactly where the money is and where it's meant to be going. There are tools here to use. There are tools there in law saying this is where it needs to go. But, somewhere between that and the outcomes which the residents will present to you there's something going wrong. And, we're not getting the impact that we're meant to be getting.

**Leticia Osorio:** I'd like to comment on the issues raised by Tim about this market driven approach to urban development here and to ask two questions.

There has been a long debate about which is the best solution for providing housing. If it should be a market driven approach or if it should be a public approach or a combination of both. This is a very important issue because in Latin America the development of the cities, the urbanisation process, has been very excluded. Exactly because the areas allocated for the poor people are in the outskirts of the city.

This is a kind of an engine that helps the private sector to increase their profit because when the government builds houses in the outskirts of the city, infrastructure should be provided. Because we live in a piece of city, it means transportation, sanitation,

etc. And, then the extension of the infrastructure to these very far areas resulted in the increase of value of areas empty, areas that were not built on in the middle of the city. They were captured by the private sector.

Actually, the cities are developed in a way that the private sector builds on the infrastructure that is provided by the public and the public are ourselves, the population of the cities.

So, this is a very important thing to be thought by the people present here, the residents that are trying to improve the quality of life. I would like to know about the urban planning and if this kind of proposal to develop the city based on a market driven approach is part of a massive plan in the city or in a kind of zoning? And, if you want in the future to tackle these kinds of things in order to discuss a more inclusive city that has space for the poor people in the central areas?

Because everybody has the right to the city this is what we are discussing in Latin America now, is the right to the city. Everybody has to have the right to live in the centre to have access to all the facilities that a city should provide for the citizens. So, I'd like to know if there are some discussions with the public authorities, the city authorities about these kinds of issues?

**Tim Cunningham:** Well that's one of the problems in terms of the discussions. There are lots of discussions going on but they're not involving the people who are actually in need of the housing. The discussions appear to be going on between some planners and some developers in the private sector.

One of the differences between Belfast and a lot of other cities, particularly in South America, would be its size. We're talking about a very small city including the Greater Belfast area you're talking about 3/4 of a million people. In terms of the area we're talking about here, geographically in relation to the size of Belfast City Centre it's much smaller geographically.

So, the benefit there is obviously, in terms of other international examples, something that is a relatively manageable size in terms of a problem. The difference at the moment is that for the last 30 years there were huge areas of Belfast that as a result of the conflict were out of bounds. They were being used for things like Army Bases, military installations. We have Girdwood Barracks in north Belfast, which would be the obvious example in this case.

Now, it goes back to the earlier point about a peace process and the fact that land in these areas is suddenly becoming available. Parts of the city centre that were maybe closed off and were out of bounds are now suddenly becoming open. So, we're looking around and we're seeing that.

Liam has correctly said in relation to various groups, they have been proactive in identifying land. The problem is if a group is proactive in identifying land, which would be available and suitable for housing, if those who are in positions of power are not meeting them halfway and being proactive in securing the land, then obviously the private sector are going to come in and fill the vacuum.

One of the worst examples we see in government in terms of its failure to deliver on equality is its 'do



nothing' approach. Because at the moment in a city like Belfast where you have an unprecedented housing boom, where there is literally a scramble for land and anybody knows that anything you buy at the minute just throw a few quid at it, it's going to make money.

So, in that kind of context it takes a proactive approach to go and do something. To sit back and do nothing or as we've seen here with some of these proposals, just sit back and say, there is a problem, we're not sure how to solve it so what we'll do is we'll let the private sector come in because they'll somehow be able to deal with it. Middle-class people, wealthy people, they'll take the problem out of our hands. We won't have to make the decision.

This is about making difficult decisions but it's also about recognising that there is land, which has come available now that when it goes, that's it. We're not going get another shot at it. So, it's either sort it out

within the next couple of years or what we're going to just do is store up more and more problems for the long term. In our view it would be an absolute disgrace if land and areas which were very much synonymous with the last 30 years being used for military purposes suddenly were not being on the agenda in terms of providing houses. Because as I say, once that land goes, it goes. The thing about land is you can't make more of it. And that's what we need is a proactive strategy from government that we're not seeing.

**Inez McCormack:** Okay, no more questions and thank you very much both of you.

Just to show that I take complete instructions from over there. What we're suggesting is because you can't have lunch before 12.30 folks. What we're going to suggest is that we could take the evidence now from Nadine. In terms of the survey, Opiata has made a point, which is very well made – the incredible, rigorous detailed nature of a survey carried out by residents who six months ago wouldn't even come into a room together because they didn't think they could do it.

Over to you Nadine.

# Localised Human Rights Baseline: Seven Towers Survey

## **Nadine Morgan – Seven Towers’ Resident**

**Nadine Morgan:** During the course of our development program we made a big list of housing issues which we faced as residents of the Seven Towers. I mean a big list. Following the human rights section of the training, we then narrowed this list down to three issues.

The human rights training gave us the skills to take out issues, which were not really social or economic human rights issues. In addition the PPR Project’s policy worker carried out research to ensure that they were issues covered by international human rights law. To scale it down further, we prioritised three which we wanted to address.

The issues we wanted to address were:

- **pigeon waste** – which includes build up of pigeon droppings, dust, carcasses of dead pigeons, nests, feathers, and infestations of mites caused by the waste which piled up behind the ventilation partitions on the landings
- **maintenance problems and upkeep** – this included both the actual problems and the Housing Executive’s response to problems were reported
- **re-house families out of the Towers** – this simply means that the Seven Towers are not an acceptable form of accommodation for families with small children and they should be re-housed

There are loads of international agreements signed by the British and Irish governments which say that they

will respect, protect and promote our rights. The human rights based approach is about making government do what they say they are going to do.

This is not an unreasonable demand. We all know that things will not improve overnight. However, the government has signed up to something called ‘progressive realisation’ – which means that change won’t happen overnight – but that the government and their departments will work to make sure that things get better. As we’ve heard – many of our issues did not improve at all over the years.

After the human rights part of the programme our next step was to do ‘action research’. The purpose of this was to find out the nature and extent of problems in the area – to get an accurate picture of what the conditions were like in the Towers at present. It was only by carrying out this research that we would be able to measure, over a period of time, if the government were promoting our rights or not.

For action research, we decided to do a door-to-door survey of the Towers over a period of 3 weeks in April. We drew up the survey with the assistance of an action research tutor and then we set about knocking on doors and engaging with residents.

We received a good response from our neighbours, from other residents – who were more than happy to be asked their opinion and to participate in something concerning their housing. We would have liked to have knocked on all doors, but this just was not possible.

Over the 3 week period, which had to be managed because of childcare, family commitments, and other issues, we knocked on 250 doors in the Towers and

received 62 survey responses. This was a 25% return on the survey. 63% of residents surveyed were female and there was an even spread of age groups who took part.

Some of the results are as follows:

### **Pigeon Waste**

In terms of the pigeon waste, it should be noted that Grainne House resident's surveys were excluded from these statistics as their building is constructed differently to keep pigeons out of landings.



Our survey found that:

- over 8 out of 10 residents noticed the pigeon waste and this was not limited to any particular Tower of floor. Those that noticed it lived from the 1st to the 12th floor
- 6 out of 10 residents said the partitions were never cleaned of the pigeon waste
- 1 out of 10 residents said it was cleaned weekly or monthly

- And 9 out of 10 residents said they wanted the pigeon waste cleaned

### **Maintenance**

The next issue we looked at in the survey was maintenance. In asking about maintenance issues, we did not suggest any responses from residents, but asked them to name any problems that they had. We found that:



- 61% of residents had problems with blocked drains and sewage. There were no particular floors where the problems seem to be worse, but were spread across all floors
- 31% of residents had problems with dampness/mould
- 26% complained of chutes in drying room being blocked
- 24% of residents had problems with bugs and insects



### **Families**

The Housing Executive says that it is currently trying to move all families out of flats above the 4th floor. If you live on the 4th floor and below with your family, it is considered alright and you do not receive any additional points on the waiting list.

We do not accept this argument at all. No matter where you live on the 1st or 14th floor, your young children will experience the same cramped space and lack of play facilities due to difficulties around parents supervising and the general lack of safe places to play. And as our survey showed – sewage, dampness, pigeon waste, etc. are not confined to specific floors.

In May 2007, we carried out a follow-on survey of parents to see how many of them would move out of the flats if they could. The Housing Executive

sometimes makes the argument that families want to move into the flats as is evidenced by requests. But I know what it is like. With the lack of social housing, the choice is a false one – and in reality families are forced to live there. Our follow on survey confirmed this. Of the 20 parents surveyed, 100% (ie 20 parents) all said that they would move to a house if it was offered.

### **Participation and Accountability**

Our next issues concerned the themes of participation and accountability. We wanted to look into these themes because both are central to the human rights based approach. A human rights based approach to housing is not about using the system to get a result on one or two occasions, it's about changing the system so that bodies like the Housing Executive are permanently accountable to us on the basis of our right to decent housing. But the right to participate and be involved in decisions which affect our lives is also a human right because we are the experts – we experience the denial of rights on a daily basis and should be empowered to be part process of making decisions on how to right the wrongs.



Reporting of problems, or making complaints, is a very important way of holding the Housing Executive to account – for this is only used when something goes wrong.

When it came to the pigeon waste, we found that:

- Despite over 8 out of 10 residents noting the pigeon waste, less than 3 out of 10 complained about it
- This was not to say that residents weren't bothered by it, as just less than 3 out of 10 other residents didn't complain as they believed it would not a difference
- Indeed over 9 out of 10 residents said they wanted the pigeon waste cleaned up

Perhaps this scepticism is understandable when you consider that of those who complained about the pigeon waste less than 2 out of 10 of them were satisfied with the response they received.

When it came to reporting problems and complaining around maintenance problems:

- a much higher number of residents, just less than 9 out of 10, with maintenance problems reported problems
- However, although a slight improvement on the pigeon waste statistics, less than 3 out of 10 of those who complained were satisfied with the response they received.

Lastly, we wanted to get a sense of to what extent residents felt they had a say in decisions made by the Housing Executive which affected their lives. This may seem a 'waffly' question – but it is extremely

important. For instance, many of the families in the Seven Towers are stuck there because of a lack of social housing being built in our community. While we were doing the survey no-one we spoke to was aware that the North Belfast Housing Strategy, the policy which was supposed to tackle the housing waiting list in our area – and therefore would have a massive impact on the lives of our families – not one person knew it was under review – never mind how to become involved. We should be central to the strategy – not just people who other people make decisions about.

This lack of participation was reflected in the response to the question. On a scale of 1 to 10, 45% of residents said they marked their involvement as a 1, and 58% scored between 1 and 3 which is really nothing.

The results of this survey are what we call our 'baseline'. It gives us a snapshot of human rights issues right now as residents of the Seven Towers. The next step we had to take on our journey was to decide how our right to housing could be made better over time, and how we could monitor and see whether it was getting better or worse.

That's it for me.

**Inez McCormack:** I have a funny feeling Nadine that's not quite it for you. I think you've only started. And, God help them when you finish.

Would the panel members have any questions or comments to Nadine? Bruce.

# Questions from the Panel on testimonies

**Bruce Porter:** In terms of the waiting list for being re-housed and there was reference to the waiting list earlier being I think it was over 2,000, is it prioritised on the basis of need? Is there some kind of point system where they allocate?

**Nadine Morgan:** There is a point system.

**Bruce Porter:** If you're on the waiting list for either moving to new social housing or getting into social housing, how do they decide who gets the housing that becomes available? Is it based on how much you need or how long you've been there?

**Nadine Morgan:** To tell you the truth I don't really know how they prioritise. I think it's due to different needs but it doesn't seem to be working very well because people aren't getting the right points for their needs.

I have been living in my flat now for four years and I had to wait two years before they put me on the transfer list. What they initially done was give me 20 points and then they came out and reassessed me and deemed me homeless because I was living on the 10th floor and that was seen as unsuitable accommodation for my child. Although that's good for me it's not so good for other people. For the likes of people below the 4th floor they don't get that same privilege of getting the homeless points. I don't know.

**Bruce Porter:** What kinds of housing is it that families with children are trying to move into? What would be the things that you would get in the housing that you're trying to get into that you don't get now?

**Nadine Morgan:** Well, for me, all I want is a wee garden, a wee back yard for my child to play,

neighbours who have other kids. At least you can just go in next door and play with them and things like that. Just a better quality of life for my Alicia, my child. I think that's basically what the families want.

**Bruce Porter:** Would there be other issues related to health for your child as well?

**Nadine Morgan:** I don't know.

**Bruce Porter:** In terms of mould or...

**Nadine Morgan:** I definitely think it will help her social skills because she's very rowdy, very bad tempered, very hyper when she's around other kids. Where I think if I move up here she'd get better at it because she's allowed out to play then and she has more freedom, basically.

**Bruce Porter:** Thanks very much.

**Odindo James Opiata:** I just have a comment not a question. My feeling is that with regard to the twin issues that is of the pigeon waste and the lack of maintenance perhaps it may make a stronger argument if you argue it as issues of 'retrogression' as opposed to 'progressive realisation'. Because these are cases where the government simply failed to maintain the status quo.

The Towers were built. So, what was then required of the government was just to make sure that they are maintained within the acceptable standards. My view is that if you keep it to a question of progressive realisation then that gives the government the opportunity to begin arguing about the issue of resources.

The issue of retrogression puts a higher demand on them because all you are saying is that you're actually moving backwards. It's not a question of progressive realisation, you're moving backwards. They were better before but the government is refusing simply to ensure that they are maintained to the standard that is required.

**Leticia Osorio:** It seems that you are undertaking steps to move forward. After having this training and debate about human rights you carried out a survey. So, my question is what are the next steps you have been discussing to undertake with regards to the survey?

**Nadine Morgan:** We'll get into that later on. After lunch that's what we're going to go into – what we have decided to do over the next year.

**Leticia Osorio:** Do you intend to present publicly the survey or has it already... now it's been presented here, do you intend to present it officially to the government as a kind of documentation that really shows the necessities and based on these necessities you will propose some new strategies?

**Nadine Morgan:** Yes, definitely, yes.

**Inez McCormack:** Thank you very much indeed. Could I just add a few welcomes. I'd like to make use of the Chair and make it completely personal by welcoming Edie, a NUPE shop steward over 30 years ago. Edie took me down, for what she said was a 'wee minute' to Divis Towers 'to have a wee discussion' and 'just to do a few wee things' – that ended up in a 6 year campaign to demolish Divis Towers. Thank you Edie! I'd like to welcome Cecilia Forrestal from Community Action Network which does extraordinary work with

communities in terms of building capacity. She's travelled up from Dublin for the event. And somewhere, as always sitting modestly and quietly, is Therese Moriarty, an historian who has worked with us over the years in terms of the union. Therese is now working with the Project to enable people not only to make their voices heard for the future, but also to recognise their voices were heard in the past but were written out of history.

I'd like now to introduce Padraic Kenna and Aoife Nolan. Aoife and Padraic both have listened to the residents and have information about what the residents are trying to do, and the indicators they are trying to set. We have asked them to respond in the context of how they see the international framework and how they see the residents can take the issues forward.

# Human Rights and Housing: A Framework



**Dr. Aoife Nolan – Queens University Belfast**

**Prof. Padraic Kenna - National University of Ireland, Galway**

**Aoife Nolan:** The main focus of this first part of the presentation are housing rights standards under international human rights law. As we've only limited time I'm going to focus particularly on international human rights standard: the right to adequate housing set out in the International Covenant on Economic, Social and Cultural Rights. The Covenant is an international human rights treaty that has been ratified or signed by the UK – as a result, the Government is bound by the rights and duties set out in it.

Now, Article 11(1) of the International Covenant on Economic, Social and Cultural Rights is very wordy but amongst other things, it provides that “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate housing.”

This is the article that the vast majority of housing rights advocates cite and rely on when employing international human rights law.

In addition, there are two other very important Articles of the Covenant that we must bear in mind when considering the right to adequate housing under the Covenant. First, one section of the Covenant provides that the States Parties - including the UK - to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex. This provision means that everyone has an equal right to adequate housing and the State must ensure equal enjoyment of that right. So the state mustn't discriminate between different groups in the enjoyment of the right to housing.

The other hugely important provision is Article 2(1) which sets out the nature of the obligation imposed on states by the ICESCR. The article states that “Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures”.

There are two very important things that we should note about this article. First, the duty of States Parties is recognised to be subject to the availability of resources. In other words, the steps that the State must take to give effect to right to housing are limited by the money and the other resources that the state

has access to. Thus poorer states are allowed to take smaller steps than richer states. Secondly, the obligation is of progressive realisation. This means that states have a duty to take deliberate, targeted steps to ensure that everyone enjoys the right to adequate housing. So, the government can't do nothing – it has to be able to show that it has taken steps to improve things.

There is a certain way of describing state duties that is frequently used when talking about human rights. It is said that under international law, all human rights impose three obligations: the duty to respect, protect and fulfil rights.

The government has two immediate obligations. The duty to respect requires States to refrain from interfering with the enjoyment of the right to adequate housing. For instance, the State will interfere with the right to housing where state authorities like the police illegally evict someone from their home. The duty of the state to protect the right to adequate housing requires State to take measures that prevent third parties like landlords from interfering with people's enjoyment of the right to housing. For instance, where a state fails to prevent a landlord from illegally raising rents, rendering tenants incapable of paying their rent and losing their home, the State has failed to protect the tenants' right to adequate housing. So, the State can't interfere with your right to housing and they have to prevent other people from interfering. Now both the duties to respect and protect are of immediate effect. They have to do it now. It is with the third duty - the duty to fulfil – that the issue of progressive realisation really comes into effect. The duty to fulfil the right to adequate housing requires States to take positive steps to help individuals and

communities in enjoying the right to adequate housing, and, when an individual or group is not able to meet their housing needs themselves, to provide the means by which to enjoy that specific right. For instance, by providing social housing to people who can't afford to purchase their own homes or providing housing benefit to people who don't earn enough to pay their rent.

There are a few other duties we need to bear in mind when considering the right to adequate housing. The duty of progressive realisation necessarily implies that 'backward steps' - that reduce access to adequate housing are generally prohibited. These backward steps are sometimes known as 'retrogressive measures'. An example of a prohibited back step would be where the state cancels a housing programme or service without setting up a new programme or having a reasonable justification for cancelling the original programme.

Finally, even though according to Article 2(2) of the Covenant, the state is only obliged to realise the right to adequate housing on a progressive basis, States do have to satisfy certain minimum essential levels of the right to adequate housing immediately – regardless of what resources they have available to them. This is called the minimum core obligation of states. Thus, for example, a State Party in which any significant number of people is deprived of basic shelter and housing is, on the face of it, violating the International Covenant on Economic, Social and Cultural Rights.

Let's now look briefly at the elements of the right to housing. There is a Committee made up of 18 independent experts that is responsible for

monitoring states' implementation of their duties under the Covenant. – the Committee on Economic, Social and Cultural rights. Amongst its other activities, the Committee issues documents known as general comments on various issues in relation to the Covenant. These General Comments are highly authoritative interpretations of the rights granted and the duties imposed on states by the Covenant. One of the most significant of these is General Comment 4 which focuses on the right to adequate housing. Now, I just want to go through these elements of housing quickly as I know other speakers will be talking about them again later on. What's really important when dealing with international housing rights standards is taking them and relating them to the situation in front of you as the seven towers residents have done in relation to their housing conditions. The elements of the right to housing are:

(a) Legal security of tenure including guaranteed legal protection against forced eviction, harassment and other threats. This means that laws and policies need to be in place to ensure that people's right to stay in their home is protected.

(b) Availability of services, materials, facilities and infrastructure. An adequate house must contain certain things that are essential for health, security, comfort and nutrition. For instance, safe, clean drinking water, energy for cooking, heating and lighting, sanitation and washing facilities.

(c) Affordability. The costs or expenses related to housing should not be so high that they impact on people's ability to meet other basic needs. For instance, rent or heating bills should not be so high that they impact on the ability of people to buy food.

(d) Habitability. Adequate housing must be habitable. This means that it must provide the people living in it with enough space and it must protect them from cold, damp, the weather and things that might cause disease or infection. Housing also has to be physically safe. For instances, a high-rise flat without working window catches is not physically safe.

(e) Accessibility. Adequate housing must be accessible to those entitled to it, including disadvantaged groups such as the elderly, children, the physically disabled and persons with persistent medical problems. So, if you're wheelchair bound, your right to adequate housing will not be satisfied where you are forced to live in housing that is not adapted to wheelchair users needs.

(f) Location. Adequate housing must be in a location which allows access to employment options, health-care services, schools, child-care centres and other social facilities. Similarly, housing should not be built in or near polluted areas.

(g) Cultural adequacy. The way housing is constructed, the building materials used and the policies supporting these must appropriately enable the expression of cultural identity and diversity of housing. Thus, travellers must be accorded housing that is appropriate to their nomadic culture.

We've taken a look at the right to housing under international law. There are also housing rights provided for under European human rights law such as the European Social Charter. However, bearing in mind that it is the international standards that were employed by the residents in determining their indicators, I think it's reasonable to limit our analysis

of the right to housing to that context. I'll now pass you over to Padraic who will speak to you about indicators.

**Inez McCormack:** Thank you Aoife.

**Padraic Kenna:** I'm delighted to be here, to make this presentation at your evidence based hearing on housing rights - the first one I've ever been to in the world, which follows on from the great work of the Participation and Practice of Rights Project and the work of the residents in this area. Now I have to say this is the first time I've ever spoken in what is like a Hindu temple, and I was afraid to ask anybody whether they were Catholic or Protestant Hindu, but maybe I'll ask later.

And of course the background to this innovative approach taken here today, and the valuable evidence prepared for this, will have an enormous impact on

the whole human rights debate that's taking place because this is actually historical - that we have people themselves determining their human rights and their housing rights – determining their indicators and managing them. It's definitely very new.

So, the right to housing then. Aoife has outlined to you the International Covenant on Economic, Social and Cultural rights. Article 11 is where most of our housing rights literature comes from and that has been expanded by the UN Committee on Economic and Social and Cultural Rights to cover a huge number of areas. Much has written about this – much of this has been defined in detail at an international level. And, if you like, at an academic level and perhaps even less so at a legal level. But, not so much at a personal, people's level.

Of course the entitlement and duties imposed by the right to adequate housing must be effectively



implemented by states. This is one of the obligations. The states are the duty bearers and this is a very important phrase and we'll use it quite a bit because it has great significance in the debate. Who are the duty bearers and who are the rights holders? That really determines who has to act and who can force the action.

As Aoife has outlined there are minimum obligations and then we have the idea of progressive realisation – this greater realisation of rights as resources permit. Now, the 150-odd states in the world who have adopted this covenant are monitored every five years by a committee in Geneva. It is possible for any NGO to submit what's called a shadow report or even a letter to that committee to complain and say, we don't feel that our state has actually implemented these rights. The committee is very accessible and open and will read it and may even ask the states public servants why?

That's just one aspect of it. Paul Hunt who is the UN Rapporteur on the Right to Health has pointed out that the human rights approach requires that special attention is given to disadvantaged individuals and communities. This is the actual practice. It requires the active and informed participation of individuals in communities in policy decisions that affect them. It also requires effective, transparent and accessible monitoring and accountability mechanisms. The combined effect of these is to empower disadvantaged individuals and communities.

Now, Paul Hunt was a member of the UN Committee on Economic and Social, Cultural Rights for many years. And then we ask, how do we develop that? I

think everybody would agree with that. It's actually quite relevant to our discussion today.

Now, people will say, yes, we must enforce rights through courts. Indeed, that's the case in some instances but there are problems. And in many cases the legislation is not clearly accessible for the type of violation. Access to the courts can be difficult, costly, long and drawn out. Access to legal aid might not be available.

Also, there is another criticism that when a community group goes to court they actually hand over the power to decide their future to a sort of autonomous system of which they have no control over.

So, it's not necessarily the be all and end all we hear about – going to court to assert rights. It has many problems. In fact, it's probably the least successful road to go.

There is a very good statement by a woman who worked in Geneva. She said, at the end of the day individual rights and freedoms would be protected or violated because of what exists or what is lacking within a given state or society and not because of what is said or done in Geneva by the Committee.

What she's really saying is that yes, they have the power to determine what's a violation but they don't have power to enforce it at a local level and that's really where local organizations, local communities, individuals have the impact.

Indeed, as long ago as 1989 the UN Committee itself pointed out that special attention should be given to regions or areas and to specific groups or sub-groups

which appear to be particularly vulnerable or disadvantaged. In other words, the UN Committee was saying, of course we'll monitor but we cannot really, across 150 states, implement these housing rights.

Paul Hunt has then developed something called indicators. Now, indicators are what allow us to determine whether these rights are being implemented. Indicators are something we can use to measure, that's all they are really. We can measure whether the rights are implemented.

Much work has been done on what these indicators could be. And, I'll say something about that – 'could be' is the real question here. 'Could be' is really open-ended and 'could be' is what's relevant in the local context at the time.

He has pointed out that the human rights indicator derives from, reflects and is designed to monitor the realization or otherwise of a specific human right. Usually with the view to holding a duty bearer to account. Essentially what distinguishes a human rights indicator from another indicator is less its substance than its explicit derivation from a human rights norm. The indicator has come from a human rights standard. Secondly, the purpose to which it is put that the indicator is being used to holding duty bearers to account.

There are many statistical and general indicators on housing. There's about five international organizations which produce huge volumes of statistics on housing every year. One of the biggest ones is the Eurostat which does every country. It

doesn't break it down by area but it produces huge amounts of material.

What we don't have are indicators which reflect people's experiences in housing. And this is why this particular seminar today is so important. I've heard Nadine, Catherine and Michelle who have done enormous work in this already which we are all looking at very carefully.

Of course we can use statistics borrowed from other sources to advance our case such as census figures and other reports. But, the key indicators are those which are chosen by the bearers of rights themselves. The bearers of rights are people whose rights are guaranteed. These are the most effective indicators of people who set their own indicators.

This is not easy. This is not an easy task at all and that's been well recognised. Indeed there's a man called Miloon Kothari who used to be the UN Special Rapporteur on Housing Rights. He has pointed out that he spent four years trying to establish indicators to measure the decline of housing conditions in an area of India.

I want to say something about benchmarks and targets and this is the last of the jargon, I hope. Benchmarks or targets are much the same thing really. These are something which we build on indicators. So we set a target and then we look at the indicators to see have we reached it. Targets are different. Indicators are neutral. Benchmarks in the area of human rights take specific human rights standards as their starting point. They can be tailored to local context and should be set in a consultative or participative manner. Rather than being technocratic.

They're not about being technocratic they're about being set by the people who are affected. They should be linked to mechanisms of accountability. Failure to reach a benchmark should trigger an appropriate, remedial response. The covenant is after all applicable to each and every individual in all the states which have accepted it.

Effective benchmarks or targets are those which are set after effective participation. In this process it's important to remember that the state and its agencies are actually the duty bearers and are not neutral actors. And I heard some reference to this morning regarding, for instance, the Northern Ireland Housing Executive. How it had appeared or sought to appear as a neutral actor.

The state is not a neutral actor. The state is the duty bearer. And, when we say the state or as I use in Ireland a lot, government, we also mean all the agencies of the state. It's not just the central state. Therefore, we cannot allow the providers of state services to act as the definers of housing or human rights which are established in international law. It must be emphasized that the role of the state should be one of facilitator or enabler rather than provider or regulator alone.

Now, I want to turn to something else which I feel is often neglected in our discussion of housing rights and that is the concept of home. Housing rights are ultimately about people's homes, where people live. This concept is much wider in fact than what lawyers and indeed public housing managers can actually address. It involves the human dimension of living and having relationships. The concept of home

involves situations of family, affection, love, children and other human experiences.

Lorna Fox who is from Northern Ireland has written quite a bit about this and she says, 'home as a physical structure offers material shelter' and that's just one small part of housing rights. 'Home as territory offers security and control. A locus in space, permanence, security and privacy. Home is a center for self identity, offers a reflection of ones ideas and values and acts as an indicator of personal status. And home as a social and cultural unit acts as the locus for relationships with families and friend and as a center of activities and community.'

I have to say I think it was so well put that I use this everywhere to describe home. The question we have to ask then is how can we actually make the housing rights address this definition of home and relevant to what we're actually seeing which brings me to the question of participation.

I said for this to happen, for effective indicators and benchmarks, we need participation. Housing rights can be meaningful at the level of people's lives if they themselves set the indicators and targets for these rights. In other words, the rights holders themselves must participate in the establishment of these human rights standards.

Participation remains central to the evolution of human rights. It is of course an elusive and often vaguely defined concept. Yet, it should be taken to mean empowerment of people to identify, assert and protect their interests.

And, when I say it is vaguely defined – the term has always been bandied and used, in fact, two terms are

used – consultation and participation. I'm sure you regularly come across these. And, what I want to point out here is that these are not the same thing. As you in Northern Ireland now go through a big change with inward development and the state agencies taking part in this big investment push – lots of plans and action plans and strategies are probably being drawn up or will be drawn up and everybody will be consulted and consulted and consulted and consulted and consulted, again and again.

But, the question we have to ask is, what is the point? I draw a distinction here by saying consultation is really only the right to be heard. Participation, on the other hand, is the right to be heard, to influence decisions and to effect outcomes. A very important difference. A very important difference in the light of the presentations we had this morning.

Participation is not merely consultation. Consultation is a process managerially driven. It's driven by all the public agencies. They have a duty to consult. That duty to consult has been defined so clearly that it becomes part of the management standards – how you consult and with who and how quickly and how important or not important it is.

Participation on the other hand is a hugely different concept. The ability to effect decisions and influence outcomes. It is the right to decisively influence the decisions made in relation to policies, to setting standards, to monitoring and even to defining the rights and remedies for breeches of these rights. Participation in our case here must allow people to define their housing rights in relation to their own homes.

Participation is about control. It's about asking who is controlling the process. It's not to be confused with something known as being involved or being consulted or even the most recent one is being described as a 'stakeholder'. All those whose rights are involved must be involved in the consultation and in relation to housing rights the participation of women is critical to establishing housing rights. But, more about that later.

Today we have reached an historical stage in the development of housing rights here in Belfast. I want to leave you with a little statement which was made by Eleanor Roosevelt in 1948 as they were drafting the Universal Declaration of Human Rights. Obviously she reflected on this and decided to say, 'where do we find human rights, not in Geneva, not in New York' and she said, 'we find it in small places close to home, so small that they can't even be seen on a map. The individual person, the neighborhood, the farm, factory or office where every man, woman and child seeks justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there they have little meaning anywhere.'

And I'll leave you with that. Thanks very much.

**Aoife Nolan:** Do we have time now for just two minutes left on advocacy strategies or perhaps another time would be better for that, it's entirely up to you.

**Inez McCormack:** No, please do.

**Aoife Nolan:** This is just something that I prepared. You have fantastic momentum now. So it's kind of keeping it going and seeing where you might go.

First of all as Padraic was saying there is the issue if you decided to take a legal strategy, going down the legal path. The big problem is of course that they you turn to lawyers and to an extent you lose control of the process but you may find it, in terms of what you get from it, worth your while. But, I can't give you information on that, you would have to consult with different housing rights organizations here who could probably help you.

And, certainly, I would say from experience that I've had – you can't rely on the courts to solve your problems completely. So, you'd have to keep up the non-legal stuff as well. That's what I'd really like to focus on today for you.

The first thing I want to say to you is that I think you have to continue what you're doing. If you keep monitoring the Housing Executive's actions or their complete failure to act in relation to your housing conditions – then you can collect the information as you're doing it and you can use as a kind of lobbying tool, whether nationally or internationally or embarrassing them in the press. That is quite effective seeing as politicians are unusually sensitive to press criticism.

One thing I would say is, obviously, over time and I guess this is the plan, that you'll increase the number of indicators you have or maybe your areas of focus will change. Some of the indicators you have will become less important.

An example would be, once families are no longer housed in the Towers that issue is going to be less pressing and you'll obviously be monitoring it less regularly. You'll focus on other issues. With that said

it's important that the older indicators, like your original set, shouldn't be completely forgotten in case there's a backwards step. You'll need to have the information to be able to counteract any kind of backward step and present that information saying, well, all of a sudden we have two families back on the 3rd floor, what's that about?

I would suggest, and you've already done it, the way the media surrounded the Children's Commissioners visit. You can use the information by giving updates to the media. Perhaps on the progress that's being made and, of course, updates on when the Housing Executive says it will do something. And, then if it doesn't do it the media might be a good way to go as well. But, that would entirely depend on what you felt and what the particular situation was.

I said I don't want to talk about court cases but I am going to, just very briefly, talk about the law. One of the major problems for people living in poor quality housing – not just in Northern Ireland – it's the same down south, it's the same in a whole range of places – is that in Northern Ireland we don't have a law that states everyone has a right to adequate housing, in the sense of international human rights law – this idea of a big expansive right with all these different elements. There are a lot of itty-bitty little protections that may or may not cover all the elements.

One way of addressing this real kind of hole or gap in the law is by campaigning to have a legally enforceable right to adequate housing included in the Northern Irish legal framework. And, one way of doing this would be through a campaign to have that included in the Bill of Rights for Northern Ireland.

As a result of the Belfast Agreement (the Good Friday Agreement) work is being done by a group called the Forum on the Bill of Rights. I don't know if you've heard of it or had any contact with it. Basically, this group are trying to help to build a consensus on what should be in a Bill of Rights for Northern Ireland. What rights you should have specifically in Northern Ireland. What rights aren't as important?

In future there will certainly be opportunities for groups like yourselves to make presentations and to participate in public meetings of the Forum. And, that could be a very useful way for you to put forward evidence of what violations you have suffered, whether they're ongoing or in the past. Also, for making the argument that you should have such a right in law. Your experience shows why it's important that you should have that kind of right in Northern Irish law.

Also, the fact is, 50% of the Forum's makeup are members of political parties. So, you might find yourself with an ear in terms of politicians actually paying attention that you wouldn't necessarily have otherwise. So you can be indirectly lobbying too.

I'm going to finish now. Padraic has talked to you about using the Committee on Economic, Social and Cultural Rights. If you are interested in sending information to that body to use in the hope that they'll go back to the UK government and say, well, actually, this is unacceptable – there's lots of people who can help you with it. And, I'd really encourage you, and I know you're already doing this, make use of groups and contacts. Don't sit there going, you know I just don't know what that's about. There are plenty of people out there who can give you guys the

tools so that you can move that kind of thing forward yourselves.

Anyway, I'm going to just cut it short now because I know we're wildly over time. But, I just wanted to finish again by saying that I really think what you've done is fantastically impressive. You have marvellous momentum and I really look forward to seeing what you get up in the next six months and the next stage.

Thank you very much.

**Inez McCormack:** Could you both just stay there a second? Bruce do you have any comments or questions? Leticia?

Okay, you stunned them all.

Thank you very much and it was very detailed and very helpful. Thank you very much both of you.

Just before I move on to the presentation of the indicators. I was actually going to read out some messages of support. One was from Colin Harvey, the Director of the Human Rights Centre at Queen's, and I think I saw Colin just come in. Yes, I did.

A couple of other people came in after that, Dessie Donnelly, long-term trade unionist in America and Ireland and wherever there's a struggle, you're very welcome.

I didn't say hello and welcome to Bea Campbell, writer and journalist, who has been with us for this project from the very beginning and is doing more than she ever dreamt or meant to and will be involved in doing more before it's over.

So, just to say thank you to all. There are other messages of support in from American Labor Movement, Joe Jamison who was part of President Clinton's four-person team sent over here to work on getting negotiations in the peace process. He worked very closely with us in terms of the equality and human rights provisions so that they would actually be turned into something which were useful to ordinary people and not just useful to get a quick fix in a peace process. So, a strong message of support from him and a commitment from the American Labor Movement to keep going in terms of their support.

A message from the Irish Congress of Trade Unions which is the local TUC giving support. So, there's a mixture of support coming through and it's nearly all from people who actually understand that this is a long term struggle and are amazed and interested and supportive of the work that you're doing to keep it going.

So, that leads me neatly into the next step which is the residents from Seven Towers presenting the indicators they have chosen on their journey now to have their right to housing validated, vindicated and basically sorted out.

# Seven Towers Human Rights Indicators



**Michelle McFarland**  
– Seven Towers Resident

**Michelle McFarland:** Hello. My name is Michelle McFarland, I'm married and I have lived in the Seven Towers for eight years. My two children, Ruairi and Alex, live with me. Because I live on the first floor, the flat is considered suitable for me to live in and I am not awarded any extra points. My daughter, aged three, and my son, aged seven, have to share a bedroom. The Housing Executive say this should not happen when a child is eight years of age. My son is due to turn eight next month.

I was one of the residents who filled in the survey and got involved in the project when a meeting was held to talk about what the next steps were in campaigning for our housing rights.

We held four evening meetings in the Star Neighbourhood Centre to talk about what a human rights based approach is and how we would use it to

address our housing issues – which were highlighted in the resident's survey.

The way we approached it was as follows:

In order to judge if the Housing Executive were meeting our rights, we decided to monitor if things got better or worse for residents over twelve months.

In order to ensure real participation – ie, that residents were deciding how our rights could be made real - we chose the issues we wanted to see improvement on.

The issues we plan to monitor are as follows:

1. Pigeon Waste
2. Families in the Seven Towers
3. Dampness and Mould
4. Drainage and Sewage Problems
5. Residents' satisfaction of NIHE response to maintenance problems
6. Participation and involvement of residents in decisions made about their housing

In May of this year, following the survey, the NIHE informed the local housing forum that they planned to do a major renovation of the flats, which they say will deal with many of the issues listed above. According to the NIHE this work has been scheduled for February 2008 and will last for between four to five years.

This major investment sends a clear signal that, according to the NIHE, the Seven Towers are here to stay. Before we present our human rights indicators, we want to say a couple of things:

Firstly, there is no point looking at the bricks and mortar of the Towers without looking at the human beings and families within the Towers. Any regeneration of the flats needs to address the situation of families in the Towers. To do this, we need real social housing for north Belfast.

Secondly, improvements of the flats were due to take place in 2006 but has been cancelled for a number of years. We're very clear that this commitment has to stay on the NIHE's agenda and what we are doing will assist that.

Thirdly, because work is to begin in February 2008 and won't be completed until 2013 doesn't mean that our children should be forced to play in communal areas stinking with pigeon waste or that it is acceptable that the baths where our children wash themselves are sometimes infected with sewage. My children are entitled to the same rights as other children – and we intend on making sure the Housing Executive and other public bodies act to uphold these rights.

As we run through these indicators you will see, briefly, the human rights standards which cover the issues. For your information, you will find in your packs the more detailed list of human rights standards which the British Government has signed up to relevant to our issues in the Seven Towers.

The first issue we want addressed is Pigeon Waste. We decided that to look at whether our rights were being realised we would measure whether there was pigeon waste behind the ventilated partitions on the landings.

According to our survey, 84% of residents said they noticed the pigeon waste on the windows and in the space behind the partition. This type of repair could be classified as an 'Urgent Repair' and as such should be cleaned within four days.

Given this information we plan on monitoring this on a monthly basis for twelve months to make sure that 100% of the windows are cleaned.

The second issue we chose was to have Families re-housed out of the Towers. Under International Human Rights standards "States recognise the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development" There are a number of experts who say that high rise living is unsuitable for families with young children. This was even admitted by Mr Paddy McIntyre, Chief Executive of the Housing Executive in February 2005, who said in a letter to the Children's Commissioner that "The Housing Executive entirely accepts that this type of accommodation is unsuitable for families with young children."

According to the Housing Executive's statistics, there are, as of May 2007, 48 families including 63 children living in the Seven Towers. In a follow up survey of parents in May 2007, 100% of the parents surveyed (twenty in total) said that they would want to be re-housed out of the Towers.

We are aware that this cannot be achieved overnight. Therefore, we will monitor the number of parents over a twelve month period with a benchmark of 25% reduction of families each quarter.

Okay, that's it done, we're going to the maintenance now.



**Kerry Haddock:** Hi. My name is Kerry and I've lived in the 1st floor flat for the last six years with my two five year old daughters.

The third human rights issue we set indicators for is drainage and sewage problems. According to our survey, 61% of residents reported problems with drainage and sewage. Under International Human Rights standards "An adequate house must contain certain facilities essential for health including...sanitation, site drainage."

Sewage problems could be an emergency repair and the Housing Executive has a responsibility to repair these within 24 hours. On top of this, according to the Housing Executive's 2005 Tenant's Charter 99% of emergency repairs were carried out within 24 hours.

Blocked drains are considered an urgent repair which should be fixed within four working days. According to

the housing Executive, 98% of urgent repairs were carried out within four days.

We therefore plan to monitor this twice throughout the year, at the six and twelve month point, and we want to see this 60% cut down to 30% and then to 5%.

While we do not believe that sewage problems are acceptable at all, and should be sorted out completely, we are being reasonable and accept that accidents and unpredicted events might occur – we have therefore figured this into our benchmarks by not demanding 100% elimination of the problem at a given time.

However, if these incidents are emergency repairs they must be sorted out within the 24 hours. We will monitor this as well.

The fourth human rights issue we plan on monitoring is dampness and mould. According to our survey, 30% of residents reported problems with drainage and sewage. Under International Human Rights Standards "Adequate housing must protect the inhabitants from damp...or other threats to health"

Serious dampness could be classed as an 'urgent repair' to be addressed within four days.

Like the sewage and drainage problems, we will monitor this twice throughout the year, at the six and twelve month point, and we want to see this 30% cut down to 15% and then to 5%.

Again, while we do not think that serious dampness should be acceptable we are being reasonable and accept that accidents and unpredicted events might

occur. However, these accidents that require urgent repairs must be sorted out within the four working days as stated.

Thank you.

**Nadine Morgan:** The fifth issue we chose to address through a human rights based approach is the Response of the Housing Executive to complaints and reported maintenance problems.

According to our survey 88% of those with maintenance problems complained but only just over a quarter at 27% were happy with the response they received. Under international human rights standards "State parties are obligated to ensure that any persons whose rights are violated shall have an effective remedy".

Like the sewage and dampness issues, we plan on monitoring this twice over the twelve months. Throughout this period we want to see satisfaction with responses raised:

- from 27% to 48% after 6 months
- and from 48% to 70% after 12 months.

We believe that this would be a positive improvement – and we also want to say that this is measuring residents' satisfaction with the response not necessarily that problems get sorted at an unreasonable rate. When we surveyed residents a big source of dissatisfaction was simple courteous things like showing up on time, giving proper feedback about what is wrong, giving timeframes within which problems can be sorted, etc.

The last issue we plan on monitoring is the level of resident participation in decisions which affect their housing situation. Under International Human Rights standards "The right to participate in public decision making is indispensable if the right to adequate housing is to be realised and maintained by all groups in society".

According to the Housing Executive, when schemes have been planned, "57% of tenants felt that, overall, they had been well consulted by the Housing Executive."

We asked residents the following question when we did the survey:

"On a scale of 1-10 how much of a say do you have in decisions made by the Housing Executive that affect you?"

58% of residents said it was between 1 and 3.

We want to see this improved over the next twelve months, and we also plan on monitoring this twice during the year – at six months and at twelve months.

After six months we want the percentage of residents saying their involvement is very low reduced from 58% to 34%.

After twelve months we want this reduced from 34% to 10%.

With the Housing Executive proposing a renovation of the flats, this is also a perfect opportunity to involve residents in the decision making process. There should be residents consultation meetings and a process put in place to make sure the renovation

reflects what the resident's need, and this could be a way to begin addressing this issue.

Thank you.

**Inez McCormack:** Those of you who don't come from Belfast, or indeed, Northern Ireland, may not understand this next point. But, you see in the next twelve months – I'd hate to get in your way.

I'd like to ask Bruce to lead off – any questions or comments?

# Panel Feedback and Questions from the Floor

**Bruce Porter:** Thank you very much. That was excellent work in terms of the indicators and the benchmarks. I have to say you're a very reasonable group in terms of the amount of time and the targets that you've proposed seem eminently reasonable. Maybe even somewhat tame given the serious problems that we're dealing with in some of the areas in terms of the response time that would be expected, particularly with sewage backup and so on. I think that you could be even more rigorous in suggesting that these are issues that have to be dealt with immediately. And, given the way this hearing has garnered attention to these issues you might want to suggest that from now on, in the near future, we should be seeing a complete change in the way in which the Housing Executive responds to problems because obviously these need to be addressed very quickly.

I wondered whether you had thought a little bit about the obligation of the Housing Executive itself to start to do the kind of monitoring that has fallen on your shoulders? It's a fair bit for you to have to take on the responsibility for surveying residents and monitoring the outcomes of the changes. Certainly, you'll want to have some sort of independent monitoring that you continue to do. But, I wondered whether you thought about the idea of saying that it's the Housing Executives Responsibility to work with æ

**Nadine Morgan:** Sorry, I don't mean to say the Housing Executive are telling lies it's just that from their work they say 67% of tenants felt that they were well consulted but we found that 58% said that they weren't. So, there's something wrong there.

**Bruce Porter:** I understand. We would not want to leave it up to them on their own to create propaganda information. But, I wondered if they could use the same survey questions and have them administered jointly in a way that would be seen to be monitored and fair. For example, if they had to disclose to you every complaint that they received and to disclose how quickly it was dealt with so that it didn't fall on you to have to only monitor the complaints that you were aware of. There may be others that go in that you're not aware of.

So, I know that that's a longer term transformation of the way in which they operate but it seems that the fact that they haven't disclosed things in good faith – they haven't worked collaboratively with the tenants to monitor the kinds of problems and their ability to respond effectively – it might be worth thinking of more long term changes that could be made so that they are truly operating in a way that is accountable to the residents rather than always trying to hide the fact that they're not responding adequately.

In that light, I was interested in this reference to the Tenant's Charter. I wondered whether there's anything useful in that or whether some of the aspects of what you're suggesting in terms of the changes that are required and the monitoring and oversight could be built into a revised Tenants Charter that addresses these problems and the need for a proper oversight and quicker responses and ongoing assessment of how well they're meeting the targets and whether the benchmarks that you've set are being adequately responded to and so on.

And, developing even more indicators of other people's housing needs. There are going to be other

problems that come along, there are other tenants who are going to have other kinds of complaints. So, I wondered about if the incredibly innovative work that you've done and whether there would be any interest in trying to create a framework within the Tenant's Charter? So that there would be an ongoing obligation on the part of the Housing Executive to work with a body of residents in establishing ongoing benchmarks and targets and responding to new problems as they arise in a way that's so much more transparent and accountable than we've seen to date?

**Leticia Osorio:** I'd like also to congratulate you for this excellent job, all the discussions, your effort to do the survey and to try to concretise the responses into indicators. It was a very nice job.

I would just like to comment a bit about the sixth issue, about the participation and the indicators you are using. I think it's very important to consider the satisfaction of the residents but I'd like to ask you if you are thinking to go beyond this in order to also monitor government accountability?



This means to evaluate the mechanisms that are in place to monitor the Housing Executive. This executive sector is put in place in order to provide you with accountable mechanisms. Because mechanisms could be judicial, quasi-judicial or administrative. But, the point is that they should be accessible, transparent and effective. So this is something that should be also evaluated in this issue of participation.

Also, access to information – how often you get information – does information have a language that is accessible for the residents? And, participation is not only the participation from the residents in relation to the government but also the participation amongst yourselves. In terms of how closely the views and positions of the representatives really reflect those of the community you represent.

So, which internal mechanisms do you have to ensure that all the residents in the Towers are participating in this process? It is important because it is a representative issue.

Going a little bit forward, maybe in the future, the institutionalisation of popular participation should be thought about. If you really would like to continue even if all the problems are solved during the next 12 months – the waste, the dampness, etc. Would you like to continue to participate in the process to discuss housing rights conditions?

So, which mechanisms should be put in place in order to ensure this participation? It's just some issues that I'm raising in order to help you to think further about this issue of participation.

That's it.

**Odindo James Opiata:** I also share Bruce and Leticia's sentiments with regard to the exercise itself. I think that there are two issues involved here. One is the issue of the substance and then the process. I think the very process of involving the community members in undertaking this exercise is, in itself, extremely critical in terms of empowerment.

I do recall also one of the popular exercises that we've been using with a number of the community partners is that of enumeration. Enumeration simply was the exercise that the communities used to get their relevant data relating to the status of who were staying in the informal settlement areas.

And, the very fact that they designed the format and the methodology was, in itself, a very, very empowering exercise. And, I think that you have started very early and I really would like to congratulate you on that. Also, at the same time the realistic measure of the targets I think is important.

Let me also just flag out a few areas that you may wish to still look at. I note that in the entire exercise the only actor that seems to be attracting your attention is the Housing Executive. You may wish to do a further mapping of the relevant actors in this area because that institution may just be a small element in this structure.

And, I'm happy that Leticia has already mentioned another actor that is probably much more important for you purposes because that is one actor that politically has been given the mandate to take the responsibility of being accountable.

Civil servants are technically accountable but the political accountability normally lies with

representatives. So you may also wish to begin to think of other methods and advocacy initiatives that would involve you in working with these other actors – whether it's Parliament or the judiciary – how do you involve the judiciary for instance?

The initial identification of the Housing Executive I think was quite correct. But, you're now moving and you're also noticing that when you come to the responses that you've been getting from the Housing Executive, most of the time you're saying, the response is negative, isn't it? So you are going to ask yourself - will keep going to the Housing Executive and getting the negative responses and making reports?

The advocacy field now is getting wider which is good and it is growing organically because I think the experiences you're having is assisting you to begin to think of the other avenues that are possible. So, it's not academic, it's something that is coming out of your own experiences.

You may also wish to revisit some of the options that you're putting with regard to these indicators. For instance, the issue of the pigeon waste, the issue of the partitions, whether what you want is for them to keep being cleaned or whether there would be a better way of addressing the issue. I don't know, but these are some of the things you may wish to look at.

And on participation, besides what Leticia has also said, the issue of participation has already begun to put a lot of demands on you because there are a number of requirements for participation. Sometimes we get satisfied merely because we have been invited to sit in a forum and have been asked to give our views. And what has been happening of late, is that

the concept of participation now has been taken advantage of by the very same people who have been denying you the participation.

It becomes symbolic participation because participation now, in my view, is linked up to so many things. One of them that has been mentioned is the question of information. Because if you are expected to participate in a particular process, there is certain relevant information that you need to have for you to make informed participation. Even if you attend such sessions ten times, without that information your participation will be absolutely useless, that's one.

Secondly, there is also the necessity to strengthen your own capacity in terms of the knowledge in those areas. If you're now talking about human rights it is no longer just going to be a matter of using it as a ritual. You will be expected, other people who will be engaging with you will be entitled to expect that at least you have the necessary knowledge and skills to engage. Because if you cannot engage you will be there like a chair.

I'll give you a practical example. We have so many instances where we host some UN Headquarters in Nairobi, I don't know if it's Habitat or UNAPO or whatever. Now, what has been happening is that whenever the international meetings are there the bureaucrats have developed a tendency of inviting the local communities.

So, they bus them in there. There are all these international delegates from everywhere. So these guys go there and they are very mesmerised. They spend most of their time maybe just admiring some of the buildings because the language used in not

their language. So eventually they are given cups of tea and maybe lunch and whatever.

Now, eventually when the report comes out, the report will be that this was a highly participatory meeting. We had residents from the slum areas and they were very happy and they took their photographs. Now, for you, you are better than that.

What I'm saying, once you want to get participation don't expect - there are two forms of participation. There is participation by invitation, fairly dangerous because there the terms of engagement have been defined by the other party.

However, there is participation, let me use the crude word, by force in the sense that you'll be recognised as a legitimate and almost indispensable stakeholder. Allow me to use that word just for today. We'll get another word for it. Because the other party will have recognised that you constitute such a constituency and you have already proved that you are such a powerful constituency that to ignore you is politically risky for them.

So, they will not be inviting you because, it has become the buzz word that, okay, you need to invite them, and then you sit down and say, who are the stakeholders and we think the Seven Towers Forum is an important stakeholder.

You go there on your own right but you'll only go there on your own right when you've established yourself as a legitimate actor. You'll only do that when what you're doing at the ground or other levels in terms of advocacy becomes so irresistible that the other party comes to seek you out.

So, I think that this is an area that I'm very happy you've already identified. I would be very happy if we can have some opportunities later on for everyone to exchange their experiences because we are also still having difficulties in it in so many other areas.

All in all I don't think any of us sitting here would be in a position to pass judgement on anything. We can only be able to exchange ideas and then move on.

**Inez McCormack:** The panel have given feedback but I'm going to ask them to also give any other over-all comments. Also, given the fact that we're in good time and given the fact that you've all been sitting there very peacefully would anybody like to make any comments about anything? You don't have to identify yourself but it would be helpful if you did.

**Samantha Park:** Hello, my name is Samantha Park. I'm a solicitor with Housing Rights Service in High Street in Belfast. I found today very interesting and again my congratulations to the speakers, particularly the residents of the Seven Towers and the panel members. It has been really an invaluable experience.

I would just like to say a few things about our domestic remedies here and the remedies available in the Housing Executive's complaints system. I'd just really like to say to people in relation to repairs and homeless applications there is a lot can be done in tandem with what you're doing from an international perspective. Please feel free to contact our advice line. I mean we do have limited resources but we will do what we can if there are cases that we can assist in. That's what we're there for and I would invite people to contact us.

**Inez McCormack:** Okay, thank you very much. Any other comments or contributions?

**Eoin Rooney:** Hi, my name's Eoin Rooney from the Equality Commission. I wanted, first of all, to say that nobody's mentioned, I think, one of the most fundamental causes of many of the housing problems that we've discussed today and that's the privatisation of housing.

Social housing has been run down for decades and that is why we have very directly a massive waiting list for social housing. But, it's also pushed people into the market for housing and we have incredible inflation. Even very well off people are struggling now to find a home.

I think in terms of rights, what that means is effectively the right to profit from housing has superseded the right to access to housing. Speculators and landowners are the big winners in all this and it's people like yourselves who are suffering from it.

In terms of solutions I think there's no doubt that the solutions are very obvious in many cases. Liam mentioned earlier the problem of the high cost of land in north Belfast. Many countries have a provision that allows the state to buy land for less than market value. I think it is in operation now down south and there's no reason at all why it can't happen here.

I'm from the Equality Commission, as I said, and I suppose it's a fair enough question to ask if Section 75 is a solution. My own view is that in itself it's not. It's a process that can be gone through and any conclusion can be arrived at as a tick box exercise. But, what it does mean is that people have to explain

the rationale for their decision and have to provide the evidence for why they have made a particular decision.

I think that's where yourselves and this project comes in because if you're equipped with skills to scrutinise that decision and you are the actual people directly affected by it, you're in a very, very powerful position there. I think as Aoife mentioned earlier you have the potential to embarrass the hell out of anyone who ignores you.

Just one more thing, I might have picked this up wrong, but I think the response to the survey was something like 25% or 30% and just to point out that if people were looking to attack or undermine your data that would be something that they would raise with you. So, just to keep that in mind.

**Inez McCormack:** Thanks Eoin. Any other comments, suggestions?

**Seamus Black:** It was just to do with what Bruce was saying earlier. I took part in a questionnaire that took 45 minutes of my time. The Housing Executive had sent people around to do a questionnaire.



The first question I asked the girl was who wrote the questionnaire? And she told me the Housing Executive. So, I said, well what's the point in me taking part in this here when it's all just answers based on what they want me to answer? I just didn't see the point. Even though I did take part in the survey it was just disappointing to know that it was all just questions that they had set. There were no objective questions with a need to push it a wee bit beyond the border of just having to answer 'yes' and 'no' just to push their own stats up. That's all.

**Inez McCormack:** I think I have Fiona over here, is that correct?



**Fiona:** I'm going to be really quick. It's Fiona from CAJ. Aoife had raised the point about the Bill of Rights being good format for the right to housing. I just want to point out that there are free information packs about the Bill of Rights at the back of the hall and that's all.

**Inez McCormack:** She never misses a trick this one, she never misses a trick. Okay, apart from the commercial plug by the local human rights NGO are

there any other comments or questions? Anybody else want to make any points? I don't want to be 'going, going, gone' but seriously, does anybody want to say anything?

Okay, I've noticed some other people coming in the door there. I'm not going to pick on anybody in particular but I would like to pay a special welcome to Terry Enright who's a community activist of very long standing and the Project is all his fault. We went to him very many years ago and tried to start this and said is this a good idea Terry? He said, and I won't put the expletives in that he said, "it's about \*\*\*\*\* time that somebody did something like this." That's how we got going.

I'm going to ask the panel members now if they have any general feedback they'd like to give or not as they've given quite a lot today, but I'll ask Bruce first.

**Bruce Porter:** Thanks very much. Just to return to the theme of what I would call thinking a bit more broadly from the incredible work that you've done of starting to build from the grass roots towards meaningful human rights accountability of the various actors. For



example, the Housing Executive and our governments and so on.

What's really exciting about the process that you've started on is that you've learned what is working for you and what isn't. And, you've now got so many new levers of power just coming out of today. The kind of clout that Opiata was referring to in terms of people wanting to make sure that your issues are being responded to in that your voice is heard. I think you're going to notice a huge change in the way that you're treated already because of the incredible work that you've done.

So, that opens up possibilities for creating new alliances with other groups that are experiencing marginalisation or whose voices aren't being heard. Getting involved in broader decisions than simply decisions about how quickly an emergency situation is being responded to by an existing structure and thinking a little beyond that, to say, hold on a minute, maybe we've discovered something here? Maybe we've discovered that the structure, the way it is right now isn't working the way it needs to and maybe we need to start to think about what kinds of structures would work.

But, instead of being based on this model of them making all the decisions and violating our human rights we tried turning it around and creating a structure that starts with the notion that we have the right to adequate housing. It's their job to ensure that the right is implemented and realised.

And, now, we need to think beyond how quickly they clean up the mess to how we're going to change the way we design and administer housing so that it

really starts to respect not only our human right to adequate housing but everybody else's.

So, not only have you experienced some really serious problems within your own housing units, you now have unique and valuable insights into what's not working in the housing system and in the governance system that we have. Obviously you have to start as you have. You have to start small and you have to identify the way your rights are being violated. You've already discovered some really critical tools that can be used by using the international human rights that you've learned about. And, you've learned how to develop indicators and you've learned how to set very clear and reasonable targets for solving those problems that you first identified.

But, now it seems to me that all of what you've learned and all this knowledge and power that you've gained can be turned to some broader issues that might have seemed too complex to start out with. Now, I think you can start to see the light at the end of the tunnel in terms of saying, let's think bigger and how could we make sure that first of all we have all the families that are living in inappropriate housing rehoused within a year but then, beyond that. What about getting involved in the development plans for the north of Belfast and making sure that the next generation of family housing responds to the kinds of needs, that you know better than anyone else, to make sure that the next time that high rises or any kind of housing is proposed that they hear from families about what works and what doesn't work for them.

It may be that you can start to consult with other groups as well about new mechanisms. I understand

that relying on the Housing Executive to design a survey and hire somebody to carry it out isn't going to work. But, I think you can start to think about how you could develop and insist on new institutions that will work for you. In other words, isn't just that you have to identify the problems, and you have to do the surveys, and you have to solve that problem, and so on.

You can now think about designing institutions that will meet these needs so that you can then move onto other things. In other words, you don't want the next group of tenants who are living in those high rises to then have to carry out new survey and to monitor the response to what they identify is the problem.

I think you can solve the problem in a bigger way by saying that the way that they're administering the housing without hearing from residents, without ensuring that residents have a meaningful participation, not just consulted, but an effective participation, that if they were to have a survey it should be designed by you. You should over-see it. You would be able to insist that it be monitored in an accurate way.

In other words, I think you have the power now. Particularly, through your politicians to say, we need to redesign the way these decisions are being made. So they start to be made from this basic standpoint that we have a right to adequate housing and that's what everything should flow from.

So the right to adequate housing isn't just a way of solving the problems that they've created it's a way of designing new institutions that start from the

assumption that you have a right to housing and that's how they should be designing housing and that's how they should be administering it.

I think what's so wonderful about the work that you've done is it's starting at the right place and it's moving in the right direction and I'm just really excited, not only by what you've already done, but about the possibility of hearing of where it leads to from here. Thanks very much.

**Inez McCormack:** Okay, you've just got to go on changing the world. Opiata or Leticia?

**Odindo James Opiata:** I must say I'm very excited, in fact, I can't wait to go back! I'm to go home on Saturday but I may bring it forward because most of the context some of us have had with human rights in the Northern Hemisphere has been much more

confined to the litigators and also the intellectuals. Until at some point some of us really thought that there were no serious human rights problems in the north because we are not seeing people who are the victims of the violations.

Honestly, this is the first time that I'm meeting with a group that I can consider to be the group 'down there' that associate with the violations of human rights. To me this is something that is very historic. In my view, I think that it is also maybe an indication that sooner or later the human rights movement is increasingly getting taken away from those who have been dominating it for so long.

They still have a role to play. I have always had this debate with Bruce. I think you still have a role to play. The middle-class and the intelligentsia, you still have a role to play. But, I think that you have occupied a



space that was not yours and people are now coming to reclaim their rightful place because they're the ones who belong there. That to me may be the most historic development in the human rights struggle the world over.

Nobody can be able to predict at this point of time what the implications are going to be but I can begin to see that South America was probably the pioneer. They have strong social movements. Asia is also there, maybe Africa. And, sooner or later, I think, that globalisation will have another meaning. It will not be the globalisation of the international capital as we understand it presently but, probably it's going to be the globalisation of the people from below and nobody knows what that will mean.

So, to me, all I can say at this particular point in time is what I'll try to do next time is actually to try and link this process here with one that we are doing there. So that we begin to disappear from this stage with my colleagues here and maybe the next meeting will be a meeting that will be exclusively organised by you people and we'll come as guests and we'll sit behind there and I'm sure everybody will be very happy.

So, I'm very happy when I go back I'll give a message there, and occasionally I'm very populist but in human rights sometimes it also very important to be populist because you need to mobilise people and that sometimes speaks louder than 100 treatise that can be written by ourselves. We say we are experts but when the force of the people begins to start, experts will always appear with laptops and computers and perhaps we will go to the 10th floor of

our offices, or wherever, to look and check out what is happening down there.

So, I'm very happy and I can only say that I'll encourage you all. And never at any time should anybody be having any doubt that you have to do certain things in a certain way because in this kind of social struggle I don't think that there is only one way of doing things. Perhaps if an expert says you are going to die in two years time, you're going to die. But there could also be a lot of things that you can try.

The issue of context is also very important because you also have to deal with the politics of our own situation and the politics can only be understood by those on the ground. People who come from outside like myself can only be able to talk about certain fundamental principals. When it comes to the real



thing that you have to do it is you, and you alone, because you are the ones who will do an analysis of how the dynamics are on the ground, what are the risks, etc. But, on the whole I must admit I am one very happy African.

**Leticia Osorio:** And, I'm one very happy American. I have the same feeling as Opiata. We were discussing this. This is the first time I've come to a developed country to discuss human rights issues, housing rights issues with communities. Because when we come to these developed countries it's for seminars, conferences and meetings or to do lobbying before the UN in Geneva. So, for me it was a very good surprise to see that this process was a very concrete 'bottom-up' process that you started from concrete needs and then you could achieve and discuss rights and you could involve your own community on these debates.

And, I think you have a long way forward not only to address these six points you chose as the most important for you to be addressing at this moment because these are the real necessities but, you see that as much as you go further you'd like to achieve more and more things.

So, it's very important to build new alliances, to identify the actors not only the actors that are duty bearers but also actors that can support your initiatives, locally, nationally or internationally, in terms of exchanging experiences. And, built on your own experience, this is important.

Another thing is to build on your own capacity. You had training on housing rights maybe if you engage in discussions of policy making or budget analysis. You

need to get more information and to be more informed about this issue to really have a meaningful participation. So, training and education is important so that you can identify your own needs and look for who can provide you the support.

Another thing is to engage in strategic planning. Trying to foresee, identify, and anticipate some scenarios that will come up from the government in order to be prepared. Even if they are positive or negative responses because maybe if you don't achieve your needs, you will need to engage in other strategies, judicial, quasi-judicial.

So, it's a long way forward but I see you are really prepared because you started in a very correct way that was based on your community and consideration of your necessities as rights and not things that should be requested from the government.

So, I am also very happy to be here and I learned a lot. This shows that human rights is a global issue and it's not only an issue for the poor counties but actually is an issue of all the poor communities in all countries. That's it.

# Chair closes

**Inez McCormack:** Thank you very much.

It's been a very thoughtful, funny, good day, hasn't it? I'd like to speak on behalf of the residents, for the first and only time, but I think I speak for them and of all of us involved in the Project and say thanks to the panel members. They have travelled thousands of miles to come here to affirm your human rights, your ability to stand up for them and to offer support, God help them, Bruce knows better than any of the rest of them that once you come here and we get you, we'll never, ever let you go.

But, I think could I ask all of you to thank the panel members.

And I think I speak now on behalf of the Project and on behalf of the panel members and all of you who

have come here today to listen and to learn in saying that I don't think thanking the residents is appropriate. I think it is honouring the work that you have done to stand up for yourselves and others who are not here. You know yourself that standing up against what is wrong takes just that bit extra effort when you're tired, a bit extra emotion when you don't think you've got it. And, when you do it and other people are looking at it, it's a question of them believing that it's possible as well. That's the biggest contribution you have made, that people can believe that you can stand up against what is wrong.

I think all the panel members have identified that this journey you have embarked on now, and these indicators that you have set, that you won't end the journey there. What you've done is set indicators



against what is wrong which inevitably moves into setting indicators about what is right.

So, on behalf of all of us it's a privilege and thank you.

The next bit they're going to hate. I've been warned by Oonagh who is the Project Manager that if I go into my normal eulogies about the staff they will all just quietly disappear.

But, I think again that I'm speaking for the residents, in commending the staff who are working for the project: Oonagh, Avril, Nicola, Stephanie, Dessie, Maeve, and Tom. All of the staff who are working for the project have a number of things in common, they're quiet, they're self-effacing and are quite deadly, on the whole.

In a sense that is why they see their job as actually not, if you like, speaking for you, but enabling you to find ways to speak for yourselves. I speak as somebody who chairs the project, I speak on behalf of the over-all managing group which involves the human rights NGO's on the island, the anti-poverty organisations on the island and the Irish trade union movement. We owe a great debt to young staff who believe that we can put our principals into action. So, I'd like to thank them.

Nicola used a phrase that has to me become very important in all of this work. I think Aoife and Padraic picked it up as well, and I thank them for their evidence and Tim who did it in his own inimitable way, as only Tim can. That is to 'demystify'.

In a sense the huge job that I think the work of both the staff, but also the people like Padraic and Aoife

and Tim who give evidence, and specifically Nicola who gave evidence but also in her work that she does every day, is this demystifying of the language which hides the fact that it's all about power, who holds it, who hasn't got it and how do we reconstruct those relationships.

And frankly, all of this is not rocket science, it can actually be done. So that's a huge step forward in terms of the work of the Project and we look forward to going even further. So, all of the rest of you who have come here today and have been supporting us, and I'm looking at Noleen and others, thank you for doing it.

We're not going to say where we're going to go from here because the residents have set their indicators for change and that our job is to support them and create the alliances that move this forward. Also move forward the positive work. What's actually going to happen now is the panel will actually meet tomorrow to have a discussion and reflect on what they've done and give some advice to us and to give advice to the residents about how we can move forward. And then the residents will reflect and we will reflect on how to make the next steps work.

Thank you.

# Appendix 1

## Biographies of panellists and speakers:

**Bruce Porter** is a human rights consultant, researcher and advocate for poor people's human rights in Canada and internationally. He is the Director of the Social Rights Advocacy Centre and the Co-ordinator of the Charter Committee on Poverty issues, (CCPI) a national committee of low income advocates and human rights experts dedicated to promoting and defending the rights of poor people in Canada. He is currently co-directing a five year research programme in 'social rights accountability,' funded by the Social Science and Humanities Research Council Community University Research alliance. The project brings together five universities and five NGOs across Canada to consider ways of ensuring effective participatory mechanisms through which affected constituencies can hold governments accountable to social rights.

Bruce has represented claimants in a number of precedent-setting human rights cases in Canada, challenging systematic discrimination against poor people and other disadvantaged groups in housing. Bruce has also spearheaded important initiatives at the UN Committee on Economic, Social and Cultural Rights for more effective NGO participation in periodic reviews.

Bruce has published a number of articles on social rights, poverty and housing, including a chapter on the right to adequate housing in Canada for the forthcoming book National Perspectives on Housing Rights. He has recently provided expert evidence in a number of important cases in Canada dealing with social and economic rights and discrimination against poor people.

Bruce gave the keynote address at the Participation and the Practice of Rights Project conference in

March 2004 "Making connection – owning outcomes' in the Carrickdale Hotel, Co. Louth.

**Mr. Odindo James Opiata** (LLB and Advocate of the High Court of Kenya) is the Director of Hakijamii Trust, a national human rights organisation working on economic and social rights advocacy with grassroots organisations. The Hakijamii Trust has assisted in the formation of two coalitions of grassroots organisations in Nairobi and Kisumu, the largest and third largest cities in Kenya respectively.

Mr. Opiata works to promote land and housing rights, and to guarantee the right to adequate housing for the urban poor in particular. He has litigated on Economic, Social and Cultural Rights at a national level over the past five years. Recent campaigns include the mobilisation of 1,000 slum dwellers to file an application at the High Court. He also facilitated a campaign called the 'One Million and One', whereby signatories expressed their support for the constitutional review process. He writes that such actions have "once again reaffirmed my faith in people's power."

**Leticia Osorio** (MA) is a Brazilian lawyer active in housing rights issues for more than 15 years. She has a Masters in Regional and Urban Planning and is currently doing her Doctorate in Human Rights Law at the University of Essex, UK. She has worked with the Governments of the City of Porto Alegre and the State of Rio Grande do Sul, Brazil, the latter of which has gained international recognition for its progressive social policies and effective engagement with disadvantaged communities. She is the legal officer of the Americas Programme and a regional researcher of the Centre on Housing Rights and Evictions (COHRE). As member of the United Nations Advisory

Group of Forced Evictions she has worked with States, non governmental organizations and social movements to prevent evictions and mediate land conflicts worldwide.

**Inez McCormack** is chair of the North/South Participation and Rights Project. She is also joint chair of the Irish North/South Health Services Partnership. This brings together unions, employers and user groups in developing a model of collaborative partnership working to integrate equality and quality in delivery of effective health outcomes and to reduce health inequalities. Inez was the first woman to hold the post of President of the Irish Congress of Trade Unions. She has thirty years experience in the labour union and human rights movements as an activist and a campaigner. She has received a number of national and international awards in recognition of her 'outstanding contributions to the causes of human freedom and dignity'. She says the ones that mean most to her are the Aisling Community Award as Person of the Year (2001) and the Inclusive Ireland Award in 2002. Inez is a well-known broadcaster and writer and has contributed to 'Being Irish' (2000), and 'Truth, Justice and Reconciliation', (2002) among others. Her writings were chosen for inclusion in 'The Field Day Anthology of Irish Writing' (2002).

**Nadine Morgan** is a resident of the Seven Towers.

**Catherine McLaughlin** is a resident of the Seven Towers.

**Michelle Maxwell** is a resident of the Seven Towers.

**Michelle McFarland** is a resident of the Seven Towers.

**Kerry Haddock** is a resident of the Seven Towers.

**Liam Wiggins** is Chairperson of the New Lodge Housing Forum and Seven Towers Residents' Committee. He is also Chairperson of the St Patrick's and St Joseph's Housing Committee, an umbrella body for housing groups in lower nationalist north Belfast. Liam lived in the Seven Towers for 11 years and brought up his two children there.

**Tim Cunningham** is the Equality Project Worker with Committee on the Administration of Justice in Belfast.

**Nicola Browne** is a Policy and Research Officer with the Participation and Practice of Rights Project in Belfast.

**Dr Aoife Nolan** (LLB, PhD) is Assistant Director of the Human Rights Centre at Queen's University, Belfast. She has previously worked as a Senior Legal Officer with the Economic, Social and Cultural Rights Litigation Programme at the Geneva-based Centre on Housing Rights and Evictions. She is Coordinating Editor of the Housing & ESC Rights Law Quarterly. In addition to other activities, she is a Research Associate with a Think Tank for Action on Social Change (TASC), Ireland and is involved in their Democracy Audit Ireland Project. She has also served as a Council of Europe Expert. During the course of her studies, she was a Visiting Research Fellow at Columbia University School of Law, New York, a Thomas Addis Emmet Fellow in Public Interest Law at the University of Washington, Seattle, and spent time as a Visiting Student at the University of Cape Town. Her primary areas of research are economic and social rights, children's rights, international human

rights law, public interest law and comparative constitutional law.

**Dr Padraic Kenna** is a lecturer at the Faculty of Law, National University of Ireland, Galway. He is a graduate of the School of Law, University of Warwick UK, and was awarded a Ph.D. at N.U.I in 2002 based on his thesis on Housing Rights within International Human Rights Instruments.

Dr. Kenna is chairperson of the FEANTSA Expert Group on Housing Rights and has worked with housing and other NGOS for some 14 years in an advocacy role and in the development of social housing. Dr. Kenna is also a member of the Disability Law and Policy Unit at NUI, Galway.

He has written *Housing Rights and Human Rights*, published in English by FEANTSA in 2005, and in Spanish by Prohibitage in Barcelona in 2006. His most recent book *Housing Law and Policy in Ireland* (2006) offers a critique and examination of housing law and policy in Ireland, within a globalised society.

His Housing Law and Policy course at NUI, Galway, based on the book, is video-conferenced live to advocates, activists and tenants organisers attached to Ballymun Community Law Centre Dublin.

# Appendix 2

## Messages of Support



**SIPTU**

E-mail: [genpres@siptu.ie](mailto:genpres@siptu.ie)

*Office of the General President*

*Jack O'Connor*

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Head Office: Liberty Hall, Dublin 1. Tel: (353) 01 8586362 Fax: (353) 01 8749466 [www.siptu.ie](http://www.siptu.ie)

12 June 2007

Ms Inez McCormack  
PPR Project Chair  
**Participation and the Practice of Rights Project**  
54 York Street  
Belfast BT15 1 AS

Dear Inez

We learned with interest of the Evidence Hearing on the Right to Housing promoted by your Project.

We strongly support this innovative initiative which provides concrete expression to the rights based approach to housing, and hope the initiative will expedite the realisation of the legitimate aspiration of the residents from the Seven Towers to decent housing.

Yours fraternally

**Jack O'Connor**  
**GENERAL PRESIDENT**

/MD



**REALIZING RIGHTS**  
THE ETHICAL GLOBALIZATION INITIATIVE

Evidence Hearing on the Right to Housing

I was very pleased to learn that there will be a hearing at the Indian Community Centre on June 13<sup>th</sup> on the Right to Housing. I recall my visit to the Centre as President, and I am sure it will be a very good venue for such an historic meeting.

I call it historic because it is not easy to take the language of a right to adequate housing and make it practical and operational on the ground. I commend the residents of the Seven Towers for doing the training with the PPR Project on confidence building, human rights, action research and practical strategy training. Now I hope that the Evidence Hearing on the Right to Housing will enable the residents to present in the clearest terms how their right to adequate housing has been denied, and how they plan to monitor the government response.

You have a great panel of experts, and I hope the event will be successful and stimulate other hearings of this kind.

Congratulations to all concerned,

Best regards,

**Mary Robinson**

# IMPACT

*Serving those who serve the public*

Nerney's Court, Dublin 1.  
Telephone: +353-1-8171500 Fax: +353 1 8171501/2/3 www.impact.ie  
General Secretary: Peter Mc Loone

12 June, 2007

Ms. Inez McCormack,  
Chairperson,  
PPR Project,  
54, York St.,  
Belfast BT15 1AS.

Dear Inez,

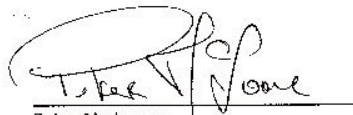
Thank you for the invitation to attend the Evidence Hearing on the Right to Housing.

Unfortunately I have to travel to Geneva that day and regret very much that I cannot attend in person to express my wholehearted support for the campaign for adequate housing for the residents in the Seven Towers.

The Congress is convinced that the Human Rights based approach will ultimately compel Government not just to respond to the problem, but to do what is morally right and fair. Eliminating social and economic inequality can only be of benefit to everyone in the community.

Best wishes and be assured of my ongoing support.

Yours sincerely,



Peter Mc Loone  
President  
Irish Congress of Trade Unions

Inez McCormack  
PPR Project Chair  
Unit 39 North City Business Park  
Duncairn Gardens  
BELFAST 15

**Via e-mail**

11 June 2007

Dear Inez

**EVIDENCE HEARING ON THE RIGHT TO HOUSING**

It is with the greatest of pleasure that I extend solidarity greetings from UNISON to the participants in this ground breaking initiative.

UNISON is particularly proud to have been involved, from the outset, in the Participation and Rights Project. To now see it as a fully functioning rights-based initiative which brings together the commitment and resources of local communities, trade unions, community and voluntary groups and NGOs, gives us all a great sense of satisfaction and hope for the future.

The issue of social housing being addressed at this hearing is also of particular significance to us as union committed to promoting equality of opportunity, to tackling discrimination and to delivering public services on the basis of objective need.

We will, of course, have UNISON members and activists present at the hearing. I also understand that the Rights and Participation Project, in return, is holding a reception and cultural evening in our new UNISON Regional Centre in North Belfast. I take this opportunity of offering the participants our full hospitality. In the UNISON Centre, you will be our guests.

With best wishes,



Dave Prentis  
**GENERAL SECRETARY**



6 June 2007

Dear Inez

**PPR PROJECT – HOUSING HEARINGS, NORTH BELFAST**

On behalf of ICTU I want to congratulate the PPR Project and the local communities in North Belfast for undertaking this significant initiative which may finally result in the local citizens being accorded their rights.

I particularly want to commend their vision in securing an international panel, of such high standing, for the event.

ICTU views the PPR Project as one of the most exciting and effective ventures we have endorsed, bringing together an effective alliance of local communities, trade unions, community activists and NGOs on a rights approach. We fully believe that this is the most effective model for holding government and public service providers to account and for delivering long term and sustainable change based of equality and human rights.

We will be in attendance at the hearings and look forward to participating in the event.

With best wishes

Yours sincerely

**PATRICIA McKEOWN**  
Vice President  
Irish Congress of Trade Unions

*“The Northern Ireland Committee of the Irish Congress of Trade Unions wishes PPR every success in its endeavours, in co-operation with local communities, to achieve adequate social housing as a basic human right.”*

**- Peter Bunting, Assistant General Secretary, ICTU**

*“This Panel Hearing on the right to housing is a timely and welcome event. You have arranged a distinguished Panel and you are all to be congratulated for this significant initiative. It is easy to talk about social and economic rights in the abstract. It is harder to make these standards real for the individuals and communities who need human rights most. By bringing residents and international experts together this Panel hearing will promote an agenda for genuine change. We should judge human rights law on the difference it makes. You are helping to make the change happen.”*

**- Professor Colin Harvey, Director, Queens University Belfast Human Rights Centre**

*“Though no one from our committee can be present at your upcoming hearing, please accept our best wishes for it’s success in challenging social and economic inequality and deprivation.”*

**- Joe Jamison, Director, Irish American Labor Coalition**

# Appendix 3

## Summary of 'Evidence Hearing on the Right to Housing' Evaluation Forms

### **What did you feel was the best aspect of this event?**

The majority of the participants cited the contributions from the Seven Towers residents speaking about their own issues as the best aspect of the event. The films shown on the day were also given special mention.

### **What did you feel was the worst aspect of this event?**

Some participants felt that background noise was distracting for them during the Hearing and mention was also made of the lack of information from the NIHE.

### **What were your expectations of this event and to what extent where they met?**

Expectations of the event were varied and included learning about how a community was using rights to tackle their housing issues, information on the human rights based approach, and learning about social housing and regeneration issues in North Belfast. All participants said their expectations had either been met or exceeded.

### **Have you been able to take anything from the event of use to you in your work?**

The continuing need to struggle and push forward on issues, the importance of grassroots participation when tackling issues and information on human rights indicators were all mentioned. Many answered that the event had helped them understand what a Human Rights Based Approach should look like in action.

### **How would you rate this event overall, and how might it have been improved?**

Almost all participants rated the event as excellent. Ideas for improvement included having more opportunity to participate and engage with the panel and residents, and hearing from the NIHE.

### **Any additional comments**

The contributions from the residents were again mentioned as a highlight, and many wished to be kept up to date with the group's progress. Many participants wished the residents luck and the organisers of the event were thanked.

# Appendix 4

## Evidence Hearing on the Right to Housing

### Attendance List

Gemma Attwood  
Maggie Beirne  
Seamus Black  
Noeline Blackwell  
Peter Boyd  
Nicola Browne  
Bea Campbell  
Mandy Cochrane  
Jennifer Cornell  
Tim Cunningham  
Peter Day  
Avril Dennison  
Dessie Donnelly  
Desmond Donnelly  
Billy Drummond  
Terry Enright  
Seamus Flynn  
Cecilia Forrestal  
Aideen Gilmore  
Chrissie Gilmore  
Stephanie Green  
Grey Bailey  
Kerry Haddock  
Kevin Hanratty  
Noleen Hartigan  
Prof Colin Harvey  
Fidelma Joyce  
Oonagh Kane  
Roisin Kelly  
Gerry Kelly MLA  
Prof. Padraic Kenna  
Gillian Kernan  
Danny Lavery  
Melissa Lynas  
Thomas Mahaffey  
Michelle Maxwell  
Claire McCann

NI Community Relations Council  
CAJ  
Seven Towers  
Free Legal Advice Centre  
Peter Boyd Consulting  
PPR Project  
  
Upper North Belfast CEP  
Greater Shankill Alternatives  
CAJ SPEAKER  
CFNI  
PPR Project  
PPR Project  
  
Greater Shankill Alternatives  
Equality Coalition  
Markets Development Association  
Community Action Network  
CAJ  
Simon Community  
PPR Project  
Amnesty International Irish Section  
Seven Towers  
Human Rights Consortium  
Amnesty International Irish Section  
Human Rights Centre QUB  
Irish Human Rights Commission  
PPR Project  
Seven Towers  
Sinn Fein  
NUI Glaway SPEAKER  
FLAC  
Sinn Fein  
Greater Village Regeneration Trust  
UNISON  
Seven Towers  
QUB Student

Elaine McCarthy	Health Action Zone
Siobhan McGeown	An Munia Tobar
Marianne McKeown	CAJ
Harold Rodrigez	CAJ
Fiona MacConackie	NIHE
Anne Moore	Save the Children
Liam McAnoy	Community Conventions
Gerard McCartan	PIPS
Carol McCartan	PIPS
Sally Stitt	PIPS
Kate Brown	PIPS
Inez McCormack	PPR Project
Janet McKay	PR Consultant
Seaneen McKee	Seven Towers
Patricia McKeown	UNISON
Catherine McLaughlin	Seven Towers
Nadine Morgan	Seven Towers
Therese Moriarty	
Frank Murphy	Ballymun Law Centre
Fiona Murphy	CAJ
Maeve Ni Liathain	PPR Project
Dr. Aoife Nolan	QUB SPEAKER
Ann O'Neill	Tar Isteach
Odindo Opiato	PANEL MEMBER
Leticia Orsorio	PANEL MEMBER
Samantha Park	Housing Rights Centre
Padraic Quirk	Atlantic Philanthropies
Bruce Porter	PANEL MEMBER
Eoin Rooney	Equality Commission
Brian Schrottenboer	FLAC
Tommy Valente	Star Neighbourhood Centre
Margaret Valente	Star Neighbourhood Centre
Liam Wiggins	New Lodge Housing Forum
Sarah Toucas	Centre for Conflict Research
Alex Scates	NIHRC
Martin Neil	
Frances Dowds	Northern Ireland Anti Poverty Network



