

## **Response to The Homeless Persons (Unsuitable Accommodation) (Scotland) Amendment Order 2017 – review of time spent in unsuitable accommodation**

Crisis welcomes the opportunity to respond to this consultation reviewing the length of time that homeless people can spend in unsuitable temporary accommodation.

Our comments focus primarily on questions 5 and 6 of the consultation (other matters for consideration and the equalities impact assessment).

Crisis supports the intention to reduce the use of unsuitable temporary accommodation for homeless households in Scotland. We believe that no one should be in unsuitable accommodation, for example, without access to adequate toilet, washing and cooking facilities and that is not useable for 24 hours a day, except in emergencies. We want to see parity in law between single households and families.

We welcome measures to ensure that families are not in unsuitable accommodation for extended periods of time, and note that since 2014 there have only been four recorded breaches of this legislation.

However, there are around 1,000 households in bed and breakfast accommodation at any one time (the only form of unsuitable accommodation separately recorded). Because of the legislation protecting families, these households are entirely single households. Crisis works with many people who have been in bed and breakfast accommodation for over a year, without access to basic facilities.

In the past year there has been a 6% increase in the use of bed and breakfast (B&B) accommodation<sup>1</sup>. This is in the context of a 3% increase in the use of temporary accommodation across Scotland.

Many local authorities have either eliminated or reduced their use of B&B accommodation. Earlier in 2017 Crisis held a roundtable meeting to look at this issue involving a number of local authorities earlier in 2017. There was consensus around those present that ending the use of unsuitable temporary accommodation for homeless households is achievable. Just a handful of local authorities regularly using B&B, and the recent rise is almost entirely accounted for by rises in Edinburgh (23%, or an additional 84 households) and East Lothian (33% rise, or 19 households).

While it is important to prioritise the needs of homeless children, we would not want a focus on further improving the rights for homeless families to dilute a focus on the

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<sup>1</sup> Scottish Government (2017) Homelessness in Scotland 2016/17

needs of households without children, who make up 72% of homeless households. It was right to focus initially on families when the legislation was first introduced 13 years ago, but by continuing the distinction between families and single households in our homelessness legislation, we undermine the principle which led to the abolition of priority need in the first place.

We are surprised at the amount of focus within the consultation on the business impact of the regulations, without corresponding attention to the impact on homeless people. In relation to this order, bed and breakfast businesses are filling a gap caused by system failure. However as there have been virtually no breaches of the 14 day rule in recent years, we believe the impact on B&B businesses of this change should be minimal.

Crisis believes this order should be scrutinised in Parliament to examine the issues faced by people using unsuitable temporary accommodation, whether families or single households.

Crisis wants to see the law changed so that no one in Scotland is housed in unsuitable accommodation except as an emergency.

For more information please contact Beth Reid, Senior Policy Officer, Crisis, Tel: 0131 209 7726, Email: [beth.reid@crisis.org.uk](mailto:beth.reid@crisis.org.uk)