

Making the right to housing real in Newcastle

How can Newcastle City Council implement the internationally recognised right to adequate housing to end homelessness?

(Part of NCC-Crisis partnership and evidence review to end homelessness in Newcastle)

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1. Introduction, background and method

In June 2019, Newcastle City Council and Crisis announced a partnership “to end homelessness across the city within 10 years.”¹

In April 2020, the City Council and Crisis launched an Evidence Review “to inform the development of the partnership’s strategy for ending homelessness in Newcastle.”² The Evidence Review aims to understand the scale and nature of homelessness in the city, the effectiveness of existing responses, the drivers of organisations and professional behaviour, and the necessary changes to achieve the declared goal of ending homelessness within a decade.

For the purposes of this partnership, Newcastle City Council and Crisis define “ending homelessness” as:

- No one sleeping rough.
- No one forced to live in transient or dangerous accommodation such as tents, squats and non-residential buildings.
- No one living in emergency accommodation, such as shelters and hostels, without a plan for rapid rehousing into affordable, suitable and sustainable accommodation.
- No one homeless due to leaving a state institution such as prison or the care system.
- Everyone who is immediately threatened with homelessness gets the help that prevents it from happening.
- Everyone known to be at greater risk of homelessness due to affordability or vulnerabilities is proactively targeted with advice and support to reduce the possibility that they become threatened with homelessness at an earlier opportunity than 56 days.³

The Evidence Review has six elements, five of which were implemented in 2020 and the first half of 2021. Element 1 analysed frontline perceptions of homelessness provision and associated services operating in Newcastle, based on evidence gathered from semi-structured interviews, focus groups and team observations with 69 people. Element 2 consisted in participatory research with 37 local residents, approximately half of whom had experienced homelessness or were at had been at risk of homelessness at some point in their lives. Element 3 analysed current expenditure on homelessness provision and associated services. Led by Newcastle City Council, Element 4 is an ongoing analysis of the levels, types and causes of homelessness in Newcastle, with the view to improve data collection locally. Element 5

¹ Crisis, “[Crisis and Newcastle City Council join forces to end homelessness across the city within 10 years](#)” (20 June 2019).

² Crisis, “[Crisis and Newcastle City Council launch Evidence Review of homelessness within the city](#)” (24 April 2020).

³ Crisis and Newcastle City Council, “[Ending homelessness in Newcastle – a partnership between Newcastle City Council and Crisis](#)” (April 2020), Overview Document, p. 1-2.

analysed UK Government's policies relating to homelessness and their impact in Newcastle, seeking to update the findings of the Heriot-Watt University report from 2019,⁴ particularly in light of the Covid-19 pandemic. Element 6 will take place at a later date; it will focus on public perceptions of homelessness among the general population in Newcastle in order to better understand how to develop public support to end homelessness.

This paper relies on the finding of Elements 1-5 of the Evidence Review, as well as the Heriot-Watt University report and other documentary sources. The purpose of this paper is to **analyse what a human rights-based approach to homelessness may mean for Newcastle**, connecting such evidential basis with human rights framing and standards. The paper interrogates how Newcastle City Council can implement the **right to adequate housing locally**. On the basis of the Evidence Review, the paper looks at **current practice and desirable future scenarios, bearing in mind resource-related limitations affecting public authorities in general, and local authorities in particular**.

This paper uses the definition of the right to adequate housing in international human rights law. The UK has voluntarily signed and ratified a number of international human rights treaties in relation to social rights, including the right to adequate housing. The most important of these treaties is the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR). ICESCR has not been incorporated into UK law, and therefore it is not directly enforceable in court. However, ICESCR and other human rights treaties are binding on all public authorities, including local authorities, in accordance with international law.

Newcastle City Council is demonstrating a high dose of audacity and commitment by embracing a human rights-based approach to housing. Creating the material conditions for the fulfilment of all human rights, including the right to adequate housing, is a collective task that should concern everyone in society. This includes public and private actors, particularly when private actors receive public funds. One of the principles of social rights, as recognised in international law, is that compliance needs to be assessed and tracked in light of available resources.⁵ Years of austerity have resulted in diminishing resources available to local authorities, and Newcastle City Council has been particularly affected. Yet, the evidence will show that the City Council has achieved remarkable results despite the limitations.

Alongside Elements 1-5, this paper aims to contribute towards an evidence-based plan to end homelessness and make the right to housing real in Newcastle. This paper is divided in three sections. Next section presents the right to adequate housing as recognised in international law. Then, the paper focuses on four of the human rights principles and criteria of adequacy that are particularly relevant when analysing local policy and practice to end homelessness: the mobilisation of available resources, provision of alternative housing, issues of accessibility for particularly vulnerable groups, and active participation of civil society and people with lived experience of homelessness. Finally, the paper presents a series of conclusions and recommendations to realise the right to housing in Newcastle and cultivate a culture of rights locally.

2. The right to adequate housing: From international law to local practice

⁴ Beth Watts, Glen Bramley, Janice Blenkinsopp and Jill McIntyre, [*Homelessness prevention in Newcastle: Examining the role of the 'local state' in the context of austerity and welfare reform*](#), (I-SPHERE/Heriot-Watt University and Newcastle City Council, 2019). – Hereafter, “Heriot-Watt University report, 2019.”

⁵ Article 2(1) [ICESCR](#).

Adequate housing is recognised as a human right in international law. Article 25 of the 1948 Universal Declaration of Human Rights proclaims in its first paragraph that “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

The right to adequate housing is part of the of the right to an adequate standard of living. It is recognised in a number of international treaties, including Article 11(1) of the International Covenant on Economic, Social and Cultural Rights, Article 27(4) of the Convention on the Rights of the Child, Article 5(e) of the International Convention on the Elimination of All Forms of Racial Discrimination, and Article 14 of the Convention on the Elimination of All Forms of Discrimination Against Women. All of these treaties have been signed and ratified by the UK, and therefore the country needs to abide by them in good faith as a matter of international law.⁶

The European Committee of Social Rights monitors States’ compliance with the European Social Charter, in its different versions and with its additional protocols. The 1961 European Social Charter was also voluntarily subscribed by the UK. Among other things, the European Committee of Social Rights has established that the legal, social and economic protection of families includes the adequate provision of housing, which extends to security from unlawful evictions or where the rights of the persons concerned are not being sufficiently protected.⁷

The right to housing is closely linked with the right to private and family life, and the corresponding right to home, proclaimed in Article 8 of the European Convention on Human Rights, and Article 17 of the International Covenant on Civil and Political Rights, both of them binding for the UK. In interpreting this provision, the UN Human Rights Committee has established that the prohibition of “arbitrary interference” with the enjoyment of one’s home “is intended to guarantee that even interference provided for by law should be in accordance with the provisions, aims and objectives of the [International Covenant on Civil and Political Rights] and should be, in any event, reasonable in the particular circumstances.”⁸

Similarly, the European Court of Human Rights has recognised that the right to private and family life “concerns rights of central importance to the individual’s identity, self-determination, physical and moral integrity, maintenance of relationships with others and a settled and secure place in the community.”⁹ “The loss of one’s home is a most extreme form of interference with the right to respect for the home. Any person at risk of an interference of this magnitude should in principle be able to have the proportionality of the measure determined by an independent tribunal.”¹⁰

Public authorities are expected to make use of the “maximum of available resources” at their disposal “with a view to achieving progressively the full realisation” of the right to adequate

⁶ Articles 26 and 27 of 1969 [Vienna Convention on the Law of Treaties](#).

⁷ European Committee of Social Rights, [European Roma Rights Centre v Greece, Collective Complaint No 15/2003](#), Decision on the Merits of 8 December 2004, para. 24 and 51.

⁸ UN Human Rights Committee, [General Comment No 16: Article 17 \(Right to Privacy\), The Right to Respect of Privacy, Family, Home and Correspondence, and Protection of Honour and Reputation](#), UN doc. HRI/GEN/1/Rev.1 at 21 (1988), para. 4.

⁹ European Court of Human Rights (ECtHR), [Connors v United Kingdom](#), Application No. 66746/01 (Judgment of 27 May 2004), para. 82.

¹⁰ ECtHR, [McCann v United Kingdom](#), Application No. 19009/04 (Judgment of 13 May 2008), para. 50.

housing and other social rights.¹¹ Public authorities bear the responsibility to prove that they are putting in place the most “appropriate” policies, and allocating their resources in the most strategic way, in order to fulfil the right to adequate housing progressively.¹² There is an expectation that they will “move as expeditiously and effectively as possible towards” the improvement of the enjoyment of the right to housing among the population; consequently, it is presumed that deliberate retrogressive measures in principle are not in compliance with social rights.¹³ To comply with human rights standards, austerity-inspired policy adjustments ought to be temporary, necessary and proportionate, adopted after meaningful engagement with people most affected by them, must not be discriminatory, mitigate inequalities and ensure that the rights of the most disadvantaged people are not disproportionately affected.¹⁴

Housing is much more than a roof over one’s head, and much more than a mere commodity. Housing, as observed by the UN Committee on Economic, Social and Cultural Rights (CESCR), “should be seen as the right to live somewhere in security, peace and dignity.”¹⁵ The CESCR has identified seven criteria to determine the “adequacy” of housing: a) Legal security of tenure, including protection from forced evictions, irrespective of the type of property and tenure (homeownership, lease, informal settlement, etc.); b) Availability of services, materials, facilities and infrastructure, including access to natural and common resources, all of which is essential for health, security, comfort and nutrition; c) Affordability, including protection from unreasonable rent levels and increases, so as not to compromise or threaten the attainment and satisfaction of other essential needs and rights; d) Habitability, in terms of protection from cold, damp, heat, rain, wind and other threats to health and safety; e) Accessibility, paying particular attention to the requirements of groups and individuals at greater risk of harm, disadvantage and discrimination; f) Location, allowing access to employment, healthcare services, schools, transport and other facilities, bearing environmental conditions in mind; and g) Cultural adequacy, using materials and tools that recognise and express appropriately the cultural identity and diversity of the population.¹⁶

Before an eviction is executed, public authorities must ensure that nobody will be rendered homeless or vulnerable to human rights violations as a result of the eviction.¹⁷ As part of this general duty, public authorities must adopt reasonable measures to provide alternative housing solutions for people who may need them, solutions that must meet the requirements of adequacy listed in the previous paragraph.¹⁸ In exceptional circumstances, temporary accommodation can be necessary, but public authorities must ensure that temporary accommodation does not put personal safety at risk, does not become a long-term solution, respects the right of family members not be separated, and guarantees privacy reasonably.¹⁹

¹¹ Article 2(1) ICESCR.

¹² UN Committee on Economic, Social and Cultural Rights (CESCR), [General Comment No. 3: The nature of States Parties’ obligations](#), UN doc. E/1991/23 (1990), para. 4.

¹³ *Ibid.*, para. 9.

¹⁴ UN CESCR, [Public debt, austerity measures and the ICESCR: Statement](#), UN doc. E/C.12/2016/1 (24 June 2016), para. 4; UN Independent Expert on Foreign Debt and Human Rights, [Guiding principles on human rights impact assessments of economic reforms](#), UN doc. A/HRC/40/57 (2018), Principle 10.

¹⁵ UN CESCR, [General Comment No. 4: Right to Adequate Housing](#), UN doc. E/1992/23 (1991), para. 7.

¹⁶ *Ibid.*, para. 8.

¹⁷ UN CESCR, [General Comment No. 7: Forced evictions](#), UN doc. E/1998/22 (1997), para 16.

¹⁸ UN CESCR, [El Goumari and Tidli v Spain](#), Communication No. 85/2018 (Views of 18 February 2021), UN doc. E/C.12/69/D/85/2018, para. 9.1-9.3.

¹⁹ *Ibid.*, para. 9.4.

All human rights are interrelated and interdependent, which means that the satisfaction of one right depends on the satisfaction of other rights. It is legally significant that these rights are recognised in international human rights treaties drafted, signed and ratified by States. However, the real power of human rights lies in the way they influence policy and practice nationally and locally. Eleanor Roosevelt was instrumental in the adoption of the Universal Declaration of Human Rights in 1948. In her words, however, human rights are primarily local, before being international; they begin “in small places, close to home... They are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm, or office where he works. Such are the places where every man, woman, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world.”²⁰

Local practice can make human rights real in the specific context of a given city, borough or community. It is helpful to think about human rights with a contextual approach, building on but surpassing exclusively legal or legalistic perspectives of judicial enforceability of rights. A “contextual approach” to human rights is “characterised by being situational, relational and structural. It is informed by how the specific characteristics of a person are situated in and impacted by relationships that result in enhanced exposure to abuse of power, taking into consideration wider structural factors.”²¹ The contextual approach applies lessons and processes derived from learnt and lived experiences to recognise the agency of people at higher risk of harm, abuse, discrimination or disadvantage. In this sense, the contextual approach is connected to efforts to “localise” human rights,²² to “vernacularise” them, namely, to adapt human rights to local institutions, practices and meanings.²³

Human rights duties extend to all branches, all public authorities and all levels of government, central, devolved, national and local.²⁴ As pointed out by the UN Committee on the Rights of the Child, central government must ensure that local authorities “have the necessary financial, human and other resources effectively to discharge responsibilities for the implementation” of human rights obligations.²⁵ Similarly, the UN Special Rapporteur on Adequate Housing urged States to “ensure that local or regional housing strategies are adequately resourced and that local governments have the capacity to implement them.”²⁶

²⁰ Eleanor Roosevelt, “Where Do Human Rights Begin?” In A.M. Black (ed.), *Courage in a Dangerous World* (Columbia University Press, 1999), p. 190.

²¹ Lutz Oette, “[The prohibition of torture and persons living in poverty: From the margins to the centre](#)”, *International and Comparative Law Quarterly* 70(2) (2021), p. 332.

²² Koen de Feyter, “Localising Human Rights”. In W. Benedek, K. De Feyter, & F. Marrella (eds.), *Economic Globalisation and Human Rights: EIUC Studies on Human Rights and Democratization* (Cambridge University Press, 2007), p. 67.

²³ Sally Engle Merry, “[Transnational human rights and local activism: Mapping the middle](#)”, *American Anthropologist* 108(1) (2006), p. 39.

²⁴ Article 28 ICESCR; Article 50 of the 1966 [International Covenant on Civil and Political Rights](#); UN CESCR, [General Comment No. 9: The domestic application of ICESCR](#), UN doc. E/C.12/1998/24 (1998), para. 9; UN Human Rights Committee, [General Comment No. 31: The nature of the general legal obligation imposed on State Parties to ICCPR](#), UN doc. CCPR/C/21/Rev.1/Add.13 (2004), para. 4.

²⁵ UN Committee on the Rights of the Child, [General Comment No. 5: General measures of implementation of CRC](#), UN doc. CRC/GC/2003/5 (2003), para. 41.

²⁶ UN Special Rapporteur on Adequate Housing, [Guidelines for the Implementation of the Right to Adequate Housing](#), UN doc. A/HRC/43/43 (2019), para. 63(b).

Local authorities have a central role in the implementation of the right to housing.²⁷ In the words of the UN Special Rapporteur on Adequate Housing:

“Participation is central to human rights-based housing strategies because it challenges exclusion and silencing. Strategies must recognize that violations of the right to housing and other human rights emanate from failures of democratic accountability to people... Local governments have a critical bridging role to play in supporting participation because they are often best situated to engage directly with local communities and bring their concerns into local governance, intergovernmental negotiations and national level strategies.”²⁸

The right to adequate housing is not in the European Convention on Human Rights, and therefore it is not protected by the Human Rights Act 1998. However, local practice can provide an opportunity to realise the right to adequate housing irrespective of the legal status of such right in UK law.

Based on Elements 1-5 of the Evidence Review and other documental evidence, next section examines how Newcastle meets the right to housing in relation to four key principles and criteria of adequacy where local practice and policy can have relatively greater ability to make a difference: a) mobilisation of available resources, b) alternative housing provision for people in need, c) accessibility of housing for some groups at particular risk of harm, disadvantage and discrimination, and d) active participation of civil society and people with lived experience of homelessness.

3. A human rights-based analysis of policies to end homelessness in Newcastle: Mobilisation of available resources, Alternative housing, Accessibility, and Active participation

3.1. Maximum of available resources

In light of international human rights law, public authorities should make use of all their available resources to advance progressively in the fulfilment of social rights, including the right to adequate housing.²⁹

Evidence indicates that, despite the general context of austerity in public spending, Newcastle mobilised available resources to limit the impact and prevalence of homelessness.

Austerity policies implemented in the UK in the 2010s had a damaging impact on human rights. Social security reforms in the form of benefit freeze, benefit cap or the so-called two-child limit negatively affected people at greater risk of harm, disadvantage and discrimination, infringing their rights to social security and to an adequate standard of living.³⁰

²⁷ UN Special Rapporteur on Adequate Housing, [Report on the roles of local and other subnational levels of government](#), UN doc. A/HRC/28/62 (2014), para. 70.

²⁸ UN Special Rapporteur on Adequate Housing, [Report on Key principles of a human rights-based housing strategy](#), UN doc. A/HRC/37/53 (2018), para. 61 and 67.

²⁹ Article 2(1) ICESCR.

³⁰ Koldo Casla, “Freedom and social citizenship: Public services and social rights”. In: H. Harrop, K. Murray and J. Nogarede (eds.), [Public Service Futures: Welfare States in the Digital Age](#) (FEPS and Fabian Society, 2020), p. 47.

In 2019, Newcastle City Council estimated that social security reforms would result in an annual cut to income from working age benefits of £122 million by 2023/24.³¹ Newcastle was one of the top three cities worst affected by welfare reform measures in cumulative terms, alongside Manchester and Central London, with losses of over £2,000 per household in the 2010s.³² Given the causal link between poverty and homelessness, social security reforms that harm the autonomy and wellbeing of economically vulnerable people are likely to result in greater levels of homelessness.³³

Newcastle was the first core city where Universal Credit was rolled out in full. The Heriot-Watt report concluded that:

“The challenges associated with the design of UC –built-in waiting time for first payments, monthly payments, deductions for tax credit overpayments, and misadministration– were identified as causing financial hardship. Specifically, these issues can mean that individuals accumulate very high levels of arrears very quickly, and often at the start of new tenancies. Those households interviewed were quickly thrown into chaos by a change of circumstances because of the underlying lack of money. A benefits sanction or change from one benefit to another, could spiral quickly, leading to homelessness.”³⁴

Austerity also materialised in local government funding cuts, which resulted in diminishing resources to prevent and tackle homelessness, and to deliver other public services.³⁵ Newcastle faced an overall budget cut of 32% between 2010/11 and 2018/19, despite facing a challenging context in relation to poverty, destitution and multiple forms of disadvantage.³⁶

Newcastle’s rate of income deprivation in 2019 was 17.8%, higher than Sheffield, Leeds and Bristol (lowest among core cities), but lower than Nottingham, Manchester, Birmingham and Liverpool (highest among core cities).³⁷ Figures from 2017 showed that:

“Newcastle is in the top decile for predicted destitution level overall, and also for one of the sub-categories (complex needs). It is in the second group for destitute migrants, and the third group for ‘general’ (other UK) destitution. Estimated levels of destitution in the top decile are relative common among the core cities, with six other core cities in the top decile for overall destitution alongside Newcastle.”³⁸

Newcastle City Council’s medium-term plan for 2020/21 estimates a £327 million reduction in the local budget by 2022/23 due to government cuts and increasing cost pressures.³⁹

As pointed out in the Heriot-Watt University report, Newcastle City Council:

³¹ Heriot-Watt University report, 2019, p. 18.

³² Ibid, p. 142.

³³ Glen Bramley and Suzanne Fitzpatrick, “[Homelessness in the UK: Who is most at risk?](#)”, *Housing Studies* 33(1) (2018).

³⁴ Heriot-Watt University report, 2019, p. 103; Element 5 report, p. 44.

³⁵ Newcastle University and Newcastle City Council, “[Written submission to the UN Special Rapporteur on Extreme Poverty and Human Rights](#)” (September 2018), p. 5-7.

³⁶ Heriot-Watt University report, 2019, p. 18.

³⁷ Local Government Association: [Income Deprivation Score 2019](#).

³⁸ Heriot-Watt University report, 2019, p. 48.

³⁹ Newcastle City Council, “[Newcastle’s Homelessness and Rough Sleeping Review 2019](#)” (December 2019), p. 13.

“has experienced a triple burden since 2010, facing amongst the most severe cuts in local authority budgets, among the worst impacted by welfare cuts, and one of the first areas to experience Universal Credit and its attended implementation and design challenges. All of these factors, separately and together, are seen to escalate the risks of homelessness faced by residents, and to constrain the ability of the local authority to prevent and respond to homelessness.”⁴⁰

Despite the difficult context and multiple challenges, Newcastle is managing to maintain extremely low levels of homelessness. According to the Heriot-Watt report, the most likely combined explanations for this are twofold: Strong social housing sector and proactive preventive interventions:

“First, Newcastle’s housing market context –characterised by lower private rent levels and much higher social lettings rates– is highly likely to play some level of protective and indeed compensatory role in providing lower income households with comparatively better housing options than in many other core cities... [Secondly,] the wide spectrum of proactive preventative interventions and support structures in place in the city have played a core role in maintaining low levels of homelessness in spite of the severe challenges of welfare reforms and budget cuts since 2010. Newcastle has consistently been one of the most active authorities in terms of prevention and relief activity since 2009, with a particular focus on financial debt/arrears and benefits advice. Service providers in Newcastle appear to have made very full use of all mechanisms available to mitigate the impacts of welfare reforms and protect residents from homelessness as a result of income shocks, reductions and expenditure hikes linked to those reforms, including Discretionary Housing Payment, Alternative Payment Arrangements, arrears forbearance, and local welfare assistance.”⁴¹

For example, between 2018 and 2020, 10-12% of Newcastle’s expenditure on discretionary housing payments was spent on supporting people to manage shortfalls in the Local Housing Allowance, which was frozen until 2020,⁴² and the Government is freezing again in 2021.⁴³

One of the conclusions from the interviews and focus groups with frontline workers was that “there were resources in one part of Newcastle’s homelessness system that would be better utilised in another part of the system.”⁴⁴

Homelessness services in Newcastle are funded from a range of sources. According to Element 3 findings, this includes primarily: £3.4 million per year of Council commissioned contractual income, £700,000 in grants from the Ministry of Housing, Communities and Local Government, and £200,000 from Public Health England, between £8.2 million and £11 million per year in the form of housing benefits, and other sources, such as management fees, service charges, charitable donations, specific funding to respond to Covid-19, etc. Housing benefit is reported to represent 60-80% of the funding of service providers who responded to the survey

⁴⁰ Heriot-Watt University report, 2019, p. 39.

⁴¹ Ibid, p. 143-144.

⁴² Element 5 report, p. 40.

⁴³ Valuation Office Agency, “[Local Housing Allowance \(LHA\) rates applicable from April 2021 to March 2022](#)” (29 January 2021).

⁴⁴ Element 1 report, p. 50.

of Element 3.⁴⁵ There does not seem to be a link between location of services and the level of deprivation of the area.⁴⁶ The figure of grants from central Government might indeed be higher; in fact, Element 5 reports that in 2020-21, Newcastle City Council received approximately £1,5 million from central Government specifically on homelessness.⁴⁷

Between 2010 and 2018, in a context of significant overall cuts nationally and locally, Newcastle nonetheless increased public spending on homelessness, albeit modestly (£8 per head in real terms), facilitated in part by specific and time-limited funding, like the Homelessness Prevention Trailblazer,⁴⁸ from which the city received £936,000 from UK Government between 2017 and 2019. The Homeless Prevention Trailblazer was considered particularly crucial in the Council's homelessness prevention strategy.⁴⁹ The Government's evaluation of the implementation of the scheme around the country also concluded that "the Trailblazer programme has effectively helped local authorities and their partners to develop and implement innovative approaches to homelessness prevention"⁵⁰ The time-limited nature of the Homelessness Prevention Trailblazer, however, raises questions about the sustainability of the progression in public spending on homelessness.

Newcastle relies on public resources to ensure that people in need have access to adequate housing. The city has a stock of approximately 25,000 council homes, managed by an Arms-Length Management Organisation, Your Homes Newcastle, and by 15 housing associations present in the city.⁵¹ Further research would be required to ascertain the extent to which this structural factor is the result of a deliberate a long-lasting policy commitment from the local authority, or due to other possible reasons linked to the housing market in the city.

Element 5 report observed that, through Your Homes Newcastle, "the Council is able to secure allocations to social housing as an effective protection against homelessness, where other cities would rely more heavily on the Private Rented Sector or on long-term placements in temporary accommodation."⁵²

Newcastle has a consistently higher rate of social lettings. "This rate is about double that of most of the northern core cities, about three times the English average and the rate for some more pressured core cities, and four times the rate in central London."⁵³ The high rate of social lettings has maintained its level in Newcastle, with modest fluctuations in recent year, whereas in most of the comparator areas rates have been trending downwards.⁵⁴

The large stock of council homes also allows to contain prices in the private rental sector, where prices barely changed in the 2010s. Comparative data from core cities shows that renting in Newcastle is more affordable for young households than in Bristol or Manchester, and comparable to Nottingham, Birmingham and Liverpool.⁵⁵ Having said this, and "in common

⁴⁵ Element 3 report, p. 19.

⁴⁶ Ibid, p. 21.

⁴⁷ Element 5 report, p. 19.

⁴⁸ Heriot-Watt University report, 2019, p. 30-32.

⁴⁹ Ibid, p. 7; Element 5 report, p. 20.

⁵⁰ Ministry of Housing, Communities and Local Government, "[Evaluation of the Homelessness Prevention Trailblazers Ministry of Housing, Communities and Local Government](#)" (2018), p. 57.

⁵¹ Heriot-Watt University report, 2019, p. 42.

⁵² Element 5 report, p. 26.

⁵³ Heriot-Watt University report, 2019, p. 40.

⁵⁴ Ibid.

⁵⁵ Ibid, p. 41.

with the rest of the country, the ending of private tenancies is a primary driver of statutory homelessness, along with violent relationship breakdown and family exclusions.”⁵⁶

The pandemic of Covid-19 has created additional needs that the Council has tried to meet with the limited resources available. Your Homes Newcastle extended its support to tenants in 2020-21. Its previous policy of arrears forbearance has continued, but the Council’s Housing Revenue Account is expecting an overall reduction of 5% to the collection of rent, due to furlough and unemployment.⁵⁷ The proportion of private renters claiming support for housing costs increased notably around the country, for example from 30 to 39% between February and May 2020.⁵⁸ The situation is likely to be particularly acute in Newcastle, which was in Tier 3 lockdown for several months in 2020.⁵⁹ The number of households claiming Universal Credit rose from 20,524 in February 2020 to 31,302 by November 2020.⁶⁰

Newcastle’s review of its 2014-19 homelessness strategy outlines that as a result of cuts to funding, between the financial years 2013-14 and 2019-20, the Council had to make savings of £4.4 million across Active Inclusion Service, the department in charge of homelessness prevention and advice among other responsibilities, as well as third-party commissioning spend for homelessness-related services.⁶¹ The pandemic and its aftermath will necessarily create more need for public support for people who will find themselves in a socio-economically difficult position. It seems to be a positive note that, in a context of financial uncertainty for public authorities, the base budget for Active Inclusion in 2020/21 is £2.77 million, and for 2021/22 it would be 2.89 million, an increase of 4.4%.⁶² At the level of England as a whole, on the contrary, the National Audit Office has identified a “funding gap” between the forecast pressures for local authorities (£9.7 billion for 2020-21) and estimated funding at the national level (announced £9.1 billion).⁶³

3.2. Alternative housing provision

The right to adequate housing includes a requirement on public authorities to ensure that nobody is rendered homeless as a result of an eviction. This means that relevant authorities must adopt reasonable measures to provide adequate alternative housing solutions.⁶⁴

There was a 75% reduction in the number of evictions from Newcastle’s council housing between 2007 and 2020.⁶⁵

The Heriot-Watt report observed that:

⁵⁶ Ibid, p. 94-95.

⁵⁷ Element 5 report, p. 28-29.

⁵⁸ Shelter, “[Renters at risk Getting through the coronavirus crisis](#)” (September 2020), p. 15.

⁵⁹ Element 5 report, p. 40-41.

⁶⁰ Ibid, p. 45.

⁶¹ Ibid, p. 20; Newcastle City Council, “Newcastle’s Homelessness and Rough Sleeping Review 2019” (December 2019), p. 13.

⁶² Newcastle City Council, “[Build Forward Better: our medium-term plan for 2021-22 and 2022-23](#)” Budget Pages – All, p. 12.

⁶³ National Audit Office, “[Local government finance in the pandemic](#)” (March 2021), p. 9.

⁶⁴ UN CESCR, *General Comment No. 4: Right to Adequate Housing* (1991), *General Comment No. 7: Forced evictions* (1997).

⁶⁵ Active Inclusion Newcastle, “[Newcastle Homelessness Prevention Briefing 2020-21 Q1](#)” (September 2020), p. 4.

“Newcastle has low levels of homelessness. The city records very low absolute levels and rates of statutory homeless acceptances and households in temporary accommodation, low levels of street homelessness, and has made no use at all of unsuitable temporary accommodation like Bed and Breakfasts for homeless households since 2006... Newcastle also appears to have very low levels of homelessness compared to elsewhere –the lowest of all the core cities in 2017.”⁶⁶

The relative low level of homelessness in Newcastle has been attributed to a combination of factors, particularly a preventive approach, the availability of a large stock of council homes, and financial commitment from the Council. Newcastle has maintained a focus on early prevention and mitigation of early signs of homelessness before the 56-day target of the Homelessness Reduction Act 2017. The city has a relatively large stock of council-owned homes, conducive to higher social lettings and lower private rent levels. The Council has preserved its housing and homelessness budget despite diminishing local government funding from central government. Transparency, reliance on evidence-based policy and local partnerships were also identified as important factors in the Heriot-Watt report.⁶⁷

The independent review of the implementation of the Homelessness Reduction Act in England found that 67% of respondents from local authorities expressed that the extended 56-day prevention duty was enabling them prevent homelessness more effectively, while 22% were neutral, and 12% disagreed. According to the independent review, “the fact more local authorities didn’t agree with this statement is likely to partly be because some were already undertaking prevention activities with applicants threatened with homelessness in 56 days (or even more than 56 days) prior to the Act.”⁶⁸ This is likely to be Newcastle’s case. “This puts Newcastle at odds with most local authorities that believe 56 days is sufficient. While this is a commendable position from Newcastle, the lack of similar feeling among other local authorities may make national policy in this area particularly difficult to change,” as observed in the Element 5 report.⁶⁹

The general observation from the analysis of frontline perceptions of homelessness provision is that Newcastle’s homelessness system seems to work well and has numerous assets, particularly Your Homes Newcastle and Cherry Tree View, and a strong collaborative culture.⁷⁰

However, many interviewees and focus group participants identified hostels, particularly larger hostels, as potentially harmful for the city’s homeless population.

“Some interviewees and focus group participants told stories of how their clients outright refused to be put in hostels, choosing instead to spend a night on the streets, because of either the people and/or activities that they would have to come into contact with. Other interviewees described hostels as being breeding grounds for drug and alcohol abuse, making them terrible environments for addicts (or those trying to overcome addictions).”⁷¹

⁶⁶ Heriot-Watt University report, 2019, p. 9.

⁶⁷ Ibid, p. 7.

⁶⁸ Ministry of Housing, Communities and Local Government, “[Evaluation of the Implementation of the Homelessness Reduction Act: Final Report](#)” (March 2020), p. 34.

⁶⁹ Element 5 report, p. 18.

⁷⁰ Element 1 report, p. 19.

⁷¹ Ibid, p. 21.

In line with international standards, a human rights-based approach to homelessness means that temporary accommodation should only be used exceptionally, it must not put personal safety at risk, cannot become a long-term solution, must not separate family members, and must provide space to respect individual's privacy.⁷²

Such standard is consistent with the partnership's definition of homelessness, according to which nobody should live in emergency accommodation, such as shelters and hostels, without a plan for rapid rehousing into affordable, suitable and sustainable accommodation.

Unlike other core cities, Newcastle does not use bed and breakfast accommodation as a temporary solution. The city has a single-site purpose-built supported accommodation facility with 720 beds in self-contained units at Cherry Tree View. Element 5 report indicates that:

“Stays are mostly brief and overall, there is very little use of temporary accommodation in Newcastle at any time, with only 25 households in using [Temporary Accommodation] in March 2018, 17 of whom were in Cherry Tree View and 8 were in hostels... Although placements outside the city are rare, they do still occur... When interviewed about their experience at Cherry Tree View, service users were relatively positive about the quality of accommodation, but they were anxious to move on.”⁷³

The main difference between hostels and bed and breakfast accommodation is that hostels are generally staffed by professionals and are specifically used for homelessness accommodation. There seems to be a significant proportion of people who have been in supported accommodation for over six months; however, this period of time is typically much lower in Cherry Tree View. Families are kept together in Cherry Tree View, where there are no shared rooms, so everyone has their own private space, their own apartment with toilet and kitchen. In other accommodation, these facilities would be shared.⁷⁴

The new homelessness strategy states that the Council “will seek to identify opportunities to gain capital funding to develop another statutory temporary accommodation project based on Cherry Tree View.”⁷⁵

However, as pointed out in the Element 5 report, the Council's tentative plans to invest in further temporary accommodation need:

“to be reconciled with the concerns raised in the Heriot Watt report about the suitability of large congregate accommodation. Any development would need to consider how it fits into an effective rapid rehousing approach, especially for single people experiencing homelessness. It is crucial that any development is considered against how it can improve on the outcomes from Cherry Tree View to prevent further ‘churn’ through supported housing. The Heriot Watt report recommended moving towards more Psychologically Informed Environments and the use of smaller congregate accommodation units, as well as more effective support for those groups most likely to ‘churn’.”⁷⁶

⁷² UN CESCR, *El Goumari and Tidli v Spain* (2021), para. 9.

⁷³ Element 5 report, p. 31.

⁷⁴ Information provided by Chris Parker (Crisis) via email on 18 June 2021.

⁷⁵ Newcastle City Council, “[Newcastle's Homelessness and Rough Sleeping Strategy 2020-2025](#)” (2020), p. 20.

⁷⁶ Element 5 report, p. 31.

It is potentially encouraging that the Council’s housing plans for the near future include moving “away from a hostel-based temporary housing offer to a Housing First approach to respond to residents who experience homelessness and severe and multiple disadvantages.”⁷⁷ Smaller environments that are more dispersed and embedded in the community are more likely to serve the purposes of providing a path towards ensuring the right to housing for all.⁷⁸

3.3. Accessibility of housing for certain groups

Adequate housing must be accessible for everyone. This means public authorities should take proactive measures to ensure that housing is accessible also for groups and individuals who, due to different reasons, may face particular difficulties in accessing adequate housing.

In the 2019 assessment of Newcastle’s homelessness policies and practice, the Heriot-Watt report pointed out that:

“In 2017/18, a total of 80 referrals were received regarding patients experiencing issues with their housing – just over half from general hospitals and the rest from the city’s **mental health** hospital. Locally reported data suggest that these processes in general secure positive outcomes, with no referrals ending in a stay in temporary accommodation or a homelessness presentation, and the vast majority leaving hospital to accommodation of their own or to stay with friends/family.”⁷⁹

At the same time, however, the availability of and access to mental health support was identified as a major issue, particularly as regards

“those with mental health problems that do not meet clinical thresholds. Despite the city’s strong focus on homelessness prevention being ‘everyone’s business’, considerable scope was identified for improving partnership working and structures, particularly involving health services, but also addiction, probation and offender management, education, and children’s and social services, and local businesses.”⁸⁰

In 2020/21, people working in the frontline of homelessness provision still see access to and availability of mental health services as “a big gap in support for Newcastle’s homeless population.”⁸¹ A number of respondents in the participatory research with people with lived experience of homelessness “had traumas that had not been addressed,” while at the same time some respondents also appreciated “the positive impact of workers who are prepared to contact, listen to and encourage them.”⁸²

The 2019 Heriot-Watt report affirmed that “protocols for leaving some institutions (asylum seeker accommodation and prisons) are not working as effectively as they could be, reportedly due to issues on the originating institution side.”⁸³

⁷⁷ Newcastle City Council, “[Build Forward Better: our medium-term plan for 2021-22 and 2022-23](#)” (2021), p. 26.

⁷⁸ Active Inclusion Newcastle, “Newcastle Homelessness Prevention Briefing 2020-21 Q1” (September 2020), p. 9.

⁷⁹ Heriot-Watt University report, 2019, p. 73.

⁸⁰ Ibid, p. 13.

⁸¹ Element 1 report, p. 21.

⁸² Element 2 report, p. 26-27 and 43.

⁸³ Heriot-Watt University report, 2019, p. 78.

One of the elements of the homelessness definition of the partnership between Newcastle City Council and Crisis is that no one should be rendered homeless due to leaving a state institution such as **prison** or the care system. However, it has been reported that people leaving prison on a Friday afternoon or evening are unable to access support services over the weekend.⁸⁴ The biggest challenge in this regard “seems to be integration between prisons and probation services and the homelessness system in Newcastle.”⁸⁵

The City Council’s 2019 homelessness review identified that the referral processes in place in relation to residents leaving prison exceed those that required by the duty to refer of the Homelessness Reduction Act. However, the review also acknowledged that there is not a formal pathway in place, primarily due to the “considerable variability in the type of housing support available to prisoners in different prisons as they approach release. Any formal pathway would require considerable resource and effort to overcome this barrier.”⁸⁶

After leave to remain has been granted, **people seeking asylum** have access to Home Office support for 28 days. Arrangements for housing have to be made within this 28-day period, which means it is a crucial but limited window of opportunity for Newcastle’s homelessness services to offer support. The limit of 28 days of support after leave to remain has been granted is seen as insufficient by people working in the frontline of homelessness provision and associated services: “Probably the biggest barrier to addressing homelessness among those leaving the asylum system.”⁸⁷ It is a tight timescale for people working on homelessness prevention, and people working to prevent homelessness in Newcastle expressed that it would be recommendable to extend it to 56 days in line with general statutory duties. As a matter of policy, Element 5 report recommends that Newcastle City Council “could work to define in the definition of what ‘duty to cooperate’ means locally and then explore more informal ways in which local bodies could go above and beyond the ‘duty to refer’ in line with Newcastle’s definition of ‘duty to cooperate’.”⁸⁸

People working on homelessness provision in Newcastle pointed out that some people leaving the asylum system have “unrealistic expectations” of the housing that they could access, for example, in relation to its location, the size and general upkeep, or the proximity to places of worship or particular type of grocery shop.⁸⁹ The Council should bear in mind the cultural adequacy and location of the housing alternatives within available resources. The checklist of Your Homes Newcastle’s Refugee Move on Team for initial appointments and standardised support plans includes key questions seeking to enable household members to remain in their current education and employment settings, close to their community and support network, and bearing in mind the household’s preferences; the resettlement support plan includes information about how to get to the supermarket and halal shop, as well as places of worship.⁹⁰

The general suitable and sustainable homes checklist includes requirements in relation to physical accessibility, compliance with national and local standards of decent housing,

⁸⁴ Element 1 report, p. 33.

⁸⁵ Ibid, p. 52.

⁸⁶ Newcastle City Council, “Newcastle’s Homelessness and Rough Sleeping Review” (2019), p. 34.

⁸⁷ Ibid, p. 26.

⁸⁸ Element 5 report, p. 13.

⁸⁹ Element 1 report, p. 26.

⁹⁰ Active Inclusion Newcastle, “Suitable and sustainable accommodation – definitions and actions to address risks of homelessness. Refugee Move on Team desktop analysis” (January 2020), p. 4-5. Provided as part of Element 4.

sufficient space, and fitness for habitation, including the necessary certificates in order; however, there does not seem to be a reference to places of worship and halal shops.⁹¹

One of the conclusions of the participatory research with people with lived experience of homelessness was that, “while most applicants for housing want to live in the ‘best’ areas, there is a particularly strong case for this where peers in the neighbourhood could ruin any attempt to sustain a tenancy.”⁹²

Newcastle City Council’s guidance for people seeking asylum says that “if you have had a negative decision on your asylum claim then you will also be expected to leave your asylum accommodation and your financial support will stop. You will receive notice to leave the accommodation within 21 days.”⁹³ When the leave to remain is not granted, there is a risk that asylum-seekers may disengage from the system if they do not want to be found.⁹⁴ In March 2021, a High Court judge ruled that, in the emergency context of the Covid-19 pandemic, under “Everybody In” scheme, local authorities have the power to provide emergency accommodation to rough sleepers **without recourse to public funds** (NRPF) “as a step for improving the health of the people in the area.”⁹⁵ Furthermore, households who are not eligible to claim asylum and who have no recourse to public funds may nonetheless be entitled to claim protection via Children Act 1989, whose Section 17 places a duty on local authorities to safeguard and promote the welfare of children in need. In 2019, the Housing, Communities and Local Government Committee inquiry into children’s services funding recommended that “the Government should provide funding to councils proportionate to the number of children within NRPF families that they support.”⁹⁶ However, in its response the Government made clear that they intend to reimburse councils.⁹⁷ There is no local data on the number of Newcastle residents who have no recourse to public funds.⁹⁸

The Domestic Abuse Act 2021 includes **survivors of domestic abuse** in priority need for housing. The team leading the policy research of Element 5 was unable to ascertain whether Newcastle City Council was applying this policy before the entry into force of the Act. They were also alerted of the existence of a relatively new service, the Newcastle Integrated Domestic Abuse Service, which includes an outreach team and a refuge with 14 private flats.⁹⁹

3.4. Active participation of civil society and people with lived experience of homelessness

In her report on the role of local authorities in ensuring the right to housing, former UN Special Rapporteur on Adequate Housing, Leilani Farha, wrote that local authorities are “best placed to respond to the distinctive challenges of implementing the right to housing at the local level

⁹¹ Active Inclusion Newcastle, “Suitable and sustainable homes – definitions and actions to address risks of homelessness” (March 2020), p. 2-3. Part of Element 4.

⁹² Element 2 report, p. 44.

⁹³ Newcastle Council Website, Asylum and Immigration: <https://www.newcastle.gov.uk/services/communities-and-neighbourhoods/asylum-and-immigration>

⁹⁴ Element 1 report, p. 27.

⁹⁵ [Ncube, R \(on the application of\) v Brighton and Hove City Council \[2021\] EWHC 578 \(Admin\)](#) (11 March 2021), para. 162.

⁹⁶ Housing, Communities and Local Government Committee, *Funding of local authorities’ children’s services*, HC 1638 (April 2019), para. 45.

⁹⁷ Secretary of State for Housing, Communities and Local Government and the Secretary of State for Education, *Government response to the Housing, Communities and Local Government Select Committee Report on funding of local authorities’ children’s services* (July 2019), para. 30.

⁹⁸ Element 5 report, p. 89.

⁹⁹ *Ibid*, p. 14.

and to enable residents' empowerment and participation in local government. That offers an important foundation for community-based, human rights approaches to local governance and programme administration."¹⁰⁰

The city's homelessness strategy presents the partnership with Crisis as "a realistic and exciting opportunity to unite the city to make responding to homelessness everyone's business. In turn, enabling us to align our resources to do more of what's right by making homelessness rare, brief and non-recurring in Newcastle."¹⁰¹ The human rights principle of active participation speaks to the spirit of involving everyone in the community in the delivery of the ambitious goal of ending homelessness in Newcastle.

In late 2020 and early 2021, Newcastle carried out public consultations on the Council's medium-term planning and spending. Due to the pandemic, the consultations took place online, and nearly 200 individuals and organisations took part in the consultations.¹⁰²

Focus groups and semi-structured interviews with community groups and charitable organisations operating in Newcastle showed that:

"generally, interaction with statutory services occurs on an ad-hoc basis rather than in structured partnerships. Two exceptions among the groups we spoke with included one group's regular contact with the police outside of outreach work, and another which has a volunteer GP attached who joins outreach work to support service users and refer them to services. In the day-to-day activities of the groups, two organisations mentioned having service users referred to them by the police, or supporting the police and local ambulance service during outreach work... Community organisations are trusted by the service users. Most of the organisations highlighted how they are able to build up service users' trust, including people who are wary of the statutory or non-voluntary services. Most expressed that community organisations are often the first place that people go to for support, or the first place that people go after a negative experience with other services. Most of the groups we spoke to mentioned signposting and encouraging people to engage with the council."¹⁰³

More communication and effective working between the Council and voluntary and community groups was considered necessary, including an online referral portal, although it was also recognised that the relationship had improved recently, despite the difficulties in communication due to the pandemic.¹⁰⁴

Meaningful engagement between public authorities and voluntary and community groups can be considered part of the assessment of reasonableness and adequacy of housing policy. Inasmuch as possible, such engagement should include people with lived experience of homelessness, who should be listened to in the identification of challenges and possible solutions.

¹⁰⁰ UN Special Rapporteur on Adequate Housing, *Report on the roles of local and other subnational levels of government*, UN doc. A/HRC/28/62 (2014), para. 58.

¹⁰¹ Newcastle City Council, "Newcastle's Homelessness and Rough Sleeping Strategy 2020-2025" (2020), p. 5.

¹⁰² Newcastle City Council, "[Build forward better: Our medium-term plan for 2021-22 and 2022-23. Appendix 3 – Consultation report 2021-22 and 2022-23](#)" (2021), p. 3.

¹⁰³ Element 1 report, p. 38.

¹⁰⁴ *Ibid*, p. 40.

In the mentioned report on local authorities and the right to housing, the former UN Special Rapporteur on Adequate Housing encouraged cities to “consider the adoption of charters with explicit guarantees of the right to adequate housing in order to clarify, reinforce or strengthen existing domestic and international human rights obligations. Municipal charters of rights may incorporate communication and monitoring mechanisms through which local challenges can be identified and addressed within a human rights framework.”¹⁰⁵

The EU Fundamental Rights Agency is developing a framework for human rights cities based on the experiences and lessons learned by self-declared human rights cities across the continent, including Graz, Vienna and Salzburg (Austria), Ghent (Belgium), Prague (Czech Republic), Helsinki, Turku and Uppsala (Finland), Bordeaux (France), Cologne (Germany), Budapest (Hungary), Turin and Bologna (Italy), Utrecht and Middleburg (Netherlands), Bergen (Norway), Pomerania Region (Poland), Ljubljana (Slovenia), Barcelona and Valencia (Spain), Malmo, Lund and Vastra Gotaland Region (Sweden), and York in the UK.¹⁰⁶ Promoted by the European federation of organisations working on homelessness, FEANTSA, a number of European cities have endorsed a Homelessness Bill of Rights, including Barcelona, Mostoles and Santiago de Compostela (Spain), Maribor, Slovenj Gradec, Kranj and Murska Sobota (Slovenia), Gdansk (Poland), Villeurbanne (France), Thessaloniki (Greece), and Brighton & Hove in the UK.¹⁰⁷ Newcastle City Council could learn from the experiences of these cities and explore new ways of making the right to adequate housing locally relevant while making homelessness everyone’s business.

4. Conclusions and recommendations

- a) The localisation of human rights contributes to make human rights relevant where they matter the most, close to home. Newcastle is showing a high dose of audacity and commitment by embracing a human rights-based approach to housing and homelessness. A contextual approach to human rights applies lessons and processes derived from learnt and lived experiences of homelessness adapting human rights to the local reality on the ground.
- b) Newcastle is making a reasonable use of the maximum of its available resources to satisfy the right to housing and to end homelessness. A comparatively large stock of council homes provides a structural baseline to prevent and tackle homelessness. During the years of austerity-driven national policies, Newcastle avoided cutting public spending on housing and homelessness. With its preventive approach, Newcastle City Council has managed to make the most of the available resources, which are nonetheless limited considering existing demand, levels of poverty and destitution, and the cumulative consequences of austerity policies and Covid-19 pandemic. It is of paramount importance that Newcastle City Council continues making use of the maximum of its available resources to advance progressively in the satisfaction of the right to adequate housing.

¹⁰⁵ UN Special Rapporteur on Adequate Housing, *Report on the roles of local and other subnational levels of government*, UN doc. A/HRC/28/62 (2014), para. 76.m.

¹⁰⁶ Fundamental Rights Agency of the EU, on ‘Human Rights Cities’:

<https://fra.europa.eu/en/news/2019/human-rights-cities-great-potential-improving-fundamental-rights-eu>

¹⁰⁷ FEANTSA on ‘Homeless Bill of Rights’: <https://www.feantsa.org/en/campaign/2019/12/22/homeless-bill-of-rights> The Homeless Bill of Rights in Brighton: <https://homelessrights.org.uk/>

- c) As a matter of non-retrogression in relation to the right to housing, Newcastle should maintain its proactive and preventive approach to end homelessness, above and beyond the relief and refer duties of the Homelessness Reduction Act 2017.
- d) Hostels and other forms of temporary accommodation should only be used exceptionally. Temporary accommodation cannot become a long-term solution, and the utmost consideration must be given to the rights to family life, privacy and personal safety.
- e) Within available resources, housing solutions for people seeking asylum should be culturally adequate, including community support, and proximity of places for worship and shops. This should be a consideration in the general suitable and sustainable homes checklist. Newcastle City Council and Home Office should explore ways to ensure that the Council receives notice at least 56 days in advance.
- f) Newcastle should accommodate people who are homeless based on need alone, including people with no recourse to public funds, particularly when children are involved. Newcastle should refuse to co-operate with immigration rules that infringe the right of local residents to feel safe at home.¹⁰⁸
- g) Newcastle should ensure that survivors of domestic abuse are given priority access to a housing alternative should they need it.
- h) In application of the duty to refer, Newcastle City Council and criminal justice agencies should develop effective protocols to prevent homelessness for residents leaving the criminal justice system, ensuring that notice of discharge from such institutions is given at least 56 days in advance and that sufficient information is provided to enable an effective response.¹⁰⁹
- i) Newcastle should engage the mental health system and all agencies potentially concerned to understand better the issues, needs and existing provision for specialist mental health services for people who are homeless or at risk of homelessness, at all levels of mental health severity.¹¹⁰
- j) Newcastle City Council should continue and develop a participatory approach to public budgeting, including active participation of people with lived experience of homelessness in relation to the policies that affect them the most.
- k) Newcastle City Council could consider the adoption of a local charter with explicit guarantees of the right to adequate housing in order to make this right locally relevant for local institutions, processes, actors and policies. As part of this process, Newcastle City Council could reach out and learn from the experiences of other cities in the UK and internationally that have explored ways to implement human rights principles in their local policies.

¹⁰⁸ Element 5 report, p. 89.

¹⁰⁹ Ibid, p. 79.

¹¹⁰ Ibid, p. 57.

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