Case study: How to approach best practice in addressing emergency homelessness assistance
Legal context

• Local authority duties to those made homeless
• S188 duties under Housing Act 1996
• Challenging negative decisions and refusals of assistance
• Value and effect of Judicial Review
Housing legal aid

- Role of Legal Aid
- Availability of Legal Aid
- Impact of Legal Aid deserts

The Law Society ‘Housing – Legal Aid deserts’ June 2022
https://www.lawsociety.org.uk/campaigns/legal-aid-deserts/housing
The other thing we’ve noticed is that post-LASPO, when housing advice deserts were created, there’s nobody in those areas to hold local authorities to account. […] Anecdotally we see that when there are no lawyers and advisors to hold an authority or a public body to account in an area, then systemic failures and bad practices thrive.

Jo Underwood, head of strategic litigation, Shelter (2020)

https://www.insidehousing.co.uk/insight/insight/behind-the-numbers-what-impacts-have-legal-aid-cuts-had-on-housing-64986
Practical approaches

• The limits of non-legal challenges
• Informal challenges
• Collaborative practice

“to be a rights holder, and for housing to be treated as a fundamental human right, one must be able to claim rights, to give voice and context to the deprivation of dignity and rights experienced”

‘Access to justice for the right to housing’ Report of the Special Rapporteur on adequate housing UNGA A/HRC/40/61 15 January 2019
Essex Law Clinic and Beacon House

• Project findings
• Client successes and quick wins
• Developing a collaborative approach with local authority
The growing problem – locally and nationally

**Current Statistics – Government Data Quarter 4, 2021**

<table>
<thead>
<tr>
<th></th>
<th>Households Assessed</th>
<th>% Assessed as Owed a Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>October-December 2021 - England</td>
<td>69,300</td>
<td>96.1%</td>
</tr>
<tr>
<td>October-December 2021 - LA</td>
<td>164</td>
<td>87.8%</td>
</tr>
</tbody>
</table>

**Current Statistics – Government Data Quarter 1, 2022**

<table>
<thead>
<tr>
<th></th>
<th>Households Assessed</th>
<th>% Assessed as Owed a Duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>January-March 2022 - England</td>
<td>76,880</td>
<td>96.6%</td>
</tr>
<tr>
<td>January-March 2022 - LA</td>
<td>200</td>
<td>91.5%</td>
</tr>
</tbody>
</table>
Impact on Homeless and Vulnerable clients

Practitioner view from
Michelle Wilkinson RGN QN Inclusion Nurse
Beacon House
Thank you

To share best practice and develop this project across East Anglia please contact us:

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Q&A