

Seven Towers Residents' Group

The Right to Housing: A People's Inquiry

24th June 2010

Recommendations from the International Panel

Participation and the Practice of Rights
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Foreword

It is with gratification that I read the recommendations issued by the International Panel of the People's Inquiry event held on 24th June 2010 regarding the right to adequate housing and participation.

Ensuring the active and informed participation of individuals and communities is an important feature for the realisation of the right to adequate housing. As defined by the first UN Rapporteur on Adequate Housing, "the human right to adequate housing is the right of every woman, man, youth and child to gain and sustain a safe and secure home and community in which to live in peace and dignity". Participation is an essential component of an effective and integrated housing system and an activity that should be present in the design, implementation and monitoring of housing policy. For participation to be effective it shall involve an active, informed and meaningful process which enables individuals and groups to identify priorities, formulate strategies, decide upon resource allocation and evaluate results and impacts.

The work being done by the Seven Towers residents with the support of Participation and the Practice of Rights (PPR) consists of a unique experience that combines a human rights-based approach to housing and to accountability in housing-related decision-making. General Comment No 4 of the UN Committee on Economic, Social and Cultural Rights asserts that in determining housing priorities and formulating

strategies, the States "are required to carry out extensive genuine consultation with, and participation by, all of those affected, including the homeless, the inadequately housed and their representatives".

The inhabitants of the Seven Towers have been creative in designing cost-effective solutions to address their housing problems in times of severe resources constraints by identifying priorities, developing benchmarks and formulating policy. However, improvement in the conditions of the most vulnerable groups is still required and is even more important to avoid current inequalities being entrenched. In this vein, it is fundamental that the Minister for Social Development has due regard to the housing duties enshrined in the International Covenant on Economic, Social and Cultural Rights.

The residents have been brave in crafting independent participative arrangements in the absence of government willingness to put in place institutional participatory mechanisms and to hold the duty-bearers accountable towards their housing obligations. As a result, they have also improved their own methods of community driven participation, such as providing all residents a chance to put their concerns on the agenda and encouraging other stakeholders to engage in the development of housing strategies.

I hope to visit Belfast in the future to learn more about their work and until then I will follow their progress with interest.

Raquel Rolnik

United Nations Special Rapporteur on the Right to Adequate Housing

The Panelists

Ann Blyberg is the executive director of the International Human Rights Internship Program (IHRIP) and has a law degree from Boalt Hall at the University of California, Berkeley. She has worked in the human rights field, as staff, consultant and volunteer, for more than 30 years. Ann served on the Board of Directors of Amnesty International USA for a number of years, and has served and continues to serve on the advisory boards of a number of human rights-related organisations and initiatives. Her professional interests include organisational development as well as participatory learning processes — and most recently, human rights budget work. IHRIP's focus on government budgets developed in response to human rights groups' growing interest in tools for monitoring the realisation of economic and social rights. She is a co-author of *Dignity Counts: A guide to using budget work to advance human rights*, and author of "Many a slip...": Budget work to advance the right to food, recently published by the FAO.

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 in Brazil, the latter of which has gained international recognition for its progressive social policies and effective engagement with disadvantaged communities. Currently she is the

Ford Foundation's Human Rights Programme Officer for Brazil, prior to this she was the Director of Essex Human Rights Clinic and 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 organisations and social movements to prevent evictions and mediate land conflicts worldwide. Leticia was a member of the International Panel at the First Evidence Hearing on the Right to Housing in 2007 and spoke at the Second Hearing in January 2009.

Introduction

The People's Inquiry event on 24th June 2010 brought together residents of the Seven Towers in North Belfast, alongside a range of experts in the fields of housing and health, urban environment, architecture, NGOs, community groups, political representatives and housing groups from all over Ireland to present their work on the right to adequate housing. This was the third event of its kind, with International Housing Hearings taking place in June 2007 and January 2009. The following report details the findings of the International Panel present at the proceedings and sets out our recommendations.

The Seven Towers Residents' Group use a human rights based approach to work towards the realisation in their community of the right to adequate housing. The right to adequate housing requires accessible and effective accountability mechanisms. What is said to be special about a rights-based approach to accountability is that "the principle is legalist and focuses on how to transform right-holders from being passive recipients to being empowered claimants".¹

Participation of those affected by the issues is core to this work, both as the means of selecting issues to campaign on and indicators to monitor and as the desired end result. The work of PPR is increasingly showing that the active and

meaningful participation of vulnerable groups in government decisions that affect their lives is key to achieving structural, and therefore sustainable, change. Also their work in applying a set of international human rights standards to their own lived experience of the housing problems they face helps to define what these rights mean in practice.



Leticia Osorio, Housing Rights Expert and Patricia McKeown, Chair of the People's Inquiry

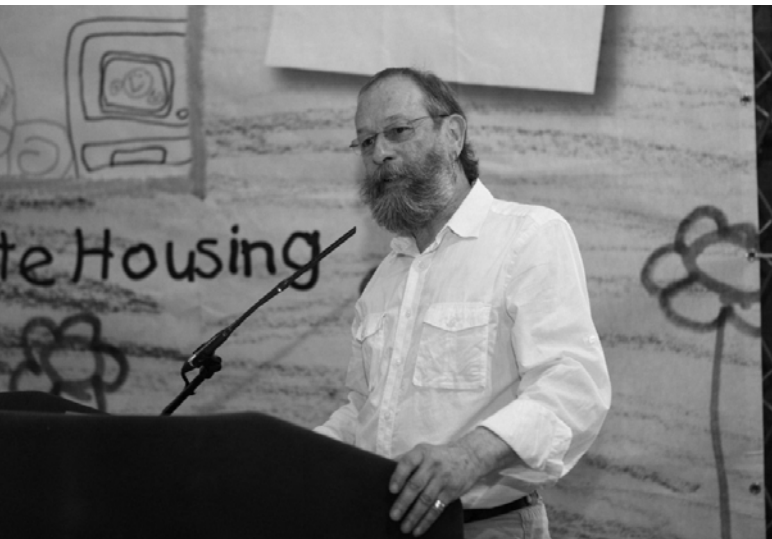
¹ J. Hansen and HO Sano, *Implications and Value Added of a Rights-Based Approach* in B. Andreassen and S. Marks, *Development as a Human Right: Legal, Political and Economic Dimensions*, Harvard School of Public Health and François-Xavier Bagnoud Centre for Health and Human Rights, Harvard University Press, London, 2006, p. 48.

1: Exploring what the right to adequate housing means

“I was fascinated by the comments about condensation, condensation is damp, if you touch it, it is wet, houses are supposed to be designed so that you cope with how you live, how human beings live, we breath, we cook, we wash, we wash clothes, we dry clothes.”

David Ormandy at the People’s Inquiry (pictured)

The work of the Seven Towers Residents has significantly moved forward the development of what the human right to housing really means and we acknowledge their use of the



components of the right to adequate housing in the development of their indicators²; for example the right encompasses an obligation on the state to ensure availability of services, materials, facilities and infrastructure essential for health, such as that homes are free from dampness and cold, and measurement of all of these is evidenced in the indicators. Other issues being monitored through the indicators, aside from issues of dampness and poor heating include poor security and the number of families living in the Towers. Furthermore they include measurement of procedural and not just substantive elements which are crucial to the realisation of the right to an adequate standard of living, such as the right to participate meaningfully in decision-making and the right to information and to mechanisms through which to hold the State to account.

We reiterate the comments made by previous international panel members Bruce Porter (Canada) and Odindo James Opiata (Kenya) who have validated the indicator selection process as reasonable and based on human rights standards, and have asserted that the benchmarks set are realistic and capable of charting the required progressive realisation of the right to adequate housing.

² 1. Number of families living in the Towers (HR Standard UNCRC Article 27). 2. Percentage of previously damp units still experiencing problems with damp (HR Standard CESCR General Comment 4, Para 8(d)). 3. Percentage of residents who are dissatisfied with the Economy 7 Heating system (HR Standard CESCR General Comment 4, Para 8 (b)). 4. Number of Towers passing security system check (HR Standard CESCR General Comment 4, Para 7). 5. Percentage of residents satisfied with NIHE response to reported problems (HR Standard CESCR General Comment 9, paragraph 94). (a) Percentage of residents participating in decision making about the Towers. (b) Percentage of residents with at least an 80% basic knowledge of NIHE cladding scheme.

International Human Rights Law very clearly states that the right to adequate housing means substantially more than merely having shelter as the UN Committee on Economic, Social and Cultural Rights have noted:

“In the Committee’s view, the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one’s head or views shelter exclusively as a commodity.” (General Comment 4 to Art. 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), para 7)

The second International Hearing on the Right to Housing in January 2009 moved this issue forward again through adding layers to the conceptualisation of the right to housing being interpreted as the right to a ‘home’ which offers security, peace, control, a locus in space, a centre for self-identity, a social and cultural unit and the place where relationships with families and friends take place. The evidence presented at the People’s Inquiry advances this discussion further.

David Ormandy, Head of the Institute of Health at the University of Warwick, the designated World Health Organisation Collaborating Centre for Housing Standards and Health, made important comments about the need for housing which

is fit for purpose and which is able to adapt to the needs of modern everyday living by their occupants – not the reverse.

Geoff Green, Emeritus Professor of Urban Policy at the Centre for Regional, Economic and Social Research at Sheffield Hallam University (pictured), made the same point:

“Here I am putting the emphasis on place as well as person. It is an interesting debate and David makes the point and the last resident speaker made it that often dinosaur housing officials blame the individual not just for washing but I



recall one telling me that keeping goldfish and having too much sex led to condensation, damp and mould. What we need really is a tolerant building, a building that accommodates people's lives and loves"

Housing policies are required that recognise the impacts of housing on residents' health, family life, and employment opportunities. The combined value of evidence submitted by the experts provides the rationale for investing in housing improvements which will not only improve homes, but actually save the public purse over and over again by impacting not just on housing but on healthcare, employment and prevention of crime.

The Health and Housing Rating System, for example, is a policy initiative which takes a more holistic view of the right to housing and the right to health and captures the indivisibility of rights which often tends to be missing from housing policy nomenclature. The Panel feels strongly that there is a need to draw on the lessons learned here and combine them with strong participation and accountability measures to progress the right to an adequate standard of living in Northern Ireland.

Recommendation: Government must recognise in policy making the impact of housing on all areas of life and ensure effective participatory and accountability mechanisms in policy development, formulation, implementation and evaluation.

2: Action in times of severe resource constraints

The Panel feels it pertinent to point out that government's obligations to protect, respect and fulfil economic and social rights such as the right to adequate housing do not cease with the onset of a recession or economic crisis. The Committee on Economic, Social and Cultural Rights has reiterated this point:

“Even in times of severe resource constraints whether caused by a process of economic recession or by other factors, the vulnerable members of the society can and indeed must be protected by the adoption of relatively low cost targeted proposals”³

The Panel notes that evidence put forward at the Inquiry by the residents of the Seven Towers themselves provides alternatives for more efficient and targeted use of resources. We are impressed that the work of the residents has not stopped at identifying the problems which impede the progression of their right to adequate housing; rather, they have also been proactive in demonstrating that there are modest, feasible actions which could be taken in line with the State's duty to progressively realise their rights. In discussing resident dissatisfaction with the Northern Ireland Housing Executive's (NIHE) response to reported problems, for example, Angie McManus puts forward practical inexpensive solutions while Marissa McMahon's (pictured) comments on the unsuitability of NIHE rehousing small families away from their established support networks provide crucial insight into the shortcomings of the allocations policy. Angie's

comments on the current problems with the NIHE maintenance resident satisfaction system and practical low cost alternatives highlight the potential value of resident participation in service delivery design and implementation;

“Another example of how the NIHE currently records satisfied with maintenance jobs is by asking the resident to sign a piece of paper to say that they are happy or unhappy with the job. This is unsatisfactory because often the residents don't know what they are signing or they are not prepared to sign the sheet saying the job was inadequate with the person who did the job standing there in front of them. Practical



³ CESCR General Comment 3, para. 12.

alternatives are not difficult to think of, for example, residents being given a phone number to ring to report it and why they are unsatisfied, or an assessment form being left with them”

The Panel wish to highlight that these low cost alternatives were made possible through the exercise of rights-based participation by residents which generated a more holistic view of the problem and allowed for the identification of potential solutions.



Cladding

“The Housing Executive has proposed a major initiative to address the problem of damp in the Towers, of course: a £7 million PVC ‘cladding’ scheme. Unfortunately for residents, it is not at all clear how this scheme will tackle that problem.”

Brendan Menham, Resident of the Seven Towers

The most illuminating example of failure to identify targeted, cost-effective solutions which can be drawn from the Inquiry is the proposed PVC cladding (rain screen) initiative which has been put forward by the Northern Ireland Housing Executive at a predicted cost of £7 million.

Through participation in a human rights based approach the residents have shown that the realisation of their right to adequate housing will not progress and improve through this expenditure. The decision to clad the Seven Towers was made in the absence of participation of the residents. In addition, they have identified ways in which this money could be spent in a way which fulfils the obligation to progressively realise the Seven Towers residents’ housing rights.

Of particular interest to the Panel’s deliberations in this regard, was the testimony of architect Mark Hackett (pictured) who criticised the initiative on a number of technical grounds, stating that the proposed use of a material such as PVC was environmentally unsustainable; that the official

economic appraisal demonstrated that more appropriate materials such as fibre cement were not even considered as an option; and that he considered the design so poor it would not actually pass expert Design Gateway processes. Especially significant, and of importance to the Panel in its deliberations, was evidence presented by the residents from their engagement with the NIHE and the Department of Social Development (DSD) which stipulates that when asked how the proposed cladding would deal with the problems relating to heating and dampness, they were told by NIHE technicians that “the cladding is not designed to do this”.

The Panel wishes to confirm the residents’ view that the cladding initiative cannot be said to progressively realise the right to adequate housing as current proposals will not meet the residents’ rights in relation to adequate housing which is warm and free from damp as required by the Covenant. Moreover, the initiative is evidently not an example of the use of the maximum available resources as it would not meet with the definition of spending resources ‘in the most expeditious and effective way possible’⁴.

The Panel is alarmed to discover that, in spite of evidence presented at the Inquiry and previous interventions made by the residents to effectively ‘open up’ the proposal for residents participation, the proposal to clad the exterior has been developed and is already currently out to tender.⁵ At the time of publication, the Seven Towers residents have

expressed concern about the scheme and requested that they be permitted meaningful involvement on no less than six occasions. On one occasion over 100 residents signed a petition which was presented to the NIHE and DSD in December 2010 requesting that the scheme be halted until meaningful participation by the affected residents could be established. They have been denied this.

“..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.”
CESCR General Comment 4.para 9

According to the International Covenant on Economic, Social and Cultural Rights, the State and through it, the Department for Social Development and its service delivery body, the Northern Ireland Housing Executive, are legally obliged to take deliberate and concrete steps towards the realisation of the right to adequate housing for the residents of the Seven Towers; the proposed cladding initiative in its current form will not discharge this obligation.

Recommendation: PVC cladding (rain screen) proposals should be reviewed by NIHE following evidence presented at the People’s Inquiry and with the active and meaningful participation of residents to examine all possible options, in order to consider how the money could be spent in a targeted way which would progress their right to adequate housing.

⁴ Sepúlveda, M. (2003) The Nature of the Obligations under the International Covenant on Economic, Social and Cultural Rights, Intersentia, ~p.315.

⁵ Whilst the Department for Social Development’s representative chose not to attend the Inquiry or present their response, the residents have since met with both the NIHE and the DSD and allowed the DSD to comment on the issues their presentation at the Inquiry was intended to highlight. It is through this engagement that the residents have learned of the proposals for cladding work already being out to tender.

3: Participation as a process

The People's Inquiry event evidenced numerous threads to the development of the concept of 'active and meaningful participation' which is a core component of all socio-economic rights. The Panel is impressed with the work of the Seven Tower's Residents' Group which provides tangible evidence that resident participation can lead to a more targeted spending of public resources in a way which fulfils the obligation to progressively realise the Seven Towers residents' housing rights.

The Panel has noted with interest comments



made at the Second International Hearing on the Right to Housing, when the NIHE representative stated that working with the residents through the Seven Towers Monitoring Group (the participation structure established by the residents in aftermath of the June 2007 International Housing Hearing with the Minister for Social Development as duty bearer, and the NIHE as service delivery body) had *"..provided that sharper focus and made me think about a better use of resources and again that's extremely important in today's financial and economic climate—working smarter and best use of resources — very, very important."*

From this we were interested to hear comments made by residents such as Angie McManus (pictured), on the difference between the Monitoring Group structure and the established 'participation' mechanisms used by the NIHE.

Ms McManus explained that

"...following monitoring rounds, the Monitoring Group made up of residents and a representative from the PPR Project meets with the DSD and NIHE; these bodies report on what they have done to meet the benchmarks and describe what has worked and what hasn't worked. The difference with this structure is that residents set the terms of reference, the agenda is squarely concerned with meeting residents' rights,

residents define the priorities, residents set the timeline for change and the public bodies or duty bearers are accountable to the rights holders”

Further testimony from Ms McManus, who has experience of sitting on both the Monitoring Group and the Housing Executive’s consultative mechanism, the District Housing Community Network, suggested that the latter acts more as an information conduit than a decision making body or an accountability mechanism. The Panel recommends that the Northern Ireland Housing Executive and the Department for Social Development review their current consultative structures in light of this and study the Seven Towers Monitoring group as a best practice example of participation which would contribute to the discharge of their obligation to ensure active and meaningful participation of residents in decisions relating to their housing. The obligation remains with the NIHE to establish a mechanism that is capable of putting the residents right to effective and meaningful participation into practice and from the evidence presented at the Inquiry the current NIHE system is not effective.

The Panel wishes to comment on the passage below, which is part of the evidence presented by the NIHE representative at the Inquiry, on the topic of participation;

“In terms of involvement I do think there is a need for distinction between participation. Again I think we are very clear that we have a detailed structure to involve our tenants in decisions. Now, individual people may feel they are not being involved enough but again I am not sure exactly what that means. If we consult with tenants around work that affects them then I think that is an involvement”

The Panel is concerned that the NIHE idea of ‘involvement’ is being pursued at the expense of participation.

Equally worrying is that aside from what constitutes participation being misconstrued, the chronology for resident participation is flawed, with consultation taking place only after a decision has been made. It is insufficient to commence a consultation process after substantive decisions have been made by the implementing agency. In order to make best use of expertise gained through participation residents must be involved from identification of the problem through the discussion of possible options to improve the situation and right through to the evaluation of the scheme’s effectiveness. The Panel notes the ICESCR which states that active and meaningful participation requires *“effective involvement in the definition of priorities, decision-making, planning,*

implementation and evaluation”.

This was accepted as a principle of good business sense by the NIHE themselves in May 2009 at the Second Hearing.

The Panel views the Monitoring Group structure as a way for residents to carry out their work in a process which is partnered with, but *not owned* by the duty bearer. This framework presents challenges to duty bearers and comments made by the NIHE representative at the Inquiry concerning the need to ‘revise’ the residents’ housing rights indicator and benchmarks indicates this.

However, the Panel were interested to hear how some of the indicators developed in the first round of monitoring, notably sewage, were progressed despite the duty-bearer’s previous insistence that the problem was insurmountable. Indeed the centrality of resident participation to the methodology being used by the Seven Towers Monitoring Group was essential in identifying a violation, pressurising the duty bearer to respond, and providing a subsequent remedy.

A final point the Panel wish to make in this section is one which they have found woven through the NIHE discourse and is emblematic of the top-down decision making structure which is being highlighted by the work of the Seven Towers’ residents. The repeated assertion of the relationship between the NIHE and the residents as one of provider and consumer fails to capture the nature either of the State’s human rights obligations to its citizens as rights’ holders, or of the NIHE’s function as a public body which is obliged under section 75 of the Northern Ireland Act 1998 to promote equality of opportunity. The Panel wishes to echo comments made at the Inquiry that removing those human rights obligations by redefining the nature of the State’s relationship to citizens through rights’ obligations is “deeply troubling”.

Recommendation: Government should examine the Monitoring Group structure as a best practice example of participation and establish mechanisms and institutional arrangements for participation that are accessible to all and delivered in a way that can respond to local priorities.

4: The right to information as a mechanism of accountability

“The right to information must be honoured if the right to participation is to be real. Being informed is not enough to deliver meaningful participation, but it is needed if participation is to happen.”

Angie McManus, Resident of the Seven Towers

Access to information and transparency in decision making and governance not only enhance the opportunities for meaningful participation but are also key components of proper accountability. The Panel commends the core positioning of work on measuring accountability in the Seven Towers process and feels that the use of indicators and benchmarks in itself is an essential exercise in accountability measurement.

The indivisibility of the right to information and the right to participate in holding duty bearers to account is captured in the group’s indicator on residents’ basic knowledge of a £7 million NIHE initiative to clad the Towers. Only 23% of residents surveyed were aware of the initiative.

Worryingly, the lack of transparency and information provision is not limited to localised issues in housing. The evidence provided by Kate Ward (PPR Project) on the wider policy context in Northern Ireland presents examples of how those most in need and those facing most inequality are obscured from attention

when decisions are being made, whether this be in measuring waiting lists or general housing debate. This makes the ‘targeting’ of resources towards the most vulnerable impossible.

The Panel strongly recommends that all public bodies base decisions (including resource allocation) and policy initiatives on robust evidence collected across vulnerable groupings as required by international human rights law and the national section 75 equality duty.

Recommendation: Information is integral to accountability, and the Panel recommends that information collected and provided by public bodies meets international human rights standards (on the need to disaggregate data to reveal vulnerable groups) and local equality legislation.



5: Attention to vulnerable groups

International human rights law includes an obligation on government to give priority to those groups living in unfavourable conditions⁶ as well as stating that there must be no discrimination on the basis of social status.⁷ This is also reflected in Northern Ireland legislation, most significantly in Section 75 (1) of the Northern Ireland Act 1998 which states:

“A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity-

- (a) *between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;*
- (b) *between men and women generally;*
- (c) *between persons with a disability and persons without; and*
- (d) *between persons with dependants and persons without.”*

This places a legal obligation on public bodies to monitor the impact of their policies on the nine grounds outlined in section 75. Moreover since the duty explicitly calls on them to show ‘due regard’ to the ‘need to promote equality of opportunity’ across these grounds, public bodies are required to use data to identify and then target these groups.

The Panel are concerned that effective monitoring of these protected grounds and vulnerable groups is not taking place, particularly in important policy initiatives such as those which tackle housing need and waiting lists.

The Panel were informed at the Inquiry that in 2008, the NIHE published a new strategy for the calculation of where and how many new social housing units would be built in Northern Ireland to address increasing housing need. PPR expressed serious concerns with the Equality Impact Assessment. Following consultation the



Dessie Smyth, Seven Towers Resident, speaking at the People's Inquiry

⁶ CESCR General Comment 4, para 11.

⁷ Declaration on Social Progress and Development (1969) proclaimed by UN General Assembly Resolution 2542 on 11 December 1969, Part II, Article 10.

NIHE made minor revisions to the policy but many of the PPR Projects concerns still stand.

The Panel are concerned that the previous policy of 'ringfencing' spending on new builds in areas of high religious inequality, such as North Belfast, West Belfast and Derry, has been removed.

According to government data, housing need in North Belfast is expected to be 95% Catholic by 2012, however using the new calculation, the number of housing units allocated to North Belfast will actually fall by a quarter.⁸

Moreover, we are concerned that the use of the median average to calculate time spent on the waiting list as opposed to the mean average will remove those who have been waiting the longest from the equation. Evidence presented at the Inquiry suggests that using the mean average measure, Catholics in housing stress in North Belfast wait an average of 14.7 months before being housed, while Protestants waited 8.8 months. The median average shows these figures as 7 months for Catholics and 5 months for Protestants. Protection of the most vulnerable is a key human rights obligation on the State, and any moves to exclude them from the evidence collection must be resisted.

The Panel notes that the Seven Towers Residents Group took their concerns to the United Nations Committee on Economic, Social

and Cultural Rights in the latest review of the United Kingdom's compliance with the Covenant on Economic, Social and Cultural Rights in 2009, provoking the Committee to conclude that:

"The Committee is concerned about the chronic shortage of housing, in particular social housing, for the most disadvantaged and marginalized individuals and groups, such as persons with disabilities, especially in Scotland, or Catholic families in Northern Belfast, in spite of the financial resources provided, and other measures taken, by the State party in this regard.

*The Committee calls upon the State party, in line with its General Comment No. 4 (1991) on the right to adequate housing, to intensify its efforts to ensure that everyone has access to housing and to review its policies and develop effective strategies, including a gender impact assessment, aimed at increasing the levels of affordable housing, including social housing."*⁹

Given the specific concerns expressed by the Committee and the evidence presented at the Inquiry, the Panel recommends that data collected by the government and used to assess issues most particularly relevant to vulnerable groups (such as information used to assess housing need) is reviewed to ensure it is capable of reflecting international human rights

⁸ Department for Social Development EQIA on the Crumlin Road Gaol and Girdwood Park Draft Masterplan.

⁹ CESCR General Comment 4, para 11.

commitments and local legal obligations.

Significantly the participation of the residents has evidenced the tangible outcomes of decision making which does not fulfil the obligation to progressively realise the Seven Towers residents' housing rights.

The Seven Towers Residents' Group has collected data on resident dissatisfaction with the current heating system in the flats. The dissatisfaction is dual pronged: Economy 7 is both inefficient and expensive. The Panel is concerned with the high cost of running the heating system borne by residents. According to evidence presented at the Inquiry, many residents pay between £35-40 per week which is entirely incommensurate with their income.

Indeed architect Mark Hackett estimates that owing to the inefficiency and costliness of Economy 7, residents are paying £250,000 more per year on heating than they would be paying if their heating system was brought up to an acceptable standard. The Panel wishes to emphasise the obligation on the State to protect the most vulnerable members of society and echo the Committee on Economic, Social and Cultural Rights' explanation of the state's obligation in this regard:

"State parties must give due priority to those

*social groups living in unfavourable conditions by giving them particular consideration."*¹⁰

The Panel understands that a pilot heating scheme is being tested in the Seven Towers by the NIHE. The results of this scheme should be shared with the residents and discussions opened on how to ensure the needs of the most vulnerable are prioritised.

Recommendation: The Social Housing Development Programme Strategic Guidelines must be reviewed by NIHE to ensure they are capable of targeting those experiencing the worst inequality in housing provision and that the Minister for Social Development makes clear how his Department's policy targets 'those most in need' in line with international standards and local legislation.

¹⁰ Concluding Observations of the Committee on Economic, Social and Cultural Rights, 42nd Session, 4th — 22nd May 2009, paragraph 29 [E/C.12/GBR/CO/5].

