



A COMMENTARY ON HOUSING AND HUMAN RIGHTS ON ST HELENA

December 2021

ABSTRACT

Housing is a human right. The right to adequate housing was recognised as part of the right to an adequate standard of living in the 1948 Universal Declaration of Human Rights, and in the 1966 International Covenant on Economic, Social and Cultural Rights. It was later included across many other international human rights treaties

Equality & Human Rights
Commission

St Helena

EXECUTIVE SUMMARY

- ❖ Housing **is** a human right. The right to adequate housing was recognised as part of the right to an adequate standard of living in the 1948 Universal Declaration of Human Rights, and in the 1966 International Covenant on Economic, Social and Cultural Rights. It was later included across many other international human rights treaties.
- ❖ There is still work to do for this right to be fully realised on St Helena, and to make sure that everyone has access to a safe, secure and affordable home.
- ❖ Everyone needs good quality housing to live and thrive in: a home is central to every aspect of our wellbeing, from health to educational attainment to happiness.
- ❖ Our existing laws fail to adequately protect housing rights and the human right to housing, there is no legal right to a safe, secure and affordable home in our Constitution¹, no legal definition of homelessness and no Statutory duty on St Helena Government to provide shelter to the homeless.
- ❖ The right to an adequate standard of housing as defined in international human rights law is not easily enforceable at an individual level, on island because the International Covenant on Economic, Social and Cultural Rights and other associated conventions have not been included in our Constitution or local law.
- ❖ A new law on equality and human rights would be a step in the right direction, however people need to know their rights, and be able to enforce them, for their rights to be realised in practice therefor public awareness campaigns are also important.
- ❖ SHG is failing to meet the international standard that it has signed up to and agreed to be judged against and its own commitments in its 2012-2022 housing strategy and The UN Sustainable Development Goals on housing.

Recommendations

- ❖ A new Ordinance or update to our Constitution to include civil and political rights would go some way to clarifying the right to adequate housing. Existing domestic legislation does not cover the right to adequate housing, and legal rights are essential to enable the achievement of adequate housing. New legislation would be a significant step towards legal protection for a safe, secure and affordable home for everyone.
- ❖ The EHRC recommends the establishment of a Chief Minister's Advisory Group on Human Rights Development, to develop recommendations and actions on how to protect and expand on our human rights on St Helena and bring them into line with international standards

¹ The Constitution of St Helena, Ascension & Tristan da Cunha 2009. Available at <https://www.sainthelena.gov.sh/wp-content/uploads/2020/09/Constitution-of-St-Helena-Ascension-and-Tristan-da-Cunha-2009-Updated-180620.pdf>

- ❖ Education and awareness on the right to adequate housing and any legislative changes must be carried out to empower those with housing problems to seek solutions.
- ❖ There must be true recourse to justice including access to legal assistance and support to challenge inaction or injustice. We need to ensure these rights are enforced and protected to prevent systemic breaches, as well as ensuring there is adequate funding and support for the housing and benefits offices and other duty bearers to deliver these rights for our people in practice.
- ❖ Seek alternative solutions to the current housing crisis, for example housing associations or cooperatives, joint equity mortgages, rent subsidies for those on low incomes.
- ❖ By taking a human rights-based approach, we can help increase accountability for the fulfilment in practice of human rights. We can ensure that rights to housing in international human rights law are achieved and enforced in practice, by holding SHG and potentially the United Kingdom Government, as duty bearers, accountable and giving a clear remedy to individuals where rights are denied.
- ❖ Until such time that the right to adequate housing is incorporated in our local law, should use the internationally agreed right to an adequate standard of living for everyone, as defined in the International Covenant on Economic, Social and Cultural Rights, as a template.
- ❖ SHG and Elected Members should apply political pressure to UK Government to take steps to achieve the right to adequate housing over reasonable time.

INTRODUCTION

Where we live is more than just a roof over our heads, it is home, a place to feel warm and safe, protected from the outside world. A place to make memories and to remember, to be with family and friends, to grow and to flourish. Or at least it should be, but for many people, a good home is out of reach.

SHG own 11.8% of the housing stock (218 properties) yet there is a critical shortage of GLH and much of it is in urgent need of modernization, but there is no minimum housing standard to define this work. The EHRC is currently working with people who are technically homeless or in emergency accommodation and there are approximately 15 people living in shared accommodation, without a choice of housemate. This is supposed to be a short-term solution for homeless people but as there is no other accommodation available therefore has become a permanent situation. Those in GLH tend to be the most vulnerable members of our society; the unemployed, elderly, disabled, single parents etc.

In the last 20 years only 3 steel framed houses have been built and these are suffering from damp and rust. There are two, two-bedroom properties nearing completion at Bottom Woods.

On 16 occasions since its inception in 2015, the EHRC has been asked to assist in cases where people are genuinely homeless. It has received 71 of contacts on housing related issues in both the public (63 issues) and private sector (8 issues). High house and land prices and private sector rents, low wages and even lower benefits are putting pressure on the Government Landlord Housing (GLH) to such an extent that demand is far exceeding supply.

Private rents have increased significantly in the last 10 years, initially due to high demand for housing during the Basil Read Airport Project 2011-2018, Construction Phase and have remained high as the Technical Cooperation Officers (TCOs) can afford these higher rents, from their allowances. While the Statistics Office does not keep data on the cost of rent, conversations with property owner has revealed that prior to the airport construction commencing a two bedroomed house would be around £150-£200 per month in Half Tree Hollow but the same accommodation is now being let for £500 per month an increase of 150%. In the same period the average salary has risen by 28%.²

Many landlords when contacted are honest about the fact that they can get more rent from SHG/TCOs so will not let to anyone else. The Covid pandemic has exacerbated the problem as there are now people only letting for quarantine. This has advantages to the homeowner as they can make more money than usual per week, and they have the security of knowing they will not have sitting tenants.

It is a basic requirement of the International Covenant of Economic, Social and Cultural rights (which is extended to St Helena) that that the number of homeless people is recorded and monitored. Currently there is no legal definition of homelessness on island so the recording of the number of homeless people is subjective. As there is no definition of homeless there cannot be a definition of who is unintentionally homeless.

The UN Sustainable Goals place a responsibility on all States to achieve the following

Goal 1.4 says 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources as well as to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.

² <https://www.sainthelena.gov.sh/st-helena/statistics/>

And

Goal 11. 1

By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums.

These goals will form a key part of the EHRC's Strategic Plan for 2022-25.

There is no statutory duty on any agency to provide shelter to homeless people. In addition, local law provides little protection for tenants in private let, social housing is limited, and rents and house prices are beyond the reach of many on lower incomes or within 20 years of retirement.

There are gaps in the legal framework of St Helena when contrasted with the law in England which may not be compatible with the human rights obligations contained within St Helena's Constitution.

This report seeks to examine the issues in both sectors and in the financial and legal framework around housing to assess the human rights implications for the people of St Helena and the financial and reputational risk to government.

Housing is a human right and is defined as such within the Universal Declaration of Human Rights, but there is still work to do for that right to be fully realised on St Helena, and to make sure that everyone has access to a safe, secure and affordable home.

A GUIDE TO THIS REPORT

This report provides an overview of housing as a human right On St Helena

- Part 1 explores how important housing is to wellbeing, and therefore why it is a human right.
- Part 2 looks at the background to human rights including an explanation of what a human right is, where they are written and defined, and how they can be enforced. It also explains what a human rights-based approach is, using the 'panel' principles.
- Part 3 answers the question: 'Is housing a human right?', clarifying what different treaties and conventions say and defining what an adequate standard of housing is.
- Part 4 highlights how far the right to adequate housing has been/is being achieved on island and where the barriers are to progression.

WHY IS HOUSING SO IMPORTANT?

HOUSING IS CENTRAL TO WELLBEING

“Everyone needs a home – somewhere that is safe, secure and allows its inhabitants to enjoy family life, privacy and to develop their personal identity: housing is central to every aspect of wellbeing from health to educational attainment, a sense of community and happiness.”³

Human rights law recognises that all rights are connected. If our right to adequate housing is not met, this can affect our right to physical and mental health and our children’s rights to play and to education. It might also mean that our rights to family life, to participate in public life, meet others and say what you think are affected. Most of these rights are protected in our Constitution.

HOUSING IS A HUMAN RIGHT

Adequate housing is vital to our wellbeing and survival, and a lack of it can have a significant impact on our current and future health, education and prosperity. Reflecting these facts, **the right to adequate housing has been recognised globally as a human right within the International Covenant on Economic, Social and Cultural Rights**, which is part of the International Bill of Human Rights. However, how housing is recognised as a human right is complex and cuts across a number of different conventions, treaties, and legal systems.

Currently, for some individuals and families on island, this right to housing is not being realised.

³ [Commission on Housing & Wellbeing \(June 2015\). A blueprint for Scotland’s future](#)

PART 2: BACKGROUND TO HUMAN RIGHTS

WHAT ARE HUMAN RIGHTS? ⁴

Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. They apply regardless of where you are from, what you believe or how you choose to live your life.

Human rights are based on shared values like dignity, fairness, equality, respect and independence.

There are rights relating to all areas of people's lives: civil and political rights and economic, social and cultural rights. Housing, for example, is considered an economic, social and cultural right.

The Right to housing includes both positive and negative rights. For example, the right to adequate housing covers a right to be free from forced evictions carried out by public authorities, as well as a right to receive assistance to access adequate housing in certain situations.⁵

The Right to housing is a qualified right; subject to some limitations or exceptions, SHG can limit the right to housing if it's to protect other people's rights, or if it's in the interest of the wider community. There must be a specific reason or legitimate aim to restrict someone's right. Any limitation or restriction must be necessary, proportionate and have the least possible impact.

THE UN TREATIES

The Universal Declaration of Human Rights is described by the United Nations as a 'milestone document in the history of human rights.'⁶ It provides a common standard of achievements for all peoples and all nations and sets out fundamental human rights to be universally protected for the first time. It contains thirty articles, including Article 25 on the right to an adequate standard of living:

⁴ The Equality and Human Rights Commission (EHRC), <https://sthelenaehrc.org/> or the booklet Human Rights Explained.

⁵ UN Office of the High Commissioner for Human Rights (OHCHR), Fact Sheet No. 33, Frequently Asked Questions on Economic, Social and Cultural Rights, December 2008, No. 33, available at: <https://www.refworld.org/docid/499176e62.html> [accessed 23 September 2021]

⁶ United Nations, Universal Declaration of Human Rights, accessed September 2021

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.

Universal Declaration of Human Rights, Article 25⁷

Whilst the Universal Declaration of Human Rights can be said to cover the general principles of human rights, the ICESCR and the ICCPR detail the binding commitments, and it is these treaties The UK Government has signed and extended to St Helena. It is the ICESCR that contains Article 11: the right to an adequate standard of living, which includes the right to adequate housing.

The right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.

ICESCR, Article 11⁸

In addition, the Convention on the Rights of the Child and The Convention on the Elimination of all forms of Discrimination Against Women also consider the right to an adequate standard of living, including housing. Unfortunately, the Convention on Persons with Disabilities has not been extended to St Helena, so our disabled citizens are not as well provided for as their counterparts in the UK.

The Constitution places a responsibility on SHG to govern in “compliance with applicable international obligations of the United Kingdom and of St Helena;” Clearly therefore SHG is obliged to respect the ‘international obligations’ set out in the UN treaties. It must also provide a contribution to the formal reporting process on these treaties as the UK is reviewed regularly for its compliance with them by UN Committees of special experts. Essentially, St Helena has agreed to be judged internationally against these standards as defined by the UN.

Unfortunately, international treaties and conventions are not a legal force in domestic law if they have not been included in it, and there is no effective tool to enforce the international treaties directly in our courts. Whilst some rights, such as those included within the ICCPR,

⁷ United Nations, [Universal Declaration of Human Rights](#), accessed September 2021

⁸ Office of the High Commissioner for Human Rights, [International Covenant on Economic, Social and Cultural Rights](#), accessed September 2021 .

have been incorporated into domestic law particularly in Part 2 of the Constitution, others including many of those in the ICESCR have not been.

However, taking the ICESCR as an example,⁹ as part of the process of signing and ratifying the treaty, the UK (and St Helena as a British Overseas Territory) has agreed that:

- the government must have regard to the ICESCR and it must 'take deliberate, concrete and targeted steps towards meeting and sustaining the realisation of the rights in the Covenant, even if resources are constrained, such as during economic crises, and prohibits retrogressive measures without full justification and strict consideration of a series of safeguards, especially for the most vulnerable and disenfranchised'.¹⁰
- the UK is required to report on this progress to the United Nations Committee on Economic, Social and Cultural Rights.

The UN treaties have an influence on UK law and therefore potentially on our domestic law but cannot, by themselves, be relied on in court. This means even if a right is included in a UN treaty, it cannot be used by itself to fight for or enforce an individual's right.

However, by taking part in the monitoring and reporting process the EHRC will continue to put political pressure on SHG and UK Government to take steps to achieve the ICESCR rights, including the right to adequate housing.

EUROPEAN OBLIGATIONS

Despite Brexit the UK and, through the UK, St Helena, continue to be members of the Council of Europe which was founded to protect human rights and the rule of law, and to promote democracy in Europe. The Member States of the Council of Europe drew up a treaty to secure basic rights for anyone within their borders; the European Convention of Human Rights (the European Convention). Like our Constitution it is based on the civil and political rights within the United Nations' Universal Declaration of Human Rights, for example the right to life, prohibition of torture and slavery, and freedom of expression. It does not include the economic, social and cultural rights, like the right to adequate housing.

⁹ This Section uses the ICESCR as an example as it pertains to housing

⁹ Office of the High Commissioner for Human Rights, Country Visits - Adequate Housing United Kingdom of Great Britain and Northern Ireland (August-September 2013)

The European Convention has direct effect in the UK through their Human Rights Act (1998)¹¹ which makes it unlawful for a public authority to act in a way which is incompatible with the European Convention. Many civil and political rights, unlike rights within the ICESCR, are included within the European Convention, and for human rights included in the European Convention, there are some avenues to challenge it at an individual level and at a group level: these rights are legal rights grounded in UK and St Helena domestic law. The Chief Justice for St Helena will consider the decisions made in both the UK and European Courts when deciding cases here. If an island resident has exhausted the remedies available via the Saint Helena court system through to the Privy Council and still believes that their rights, as included within the European Convention, have not been upheld, then they can take their case to the European Court of Human Rights. The case will be against UKG, not SHG. If the actions of a public authority are found to violate one of the European Convention rights, then the UK has an obligation to abide by the ruling of the Court. There are two cases, which may be of particular interest to the St Helena Courts

Article 3

1. R (Limbuela) v Secretary of State for the Home Department [2005] UKHL 66, [2006] 1 AC 396 the House of Lords held that where there is persuasive evidence that a claimant (in this case a refugee who was not permitted to work) will be obliged to sleep on the street or will become seriously hungry or unable to satisfy the most basic hygiene requirements, the Article 3 threshold will be crossed. In such cases the Secretary of State (on St Helena, the Chief Secretary) is obliged to provide accommodation and support.
2. In R (Bernard) v Enfield London Borough Council [2002] EWHC 2282 (Admin), [2003] HLR 27, High Court Held that the refusal of Enfield Council to provide suitably adapted accommodation for a disabled lady and her family who were living in unsatisfactory accommodation (the lady could not access the upper storey where the bathroom was) was a breach of the claimants Article 8 (Clause 13) right to private and family life.

These cases and others can be applied on St Helena as jurisprudence for case decisions in the Supreme Court. While cases cannot be brought under the UK Human Rights Act which has been dis-applied on St Helena, they can be brought under the Constitution. Part 2 of which guarantees the fundamental rights and freedoms of the individual. The legal argument, jurisprudence and rationale used in those cases brought under the HRA in the UK can be used to argue a case brought under the Constitution.

¹¹ EHRC, The Human Rights Act, accessed November 2018

Clause 7 protects us from torture, inhumane or degrading treatment or punishment and Clause 13 Protects our right to private and family life.

Where Children are involved, the Welfare of Children Ordinance 2008 has particular relevance and in particular ss30 Functions of Department in relation to children in danger or need & 32 Provision for accommodation for children.

There is currently no domestic legislation on homelessness and the allocation of GLH is guided only by policy. In 2012 Housten & Associates were engaged by SHG to develop The 2012-2022 Housing Strategy for St Helena 'Laying the foundations for Future Generations'. The vision for the Strategy was **to ensure the resident population had access to affordable, suitable and sufficient housing which provides for sustainable communities.**

The most recent update available to the EHRC to this strategy is at Appendix A.

A HUMAN RIGHTS-BASED APPROACH

The St Helena Human Rights Commission like our colleagues in the UK believe a human rights-based approach is the best framework for using international human rights standards to ensure that people's human rights are put at the very centre of policies and practice.¹²

A human rights-based approach:

- focuses on empowering individuals and groups to know and claim their rights, involving people in decision making and change, rather than viewing individuals as passive recipients of charity.
- focuses on structural causes and addressing structural injustices which prevent people from realising these rights.
- increases the ability and accountability of individuals and institutions who are responsible for respecting, protecting and fulfilling rights so that people can seek remedies when their rights are violated.

¹² Scottish Human Rights Commission, [A human rights-based approach: an introduction](#) [accessed September 21]

PANEL AND A HUMAN RIGHTS-BASED APPROACH

There are a set of five commonly used underlying principles which are important in applying a human rights-based approach in practice, known as 'PANEL':¹³

Participation: People should be involved in decisions that affect their rights

Accountability: There should be monitoring of how people's rights are being affected as well as remedies when things go wrong

Non-discrimination and equality: All forms of discrimination must be prohibited, prevented and eliminated, and people who face the biggest barriers to realising their rights should be prioritised

Empowerment: Everyone should understand their rights and be fully supported to take part in developing policy and practices which affect them.

Legality: Approaches should be grounded in the legal rights that are set out in domestic and international laws.

Recommendation - Taking a human rights-based approach is vital because currently, there is an accountability gap regarding the right to adequate housing in relation to both housing rights included in domestic law and the realisation of the human right to adequate housing as defined in the ICESCR.

PART 3: HOUSING IS A HUMAN RIGHT

IS HOUSING A HUMAN RIGHT?

How housing is recognised as a human right is complex and cuts across several different conventions, treaties, and legal systems.

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. Rather, as defined by General Comment No. 4 of the

¹³ More information on the PANEL principles is available from the [Scottish Human Rights Commission](#).

United Nations Committee on Economic, Social and Cultural Rights (the Committee)¹⁴ it should be seen as the right to live somewhere in security, peace, and dignity.¹⁵

Reflecting the fact that adequate housing is vital to our wellbeing and survival, and that the lack of it can have a significant impact on our current and future health, education and prosperity, the right to adequate housing has been recognised globally as a human right within the international human rights framework and the treaties which have been ratified by the UK and extended to St Helena.

The Universal Declaration of Human Rights states that

‘everyone has a right to a standard of living adequate for the health and well-being of himself and of his family, including...housing,’¹⁶

and the International Covenant on Economic, Social and Cultural Rights defines this further as a binding commitment.

HOUSING AND THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The International Covenant on Economic, Social and Cultural Rights (ICESCR) states that everyone has a right to adequate housing, and that this should be ensured to all persons irrespective of income or access to economic resources.

The right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and **housing**, and to the **continuous improvement of living conditions**. (Our emphasis)

- ICESCR, Article 11¹⁷

Furthermore, **housing must meet several conditions for this right to be considered fulfilled**. The United Nations Committee on Economic, Social and Cultural Rights’ general comment outlines how the right to ‘adequate’ housing should be interpreted:

¹⁴https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fICESCR%2fGEC%2f4759&Lang=en

¹⁵ For more detail see, J. Hohmann, *The Right to Housing: Laws, Concepts, Possibilities* (Oxford: Hart Publishing, 2013).

¹⁶ UN General Assembly (1948), [Universal Declaration of Human Rights, 217 A \(III\)](#)

¹⁷ Office of the High Commissioner for Human Rights, [International Covenant on Economic, Social and Cultural Rights](#), accessed Sept 2021 and their [Right to Adequate Housing Toolkit](#).

‘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. Rather it should be seen as the right to live somewhere in security, peace and dignity.’¹⁸

For example, there must be security of tenure, housing must be affordable, it must meet a certain condition standard, and the house must be in a location with certain amenities. The EHRC strongly support this definition – a house is not a home if someone is constantly worried, about being evicted at short notice, about dampness and mould or if they’ll be able to pay their bills.

A definition of the adequate standard of housing

The UN Committee on Economic, Social and Cultural Rights’ general comment 4 in 1991 lists seven factors that should be considered under the definition of ‘adequate’ housing, and details what this might mean in practice:

- a) Legal security of tenure
- b) Availability of services, materials, facilities and infrastructure
- c) Affordability
- d) Habitability
- e) Accessibility
- f) Location
- g) Cultural adequacy

A more detailed description of these elements making up the right to adequate housing as defined within the Committee’s general comment is contained within Appendix B.

¹⁸ [Office of the High Commissioner for Human Rights, CESCR General Comment No. 4: The Rights to Adequate Housing \(Art.11 \(1\) of the Covenant\)](#)

HOW IS THE RIGHT TO HOUSING AS INCLUDED IN THE ICESCR ENFORCED?

Unfortunately, the rights identified within the International Covenant on Economic, Social and Cultural Rights are not currently included in domestic law on St Helena. The right to adequate housing as enshrined in the ICESCR and the Committee's general comment is not protected by law here and not enforceable at an individual level.

So, whilst housing **is** a human right, the issue for individuals, and the EHRC, arises when trying to enforce this right; how do we make the human right to housing into the reality of a home for everyone.

The fact remains that, as described in the previous section, the UK (and therefore St Helena as a UK BOT) has signed and ratified the ICESCR and therefore has agreed to respect and have regard to the international obligations set out within the ICESCR (and other international treaties) and take steps to meet and sustain the realisation of the rights to adequate housing. St Helena **must** also contribute to the monitoring and reporting regime of the Committee for Economic, Social and Cultural Rights.

HOW EFFECTIVE IS THE MONITORING REGIME FOR THE ICESCR?

In the last UK report to the Committee¹⁹ the report for St Helena on Article 11, the right to an adequate standard of living was just 172 words 122 of which related directly to housing:

Article 11 (right to an adequate standard of living)

243. St Helena. House-building by private individuals continues to increase. In the past ten years the building of Government Landlord Houses has not been a priority, although renovations to the existing stock of 184 properties has seen larger dwellings converted to smaller dwellings for single occupancy which is where the greatest demand lie. Land is also being made available for the development of 'Community Development Areas', which will comprise privately owned and Government Landlord premises. There have been a few cases of homelessness in 2012 and temporary emergency accommodation has been made available in those instances. There are currently 60 applications pending for Government Landlord housing, 17 whom are single persons. Privately rented homes are not affordable to the majority of local residents.²⁰

¹⁹ Report to the International Committee on the international Covenant on Economic, Social and Cultural Rights September 2014 Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398255/ICESCR-sixth-periodic-report.pdf

²⁰ Ibid para 243

The UN recommended the following in their response:

In line with its previous recommendation (see E/C.12/GBR/CO/5, para. 12), the Committee reminds the State party of its ultimate responsibility for the implementation of the Covenant in all its jurisdictions, including the British Overseas Territories and Crown Dependencies, and recommends that the State party take all necessary measures to ensure the full enjoyment of economic, social cultural rights by all persons under its jurisdiction.²¹

And:

50. The Committee recalls its previous recommendation (see E/C.12/GBR/CO/5, para. 29) and urges the State party to:

(a) Adopt all necessary measures to address the housing deficit by ensuring a sufficient supply of housing, in particular social housing units, especially for the most disadvantaged and marginalized individuals and groups, including middle- and low income individuals and households, young people and persons with disabilities;

(b) Take specific measures to deal with the inability of renters in the private rental sector to pay rents on account of the limits imposed on housing allowance and effectively regulate the private rental sector, including through security of tenure protection and accountability mechanisms²²

It is clear that both SHG and UKG recognise the right to housing under ICESCR and recognise the issue of homelessness, the length of the waiting list for housing, the lack of availability of GLH and the inability of local people to afford private rents. Seven years on, the situation is little changed. The Housing department currently have 26 active applicants on their register. There are an estimated 15 people living in shared accommodation, they have a room in a house and share the kitchen, living room and bathroom. The individuals have no choice with whom they share and the EHRC has been made aware of incidents ranging from theft of food and other property to bullying, physical violence and threats to kill. While some of these issues have been dealt with by the police and courts, others have been too afraid to speak out for fear of reprisals.

²¹ Committee on Economic, Social and Cultural Rights Concluding observations on the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fGBR%2f6&Lang=en

²² United Nations Economic and Social Council Committee on Economic, Social and Cultural Rights Concluding observations on the sixth periodic report of the United Kingdom of Great Britain and Northern Ireland.

E/C.12/GBR/CO/6. 14 July 2016 available at

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmIBEDzFEovLCuW3XRinAE8KCBF0qOHNz%2FvuCC%2BTxEKAI18bzE0UfQhJkxxOSGuoMUxHGypYLjNFkwxnMR6GmqogLJF8BzscMe9zpGfTXBKZ4pEaigi44xqiL>

FUTURE OPPORTUNITIES TO ENFORCE THE ICESCR

The EHRC is keen to explore options, with our new Council to develop human rights protection which will cover all aspects of ICESCR. One option would be to pass legislation laying out these rights in statute another would be to expand the Constitution.

Recommendation - The EHRC recommends the establishment of a Chief Minister's Advisory Group on Human Rights Development, to develop recommendations and actions on how to protect and expand on our human rights on St Helena and bring them into line with international standards.

The UK Government and SHG have an obligation to take steps, including as part of budgetary processes and decision-making, to use the maximum of its available resources to achieve progressively the full realisation of the economic, social and cultural rights of everyone. This includes adequate housing.

Adequate legislation would allow individuals and organisations advocating on behalf of the homeless recourse to the courts to enforce these rights and would enable public authorities as duty bearers to be held accountable where these rights are not upheld, enabling all individuals to realise their human right to a safe, secure and affordable home.

People need to know their rights, and be able to enforce them, for their rights to be realised in practice and there needs to be accountability for duty bearers who are responsible for protecting these rights.

Until such time that the right to adequate housing is enshrined in domestic law we can and will use the internationally agreed right to an adequate standard of living for everyone, as defined in the International Covenant on Economic, Social and Cultural Rights, to put pressure on the UK and St Helenian governments to take steps to achieve this right.

HOUSING AND THE EUROPEAN CONVENTION ON HUMAN RIGHTS EHRC AND THE CONSTITUTION.

While there are no directly enforceable rights to adequate housing within our Constitution some of the rights that are included can be interpreted to include elements of the right to housing. These rights can act as tools to secure legally enforceable rights to housing for individuals, though these only cover certain aspects of housing.

For example, Constitution guarantees **the right to respect for people's private and family life, home and correspondence** in Clause 13 based on Article 8 of the ECHR. However, the

right to respect for your home does not give you a right to housing.²³ It is a right to protect the home someone already has. This means that public authorities cannot stop tenants entering or living in their home, nor can they enter without permission, unless they have a very good reason. This applies whether you own your home or do not. Human rights case law has clarified that compliance with Article 8 requires that the court considers the proportionality of an eviction by a public authority, if the tenant challenges the proportionality and is able to persuade the court that there is a defence. In addition, EHRC Protocol 1, Article 1 protects the right to enjoy your property peacefully and not to have it taken away by the state arbitrarily or improperly.²⁴

Other rights may offer some protection for housing: the right to family life may be relevant if someone is offered accommodation which is not suitable for them or their family meaning the family cannot all stay together, for example because it is too small; and rights relating to the prevention of discrimination EHRC Article XX and the Constitution Clause 21 may be applicable if someone is unable to remain in their home because they are experiencing harassment from neighbours due to their sexuality or if a home does not meet the tenant or a family member's accessibility requirements.²⁵

²³ For example, EHRC [Article 8: Respect for your private and family life](#) (accessed November 2018)

²⁴ For example, EHRC [Article 1 of the First Protocol: Protection of property](#) (accessed November 2018)

²⁵ For example, see EHRC inquiry on [housing and disabled people: Britain's hidden crisis](#)

PART 4: THE RIGHT TO HOUSING ON ST HELENA

DO PEOPLE HAVE A RIGHT TO HOUSING ON ST HELENA?

The human right to adequate housing is clearly set out in various treaties in international human rights law. However, domestic law also provides many rights to housing which support the same outcomes as those considered under human rights discussions.

Yet, the right to adequate housing is not fully realised for many people.

There are gaps in current domestic legislation and many people are still denied this human right day to day:

- There is no legal definition of homelessness (sofa surfing is not considered homeless)
- There is no temporary accommodation/hostel or similar particularly for those whose bail conditions or prison release terms do not allow them to go home.
- There are no legally enforceable minimum standards for accommodation.
- Many people struggle to afford their housing costs, and our benefit system restricts the right to adequate housing in terms of affordability.
- While many GLH properties have been improved there are still many, particularly in the Ladder Hill area, some of which have remote toilets without wash hand basins and some are structurally unsound. The EHRC were invited to visit one house with rain water running down the internal walls and huge cracks right through the external walls.
- Private rents are beyond the reach of many. The median income for 2019/20 was £8,690pa²⁶ which equates to £724 per month. Private rentals are in excess of £400 per month for single accommodation in Jamestown or a 2 bed in the country areas. Three bedrooms will cost £500 per month. Minimum wage is £3.25 per hour or £509 per month for a 35-hour week.
- Mortgages are as difficult to afford. A couple can apply for up to 3 times the higher salary plus one time the lower so a couple on the median wage would be able to apply for a mortgage of £34,760 with the required 15% deposit they would be able to buy a house for just under £40,000. There is nothing currently on the market for less than £143,000.

²⁷

²⁶ <https://www.sainthelena.gov.sh/st-helena/statistics/> accessed 29th October 2021

²⁷ <https://www.propertyfinder.sh/action/for-sale/> Accessed 29th November 2021

- The Social and Cultural Rights' states for the right to adequate housing to be met, it must be affordable. The definition says that housing costs should not threaten or compromise the satisfaction and attainment of non-housing basic needs, and that subsidies should be provided to ensure that those who cannot otherwise afford adequate housing are able to do so.²⁸

Recommendations

1. A new Ordinance or update to our Constitution to include civil and political rights would go some way to clarifying the right to adequate housing. Existing domestic legislation falls short of covering the right to adequate housing for everyone, and legal rights are essential to enable the achievement of adequate housing new legislation would be a significant step towards legal protection for a safe, secure and affordable home for everyone.
2. Education and awareness on the right to adequate housing and any legislative changes must be carried out in order to empower those with housing problems to seek solutions.
3. There must be true recourse to justice including access to legal assistance and support to challenge inaction or injustice. We need to ensure these rights are enforced and protected to prevent systemic breaches, as well as ensuring there is adequate funding and support for housing and benefits and other duty bearers to deliver these rights for our people in practice.
4. Seek alternative solutions to the current housing crisis, for example housing associations or cooperatives, joint equity mortgages, rent subsidies those on low incomes.

CONCLUSION

Whilst housing has been defined as a human right in many international conventions to which St Helena is a signatory, there is a gap between the definition of this right, its protection in our legislation and what happens in practice.

The EHRC recommends urgent action to

1. Incorporate the protections and obligations in the ICESCR into our Constitution
2. Develop a local Housing Ordinance to include:
 - a. the right to adequate housing;
 - b. a definition of adequate for both the public and private sector housing;
 - c. a definition of homelessness;
 - d. Adequate protection for both tenants and landlords

²⁸ <https://www.un.org/ruleoflaw/files/FactSheet21en.pdf> at Page 10 (3).

Good quality, affordable housing that meets the household's needs is central to wellbeing: for many it is the difference between good and bad physical health such as asthma; positive mental health or stress and anxiety; being able to pay your utility bills and buy a pair of shoes for your children or not being able to afford dinner that night. Bad housing affects educational attainment, prosperity, and can contribute to social isolation and loneliness, whilst good housing can address these issues and many more.

Changes to the Constitution and/or our legislation will provide a foundation for addressing these issues however there is a real difference between what is agreed as law, and what is experienced by someone in crisis, when they're unaware of their rights, and if they don't have someone to support them. Therefore, we must ensure there is real accountability when the law is broken, and that there is a step change in awareness of rights – and the ability of individuals to enforce them. The opportunity is there to ensure that there is a safe, secure, and affordable home, for everyone.

APPENDIX A – UPDATE ON THE HOUSING STRATEGY FOR ST HELENA 2012-2022

Infrastructure Section, Treasury, Infrastructure & Sustainable Development Portfolio.

June 2021.

Update on the Housing Strategy for St Helena 2012-2022, ‘Laying the Foundations for Future Generations’.

A Housing Strategy 2012 -2022, ‘Laying the Foundations for Future Generations’ was developed for St Helena in 2012 (Houston & Associates) following a review of the Land Disposal Policy and the Land development Control Plan. The vision for the Strategy was **to ensure the resident population had access to affordable, suitable and sufficient housing which provides for sustainable communities.**

This was to be achieved by:

- Improving the balance between supply and demand so that more households can secure a suitable home in their preferred area at a price they could afford
- Ensuring households live in good quality, dry, warm and environmentally sustainable housing
- Improving residents’ access to housing information, support and advice required for them to live independently in the accommodation of their choice
- Ensuring households have access to high quality information to help them make the best possible housing choices at different times in the lives.
-

The Strategy set out 5 SHG Policies to deliver this vision.

- 1 Stimulate & enable the provision of intermediate low-income housing by
 - Stimulating and constructing 350 new home to rent, buy and self-build
 - Setting aside 10 – 25% of plots in CDA’s and CVA’ to affordable housing
 - Using planning gain granting planning permission when it would not usually be granted in exchange for a project beneficial to the community
 - SHG supporting affordable development through import tariff reviews and central procurement
 - Encouraging modern building techniques

Equality & Human Rights Commission

- Support new ways of financing a home
 - Setting up a non-profit making company to manage social rented housing using GLH as an initial portfolio
- 2 SHG will stimulate and regulate a private rental sector by:
- Stimulating the private sector to provide 25% of stock by 2022
 - Helping homeowners bring 100 empty homes back into housing by 2022
 - Support the development of a private rental management company subject to feasibility potentially using CHS for an initial portfolio
 - Enabling and regulating a network of private sector landlords
- 3 Improve the management & maintenance of GLH stock by:
- Improving the management and maintenance of GLH
 - Completing a scheduled maintenance programme
 - Appointing a Housing Manager
 - GLH to meet a tolerable standard by 2017 where cost effective
 - Introducing a new management system to address weaknesses
 - Establishing an Island wide Housing Reform
- 4 SHG will assist the elderly and vulnerable to live independently by:
- Assisting older and vulnerable households to live in properties free from serious repair
 - Increasing the number of people living independently in a homely environment
5. Cross Cutting Objectives
- Bring housing under one Directorate alongside Crown Estates and Planning
 - Provide the necessary Housing Legislation
 - Promote environmentally and sustainable housing including better energy efficiency and environmentally sustainable materials
 - Provide households with information, support and advice to a high standard
 - Use the needs and views of customers to shape the way land is released

The strategy set out key actions required between 2012 -2015.

- ✓ Develop an approach to bringing back empty houses into reuse (Total estimated cost of £130,000 over three years)
- ✓ Support the preparation of development design briefs for 6 CDA and CVA sites (Total estimated cost of £300,00 over three years)
- ✓ Enable access to quality homes for people on low incomes (Total estimated cost of £1.65 m over three years)
- ✓ Improve the management & maintenance of GLH stock (Estimated cost 1.153m over three years)

These key actions have not been fully achieved due the unavailability of funds to implement these actions. The development of two of the CDA sites has been funded though the recurrent budget using local expertise and reactive maintenance to GLH stock carried out through the Housing Trading Account. No Coastal Village areas have yet been developed.

The update below sets out progress has been made in these five policy areas.

1. Stimulate the provision of intermediate low income housing

The Land Development Control Plan 2012 – 2022 (LDCP) makes provision for Comprehensive Development Areas (CDA's) for future housing developments, where optimum use can be made of the land and sustainable communities developed. This will ensure a variety of tenure and home ownership, quality design and construction of homes, adequate levels of infrastructure and disabled provision, the provision and access to local amenities and services, effective waste management and recycling and renewable energy and water saving initiatives.

The LDCP's implementation policy on housing requires 10% -25 % of the plots to be set aside for socially targeted affordable dwellings. This principle has been applied to the designs of the designs of CDAs in Half Tree Hollow and Bottom Woods. Plans have been made to develop a CDA in Half Tree Hollow but has been halted due to sewage disposal issues. The main infrastructure has been installed but until the sewage issue is resolved then development is likely to continue to be put on hold. More recently a private sector contractor has expressed interest in developing this CDA and one of the conditions will be that 10% -25% of the plots are made available for affordable homes.

The CDA at Bottom Woods is under development but again is restricted by access to appropriate sewerage facilities. This land can accommodate 40 properties of which 30 properties can be connected to the existing sewerage system. To date, plots in the first phase have been excavated and construction of two Government Landlord Houses is under way and

will be completed by mid-July 2021. These are the first new social houses that have been constructed for a number of years. A proportion of the plots on this site will be made available for affordable housing and the remainder will be marked as 'market value' plots to help fund further development of the site and other sites. Various other sites are being looked at as a way of increasing land availability for commercial and residential development. This includes for example, a site near Bottom Woods (referred to as Plane View) which will accommodate up to 19 plots and is currently going through the planning process. A private contractor is planning to develop a CDA at Bunkers Hill which includes provision for affordable housing as well as social housing.

Additionally, a proportion of Crown land put on the market for residential development as individual plots is made available for affordable housing. A revised Land & Building Disposal Policy (L&BDP) is nearing the completion of its development and makes provision for increased opportunities for residents to access affordable land for development. The current Disposal Policy makes provision for those in a lower income bracket but does not address those above this bracket but who cannot access full market value land.

The last Government Landlord Houses that were constructed were of a steel frame design that was intended to make the homes more affordable and quicker to build. However, there have not been any significant savings made in using steel frame over the traditional concrete block homes and the steel frame houses are now showing signs of wear and tear.

Planning gains are considered for larger developments such a CDA whereby the developer is required to include projects that will benefit the community. These could for example include play areas for children and bus shelters. Provision is made within current Land Planning legislation for this to happen.

2. SHG will stimulate and regulate a private rental sector.

Private sector accommodation has increased in recent years, particularly around the time of airport construction although rentals are beginning to show a slight decline, putting pressure on social housing. There has been no funds targeted at bringing back empty house into the private rental sector.

A Housing Association has been considered to manage the social housing stock but has not progressed, as a result of funding. Whilst it is possible to introduce a tax on empty properties, there was no political appetite during the last round of tax reforms to tax empty homes other than for commercial properties, particularly given that most people have made significant sacrifices to own their own home such as long periods abroad.

3. Improve the management & maintenance of GLH stock.

The maintenance of Government Landlord houses is funded through a Trading Account whose income is derived from Government Landlord rents and rents of Chief Secretary Properties. The income is insufficient to support a well-designed, structured maintenance schedule that is built on preventative works. Most of the maintenance is reactive.

Rents for GLH have not increased by the RPI for the last five years, until an increase was approved and implemented in April 2021. Rent levels did not always equate to tenants' income and what they can afford to pay. This enables some tenants to continue to reside in a property who can afford to rent from the private sector or purchase their own homes. This reduces the availability to assist those in most of need. The rent increase in April 2021 was based on tiered system that considers income and size of the property. This was to incentivise those living in social housing to seek alternative accommodation, freeing up property for those most in need.

Since July 2018, a scheme was implemented whereby 7 people on the GLH Register were moved into private sector accommodation and their rent was supported by the Housing Trading Account, to up to a maximum of £250 per month depending on the tenant's income. This was chiefly funded by an increase in rentals for CS housing, since July 2018, which now range from £500 to £700 per month, depending on the property. This arrangement also removes the maintenance costs from Infrastructure, as the maintenance cost is borne by the landlord. However due to funding constraints this scheme is now being phased out.

A Building Surveyor was employed previously to assess Crown Property in order to develop a long term maintenance plan but this plan has never been implemented in its entirety due to funding constraints. Consequently works done on Government Landlord housing is mostly reactive leaving many of the properties neglected and in a poor state of repair. Attempts were made through using Capital Funding to upgrade selected properties but backlog maintenance work was not completed and the focus for capital funding has shifted from social development to economic development for current capital funding (Economic Development Investment Programme).

A Housing Manager was appointed in 2015 but as a consequence of budget restrictions this post has since been redesignated. This role had responsibility for the day to day management of Government Landlord Houses and Chief Secretary Properties, under the guidance of the Head of Property and Housing. Plans are being made under the 'Fit for the Future' initiative to reinstate this vital role.

4. SHG will assist the elderly and vulnerable to live independently.

SHG has made available through the Children & Adult Social Care Portfolio and the Housing Trading Account, provision of adaptation of homes for elderly and disabled people to enable them to live independently in their homes without the need for sheltered care, where this is practical. This has been partly driven by a shortage of accommodation in care facilities. Adaptions include for example, the installation of wet rooms to replace bathrooms, installations of grab rails and the improvement of physical accessibility to homes.

5. Cross Cutting Objectives.

Housing was brought under the same Directorate as Crown Estates (Environment, Natural Resources & Planning Directorate) but under the 'Fit for the Future' Initiative instigated by SHG to streamline its services, Planning has now moved to the Environment, Natural Resources & Planning Portfolio. The synergy between housing and Crown Estates serves the purpose of a creating a closer working relationship between the needs of housing clients and the practical aspects of tackling operational aspects of maintenance to the homes.

Housing provides its tenant with housing information, advice and support but the difficulty of not having an appropriate level of stock to meet the demand of the services puts a huge strain on this service. Whilst St Helena enjoys a high percentage of home ownership at around 80%, (the UK is around 63%), there is still a shortage of social housing. To date there are 26 active applicants on the housing register.

A Housing Strategy was approved in 2015 by the Social and Community Development and the Environment & Natural Resources Committees. This document sets out procedures for dealing with homelessness, housing allocations, repairs and maintenance, rent setting and arrears recovery, tenancy and estate management, sale of social housing, low cost home ownership, design standards for new homes, empty homes and private sector house conditions. A review of this document will commence shortly.

The design standard as published in the Housing Strategy Manual 2015 takes into account accessibility and future proofing for disabilities, weather protection and warming by provision of double glazing, cavity insulation and wall cladding that are bespoke to the unique characteristics of St Helena, (e.g termite resistance, mould and damp resistance) and renewable energy and water saving initiatives. These sustainable features will prolong the lifespan of our homes and lessen the current ongoing maintenance requirements and costs,

the savings of which can be used to build more sustainable homes or add sustainable features to our existing stock.

Crown Estates seek to take the lead in providing sustainable homes, and so far have included LED lighting, solar panels and water saving initiatives in our remedial works and refurbishments. This is the first year since adopting these standards that the Housing Management Office is able to apply these standards to a new build, with the construction of 2 Government landlord homes and a block of flats at the Bottom woods CDA. SHG have also supported the import of renewable energy equipment such as solar heating systems, though custom tax reforms.

Our biggest challenge to date is our limited financial resources which means we must balance our housing need against our need for more sustainable homes; particularly in view of the high costs already associated with traditional methods of house building, our strategy to address this is to liaise with the local construction industry to find more cost effective methods of construction (modular builds, wood frame) that still meets sustainable standards.

A sustainable building is an outcome of a design that focuses on increasing the efficiency of resource use while reducing a buildings impact on human health and the environment during the building's lifecycle, through better siting, design, construction, operation, maintenance, and removal. Crown Estates is currently in the process of making SHG properties more energy and water efficient through the use of LED lighting and with the pilot of a two new water efficient sanitary systems for government offices, it is intended to replicate throughout the organisation in all of our properties.

Low availability of land to build a home and cost is a barrier to progress. The development of CDAs will go some way to releasing more land for residential development and a new Property Disposal Policy under development (to replace the Land & Building Disposal Policy 2016) will help create additional opportunities for affordable housing.

Bank of St Helena loans to first time house builders are inadequate. This is due to the bank only being able to loan up to 3.5 times the annual salary, which on an average wage would mean insufficient funds to complete a new build. This is a key limiting factor for the development of new homes, particularly for those who elected to work and live on the Island.

Conclusion.

Whilst there has been some progress in the development of improved housing on the island, work is restricted by unavailability of funds to fully implement the Housing Strategy 2012 - 2022. There is a continued need for the development of new, sustainable homes and maintenance of existing homes to an acceptable level, catering for the housing needs of all residents. There is a level of protection in the event that the property market prospers and makes land less affordable by residents. There is also recognition of the need for good quality, sustainable development moving forward that improves the quality of life for all residents, but there is scope to make the process of acquiring land and affordable housing more accessible to residents.

APPENDIX B: HOUSING AS A HUMAN RIGHT

The Committee on Economic, Social and Cultural Rights defined the elements of the right to adequate housing in their General Comment adopted in 1991, as follows:²⁹

- **Legal security of tenure:** Adequate housing must guarantee specific legal protection, such as protection against harassment, forced eviction and other possible threats.
- **Availability of services, materials, facilities and infrastructure:** Adequate housing has to provide the occupants with ‘sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services.’
- **Affordability:** Adequate housing must be affordable, so that the housing costs do not threaten or compromise the satisfaction and attainment of non-housing basic needs. State parties should provide housing subsidies to ensure that those who cannot otherwise afford adequate housing are able to do so and that tenants are ‘protected by appropriate means against unreasonable rent levels.’
- **Habitability:** Adequate housing must have adequate space and protect its occupants from heat, cold, rain, damp, wind and other safety and health hazards.
- **Accessibility:** Adequate housing must be accessible to its occupants. This entails making necessary changes to housing depending on the occupants’ physical and mental health.
- **Location:** Adequate housing must be in a location that is not polluted and allows access to health care, childcare, schools, employment options and other possible social facilities.
- **Cultural adequacy:** The construction methods, materials used and relevant policies must reasonably enable cultural identity expression. This, for example, means that the UK and St Helena Governments have a responsibility to ensure that culturally adequate accommodation is available to all Saints, including temporary accommodation.³⁰

²⁹ CESCR General Comment No. 4: [The Right to Adequate Housing](#) (Art. 11 (1) of the Covenant)

³⁰ UN Human Rights Council (2013), [Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#), Raquel Rolnik, A/HRC/25/54/Add.2.

APPENDIX 3 EXTRACTS FROM THE DIRECTORATE STRATEGY AND DELIVERY PLAN IN RELATION TO HOUSING

APRIL 2020 – MARCH 2023

Priority 2- Protect the vulnerable through increasing the quality and availability of Government Landlord Housing and residential facilities.

We will update and implement a Housing Strategy for St Helena. We will continue the development of Comprehensive Development Areas and the release of land for development on the Island. The sale of land plots will help to fund further development of infrastructure on the CDAs and facilitate the release of other plots of land. We aim to continue to build new Government Landlord housing as funds become available to reduce the waiting list of applicants as well as look at other ways of continuing to reduce the waiting list. This includes continuing to support the rental of private sector accommodation for social housing to reduce the number on the Housing Register.

- Addressing the shortage of Government Landlord Housing.

At the time of writing (September 2019) the number of people who seek Government Landlord housing has decreased from 78 applications to 68. Part of our approach to reducing this number has been to enable the private sector to enter the GLH market with rents subsidised for tenants who meet the criteria for this initiative. At the time of writing, eleven applicants have been accommodated using this arrangement. A rent review has been approved which will enable additional repairs to be done to homes and to incentivise those who can afford to do so to seek private rental or to build their own homes. This will be done in tandem with our efforts in releasing more Crown land onto the market, for people who wish to build their own homes, including first time house builders, who may qualify for up to 75% discount on the market value for identified plots, depending on their income. No new Government Landlord homes have been built in recent times but we work towards building new homes during the next planning period in the Bottom Woods Comprehensive Development Area and other areas, coupled with other initiatives for reducing the number of genuine cases requiring social housing.

<i>Protect the vulnerable through increasing the quality and availability of Government Landlord Housing and residential facilities</i>	<p>4.2.1 Protect and ensure the wellbeing of all vulnerable members of society</p> <p>4.2.2 Develop an overarching housing strategy for the Island</p>	<i>4.2 Care for vulnerable and disadvantaged groups of people such as people with disabilities, children, elderly people and low income earners.</i>	<i>4. Altogether Safer</i>
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Directorate Priority: <i>Protect the vulnerable through increasing the quality and availability of Government Landlord Housing and residential facilities</i>						
Action	Owner	Performance Indicator	Baseline	Target		
				2020/21	2021/22	2022/23
1. <i>Revise and implement a Housing Strategy for St Helena</i>	<i>Head of Property</i>	<p>1. <i>New Housing Strategy approved</i></p> <p>2. <i>New Housing Strategy implemented</i></p>	<p>0% in 2018/19</p> <p>0% in 2018/19</p>	100%	40%	50%
2. <i>Improved disabled access through Government Landlord housing projects</i>	<i>Head of Technical</i>	1. <i>% projects designed for wheelchair user</i>	5% in 2018/19	10%	15%	20%

<i>3. Ensure majority of new GL housing is wheelchair friendly or easily adaptable</i>	<i>Head of Technical</i>	<i>2. % of new GL housing designed for wheelchair user</i>	<i>5% in 2018/19</i>	<i>10%</i>	<i>15%</i>	<i>20%</i>
<i>4. Increase the stock of Government Landlord houses.</i>	<i>Head of Property</i>	<i>3. % increase in GLH</i>	<i>1% in 2019/20</i>	<i>3%</i>	<i>3%</i>	<i>4%</i>
<i>5. Decrease the number of applicants on the GLH waiting list from 78 applicants</i>	<i>Head of Property</i>		<i>78 in 2019</i>	<i>80%</i>	<i>70%</i>	<i>60%</i>
<i>6. Upgrade of Care Facilities</i>	<i>Head of Property</i>	<i>5. Number of facilities upgraded</i>	<i>1 in 2019</i>	<i>1</i>	<i>1</i>	<i>1</i>