

## **Request for NIHE policies and procedures providing temporary accommodation to those granted bail.**

- 1. Any policies and procedures NIHE uses when considering duties to provide temporary accommodation to people on remand who have been granted bail**

**This request applies to people on temporary and longer-term bail.**

The Housing Executive assesses any applicant regardless of background in line with the statutory requirement as set out in the Housing (NI) Order 1988 as amended. This includes applicants who may be on bail.

Guidance is provided to staff in regard to applicants who may be on Bail and for whom a duty to accommodate has been identified, in chapter 7 of the Homelessness Guidance Manual as follows:

### **7.13 Bail Addresses**

*Designated Officers should establish if the Housing Executive has a duty to the applicant under The Housing (NI) Order 1988 (as amended) to discharge its homeless duties found therein, namely Article 8 (interim duty to accommodate) or Article 10 (duties to persons found to be homeless). If there is a duty on the Housing Executive to accommodate, this duty be it an Interim Duty (pending enquiries) or a Main Duty to Accommodate remains and the Housing Executive must identify/make available to the applicant, temporary accommodation under the relevant provisions.*

*Accommodation that the Housing Executive provides at part of its duty under the '88 Order should not be interpreted to mean that the Housing Executive is providing a bail address. If an applicant contacts the Housing Executive for accommodation and is on bail and the Housing Executive owes them a duty as outlined above, then once temporary accommodation is identified and made available to the applicant, it must be stressed to the applicant that if they take up the offer of temporary accommodation then the responsibility lies with them to arrange for the terms of their bail conditions to be amended be that with the police or through the courts.*