

SHRC

Scottish
Human Rights
Commission

Housing Rights in Practice

Lessons learned from Leith

May 2020





“What I have learned is massive, and it’s not just about housing. If you have an adequate house it reduces your fuel poverty, which means you are not starving or cold, which impacts on health in a positive way.”

Leith resident and project participant



Contents

Abbreviations and Definitions	04
1. Introduction	05
2. The Project In Detail	06
How did the project come about?	06
What steps did the project involve?	08
3. Impact Achieved	14
Impact on residents' right to housing	14
Impact on residents' wider lives	18
Impact on people's confidence from using human rights	19
Impact on wider awareness and understanding of human rights in Scotland	20
4. Challenges Encountered	22
5. Learning For Others	27
Learning for rights holders	28
Learning for human rights defenders	30
Learning for National Human Rights Institutions (NHRIs)	32
Lessons for duty bearers	34
6. Closing Comments	36
Appendix 1: The Right to Housing	38



Abbreviations and definitions

Abbreviations

ETF	Edinburgh Tenants Federation
NHRI	National Human Rights Institution
PPR	Participation and the Practice of Rights project
RTO	Registered Tenants Organisation
SNAP	Scotland's National Action Plan for Human Rights
UN	United Nations

Definitions

Duty bearer

An organisation with human rights obligations

Rights holder

Someone whose human rights are directly affected by an issue

Human rights defender

A person or organisation who works with and for other people whose rights are affected by a situation

“Where after all, do human rights begin? In the small places, close to home...”

Eleanor Roosevelt

Chair of the United Nations Drafting Committee for the Universal Declaration of Human Rights 1948



1. Introduction

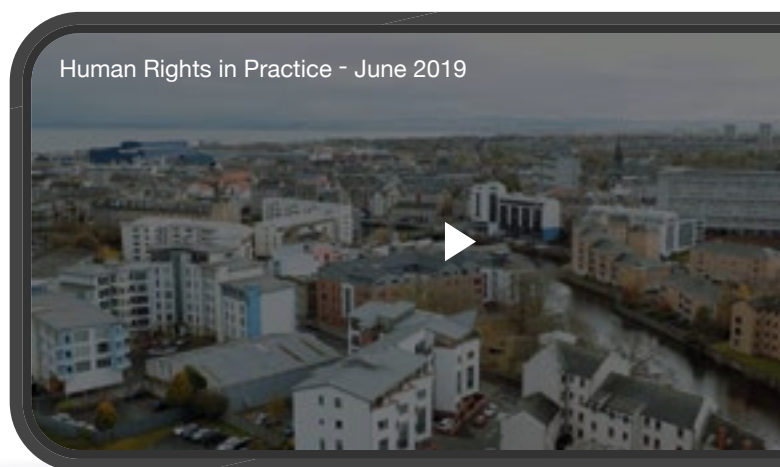
In 2015 the Scottish Human Rights Commission (the Commission) began working with a group of people who were living in poor housing conditions in Leith, north Edinburgh. People were experiencing problems with damp, mould, ineffective or broken heating, pigeon, rodent and insect infestations, and maintenance issues.

Using a model first developed by the Participation and the Practice of Rights project (PPR) in Belfast, Northern Ireland, the Commission aimed to support residents to secure improvements in their housing by advocating for their right to an adequate standard of housing. The Commission also aimed to see the local authority adopt a human rights based approach more widely as a result of engagement with the project.

The right to housing is set out in international law. It contains a range of standards which governments and public authorities need to meet. These standards relate to issues such as habitability and the availability of services, among others (see Appendix 1 for more information).

This project, which we called Housing Rights in Practice, ran for four years from June 2015 to June 2019. It took place as part of Scotland's first National Action Plan on Human Rights (SNAP). The project was supported by PPR and the Edinburgh Tenants Federation (ETF). This report is a summary of the project, what it involved, the difference it made and some lessons learned about taking this kind of approach.

A [film](#) about the project has also been produced.





2. The Project In Detail

This chapter describes the Housing Rights in Practice project in detail. It explains how the project came about and the work that took place over its four year lifetime.

How did the project come about?

In 2013, SNAP was launched as a framework for action to address gaps in the reality of human rights in people's everyday lives. One of the actions identified through SNAP was to pilot an approach to tackling poverty and social exclusion by empowering people to claim their rights, drawing on the experiences of PPR .

The PPR approach involves ensuring that 'rights holders' – people whose rights are directly affected by an issue or problem – are supported to take part in measuring and monitoring the way their rights are upheld. They can then use this information to hold to account and engage constructively with 'duty bearers' – organisations with human rights obligations.

This approach was first adopted by PPR with residents living in the Seven Towers in North Belfast. It has been commended by Mary Robinson, former United Nations High Commissioner for Human Rights, and Raquel Rolnik, former United Nations Special Rapporteur on the Right to Housing.

Through working together on SNAP, the Commission and PPR had also built links with the Edinburgh Tenants Federation (ETF). ETF expressed an interest in supporting a pilot project on the right to housing. They then supported the Commission to approach different registered tenants organisations (RTOs) from across the city at a meeting in June 2015. Officers from the City of Edinburgh Council also attended this meeting.

One group based in Leith came forward, recognising similarities between their own housing conditions and those experienced by people in the Seven Towers in Belfast. The majority of residents in the area were social housing tenants, whose landlord was the City of Edinburgh Council. The housing is made up of two high rise blocks of 76 flats (Citadel and Persevere Court), and one low rise block of 30 flats (West Cromwell Street). The area is in the most deprived 20% in Scotland according to the most recent statistics from the Scottish Index of Multiple Deprivation.

The Council had made a number of previous commitments to carry out work on the housing blocks in 2010, 2011, 2014 and early 2015. However, investment had not been forthcoming by the time the Commission began working in the area in June 2015.

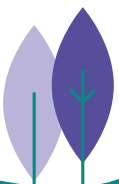
182

flats in Leith were included in the project.



“The right to housing should be seen as the right to live somewhere in security, peace and dignity.”

United Nations Committee on Economic, Social and Cultural Rights



What steps did the project involve?

2015

Summer 2015

A project board was formed to oversee the project's activities. This brought together the Commission, ETF, PPR and a representative from the local tenant group.

August 2015

Residents were invited to take part in an assessment of their housing conditions. Following this, residents recognised that they needed to find out more about the conditions across all of the flats.

October 2015

A survey was developed to help residents find out more about conditions.

December 2015

The survey was distributed to all flats through both face-to-face surveying and by leaving the questionnaire with each house if no-one was available.

85

survey responses were received, representing just under half of all households.

Analysis of the data provided from this survey showed that residents had a range of concerns including:

- ▶ poor drainage and plumbing;
- ▶ broken down lifts;
- ▶ damp and mould;
- ▶ inadequate or defective heating; and
- ▶ ageing and inadequate kitchen and bathroom facilities.

Residents also expressed concerns that complaints and requests for help were often slow to be answered, or were never resolved. Homeowners expressed concern about the accuracy and transparency of billing for factoring services.

While this work was taking place, the Commission also held a series of meetings with officials and Councillors from the City of Edinburgh Council. The purpose of these meetings was to explain the project's approach and to offer support to the Council in taking a human rights based approach.

2016



12

Council officers were given training in April 2016.

The Commission provided training on human rights, what they mean in practice and how they connect with other public policy aims.

Spring 2016

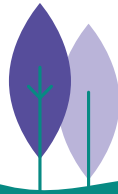
The findings of the housing conditions survey were presented back to a group of residents. Residents discussed the results and selected a range of issues as priorities for monitoring and requiring improvements. Each of these issues has a basis in the right to housing in international law (see Appendix 1 for more information).

The following indicators set targets for the improvements that residents wanted in relation to these issues, and were monitored throughout the life of the project.

- ▶ **Indicator 1:** The % of households who say their heating protects them from the cold should increase from 62% to 76% in Citadel, 32% to 48% in Persevere and from 47% to 60% in West Cromwell St.
- ▶ **Indicator 2:** The % of people experiencing dampness and/or mould should go down from 31% to 18% in Citadel, from 29% to 17% in Persevere and from 87% to 68% in West Cromwell St.
- ▶ **Indicator 3:** The % of people satisfied with the maintenance response from City of Edinburgh Council should go up from 43% to 59% in Citadel, from 44% to 62% in Persevere and from 23% to 28% in West Cromwell St.
- ▶ **Indicator 4:** Homeowners requested annual billing, transparency around which repairs they needed to pay for and more say in procurement processes to which they were required to contribute.



2016



June 2016

The residents presented the findings from the survey to an audience of the wider community, Council officers, and the Vice Convener of the Council's Housing and Economy Committee.

July 2016

Council officers agreed to meet with the residents within a month of the meeting and later formalised this offer. However, the residents' group felt that it would be better to engage with a more senior officer. Residents wrote to the Council's Chief Executive Officer requesting a meeting. The Commission also wrote to the Council in support of the residents.

August 2016

The Council's Head of Housing and Regeneration responded to these letters, articulating the Council's commitment to work with the residents.

September 2016

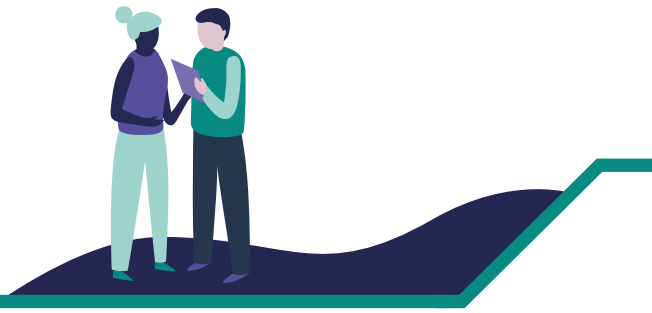
The meeting took place and residents presented the survey report and expressed their concerns to the Head of Housing and Regeneration, who had not been present at the June meeting.

Late summer 2016

The residents invited Members of the Scottish Parliament and Councillors from all parties to a walkabout at the flats.

Survey findings being presented to wider community and Council, June 2016





Autumn 2016

At a meeting about rent increases, several residents were able to ask the Housing Manager directly for increased representation on the project board.

October 2016

After a further meeting, residents expressed frustration that they still had few opportunities to influence improvement plans, see the budget for the works or influence the choice of contractor. Residents also expressed frustration that they would like to have stronger representation than was being offered on a 'project board' intended to manage and run improvements on the three blocks.

A civil servant from the Scottish Government's Housing Standards and Quality team met with residents.

November 2016

Residents began preparing for a second round of monitoring of the indicators through a survey of all flats.

December 2016

The Scottish Human Rights Commission held a celebration of International Human Rights Day at the Scottish Parliament, hosted by the Convener of the Equalities and Human Rights Committee.

At the event, the Commission screened a film which followed the progress of the residents in seeking change to their housing conditions to date.

90

people watched the film screening including MSPs and the Scottish Government Minister responsible for human rights.



2017

January 2017

The first meeting took place of a new works project board to oversee the improvement works. This project board included tenants, the Council, ETF and the Commission. This group provided tenants with the opportunity to feed in their thoughts on the improvement works, make suggestions, advocate for a different approach and raise any concerns. The group was scheduled to meet monthly from that date.

February 2017

The Council issued a newsletter committing to replace the ventilation system within Citadel and Persevere in April 2017, followed by a replacement of all kitchens, bathrooms and heaters within the two high rise buildings.

Late 2017

The council agreed to replace windows in both high rise buildings. During the same period, the Council began work to replace the roof of West Cromwell St, the condition of which had caused water ingress and related damp. The Council also ran several pest control clinics and provided netting to prevent pigeons from inhabiting balconies on the housing blocks.

2018

May 2018

At the invitation of the Commission, the Chair of the United Nations Economic, Social and Cultural Rights Committee (Virginia Brás Gomes) visited the area. The Committee has a role in monitoring the UK's compliance with the right to housing. At a meeting with Ms Gomes, the Council shared that the total financial investment in the blocks had been £2.3 million, excluding the proposals for replacing the windows.

£2.3

million invested in the blocks.



2019



From summer to autumn 2018

A follow up survey was circulated to all residents to monitor and report on progress towards their original indicators. The results are discussed in Chapter 3 below.

Late 2019

By the end of the project, internal works on all the properties were largely complete, external works at West Cromwell St were complete, and the Council had commissioned a surveyor to assess the structural load of changing windows at Citadel and Persevere.

Bathroom following improvement works, 2018





Housing in Leith, Edinburgh

3. Impact Achieved

This chapter summarises the impact that the Housing Rights in Practice project achieved, both for the residents directly affected by its work and more widely.

The results reported here are drawn from two sources:

- ▶ A follow up monitoring survey circulated to all residents in autumn 2018, after the bulk of works had been completed across all three blocks of housing. This survey aimed to monitor progress towards the residents' original indicators. 58 responses were received, representing around a third of households.
- ▶ A series of confidential in-depth interviews with residents involved in the project, community development workers who supported them and the organisations involved in the project. The data from these interviews was anonymised, coded and then analysed to identify areas of impact.

Impact on residents' right to housing

Overall, the survey results show that the project led to a positive impact on key aspects of the residents' right to housing, in particular the habitability of their housing and availability of services. However, problems remained in relation to maintenance and a lack of clear and transparent arrangements for billing. See appendix 1 for a full description of the right to housing as set out in international law.

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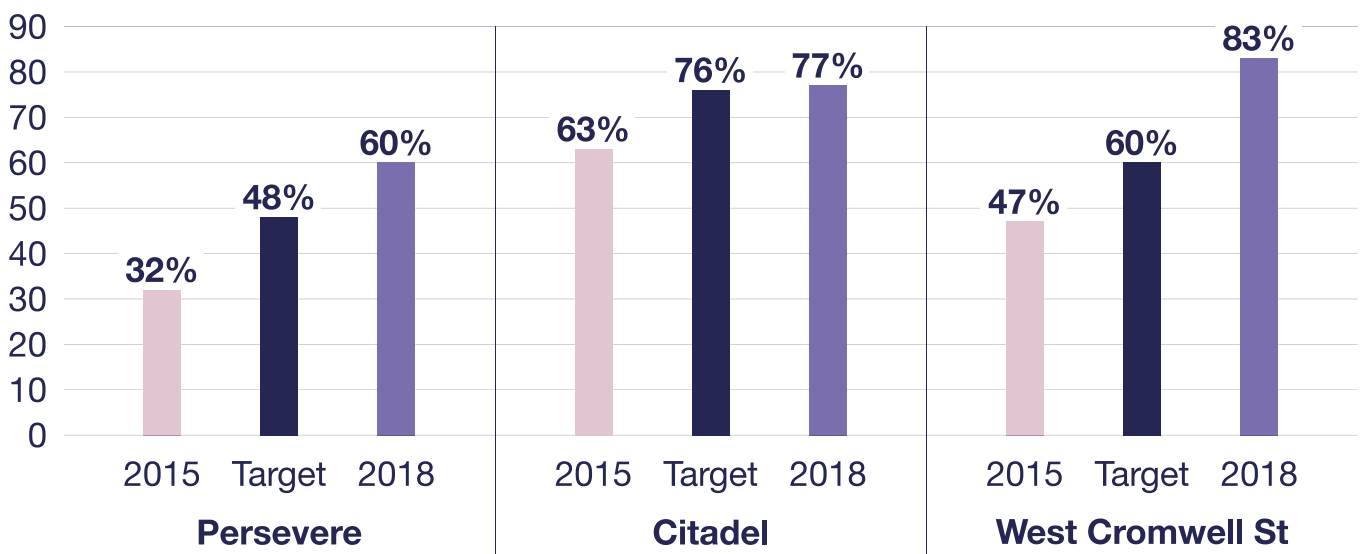
of households responded to this survey.

Heating

► **Indicator 1:** The % of households who say their heating protects them from the cold should increase from 62% to 76% in Citadel, 32% to 48% in Persevere and from 47% to 60% in West Cromwell St.

► **Impact:** The proportion (%) of people who think their heating protects them from the cold went up in all three blocks to the target level, or beyond.

% of people who agree heating protects them from the cold



Stairwell exterior following improvement works, 2019

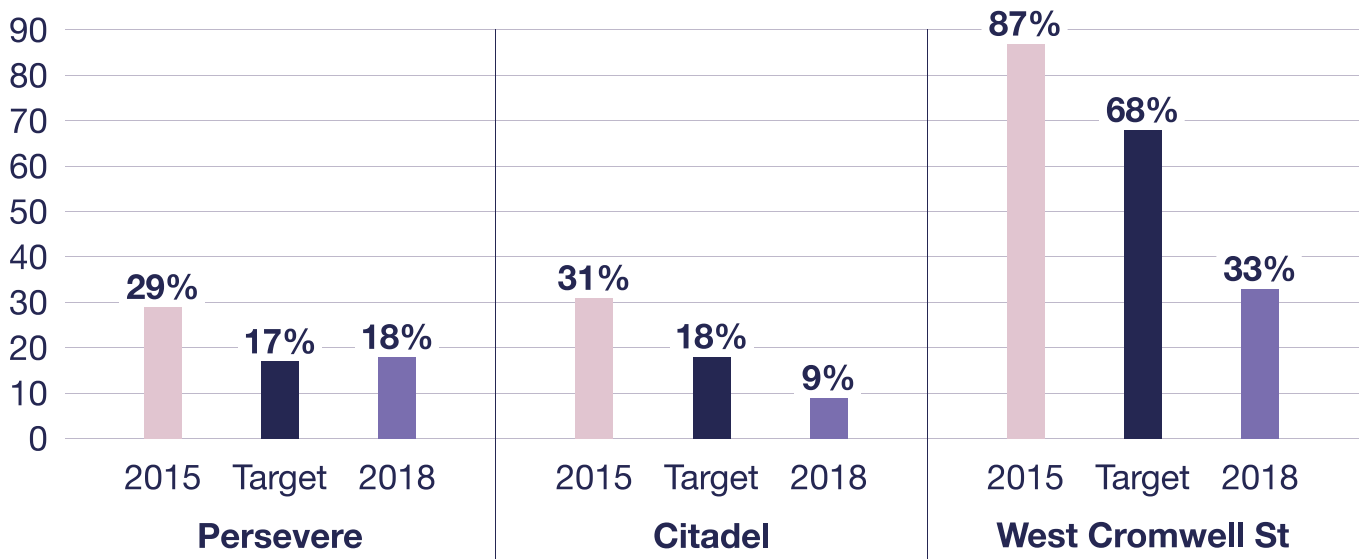


Dampness and mould

▶ **Indicator 2:** The % of people experiencing dampness and/or mould should go down from 31% to 18% in Citadel, from 29% to 17% in Persevere and from 87% to 68% in West Cromwell St.

▶ **Impact:** The proportion (%) of people who say they have worrying dampness and/or mould in their flat went down in all three blocks by almost as much as the target in Persevere, and by more than the target in Citadel and West Cromwell St.

% of people who said they had dampness or mould which worried them

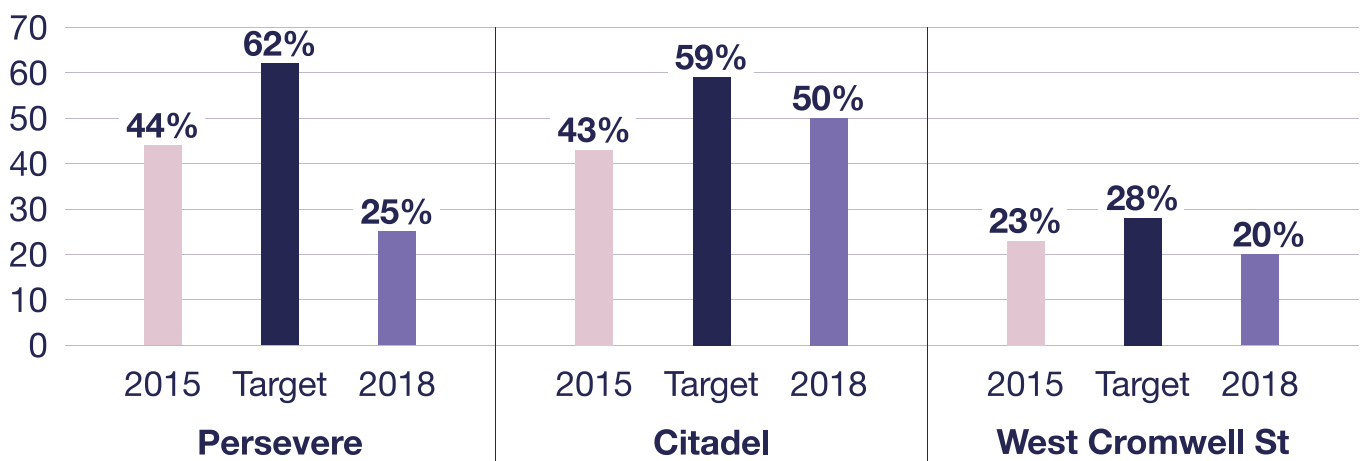


Maintenance

▶ **Indicator 3:** The % of people satisfied with the maintenance response from City of Edinburgh Council should go up from 43% to 59% in Citadel, from 44% to 62% in Persevere and from 23% to 28% in West Cromwell St.

▶ **Impact:** The proportion (%) of people who were satisfied with the Council's response to problems reported went down to 25% in Persevere, 50% in Citadel and 20% in West Cromwell St.

% of people satisfied with the Council's response



Transparency

- ▶ **Indicator 4:** Homeowners requested annual billing, transparency around which repairs they needed to pay for and more say in procurement processes to which they were required to contribute.
- ▶ **Impact:** Homeowners reported that they are not receiving quarterly itemised bills, that it is still unclear what criteria are used for communal repairs, and that communication with them on the building works has been mixed.

“No/poor communication from [the Council]. To a certain point they communicated and then the communication ceased and there was no information.”


Survey respondent

4/7

homeowners said they had not received itemised bills in the previous year.

6/7

said they had paid for communal repairs, but only half were aware that they would have to do so.

A stylized illustration of a residential area. In the foreground, there are several houses of varying heights and colors (purple, pink, and blue) with dark roofs and windows. In the background, there is a green hill and a larger, taller house with a dark roof and many windows. The overall style is flat and modern.

“[The Council] didn't tell us first. They do the repair and then charge the owner.”

Survey respondent

Impact on residents' wider lives

Overall, the interview results show that the project also had a positive impact on residents' lives beyond their right to housing.

Residents reported:

- ▶ improved physical and mental health;
- ▶ improved feelings of self-worth, confidence and pride;
- ▶ being able to eat better and to heat their homes;
- ▶ reduced fuel poverty;
- ▶ feeling safer; and
- ▶ feeling like there is a better sense of community.

These are all indicators of improvements in people's access to their rights to health, adequate living standards, food and participation in the life of their community.

“I saw someone getting off the bus when I was on my way to Asda for some last minute Christmas things and she said – ‘I’m so happy, I canny believe it.’ And it turned out she’d lived there about nine years and she was having a party with friends and family for the first time. She said, ‘I’m not ashamed of my house anymore’...”

Local resident

“It sounds silly but this community died and I have seen it come back to life. The first thing anyone needs to get their lives together is decent housing, and that’s now happening.”

Local resident



Impact on people's confidence from using human rights

Interview results also showed that the process of understanding, monitoring and asserting their human rights was experienced as empowering by those involved.

The distinctive power of using human rights to achieve change was strongly felt by residents and those working alongside them, who saw the project as key to unlocking action by the local authority.

Residents and community workers reported increased awareness and understanding of human rights, and increased confidence in using human rights to achieve change.

“I was constantly fighting and then I heard about a meeting and [they] showed the film [about PPR work in Belfast] and I thought – that is us. Every single thing practically that was on that video, that’s what we are living in. And I felt that somebody was starting to listen to us.”

Local resident

“It’s been great for me personally because I have learned things that I didn’t really know I had the skills to do. So we’ve been working together and it needs that group work.”

Local resident



Impact on wider awareness and understanding of human rights in Scotland

As well as having a direct impact on people in Leith, interviews with the organisations involved in the project showed that it also achieved wider impacts.

The project is considered as providing a positive, practical example of using a human rights based approach that others can learn from and be inspired by. It has helped to raise awareness across Scotland of the right to housing and of the value of using human rights to achieve change.

The communications and public engagement activity that took place as part of the project was seen as valuable in achieving this.

“Having the opportunity to speak at the Scottish Parliament as part of the round table discussions and the call for evidence I think shows that there’s the interest from the [parliamentary] level and this does matter.”

Community development worker

“We have a very strong case study, evidence based story to tell about the impact a rights based approach can have on people on the ground in the community and that’s really positive. The project being used as a best practice example by other organisations... informing both community development practice and housing practice both domestically and internationally. That for me has been an unintended success. I don’t think we thought that would happen within the lifetime of the project.”

Scottish Human Rights Commission representative



“The film was incredibly powerful but the resources that went with it as well, were also very powerful.

The communication around that was brilliant. So to have the UN Rapporteur for Housing retweeting it – that focused some minds certainly.”

Community development worker

“The project has definitely raised the profile of economic and social rights in Scotland,...

...that that international framework of human rights law exists, that some of those standards are not being realised in a Scottish context.”

Scottish Human Rights
Commission representative



4. Challenges Encountered

This chapter discusses a range of challenges encountered during the project. These are areas where the project experienced difficulties, or where it did not achieve its objectives. These have been identified from the interviews carried out with a range of people and organisations involved in the project.

Housing improvements work

Despite the overall positive impact of improved housing conditions, some residents did report inflexibility around the options given to them about when to have improvements made to their housing.

“When the work was being done there was the option to have my bedroom and living room decorated but just because of the clutter I didn’t think I could cope with that as well at the same time and I wasn’t sure how I could actually do it, to create enough space, so it wasn’t done. I asked if it would be possible to do it in the future but they said no, it should have been done at the time.”

Local resident

“It was kind of like they’d say they would be up and then they wouldn’t be up... and you’re kind of hanging around waiting trying to sort out the keys... and it’s like well you know we can’t sit around all day waiting for people to come and go. Some days they’d pop in for ten minutes and take a look around and that was it. I don’t think they can appreciate what a big upheaval it is for people and having so many people coming and going.”

Local resident





“New windows are due at the end of the year.

These windows are metal framed and while these new heaters are amazing, the heat just goes whoosh straight out the windows. Even on full pelt, the heat goes.”

Local resident





The local authority's engagement with the project

The project's original aims included working with the local authority (City of Edinburgh Council) to build their understanding and ability to engage constructively with human rights.

This was not achieved to the desired extent. The Council did not acknowledge the residents' human right to housing, or the benefits of a human rights based approach, at any point during the project. Project partners perceived the Council as being generally unwilling to engage with the project, its aims and approach. The local authority itself reports challenges with engaging with a human rights based approach.

“I mean culturally I think we would have to buy into a concept where you kind of reverse engineer everything and look at what you want to keep. It's difficult in an organisation as big as the council to do that. It's not impossible but it's hugely challenging when you've got 18,000 employees delivering 700 odd services.”

Local authority representative




“I knew what the residents were saying and I knew what the Council’s response was in terms of trying to get those actions addressed. And for me I didn’t spend that much time thinking about the transformative approach, for me it was much more who has done what and in what timeline and are people happy throughout that? So for me it was a process of as things emerged of more meaningful engagement rather than specifically getting worked up for lack of a better word in the fact that it was a human rights based approach.”

Local authority representative

“We were aiming for that shift. From seeing rights as being about legal challenge or about being threatening, about being confrontational, but rather as a way of empowering people to articulate their concerns and meaningfully engage in decision making processes. And that there was an opportunity for the council, to allow them to have legitimacy in their decision making based on rights and that understanding, that lens with which to view rights. And I’m simply not sure how much that shift has happened.”

Scottish Human Rights
Commission representative



“Have the council learned much from it? Not that I’ve noticed, you always feel that they are on the defence.”

Local resident

Relationships within the community

The project involved working with a community of people who were giving their time as volunteers. In some cases, there was a history of conflict and tensions between residents. In other cases, conflict happened as a result of activities taking place through the project. This was difficult both for the residents affected, and for the partners involved in delivering the project.

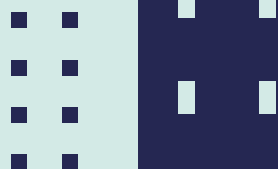
“I think there was [a] very poor dynamic in the group for a while there. It’s not that we didn’t expect it, it does happen with groups... I’m not sure we’ve experienced something quite so distracting and it was hard work I think to pull that back. So I don’t think we necessarily catered for that. You can’t really know what it will be like.”

PPR representative

“I had people phoning me up, so you’d speak to one person and the other person would phone and call them names, you know... I didn't know who to believe. I tried to do a bit of mediation and that didn’t work and I think for me, I just didn't feel confident and comfortable.”

Community development worker

Project partners working together in Leith





5. Learning For Others

This chapter sets out the lessons learned from this project. These are designed to help other people and organisations looking to undertake similar work in a community setting, and to inform people and organisations interested in taking a human rights based approach more broadly.

We have drawn these lessons from evaluation interviews carried out with people and organisations involved in the project.

We have identified:

- ▶ learning for rights holders – people whose rights are affected by a situation;
- ▶ learning for human rights defenders – people who work with and for other people whose rights are affected by a situation;
- ▶ learning for National Human Rights Institutions – organisations like the Commission with a statutory mandate to promote and protect human rights; and
- ▶ learning for duty bearers – people who are responsible for respecting, protecting and fulfilling rights.





Learning for rights holders

- ▶ Recognise you have rights that others have duties to protect and respect, and that there are lots of different ways to hold them to account for that.
- ▶ Be prepared for difficulties in relationships with other people whose rights are affected, and with those in power you are working with. Think about the support you might need to manage these.
- ▶ This kind of project needs people with lots of different talents – there are lots of ways to contribute from taking photos, designing leaflets, hosting meetings, asking people survey questions and more.
- ▶ Work around existing formal structures if they are not working for you. Have confidence in your own rights, and your own strengths.
- ▶ Challenging power using human rights is hard work at times, and you will need to persevere – but it is worth it.
- ▶ Be aware that being involved in a project like this brings both opportunities and risks. Weigh this up as much as possible before you decide to go ahead.



“There are people around the UK right now in similar situations who are challenging [for] change in this way... it works, people [can] seize momentum and seize control of their situations, and it’s challenging but it can be done and at the end of the day it’s a matter of rights. It’s not about asking. This is about a demand of a government that’s already been promised that needs to be put into reality.”

PPR representative

“I’m involved in something that is so important because it’s not just the right to a house, the right to a home, it’s connected to everything else. It should be a seamless process. And it would be a lot easier if it was a seamless process... [but] I found myself going from mistrust of the council to you know, they are all right, they are human beings as well.”

Local resident

“Challenge them - if they don’t have the money - why not? What have they done with it?”

We’ve paid a premium for years to reach quality standards by 2015 that they failed to meet. So what have they done with the money?”

Local resident



Learning for human rights defenders

- ▶ Prepare as much as you can before you get started, including training for your team in resilience; understanding the human rights issues and related standards; ensuring adequate buy-in from the top of your organisation; and ensuring you have adequate resources.
- ▶ It takes more time and more resources than you think to be involved in a project like this – look at getting external funding if you can.
- ▶ Build in ways of building the capacity of others in your own organisation, and in the community of rights holders you are supporting – that will help to make the project more sustainable.
- ▶ Good relationships with duty bearers are important – but they must deliver outcomes that realise people’s rights.
- ▶ If you are getting resistance from duty bearers, this is often a sign of power shifting. But be prepared for the potential for opposition from those with power.
- ▶ Just as for rights holders themselves, being involved in a project like this brings both opportunities and risks. Weigh this up as much as possible before you decide to go ahead.




“This is a very different way of working and when you challenge power, power reacts and it doesn’t often react in a positive way. It reacts in a predictable way though, that you could build into your campaign.”

PPR representative

“I would have thought much more about what support was needed for staff, because the process was very difficult at times for the staff involved in terms of resilience and mental health, and what they needed to be able to do the job well and be well in themselves.”

Community development worker



“If you are doing your job right, of course you are getting kickback.

That gave me a bit of comfort actually that we are getting this right, because we are starting to shift the power dynamic.”

Community development worker

Learning for National Human Rights Institutions (NHRIs)

- ▶ The independent status of an NHRI has to be maintained while you play many roles. You can and should open doors to power; use your unique position to influence change; be a voice of authority and a bridge to the United Nations; support and empower rights holders; AND build the capacity of duty bearers.
- ▶ Make sure you fulfil your own duty to support rights holders through what is a difficult process. Working with people who are in vulnerable situations requires developing trust – formalise expectations about engagement and roles.
- ▶ Foster leadership and political buy-in. And be prepared for relationships with duty bearers to be challenging – accountability is uncomfortable and is not the approach most duty bearers have been trained in.
- ▶ Just as for human rights defenders, prepare as much as you can before you get started, including training for your staff; understanding the human rights issues and standards; ensuring adequate buy-in from the leadership of your NHRI; and ensuring you have adequate resources. Be prepared for the long-term commitment involved in this kind of work.
- ▶ Be clear with duty bearers at the outset that accountability and engagement will be ongoing – there will be a series of milestones. Where possible identify what will be made public and when.
- ▶ Use a wide range of different methods to support rights holders with public accountability – including film, social media, international human rights mechanisms, and political engagement.

“There needs to be significant support to rights holders. That’s clear. You’re probably entering into a situation where their own resilience is potentially low. They are disempowered and potentially disengaged. And so that takes significant support.”

Scottish Human Rights
Commission representative

“For the process to be successful it has to be resourced or you will be hanging rights holders out to dry and that is not ok. So the lesson for other NHRI is plan it, think about it, resource it and do not walk away.”

Scottish Human Rights
Commission representative

“As the NHRI you are both supporting and empowering the residents but you’re also to capacity build with the duty bearer – so wearing two hats. To maintain that position... we have had an open door to the council, we have offered training, we have met with them at any juncture... But that’s a challenge to sit in that space.”

Scottish Human Rights
Commission representative



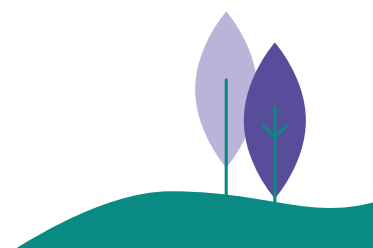


Lessons for duty bearers

- ▶ Welcome accountability and engagement with rights holders – an openness to dialogue, even where that involves criticism and challenge, supports a learning environment. Discomfort is often where the change happens.
- ▶ Recognise the power that you, as duty bearers, hold. And recognise that sharing that power is how space is created for progress to be made.
- ▶ Recognise the value of the expert knowledge of rights holders – participative engagement can help identify the barriers that exist to realising people’s rights more quickly and more cost-effectively.
- ▶ Recognise that taking a human rights based approach, not only helps you to fulfil your legal compliance obligations – it is good business leading to better outcomes.
- ▶ Be open to a different way of doing things. And be open to the benefits that improvements can bring to people’s lives, beyond your own immediate area of responsibility.

“The dampness in our building... was caused by one thing - we had no windowsills... they sent someone to look at my building and they said they would do some things to insulate it... and I said no, why spend thousands of pounds or more on something that can be cured with a simple thing - and she said why? And I explained and I said wait until the work is done and put the new windows in with windowsills, and so they did and it fixed it, it was just a windowsill. A simple remedy. So if people listen to you and think about it - you can save money - simple!”

Local resident




“I’d just say be open to it. I would say anything that helps a service be delivered better, in a better way, where tenants or service users are in a happier more satisfied position, this is a good thing. If people feel more empowered as a result of driving change through a rights based approach or anything else that’s fundamentally a good thing, where we should be.”

Local authority representative

“People claiming rights from power is going to be uncomfortable for power and it’s got to be a brave thing for people on the ground to do that, but that space of discomfort is actually where the alchemic change has to happen... And I think there’s a kind of a shying away from that kind of discomfort...”

PPR representative



“Make the business case. It’s an opportunity to tap into the expertise of people on the ground that is very often not tapped into.”



PPR representative

6. Closing Comments

The Housing Rights in Practice project was an important, pioneering project in Scotland that brought together a human rights based approach with community development practices to achieve significant impact.

The project directly benefited local people living in three blocks of high-density housing in Leith, Edinburgh, leading to better realisation of their human right to adequate housing. People also saw improvements in how some of their other human rights were realised, including their right to health, an adequate standard of living and to participate in community life.

More broadly, the project led to increased awareness and understanding of human rights among people in the local community and around Scotland and beyond.

The project has demonstrated how to use human rights in practice, providing an example, grounded in people's lived experience, of the steps needed to support people to know, understand and claim their rights.

Crucially, the project has also highlighted the challenges that this approach can involve, particularly when it comes to engaging with those with power and responsibility for fulfilling people's rights. Empowering people to know and claim their human rights also requires challenging – and supporting – those with responsibilities to use their own power differently. That is not an easy process to get right and requires sustained and meaningful engagement by all parties.

We hope that other communities, organisations working alongside them, and the public authorities with duties towards them, will be able to learn from and build on the experiences in Leith that we have shared in this report.

Scotland is still on a journey towards better recognising everyone's economic and social rights in full. In the time since the Housing Rights in Practice project came to an end, the Scottish Government has established a National Taskforce on Human Rights Leadership, with an ambitious remit to develop new legislation to strengthen protection for people's rights.



Scotland's National Action Plan for Human Rights – the original starting point for this project – has continued to evolve, with a second iteration currently in development. Interest in human rights has grown across the community development sector, and civil society organisations are mobilising increasingly around human rights principles in their advocacy, service delivery and campaigning.

This focus on human rights in law, policy and practice is set to increase further as Scotland continues its human rights journey. We hope that the story of the Housing Rights in Practice project will continue to provide inspiration, practical insight and lessons for the future.

The Commission would like to thank all of the partners involved in making this project possible; our thanks go in particular to the community of residents we worked with in Leith.



A handwritten signature in black ink, which appears to read 'Judith Robertson'. The signature is fluid and cursive.

Judith Robertson
Chair

Scottish Human Rights Commission

Appendix 1: The Right to Housing

This chapter describes:

- ▶ what the right to housing means in law;
- ▶ what the right to housing includes;
- ▶ the state's duties when it comes to the right to housing;
- ▶ what a human rights based approach means; and
- ▶ how we took steps to realise the right to housing (and human rights more broadly) in this project.

International human rights law

Everyone has the human right to adequate housing. This right is set out in international human rights law and, in particular, in the International Covenant on Economic, Social and Cultural Rights (ICESCR). ICESCR was ratified by the UK in 1976. It requires the UK to respect, protect and fulfil rights such as the right to an adequate standard of living, which includes adequate food, clothing and housing, and the continuous improvement of living conditions.

What does the right to housing include?

The United Nations Committee on Economic, Social and Cultural Rights outlined the different elements of the right to adequate housing in its General Comment 4, 1991. These are:

Legal security of tenure

Everyone should be guaranteed security of tenure. This means there should be laws that protect people's rights to continue living in a rental property.

Availability of services

Everyone should have available facilities and infrastructure such as drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, food storage, refuse disposal, site drainage and emergency services.

Affordable housing

Housing costs should not threaten someone's ability to afford other essential goods and services. This includes protection against unreasonable rent levels or unreasonable rent increases.

Habitable housing

Everyone should have adequate space and protection against the cold, damp, heat, rain, wind or other threats to health or structural hazards. Everyone should be safe physically in their housing.

Accessible housing

Housing should be accessible to everyone without discrimination. Priority should be given to people who are the most marginalised in society, including homeless people and people with inadequate housing. Special measures should be taken to ensure adequate housing for disabled people, older people, people living in areas vulnerable to natural disasters, and other groups with particular needs.

Location

Housing should be in a location which allows access to employment options, healthcare services, schools, childcare and other social facilities. It should not be located on or near polluted sites.

Cultural adequacy

Housing policy and decisions about housing must be made in a way which respects and supports people's culture. For example, by ensuring that Gypsy/ Traveller communities are planned, delivered and managed with the community's input and participation.

The state's duties

International human rights law says that states must:

- ▶ "Progressively realise" the right to housing – this means taking steps over time to realise people's right to housing.
- ▶ Use as many resources as they can to realise people's right to housing.
- ▶ Target spending on people whose right to housing is furthest from being realised.

A human rights based approach

States and public authorities can also go beyond what the law says and use a human rights based approach to realise the right to housing. This means embedding the principles of human rights into the ways they develop policies and make decisions about their services and budgets.

You can find out more about taking a human rights based approach on the [Scottish Human Rights Commission's website](#).





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