



**European Observatory on Homelessness: Policy
Update 2006**

France

By Marie Loison

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**FRENCH POLICY REPORT FOR THE
OBSERVATORY OF THE
EUROPEAN FEDERATION OF NATIONAL
ORGANISATIONS WORKING WITH THE
HOMELESS**

2006

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The question of the homeless in France

“The discourse on poverty has since the 1990s focused on the term exclusion to designate a variety of categories of the population who find themselves in a weak, socio-economically vulnerable situation. Of all these categories (the long-term unemployed, young people from housing estates, those living on the “integration minimum income” (social welfare benefit known by the French initials RMI)), it is the homeless who today provide the complete, paroxysmal image of the excluded, both in the ordinary and the policy and scholarly discourse: people living at the margins of society, isolated, at the end of the disaffiliation process¹.”²

Poverty and the presence of homeless people in French cities are not new phenomena. The “new” problem, or perhaps the “new homeless question,” as it could be phrased, refers to the fact that the homeless are far more visible today: “A daily life marked by the precariousness of housing is organised between visibility and invisibility, and this tension has given rise to this new social problem.”³ The media, the policies pursued since the end of the 1980s, and in particular the introduction of the integration minimum income (RMI)⁴, as well as the actions of charity associations bolstered this visibility: “The enhanced visibility of the homeless can be explained first by the physical presence of a higher number of people who make a particular use of the public space [⁵]. It can also be explained by the formation of a social identity which is built, in part, by the new media and policy discourses and mechanisms, that are often far removed from direct knowledge of, and are certainly full of gaps about, these populations.”⁶

In spite of the apparent homogeneity of the categorising term “SDF” (French initials that stand for “sans domicile fixe” -- homeless), which has entered into common parlance to designate these people who “apparently” have no home (it is possible to hear the term homeless used to refer to certain beggars or people whose physical appearance seems to betray a certain precarious situation – dirt, odour, spoiled clothing, etc. – although such people may not be homeless in the physical meaning of the term), numerous research studies conducted in France have revealed a wide variety of the social reality of the homeless. Numerous problems hence arise when this population has to be counted, identified and characterised⁷. The notion of “homeless” is used extensively, but is not

¹ Castel Robert, *Les métamorphoses de la question sociale. Une chronique du salariat*, Fayard, 1995.

² Girola Claudia, « Toute cette vie est une lutte pour rester dedans », *Idées La revue des sciences économiques et sociales*, n° 143, March 2006, p. 24-31.

³ Pascale Pichon, 2000, « Premiers travaux sociologiques et ethnographiques français à propos des sans domicile fixe », in Maryse Marpsat, Jean-Marie Firdion (ed.). *La rue et le foyer. Une recherche sur les sans-domicile et les mal-logés dans les années 90*, Travaux et Documents de l'INED, 2000, no. 144, p. 110.

⁴ The integration minimum income bill, proposed by the government headed by Michel Rocard, was debated in October and November 1988, before being adopted unanimously by the National Assembly. The many debates at the time brought the issues of poverty and exclusion centre stage before the media.

⁵ See Loison Marie, 2006 « Conflits, sans-abrisme et utilisation de l'espace public », Rapport thématique français pour l'observatoire de la fédération européenne des associations travaillant avec les sans-abri.

⁶ Damon Julien, Firdion Jean-Marie, « Vivre dans la rue: la question SDF », in Paugam Serge (ed.), *L'exclusion. L'état des savoirs*, Paris, La découverte, coll. "Textes à l'appui", 1996.

⁷ Julien Damon, 2000, « En quête du chiffre: trois décennies d'estimations du nombre de SDF dans la presse », *Recherches et prévisions* n°60; Firdion Jean-Marie, « Les sans domicile: de qui est-il question?

self-contained. The very designation of “SDF” (homeless) poses problems, the definitions vary, and it is at times difficult to know what these initials mean. Julien Damon⁸ has thus shown that as of the 1990s, the term “clochard” (tramp) was replaced by “SDF” (homeless). “This semantic development reflects a change in the reference universe in which homelessness is placed. The term “tramp” was associated with the world of dropouts, maladjusted and asocial people. The term ‘sans domicile fixe’ (homeless) stems from the vocabulary of exclusion and social emergency. It symbolises the extreme forms of poverty and exclusion.”⁹

Recent French studies on the homeless in fields as varied as ethnology, sociology, history or medicine, stress the visibility of this population category and on the problems which arise from it: living conditions and capacity to adapt to the living environment, exposure in the public space, characteristics of this population (who are they, how many are they, how does one become homeless?), the issue of homeless workers,¹⁰ of repression of living in the street (reference to anti-begging decrees), representations of the homeless, etc.

The question of homelessness in France today can be broached from three major prospective approaches. Studies on the homeless range from a psychiatric or medical and psychological interpretation based on the mental maladjustment of these marginalized populations,¹¹ and a sociological interpretation focused on the mechanism of a society that marginalizes innocent victims. For its part, the ethnographic approach tries to go beyond this alternative, by going into the field to mix with them, observe them, and conduct interviews. Although they do not have the same investigation or analysis methods, the works of sociologists and ethnographers seem to share certain similarities, in particular in the scholarly approach that they use to understand the homeless populations and in the way they object to the first interpretation of the phenomenon. Instead of relating personal fate to these medical and psychological determining factors, these works take into account the consequences of hardships. Ethnographic research studies concentrate chiefly on the relation of the homeless with public spaces and welfare services (analysis of daily life in the street,¹² and a focus on the interaction with welfare services¹³). The homeless individual is then

Problème de la définition », in Chauvin Pierre, Parizot Isabelle, 2005, *Santé et recours aux soins des populations vulnérables*, Inserm, Paris, pp. 95-104.

⁸ Julien Damon, 2000, *op.cit.*

⁹ Maurel Elisabeth, 2004, « Les représentations du sans-abrisme dans la presse écrite en France », Rapport FEANTSA, *L'évolution des profils des sans-abri: Le sans-abrisme dans la presse écrite: L'analyse du discours.*

¹⁰ De La Rochère Bernadette, 2003, « Les sans domicile ne sont pas coupés de l'emploi », *INSEE Première*, n°925

¹¹ For Patrick Declerck for example, the physical and mental dissipation of tramps is but the final result of personal pathologies that are present way before the individual winds up in the street – a form of a virtually irreversible process (Declerck Patrick, 2001, *Les naufragés. Avec les clochards de Paris*, Paris, Plon « Terre Humaine ».)

¹² Cf. for example Patrick Gaboriau, *Clochard, l'univers d'un groupe de sans abri parisien*, Paris, Julliard, 1993.

¹³ Cf. for example the works of Carole Amistani, Gilles Teissonnières, and Joël Jouenne, 1993, *Errances urbaines, recherche en ethnologie urbaine*, Report, Ministry of Infrastructure and Facilities, Urban Plan.

seen as a social actor capable of expressing and commenting on the conditions in which he lives, in particular the daily constraints he encounters.

The “SDF” question and the studies conducted in recent years refer to several fields, in our view; first, to quantitative studies, in particular by the National Institute of Demographic Studies and the National Institute for Statistics and Economic Studies (known by the French acronyms INED and INSEE respectively), and their attempts to improve the definition of the homeless, at the local and national as well as the European level. A genuine statistical and methodological effort has been made since 1993 to take this population into account in official French statistics, and from this point of view, the survey conducted by INSEE in 2001 cannot be overlooked.¹⁴ These works try to fill gaps of surveys usually conducted among “ordinary households” that by definition do not take into account individuals who do not have a home. Data at our disposal at this time on the health, housing, and employment of these people must still be improved, in particular by improving the research methodologies for such people who are difficult to investigate.¹⁵ The works of actors in the field (doctors, psychologists, charity associations) and of researchers (sociologists, ethnologists), which tend to be more qualitative, likewise endeavour to gauge the characteristics, patterns of living, relations with welfare institutions and society in general, of the homeless.

There are obviously many connections between these three fields of investigation which complement one another and have been interacting for several years to acquire a deeper knowledge of these marginal populations. In this report, we shall scrutinise closer the data available in France on the health, employment and accommodation of the homeless.

¹⁴ A special issue will for that matter be published by INSEE at the end of the summer to take stock of this survey conducted among people who use the accommodation and hot meal distribution services in conurbations of more than 20 000 inhabitants.

¹⁵ Cf. in particular the works of Maryse Marpsat and Jean-Marie Firdion on the methodological problems and ethical and scholarly questions raised by surveys conducted among the homeless, Maryse Marpsat, Jean-Marie Firdion, 2000, *op.cit.*

Health and social protection of the homeless¹⁶

“In 2001, 16% of the homeless making use of welfare services said that they were in poor health, compared with 3% of the population having personal housing.” The proportion who considered their health to be poor was as high among young people as among older people, which is not the case in the overall population, where the perception of one’s state of health declines with age; whether housed in a facility managed by a public organisation or association or in a collective structure, their state of health is not better; the overrepresentation of working class categories among the homeless (91% of those who work are manual labourers or clerical employees), explains in part the differences with the rest of the population (the state of health declines with the social situation). Difficult living conditions, stress, poor diet, and delays in seeking medical care weaken this population and increase the risk of falling ill. “Thus, more than one homeless person in ten suffers from respiratory ailments, after-effects of accidents or serious illnesses. One out of four considers himself depressive. The homeless see doctors quite regularly and three out of ten were hospitalised at least once in 2000, most often for psychological disorders. Four out of ten, although they have problems with their teeth, do not see a dentist, and one third declare that they have uncorrected sight problems. Nevertheless, this situation is not specific to the homeless.”

Figure 1 Health perception and problems of the homeless (in %)

| Perception de la santé | Population ayant un logement personnel | | | Sans-domicile usagers des services d'aide | |
|--|--|--|-----------------------------------|---|-----------------------------------|
| | Ensemble | Cadres et professions intellectuelles supérieures ¹ | Ouvriers et employés ¹ | Ensemble | Ouvriers et employés ¹ |
| De médiocre à très mauvaise | 3 | 2 | 4 | 16 | 16 |
| Moyenne | 16 | 12 | 20 | 31 | 30 |
| De bonne à très bonne | 81 | 86 | 76 | 53 | 54 |
| <i>Déclare au moins une maladie chronique ou grave</i> | 32 | 31 | 34 | 65 | 66 |

Champ : personnes de 18 à 60 ans
 1. Il s'agit de la catégorie socioprofessionnelle actuelle ou antérieure pour les chômeurs.
 Sources : Enquête auprès des personnes fréquentant les services d'hébergement ou les distributions de repas chauds, janvier 2001 et Enquête "comportements vis-à-vis de la santé" partie variable de l'enquête Permanente sur les Conditions de Vie, mai 2001, Insee

Population with personal housing

Homeless users of welfare services

Perception of their health

All

¹⁶ De la Rochère Bernadette, 2003, « La santé des sans domicile usagers des services d'aide sans domicile », *INSEE Première* n° 894.

Senior executives and professions
 Manual labourers and clerical employees
 All

Manual labourers and clerical employees

Poor to very poor

Average

Good to very good

Reports at least one serious or chronic illness

Coverage: persons aged 18 to 60

1. The current or, for the unemployed, the previous socio-professional category

Sources: Survey of persons availing themselves of accommodation and hot meal distribution services, January 2001 and

Survey on “behaviour in regard to health,” variable part of the Permanent Survey on Living conditions, May 2001,” INSEE.

Figure 2 Main physical health problems of the homeless (in %)

| | Population ayant un logement personnel | | | Sans-domicile usagers des services d'aide | | |
|--|--|-------|----------|---|-------|----------|
| | Homme | Femme | Ensemble | Homme | Femme | Ensemble |
| Migraine | 3 | 7 | 4 | 13 | 30 | 20 |
| Maladie respiratoire | 6 | 5 | 6 | 13 | 14 | 14 |
| Séquelles d'accident ou de maladie grave | 2 | <2 | 2 | 15 | 8 | 13 |
| Maladie articulaire et osseuse | 9 | 8 | 8 | 11 | 9 | 10 |
| Maladie du système digestif | 2 | 3 | 2 | 10 | 10 | 10 |
| Désordres alimentaires importants | <2 | <2 | <2 | 7 | 11 | 9 |
| Hypertension | 5 | 3 | 4 | 8 | 9 | 8 |
| Maladie de la peau | 4 | 6 | 4 | 8 | 6 | 7 |
| Maladie cardio-vasculaire | 3 | 3 | 3 | 6 | 5 | 6 |
| Maladie du foie et de la vésicule biliaire | <2 | <2 | <2 | 6 | 4 | 6 |

Champ : personnes de 18 à 60 ans
 < 2 : l'estimation est inférieure à 2 %
 Sources : Enquête auprès des personnes fréquentant les services d'hébergement ou les distributions de repas chauds, janvier 2001 et Enquête "comportements vis-à-vis de la santé" partie variable de l'enquête Permanente sur les Conditions de Vie, mai 2001, Insee

Population with personal housing

Homeless users of welfare services

Men Women All Men Women All

Migraine

Respiratory ailment

After-effects of accident or serious illness

Arthritic or bone disease

Digestive track illness

Serious dietary disorders

High blood pressure

Skin disease

Cardio-vascular disease

Liver and gall bladder ailment

Coverage: persons aged 18 to 60

<2: estimate less than 2%

Sources: Survey of persons availing themselves of accommodation and hot meal distribution services, January 2001 and

Survey on "behaviour in regard to health," variable part of the Permanent Survey on Living conditions, May 2001," INSEE.

In January 2001, nearly 80% of the homeless users of services stated that they had a valid social security card in their name or that they were an entitled claimant of an insured, 6% that they were holders of a card that had expired or for which they had applied, and 12% that they did not have a social security card. Among the latter, some have universal medical coverage.¹⁷ INSEE estimated the proportion of the homeless without any social protection at 8% in 2001.

¹⁷ The universal healthcare coverage (known by the French initials CMU) was introduced on 1 January 2000 and comprises two sections. First, the basic universal healthcare coverage to affiliate individuals, who cannot be covered otherwise, to the general health insurance scheme. Second, the additional universal healthcare coverage, which provides additional coverage, on condition of resources, to all permanent legal residents of France.

Figure 3 Declared social coverage of homeless users of welfare services in January 2001 (in %)

| | Ensemble des sans-domicile | Bénéficiaire de la CMU de base ou complémentaire | Ne bénéficiaire pas de la CMU de base ou complémentaire |
|---|----------------------------|--|---|
| A une carte de sécurité sociale à son nom | 78 | 52 | 26 |
| Est inscrit sur la carte de sécurité sociale d'une autre personne | 4 | 2 | 2 |
| A une carte de sécurité périmée | 2 | 1 ² | 1 |
| Carte de sécurité sociale en cours de demande | 4 | 1 | 3 |
| N'a pas de carte de sécurité sociale | 12 | 4 ¹ | 8 |
| Ensemble | 100 | 60 | 40 |

1. Si 4% des sans-domicile bénéficiaires de la CMU affirment ne pas avoir de carte de sécurité sociale, il peut s'agir soit d'une perte, soit d'un problème administratif fréquent (carte retournée "N'habite pas à l'adresse indiquée", celle-ci n'étant envoyée qu'à l'ouverture du droit et non périodiquement).

2. Les mêmes motifs peuvent expliquer que 1% des assurés CMU aient une carte périmée (au titre d'anciens droits et non au titre de la CMU).

Champ : sans-domicile usagers des services âgés de 18 à 60 ans

Source : Enquête auprès des personnes fréquentant les centres d'hébergement ou les distributions de repas chauds, janvier 2001, Insee

All homeless persons

Basic or additional CMU

No basic or additional CMU

Has social security card in his or her name

Is registered on the social security card of another person

Has expired social security card

Has applied for social security card

Has no social security card

All

1. The fact that 4% of the homeless with CMU state that they do not have a social security card could mean that they lost it, or that there is a frequent administrative problem (card returned "address unknown," as it is sent when the right is acquired, and not periodically)
2. The same reasons can explain why 1% of those with CMU had an expired card (for former rights and not for the CMU).

Coverage: homeless users of services aged 18 to 60

Sources: Survey of persons availing themselves of accommodation and hot meal distribution services, January 2001.

Employment of the homeless¹⁸

According to the INSEE Survey 2001, 71% of homeless people aged 18 to 60 stated that they were unemployed; 41% were on unemployment benefit (and among those, 21% were not or no longer looking for work), 22% were non-working, and 8% were not authorised to work (all aliens). 29% had an occupational activity.

In the beginning of 2001, three out of ten homeless people worked, most often as manual labourers or clerical employees (Figure 4). 16% of those sleeping rough or in a centre closed during the day work. The proportion is higher (one third) among those who are accommodated in a facility or centre that is open during the day.

Figure 4 Detailed socio-occupational category of homeless people who have a job (in %)

| | Population ayant un logement personnel | | | Sans-domicile francophones usagers des services d'aide | | |
|---|--|------------|------------|--|------------|------------|
| | Homme | Femme | Ensemble | Homme | Femme | Ensemble |
| Agriculteurs exploitants | 3 | 1 | 2 | Ns | Ns | Ns |
| Artisans, commerçants, chefs d'entreprise | 7 | 3 | 6 | Ns | Ns | Ns |
| Cadres et professions intellectuelles supérieures | 16 | 10 | 14 | Ns | Ns | Ns |
| Professions intermédiaires | 21 | 24 | 22 | 3 | 8 | 5 |
| Employés dont | 13 | 50 | 25 | 22 | 77 | 40 |
| <i>employés civils et agents de service de la fonction publique</i> | 3 | 13 | 6 | Ns | 15 | 7 |
| <i>employés administratifs d'entreprise</i> | 3 | 17 | 7 | Ns | 17 | 7 |
| <i>employés de commerce</i> | 2 | 8 | 4 | 4 | 13 | 7 |
| <i>personnels des serv. directs aux particuliers</i> | 1 | 11 | 4 | 8 | 31 | 16 |
| Ouvriers dont | 40 | 12 | 32 | 72 | 15 | 53 |
| <i>ouvriers qualifiés de type industriel</i> | 10 | 2 | 8 | 9 | Ns | 7 |
| <i>ouvriers qualifiés de type artisanal</i> | 11 | 1 | 8 | 15 | Ns | 11 |
| <i>chauffeurs</i> | 4 | 0 | 3 | 6 | Ns | 4 |
| <i>ouvriers non qualifiés de type industriel</i> | 7 | 5 | 6 | 21 | 9 | 17 |
| <i>ouvriers non qualifiés de type artisanal</i> | 4 | 2 | 3 | 18 | Ns | 13 |
| Ensemble | 100 | 100 | 100 | 100 | 100 | 100 |

Ns : non significatif (effectifs enquêtés inférieurs à 20)
 Champ : Personnes âgées de 18 à 60 ans ayant un emploi
 Sources : Enquête auprès des personnes fréquentant les services d'hébergement ou les distributions de repas chauds, janvier 2001 et enquête Emploi (données standardisées), mars 2001, Insee

¹⁸ De la Rochère Bernadette, 2003, *op.cit.* The presented results stem from two surveys: a survey among people who use free accommodation and board services, conducted by INSEE from 15 January to 15 February 2001 in conurbations with more than 20,000 inhabitants. 4084 French-speaking users of accommodation and hot meal distribution services were questioned, of whom, 3525 were homeless; the employment survey of 21 March 2001 conducted among persons residing in normal housing. 150000 individuals aged 15 or older were questioned. To take the particular demographic profile of the homeless into account, the scope of the study was restricted to people aged from 18 to less than 60, and the data from the Employment survey were standardised by sex and by age.

Population with personal housing

French-speaking homeless users of welfare services

Men Women All Men Women All

Farmers

Craftsmen, shopkeepers, managers

Senior executives and professions

Mid-level professions

Clerical employees

 Civil servants and functionaries

 Company administrative employees

 Personnel for direct services to private individuals

Manual labourers

 Skilled industrial workers

 Skilled craftsmen

 Drivers

 Unskilled industrial workers

 Unskilled craftsmen

All

Ns: non significant (fewer than 20 subjects surveyed)

Coverage: persons aged 18 to 60 who have a job

Sources: <2: estimate less than 2%

Sources: Survey of persons availing themselves of accommodation and hot meal distribution services, January 2001 and Employment survey (standardised data), March 2001, INSEE

Two thirds are salaried employees of a company or governmental department and one fourth are employed by an accommodation centre or association. The profile of the latter differs from that of the former: they are older (40 compared with 31 on average), and are most often men (82% compared with 64%), French (85% compared to 74%), without diploma or with a primary school leaver's certificate only (54% compared with 38%), and most often declare at least one illness (65% compared with 55%). "Three fourths declare that they receive income from their work and nearly all the others receive a gratuity. In addition to this remuneration, half of them receive social welfare benefits (...) or other donations." They are most often housed in collective structures rather than individual accommodation, and most often live in the provinces rather than in greater Paris. For these people, who are among those experiencing the greatest difficulties on the employment market, the fact that they have a job in an association or a centre seems to guarantee them a relatively more stable accommodation and employment (Figure 5).

Figure 5 Type of contract and number of weekly working hours of homeless people by employer

| | Entreprise ou administration | | Association ou centre d'hébergement | |
|--|------------------------------|---|-------------------------------------|---|
| | Répartition (%) | Durée moyenne hebdomadaire de travail (en heures) | Répartition (%) | Durée moyenne hebdomadaire de travail (en heures) |
| Contrat d'intérim | 24 | 35 | Ns | Ns |
| Contrat Emploi Solidarité ou Consolidé, emploi jeune, apprenti | 13 | 25 | 21 | 21 |
| Stage rémunéré | 5 | 34 | Ns | Ns |
| Contrat à durée déterminée | 18 | 35 | Ns | Ns |
| Contrat à durée indéterminée | 33 | 32 | Ns | Ns |
| Sans contrat de travail ¹ | Ns | Ns | 42 | 36 |
| Autres cas ² | Ns | Ns | 18 | 36 |
| Ensemble | 100 | 32 | 100 | 32 |

1. Certains organismes sont autorisés par dérogation à employer des personnes sans contrat de travail. Le pécule qu'elles leur versent est soumis à cotisations sociales.
2. Autres cas : il est difficile de savoir ce que recouvrent ces autres cas. Cependant, il semble qu'ils se rapprochent fréquemment de l'absence de contrat de travail.
Lecture : 24% des sans-domicile qui travaillent pour une entreprise ou une administration ont un contrat d'intérim et travaillent alors en moyenne 35 heures par semaine.
Ns : non significatif (effectifs enquêtés inférieurs à 20)
Champ : Sans-domicile francophones usagers des services d'aide âgés de 18 à 60 ans
Source : Enquête auprès des personnes fréquentant les services d'hébergement ou les distributions de repas chauds, janvier 2001, Insee

Company or governmental department

Association or accommodation centre

Distribution (%)

Average weekly working time (in hours)

Distribution (%)

Average weekly working time (in hours)

Temporary contract of employment

Solidarity or funded contract of employment,

Youth, apprentice job

Paid trainee

Contract for a specified period

Contract for an unspecified period

Without contract of employment

Other cases

All

1. Certain organisations are authorised, by exemption, to employ people without contract of employment. The gratuity they pay them is liable for social security contributions.
2. Other cases: it is difficult to know what these other cases cover. Nevertheless, they apparently often entail no employment contract.

Interpretation: 24% of the homeless who work in a company or a government department have a temporary contract of employment and thus work 35 hours a week on average.

Ns: non significant (fewer than 20 subjects surveyed)

Coverage: French-speaking homeless users of services aged 18 to 60

Sources: Survey of persons availing themselves of accommodation and hot meal distribution services, January 2001

In January 2001, 36% of the homeless questioned were looking for a job (five times of the rest of the French population of comparable age and sex), and in general, they continue to seek employment in spite of their difficulties.

Housing and right to housing

Right to housing in France: towards a right to housing that can be relied upon

The right to housing in France is a recent right, which although enshrined by law, is not applied “because the political will is lacking.”¹⁹ Until 1945, the question of housing was first and foremost a social demand, which after the war, was coupled with a demand of a right.

The term “right to living accommodation” appears in French law for the first time in a legislative text of 22 June 1982: “The right to living accommodation is a fundamental right: it shall be exercised within the framework of the laws that govern it... The exercise of this right entails a freedom of choice for all as to the way they are housed and the location of said living accommodation, by maintaining the rental sector and a property accession sector open to all social categories...” This legislation actually contributes to guaranteeing the rights of tenants, and it was only in 1986 that the term ‘right to housing’ appeared.²⁰

At the end of the 1980s, the awareness that poverty was being transformed²¹ and the return of the associations in the public discourse brought the question of housing back to the fore. The scarcity of the offer of affordable housing “and the development of exclusion phenomena combined to deprive part of the French population of access to housing. These difficulties fanned demands for the “right to housing,” to which numerous actors gave a new dimension through the notion of “possibility on relying” on such a right. The supporters of this notion believe that the mechanisms introduced by the “Besson Act” of 31 May 1990 to help underprivileged people, and strengthened by the orientation act on the fight against exclusion of 29 July 1998, would not suffice to overcome the impediments on the real estate market and guarantee an effective right to housing. A new step will have to be made towards the legal construction of the right to housing by introducing court supervision and sanctions for the shortcomings of the public powers.”²²

“Against the background of the standardisation of exclusion, interpreted as a lack of access to fundamental rights, **the demand is moving towards the “possibility of relying” on the right to housing**, as attested by the creation, in 2001, of a “platform for the right to housing that can be relied upon,” that brings together more than forty associations. This demand consists of the

¹⁹ Prud’homme Nicole, 2004, Avis et rapports du conseil économique et social, « Accès au logement, droits et réalités ».

²⁰ Prud’homme Nicole, 2004, *op. cit.*

²¹ Noted in Father Joseph Wrésinski’s report to the Social and Economic Committee, *Grande pauvreté et précarité économique et sociale* (1987).

²² ENA, Seminar on “housing,” Group n°13: Right to Housing, Year 2004-2006 « Simone Veil », July 2005, p.1

double guarantee by the State of the right to housing and the opening of remedy at law for citizens.”²³

In its last report of December 2005, the High Commission for the Housing of Underprivileged Persons reaffirmed its proposal of 2002, suggesting making it possible to rely upon the right to housing. By pinpointing the difficulties encountered in implementing the Besson Act on the right to housing of 31 May 1990 (which specifies the conditions for receiving underprivileged persons in housing), the High Commission’s task is to “identify the impediments, mark out good practices, and propose legislative and regulatory measures to improve the apparatus.”²⁴ The report states that the right to housing must be a constraint and not only a policy objective: “it is necessary to go from a poorly respected obligation of means to an obligation of results guaranteed by remedy at law,” with the strong involvement of the government and territorial guidance.

“Housing” the homeless

- INSEE Survey 2001

“In one week in January 2001, 86,500 adults in mainland France availed themselves, at least once, either of an accommodation or hot meal distribution service.”²⁵ 63,500 of them did not have their own home. Of these users, 19% have no home, 37% are housed precariously by their family, in a hotel or in squats, and 37% are tenants or sub-tenants. Others reside in accommodation centres, or have been released from hospital or prison. The day before they were interviewed, 22% had slept in premises not intended for accommodation (the street, train station, shopping centre, car, stairway), or in centres that they had to leave in the morning, 36% were accommodated in individual or collective rooms in day establishments, 5% in hotel rooms, and 37% in housing units run by public organisations or associations.

²³ ENA, 2005, *op.cit.*, p5

²⁴ « Face à la crise: une obligation de résultat », 11th Report of the High Commission for the Housing of Underprivileged Persons, December 2005, p.5.

²⁵ Brousse Cécile, De la Rochère Bernadette, Masse Emmanuel, January 2002, « Hébergement et distribution des repas chauds. Le cas des sans-domicile », *INSEE Première* N° 823

Figure 6 Socio-demographic characteristics of the homeless

| | Sans-domicile usagers des services d'aide | | | | | | Ensemble de la population de 18 ans ou plus | |
|--|--|--|----------------------------------|----|-----------------|---------------|---|----------|
| | occupant un lieu non prévu pour l'habitation (rue, abri de fortune) | hébergés en | | | chambre d'hôtel | logement aidé | | Ensemble |
| | | chambre ou dortoir dans une structure collective | | | | | | |
| | | avec départ obligatoire le matin | sans départ obligatoire le matin | | | | | |
| Personnes vivant en couple | 2 | 8 | 5 | 18 | 28 | 14 | 59 | |
| Personnes vivant seules | 88 | 88 | 79 | 68 | 42 | 67 | 19 | |
| Personnes accompagnées d'un ou plusieurs enfants | 0 | 4 | 15 | 21 | 45 | 24 | 38 | |
| Hommes | 93 | 90 | 68 | 61 | 43 | 64 | 47 | |
| 18-29 ans | 22 | 32 | 32 | 51 | 42 | 38 | 23 | |
| Plus de 50 ans | 22 | 20 | 20 | 8 | 10 | 18 | 40 | |
| Etrangers | 26 | 42 | 24 | 25 | 29 | 29 | 8 | |

1. Sont considérées comme "vivant seules" les personnes ne vivant ni en couple, ni avec des amis, ni avec des enfants ce qui ne signifie pas qu'elles ne partagent pas leur chambre (dortoir, logement) avec d'autres personnes hébergées par la même institution.
Lecture : 2% des sans-domicile occupant un lieu non prévu pour l'habitation vivent en couple.
Champ : personnes francophones de 18 ans ou plus, agglomérations de plus de 20 000 habitants, France métropolitaine.
Source : enquête auprès des personnes fréquentant les services d'hébergement ou les distributions de repas chauds, janvier 2001, recensement général de la population de 1999, Insee

In %

Homeless users of welfare services

Occupying premises not intended for housing

(street, makeshift shelter)

accommodated in

with compulsory departure the day after

without compulsory departure the day after

hotel room

assisted housing

All

Total population aged 18 and over

Persons living as a couple

Persons living alone

Persons accompanied by one or more children

Men

18-29

Over 50 years of age

Aliens

1. Persons who are not living as a couple, with friends, or children are considered to “live alone,” though this does not mean that they do not share their room (dormitory, housing) with other persons accommodated by the same institution.

Coverage: French-speaking persons aged 18 and over; conurbations of more than 20,000 inhabitants. Mainland France.

Source: Survey of persons availing themselves of accommodation and hot meal distribution services, January 2001, General census, 1999, INSEE.

Three fourths of the homeless have already a personal accommodation, mainly as tenants. “About 40% lost it in the last 12 months. In the course of 2000, they were homeless for 7 months on average, and were provided other forms of precarious housing by friends, the family, and in hotel rooms for 3 months. Their low income does not enable them to access independent housing.”²⁶

²⁶ Brousse Cécile, De la Rochère Bernadette, Masse Emmanuel, 2002, *op.cit.*

- The emergency housing and integration apparatus²⁷

The measure is intended to help people in serious social difficulties, such as the homeless. Supervised by the government, it relies on pooling means and resources and on networking among all actors and social partners. The national reception and accommodation apparatuses are designed to respond, as a matter of priority, to the most vulnerable elements such as families with children, young people from broken homes, women who are victims of violence, people with poor health, and the most alienated from society.

Definition of emergency accommodation

The national frame of reference established by the ministry of employment, labour and social cohesion defines emergency accommodation as “accommodation that meets an immediate need for shelter, characterised by the shortest period of accommodation as possible, since the measures must be capable of offering rapid, adapted relief as part of differentiated integration accommodation services.”

The frame of reference moreover specifies that this type of accommodation must be “either a waiting or orientation facility, or a punctual emergency service for a given situation before being admitted to another accommodation or housing facility, or a simple break.”

Emergency accommodation is therefore defined as a short-term, unconditional reception, i.e. without any selection of users. Conversely, integration accommodation is characterised by the selection of the users, the development of an integration plan, and a longer reception.

Emergency accommodation apparatus

Emergency accommodation concerns first and foremost persons alienated from society who are incapable of working, managing a budget or maintaining a household, and offers them an opportunity to (re)integrate in society. The prime mission of social emergency is to respond to emergency situations by guaranteeing immediate reception without discrimination to those in need.

Ordinary law apparatus

The day reception premises or Integration Solidarity Area (known by the French acronym ESI) constitute an essential link in the reception of homeless persons: generally small in size and well integrated in the local environment, they provide services that meet the basic needs: meals, clothes, shower and sanitary facilities, a mailbox, a left-luggage office to leave personal effects, guidance to accommodation and access to healthcare. There are 270 day reception premises throughout the country.

²⁷ Report « éléments d’expertise et de mise en œuvre d’un plan spécifique d’accroissement de l’offre d’hébergement en résidences hôtelières à vocation sociale », Dominique Ducos-Fonfrede, February 2006, cited in « Rapport sur la procédure de prévision et de gestion des crédits d’hébergement d’urgence », General Inspectorate of Social Affairs, April 2006.

Emergency Accommodation Centres (known by the French initials CHU) provide accommodation ranging from one night to several months to homeless persons or families. The situation of these homeless people will be evaluated, they will be given help in accessing their rights, and referred to an appropriate integration structure. There are 18,000 places available throughout the year in emergency accommodation centres in France.

Specific apparatus for asylum seekers: At the end of 2000, faced with a high increase in applications for asylum, the Department of Population and Migrations (DPM) of the Ministry of employment, labour and social cohesion, called on SONACOTRA²⁸ to provide additional support for the Emergency Reception of Asylum Seekers (known by the French acronym AUDA). This apparatus provided 1,200 places in 2005, to which were added another 330 places, provided by AFTAM.²⁹ A certain number of emergency accommodation centres for asylum seekers have gradually completed this offer.

Accommodation in hotels: The number of hotel accommodations reflects a crisis situation for dealing with the influx of asylum seekers in the 1990s. Today, it serves as an adjustment variable for the emergency accommodation apparatus intended for asylum seekers.

115 (the telephone number for emergency accommodation) and hospital services providing permanent phone support (known by the French acronym SAMU) and mobile teams complete this emergency accommodation apparatus. **115** gives access to a telephone hotline for responding to a social emergency situation. This national toll-free number for the homeless operates round the clock, year round. The call is free of charge and reaches the 115 toll-free number of the “department.” If the caller so wishes, reception can be anonymous. This number is at the heart of the social watch apparatus: teams of professionals man the hotline to inform, refer and find accommodation for the homeless... The **mobile assistance teams** go to the rescue of the people most alienated from society in the field, where they spot, establish contact, and listen to these people during their rounds. They can take them to an emergency accommodation centre, a day or night reception facility, or, where necessary, to hospital emergency wards.

Integration accommodation apparatus

The task of the integration accommodation is to take over from the emergency reception. This apparatus is characterised by long-term accommodation and selection of the users for an integration project. It provides social guidance to help those who so wish get re-integrated in society from a global perspective: psychological counselling, access to employment, health, training, access to rights, access to independent housing, etc. The diversity of the offer makes it possible to meet more or less independent accommodation needs, depending on the demand and

²⁸ Société Nationale de Construction pour les Travailleurs [National Construction Agency for Workers]

²⁹ Association pour la Formation des Travailleurs Africains et Malgaches [Association for the Training of African and Madagascan Workers]

the composition of the households, over variable periods according to the difficulties encountered by the people concerned.

The Social Reintegration Accommodation Centres (known by the French initials CHRS) are in most cases managed by associations and provide personalised, global care for people or families in dire need, on condition of drawing up, beforehand, an integration plan that must be accepted by the person concerned. Social guidance and supervision are provided by a multi-disciplinary team (social workers, psychologists, etc.). Persons who are accommodated are given an accommodation contract. The period of stay is in theory limited to 6 months, renewable as necessary. With the exception of people with no visible means of support who are cared for entirely by the social welfare department, the accommodated persons can contribute to the housing and guidance expenses in accordance with their means. Some such centres moreover include emergency places, accounting for about 10% of their capacity. 745 CHRS offer more than 30,300 places throughout the country.

The Reception Centres for Asylum Seekers (known by the French acronym CADA) accommodate persons while their application for asylum is examined by the French Office for the Protection of Refugees and Stateless Persons (known by the French acronym OFPRA).

The Temporary Accommodation Centres (known by the French initials CPH) are intended for registered refugees, once OFPRA has approved their application for asylum.

The halfway houses have existed for a little over two years and now offer 1,799 places. Small structures of 10 to 30 places, the halfway houses are an alternative housing offer for people in extreme exclusion situations, too weakened to live independently in individual housing. Akin to boarding houses, they are intended for people with very few prospects of re-integration and regained independence: isolated persons very alienated from society, who have lived on the street or have stayed frequently in CHRS. One of the essential tasks of this structure is to restore the links with society. Consequently, they cannot be seen in an exploded form, but as small-sized structures (between 15 and 25 places) to enable each resident to get well integrated in the way the house is run. The host places a vital coordinating role in the daily life of the “half-way boarding house.” Halfway houses offer a sustainable living accommodation solution, without time limitation, enabling people to get re-integrated at their own pace in a friendly living environment.

Social housing units are structures of some thirty dwellings. They provide temporary housing for single persons or families before the latter can gain access to independent housing. The fact of being housed, and no longer simply “accommodated” ensures more extensive rights for these people: resident status, personalised housing assistance. More than 3,300 places are available in 480 social housing units.

Additional accommodation during winter

The winter plan falls under the overall reception, accommodation and integration apparatus. It is intended for homeless persons, and its tasks range from emergency reception to advice and guidance for sustainable re-integration in society, in connection with the local authorities.

A steering committee is created in each 'department' for the winter period. It combines the services of the county council, the main municipalities, public health establishments, the fire brigade, police and national guard, first-aid workers and associations. A national watch unit monitors the implementation of the winter plan's different mobilisation levels.

The winter plan provides three mobilisation levels depending on the weather forecast.

Level 1, "Winter mobilisation," is activated between 1 November and 31 March. It can also be activated outside this period, if weather conditions so require. It provides for the mobilisation of the additional reception and accommodation capacities open continuously during this period.

Level 2, "Freezing cold," is activated when temperatures fall between -5° during the day and -10° at night. Additional reception and accommodation capacities must be provided in each department and placed at the disposal of 115. The 115 staff are reinforced to deal with calls and reports. The mobile teams step up their rounds and are more vigilant about people in the street, especially when the latter do not wish to be helped. The day reception premises are also opened at night to shelter people who refuse accommodation.

Level 3, "Extreme cold," corresponds to exceptionally low temperatures, below zero during the day and below -10° at night. It identifies in advance sites that can provide shelter for a sizeable number of people. Similarly people living in precarious situations such as those squatting or living in makeshift dwellings are located in every department. The mobile teams can thus intervene to check whether these people are not in danger, and shelter them as and when necessary.

Assessment of the Winter Plan 2005-2006³⁰

The winter in 2005-2006 was particular cold, even if there was no extreme cold spell. Average temperatures during the period from December to February were clearly below normal throughout France, with a deviation of 1.5°C from normal, this was the 10th coldest winter since 1950.

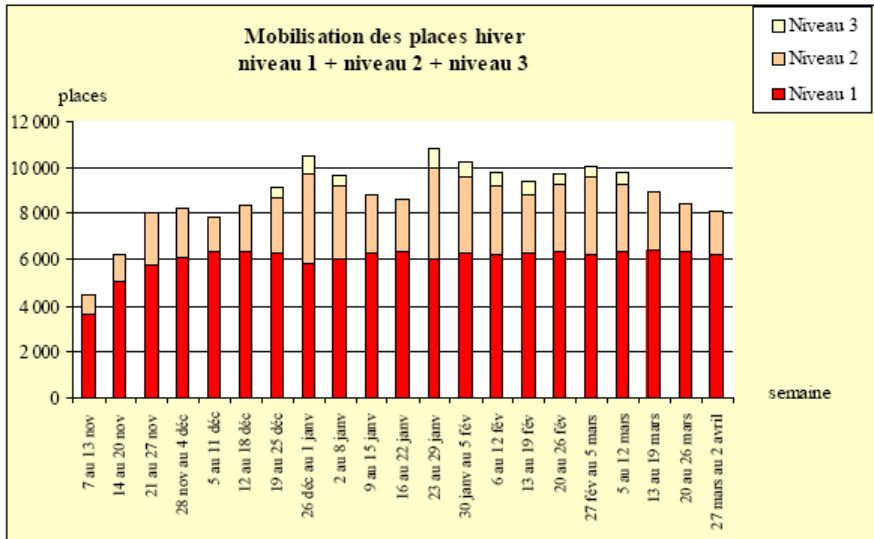
The winter plan was devised before the end of the first six months of 2005, with specific budget allocations under the framework law for social cohesion and with additional budget allocations obtained in May 2005. In the middle of the winter, more than 88 'departments' were on alert. 8,700 to 10,000 additional accommodation places were mobilised according to the plan level. The 115 staff and mobile teams were reinforced in all the departments by taking on new agents. 31 'departments' opened reception premises for the coldest night to offer shelter to people who refused accommodation.

³⁰ Bilan du plan hiver 2005-2006 pour les personnes sans-abri, press kit, 19 April 2006

The plan comprised three levels in nearly all the ‘departments’. An increase of nearly 1000 places by comparison with the previous winter on Levels 1 and 2 afforded the necessary flexibility for managing the apparatus. This winter was characterised by a significant mobilisation on the part of the territorial authorities (county councils and municipalities) in nearly half of the ‘departments’.

Mobilisation of winter places

Level 1 + Level 2 + Level 3



week

Source: Bilan du plan hiver 2005-2006 pour les personnes sans-abri, press kit, 19 April 2006

The reception and accommodation apparatus specific for asylum seekers

The reception apparatus for asylum seekers comprises three types of structures:

- Reception Centres for Asylum Seekers (CADA): These centres are specialised Social Reintegration Accommodation Centres (CHRS) that provide administrative and social advice and guidance for residents whilst their application for asylum is being examined by the French Office for the Protection of Refugees and Stateless Persons (OFPRA) and Appeals Commission for Refugees (known by the French initials CRR). 15,440 places are currently available in the CADAs.

- Emergency places for asylum seekers: a specific emergency reception apparatus has been established to deal with the sizeable number of asylum seekers in recent years. These accommodation places are distributed in homes for migrant workers, collective structures or hotel rooms. They are used while waiting for more lasting solutions. There are more than 19,000 places of this type in France for the emergency accommodation of asylum seekers.

- Temporary Accommodation Centres (CPH): These centres are intended for registered refugees, to facilitate their integration into society and the working world in France. There are more than 1,100 such places.

Assessment 2006 for the Abbé Pierre Foundation: “the accommodation offer is growing, but meets only part of the need”

“The entire emergency accommodation apparatus comprises nearly 87,000 places.” The framework law for social cohesion of 18 January 2005 “provides for bolstering the emergency reception and accommodation capacity to 100,000 by 2009 (by including boarding homes that are not emergency housing). The objectives for 2005 have been achieved overall. But the question of the needs remains, as such needs are met only in part by institutionalised responses, as can be seen from the reception function assumed by an entire accommodation and housing infrastructure mobilised by the Temporary Housing Allowance (known by the French acronym ALT), the number of hotel rooms used for emergency reception or the scope of accommodation with third parties.”

Figure 7 Accommodation supply for disadvantaged persons: objectives and achievements 2005

Halfway
houses

Objectives

Achievements

| | Maisons Relais | CHRS | CADA |
|------------------|----------------|---------------|------------------|
| Objectifs 2005 | 1 000 | 800 | 2 000 |
| Réalisation 2005 | 800 (80 %) | 720 (90 %) | 2 000 (100 %) |
| Objectifs 2006 | 1 500 | 500 | 2 000 |

Source : Ministère de l'emploi, de la cohésion sociale et du logement

Source: Ministry of employment, social cohesion and housing

Source: « le tableau de bord de suivi des politiques du logement », L'état du mal logement en France, Annual Report 2006, Abbé Pierre Foundation for housing disadvantaged persons

Conclusion

The “homeless” question and that of exclusion connected to housing arise every year in France as soon as the winter approaches, and measures are needed to shelter people living in precarious situations.

The report of the National Observatory of Poverty and Social Exclusion 2005-2006 has this year focused particularly on access to fundamental rights such as employment (links between poverty and unemployment, the development of poverty in employment and the question of poor workers, access to training), and the patterns of living of poor people (consumption, health problems, housing).³¹ The data available to us at this time on the health, housing and employment of the homeless must still be improved, in particular by improving the research methodologies for such people who are difficult to investigate.³² But the works of INED and INSEE can partially fill the gaps of surveys that are usually conducted among “ordinary households” which by definition do not take into account people who do not have their own home, and try to improve the definition of the homeless on the local, national and European levels.

Nevertheless, the question of the exclusion of a fringe of the population from housing became particularly topical in France in the year 2005-2006. “On 26 August 2005, 17 people (including 14 children) died in a fire in a run down building on the Boulevard Vincent-Auriol, in the 13th district of Paris. On 29 August, 7 others died in a fire of a building occupied by squatters on the Rue du Roi-Doré (3rd district). All the victims were from Sub-Saharan Africa.”³³

Article 122 of the Borloo Act on social cohesion (published in the official Gazette of 19 January 2005) authorised the government to take, by ordinance, “such measures as necessary to fight against insalubrious accommodation and measures for dangerously dilapidated buildings and establishments used fully or partially to house people under inhuman conditions.” Even if housing questions seem to be on policy agendas, numerous problems remain, as shown by the disasters of August 2005.

And yet, it would seem that when it comes to such questions, including the “homeless questions,” decisions always fluctuate between “gallows and pity”³⁴: “Minister for the Interior Nicolas Sarkozy, announces his decision to take inventory and to close “all insalubrious buildings and

³¹ We have gone into the details of this report because it pertained to all poor populations, without drawing a particular distinction for the homeless. But it does reflect a certain sensitivity to these issues of health, employment and housing with regard to people in precarious situations.

³² Cf. in particular the works of Maryse Marpsat and Jean-Marie Firdion on the methodological problems and ethical and scholarly issues raised by surveys conducted among the homeless, Maryse Marpsat, Jean-Marie Firdion, 2000, *La rue et le foyer. Une recherche sur les sans domicile et les mal-logés dans les années 90, op. cit.*

³³ Florence Bouillon, « Le squat, un lieu de résistance », *Le Monde diplomatique*, October 2005.

³⁴ Geremek Bronislaw, *La potence ou la pitié. L'Europe et les pauvres du Moyen Age à nos jours*, Gallimard, 1987 (1978).

squats presumed dangerous” in Paris. Three years later, under the eye of the cameras, dozens of – mostly African – families are removed by the police from two large buildings occupied by squatters on the Rue de la Tombe-Isoire (14th district) and the Rue de la Fraternité (19th district). They are temporarily housed in hotels in greater Paris. Then, on 16 September, some 30 people are also evicted from a building occupied by squatters on the Rue du Maroc (19th district), while some of them had just been offered to be housed elsewhere. The images of these evictions are confusing: is it intended to save people exposed to an imminent danger, or does it expel individuals that are a threat to public order and sanitation? The statements of the Minister for the Interior, insisting that the occupants were illegal – although most of them have residence permits – rouse even more suspicions about “scrounging.”³⁵

³⁵ Florence Bouillon, « Le squat, un lieu de résistance », *Le Monde diplomatique*, October 2005.

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