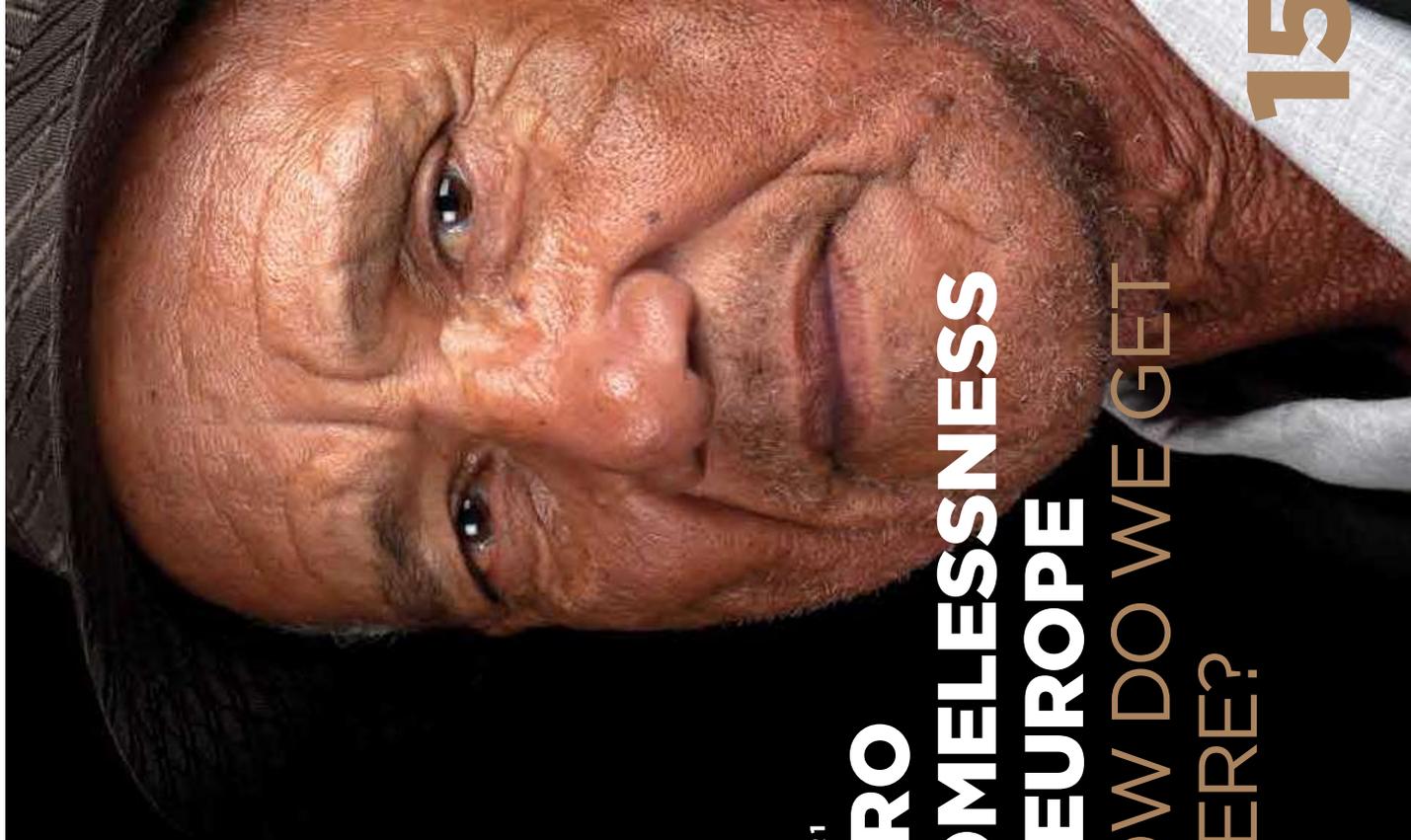




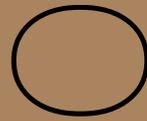
CHAPTER 1

ZERO HOMELESSNESS IN EUROPE

HOW DO WE GET
THERE?



I. ENDING HOMELESSNESS: A STRATEGY, NOT A FANTASY



Over the last number of years, only two European countries have seen a reduction in the number of homeless people.

- In Finland, there was a 10% drop in the number of homeless individuals in 2016 compared to 2013.
- In Norway, there was a 36% drop observed in the number of homeless people between 2012 (6,259) and 2016 (3,909) (these are the lowest figures since records began in 1996)¹.

In both these cases, homelessness was approached as a housing problem and a violation of fundamental rights, both solvable, and not as an inevitable social problem resulting from personal issues. The above-mentioned countries established integrated and decentralised strategies that had specific, measurable and reachable targets, set in a clear time frame.

¹ National study led by the City of Oslo, the Norwegian Institute for Urban and Regional Research (NIU) and Åkerhus University.

Reducing the number of people who are homeless, and in time, eradicating homelessness completely, is a public policy issue. A strategy that involves setting quantified targets and coordinated implementation is therefore indispensable. The ultimate objective of eradicating homelessness may seem overly ambitious, particularly in the current context of significant increases in homelessness in many countries, and it is still much debated, even within the voluntary sector. However, this ambition is vital in reaffirming the importance of moving away from

systems of simply managing homelessness, i.e. in a reactive and short-term manner, with disparate and one-off actions, to systems for resolving and preventing homelessness in the long term with continuous and integrated initiatives. There is consensus among European and international bodies, including the UN's Special Rapporteur on Adequate Housing and its Committee on Economic, Social, and Cultural Rights, as well as the European Commission, on the fact that integrated strategies must be put in place in order to eradicate homelessness.

"All levels of government should design and implement policies, laws and strategies to prevent and remedy homelessness. Failure to do so reflects that homelessness has neither been recognised nor addressed as a violation of human rights. What is lacking at all levels is a shared commitment to ensuring enjoyment of the right to adequate housing – and related rights such as life and health." *Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, United Nations General Assembly, 30 December 2015*

WHAT IS AN INTEGRATED STRATEGY IN THE FIGHT AGAINST HOMELESSNESS?

The concept of "integrated strategies" has been much used in recent years, not only by FEANTSA but also by the European Commission, political leaders and various stakeholders in housing policy. FEANTSA and the Abbé Pierre Foundation use this concept to define an appropriate public policy on homelessness, including, as a minimum, quantified targets for reducing homelessness with a view to eradicating it completely, and a realistic action plan. This plan must be based on housing and support and on interdisciplinary work carried out on a partnership basis that brings together all stakeholders. Finally, it must be endowed with the necessary resources

² http://www.urbaninitiative.at/observatoire/EN/EN_10_Years_2010.pdf

to reach the objective and allow for a rigorous evaluation mechanism.

Recent experiences in North America demonstrate the effectiveness of such strategies. In 2000, the National Alliance to End Homelessness (United States) published a report calling for radical revision of the methods for fighting homelessness. The report (*A Plan, Not a Dream: How to End Homelessness in Ten Years*)² details a bottom-up framework based on examples of ground-breaking local experiences, that transformed the goal of simply managing the homelessness problem into a goal of eradicating the problem within 10 years. According to this document, the four steps to be implemented simultaneously are: **Plan for outcomes** based on quality local data collection and a planning process focussing on the objective of eradicating homelessness;

"Close the front door", i.e. invest in measures to prevent homelessness across all social services in order to give them more responsibility towards the most vulnerable people; "Open the back door", i.e. sustainably rehouse every homeless person, as quickly as possible, (the **Housing First** model is at play here); **housing must be the first step towards reintegration, and cannot be dependent on resolving individual social difficulties**; Finally, **build the infrastructure**, i.e. make eradicating homelessness part of a wider fight against the systemic problems that cause extreme poverty, by creating affordable housing, ensuring adequate income for a decent life, and developing services adapted to users' needs.

Six years later, in 2006, local efforts to end homelessness were flourishing. This widespread adoption of the plan over the last ten years represents a collective commitment, at national level, to eradicate homelessness, that has given rise to several follow-up studies. 234 ten-year plans were thus initiated at the beginning of the 2000s, all across the United States (185 were city or county plans, 25 were state-wide plans and 24 were regional plans). In order to evaluate implementation, the Alliance identified four essential factors for successful implementation of a plan: **identifying a body responsible for implementation, setting quantifiable outcomes, identifying a funding source, and setting a clear implementation timeline**. Plans based on the same model were also established in Canada: the results, upon evaluation, are quite encouraging³. In cases where they are not – the progress made in such a strategy is influenced by a wide variety of factors – it is at least evidence of effort being made to break the existing ineffective system and lay the foundations for a better methodology.

³ <http://homelesshub.ca/atlantaandtorontoplans>
[atlantaandtorontoplans](http://www.alberta.ca/atlantaandtorontoplans)
[atlantaandtorontoplans](http://www.alberta.ca/atlantaandtorontoplans)
 Canadian Housing Foundation
www.chf.ca
 Number of homeless people in the United States, 2008 and 2018, according to the Calgary Homeless Foundation
<http://www.chf.ca/atlantaandtorontoplans>
<http://www.chf.ca/atlantaandtorontoplans>
 The End Homelessness Alliance
<http://www.endhomelessness.com>

⁴ See UK National Audit Office (2017), *Report into how homelessness is managed in Northern Ireland (2017)*, Homelessness in Northern Ireland, <http://www.northernireland.gov.uk/audit-reports/homelessness>

In Europe, more than half of EU Member States have announced a strategy to fight homelessness over the last twenty years, marking a significant improvement. Nonetheless, a majority of these policies were incomplete and "non-integrated", due to either their short-term nature, a lack of coordinated and multifaceted planning and implementation, inefficient management, budgets that were too low or poorly allocated, ignorance of the target public and the realities on the ground, or skipping of the evaluation process. They therefore did not have the intended effect. The various statistics showing an increase and a worsening of homeless situations everywhere in Europe are evidence of these failures.

These alarm bells are being noted by stakeholders in the social sector but also increasingly by independent bodies responsible for monitoring public spending and issue warnings on inefficient and ineffective strategies⁴.

THE IMPORTANCE OF INTEGRATED STRATEGIES IN THE FIGHT AGAINST HOMELESSNESS ACCORDING TO THE EUROPEAN COMMISSION

The **Social Investment Package** adopted by the European Commission in 2013 encouraged Member States for the first time to:

- Adopt long-term, housing-focused, integrated homelessness strategies at national, regional and local level;
- introduce efficient policies to prevent evictions.

According to the Commission, the efficacy of strategies to fight homelessness rests upon prevention and early intervention, quality homelessness service delivery, rapid re-housing, systematic data collection, monitoring the issue, and using shared definitions (**ETHOS typology**).

The European Union can support measures taken by Member States, thanks largely to funding from the **European Social Fund (ESF)**, the **European Regional Development Fund (ERDF)** and the **Fund for European Aid to the Most Deprived (FEAD)**.

The Commission provided guidance on confronting homelessness (<http://eur-lex.europa.eu/legal-content/FR/ALL/?uri=CELEX:52013SC0042>) within the framework of its Social Investment Package. This describes trends in homelessness, good practices by Member States and core elements of integrated homelessness strategies, highlighting the support role of the EU.

It is within the framework of the **National Reform Programmes** of the European Semester and the **Social Open Method of Coordination (Social OMC)** that the majority of Member States register their progress in/towards establishing a strategy to fight homelessness.

More recently, the **European Pillar of Social Rights** laid down twenty key principles for delivering stronger protection of social rights for citizens. The 19th principle is focussed on the right to housing and assistance for the homeless as follows:

- a) Access to social housing or high-quality housing assistance shall be provided for those in need
- b) Vulnerable people have the right to appropriate assistance and protection against forced eviction.
- c) Adequate shelter and services shall be provided to the homeless to promote their social inclusion.

ASSOCIATIONS CALL FOR THE IMPLEMENTATION OF INTEGRATED STRATEGIES FOR ERADICATING HOMELESSNESS IN EUROPE

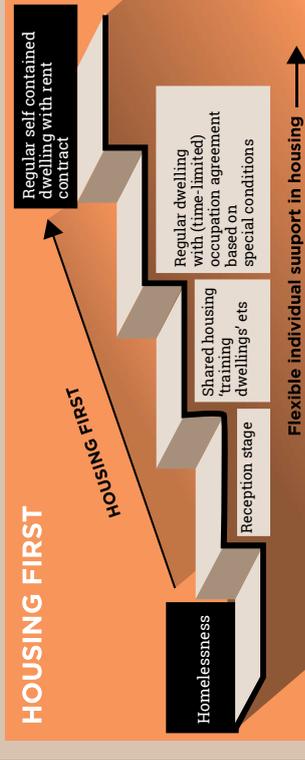
In places where the national strategies for fighting homelessness are incomplete, under financed or not adapted to the realities on the ground, civil society tries to bring about action to encourage politicians to embrace the idea of a society with zero homelessness; the ["SDF: objectif zéro"](#) plan by the Abbé Pierre Foundation, FEANTSA's "Ending Homelessness is Possible" campaign, [#HomelessZero](#) from the Italian organisation [foi.PSD](#), not forgetting the [European End Street Homelessness Campaign](#), coordinated by the BSHF and launched in 2015, which now has ten European cities committed to eradicating homelessness together.

An integrated strategy is therefore a detailed, sustainable and ongoing action plan directed and coordinated with a suitable and cross-cutting system of governance that is adequately financed, based on the reality of homelessness and an understanding of the needs of those targeted, and, finally, that is evaluated regularly in order to measure the progress towards the ultimate goal of eradicating homelessness. When turning to how such a strategy can be properly designed, the issue of implementation is obviously crucial.

HOUSING FIRST: BRINGING ABOUT SYSTEMIC CHANGE BY SHIFTING THE PARADIGM

Housing First is a model to end homelessness among people with high support needs that has been successfully applied in the United States, Canada and in several European countries. Originally devised for people who require significant support, the strategy targets, in the majority of cases, people who are long-term homeless or repeatedly homeless and/or who have psychological problems; severe mental illness; drug or alcohol addiction; are in poor physical health and/or are disabled.

Within this approach, housing is seen as the departure point rather than the final goal. A Housing First service is first and foremost concerned with *providing housing* immediately or very quickly, combined with support that is adapted to the individual. Within this framework, immediate focus is put on enabling the person to live in their own home. The approach is also centred on improving the health and well-being, as well as (re)creating social connections for the supported person. As an approach, it is very different to the more traditional assistance services in which there is an attempt to render the person "ready for housing" before allowing them to access housing. In these approaches, service users are expected to be sober, to follow their treatment regularly and to be sufficiently independent before they are provided with housing. Within these types of services, housing comes last.



Overview of the differences between the Housing First model and the "staircase" model

In the United States, Canada and Europe, research has shown that the Housing First model put an end to homelessness for at least eight people out of every ten.

In some EU countries such as Finland and Denmark, large-scale implementation of Housing First policies (at national level in Finland and in the large Danish cities) represented a cornerstone on which to base strategies for reducing and eradicating homelessness.

PLEACE N. (2016), *Guide to Housing First in Europe*, available at https://housingfirstguide.eu/website/wp-content/uploads/2016/06/HFG_full_Digital.pdf

and Health, the Ministry of Justice, the Housing Finance and Development Centre of Finland (ARA), the Finnish Slot Machine Association (RAY) and the Criminal Sanctions Agency. These letters of intent described the (quantified) measures to be implemented at local level, the preventive actions, the follow-up process – based on regular information exchange between the State and the local authority and on the negotiation sessions that are organised at least once per year – the responsibility for which falls to a steering group led by the ARA and comprising the various signatories²⁷.

MULTI-LEVEL GOVERNANCE: RESPONSIBILITIES DEFINED AND UNDERTAKEN BY EACH STAKEHOLDER INVOLVED

A **convergence** of stakeholders in the fight against homelessness is necessary to invest all efforts on **moving together towards the same objectives**. This convergence must be supported by a clear division of responsibilities: it is vital to entrust operations related to overall steering, coordination and management of resources and even defining obligations at times to a **specific entity** (at national or regional level). All this will empower local authorities so that they have all the tools necessary for implementing strategies. **Local authorities** must be able to coordinate partnerships between all parties for the provision of local services to homeless people.

The roles of coordinator and of catalyst must be fulfilled by the level of governance with the required competencies (financial, regulatory and policy support) and this can be at national or regional level depending on the country. Depending on the institutional structure of each country, national governments delegate, to a greater or lesser degree, the competency for hous-

27

See an example of the cooperation model established between the Finnish government and the city of Helsinki. Y-Foundation, op. cit., Appendix 2 pp. 115-121.

ing and preventing homelessness to regional or local authorities. Some of these authorities have grasped the opportunity to establish ambitious strategies that are adapted to their own territorial context. Multi-level governance is thus not implemented in the same way in all EU countries. It may be led in an open and motivational way, or

GOVERNANCE OF AN INTEGRATED STRATEGY: DIVISION OF COMPETENCIES

Depending on the institutional structure of each country, the competency for housing and the fight against homelessness lies with the national, regional or local authorities. While in centralised countries, a nationally coordinated strategy can make sense (Ireland, Portugal, France, the Netherlands, Denmark, Finland, Sweden, the Czech Republic, etc), some countries that are federal or more decentralised do not need national strategies due to the existing competencies at regional level (Spain, Germany, the United Kingdom, Belgium, Austria and Italy) which can sometimes lead to regional inequality. It is however important not to underestimate the impact some national competencies have on the housing issue in all countries including federal ones: the national competency for migration in Germany or with regard to housing allowances in the United Kingdom can significantly influence the strategies established at regional level.

it may be planned and restricted by legislation.

*A method of **open and pragmatic cooperation**: the Italian example*

In **Italy** despite very decentralised competencies leading to the absence of a specific integrated

national strategy, homelessness managed to find a way onto the political agenda. As part of the national strategy to combat poverty, the Ministry of Labour and Social Policy prioritised the fight against homelessness and introduced various mechanisms enabling local and regional stakeholders to pioneer a range of positive initiatives:

- A Memorandum of Understanding was signed on 11 June 2016 between the Ministry and the PSD (the Italian Federation of Organisations for Homeless People) to support the 'Homeless Zero' campaign, which aims to reduce homelessness in Italy.

- The Ministry launched a call for innovative projects aimed at reducing homelessness. The government committed to investing €50 million into sustainable actions to fight homelessness, including Housing First programmes in large- and medium-sized cities. The budget comes from EU funds – the FEAD (Fund for European Aid to the most deprived) and the ERDF (European Regional Development Fund – Social Inclusion Investment Priority).

- In November 2015, the Ministry also ratified and published the Guidelines for tackling homelessness at national level. This document defines homelessness, details the ETHOS typology, notes the quality standards for services, the main public policies and/or good practices adopted thus far in the Italian context, establishes the means of protecting the rights of homeless people and explains the Housing First methods as well as housing-led approaches. These guidelines were developed by different entities at various levels of governance and by the entire sector involved in fighting homelessness, which makes it a useful document for the development and strengthening of quality services. The guidelines were specifically mentioned in the operational programmes mobilising EU funds and in the above-mentioned call for projects.

28

<http://www.donsd.org.uk/housing-first-habitat/>

29

Housing (Wales) Act 2015 (<http://www.wales.gov.uk/topics/housing-and-sustainable/legislation/2015/act/29/>)

Good practices for homelessness are being implemented in different local authorities across Wales, and this has contributed to a reduction in the number of homeless people in the region between 2012 and 2016 despite a hostile environment in the housing market and reforms to social welfare.

The Italian example demonstrates that in the case of a highly regionalised state, the fight against homelessness works in a particular way. Despite a tight budget and limited competency, the publication of guidelines enabled the national government to leverage the available policy space. The Ministry of Labour and Social Policy encouraged methodology changes at local and regional level by publishing the guidelines and using EU funds to run experiments and support good practices. It is an **open method of coordination** that has proven its worth through the expansion of Italian projects financed by EU funds and the establishment of services networks, including Housing First services²⁸.

Another example of multi-level governance, this time written into legislation, can be seen in the United Kingdom. **Wales** is the only region in Europe where local authorities are legally obliged to prevent homelessness, by supporting people at risk of losing their home and finding a solution within 56 days. Users must have access to different housing options and must be able to secure the situation before, or immediately after, losing their home²⁹.

2

FOUR PITFALLS TO AVOID WHEN IMPLEMENTING AN INTEGRATED STRATEGY FOR REDUCING AND ERADICATING HOMELESSNESS

The pitfalls threatening the effectiveness and the impact of policies for reducing homelessness must be identified and highlighted as it is easy to rush in. While certain strategies previously mentioned have shown themselves to be driving forces for change, others fall into the category of "paper strategies", being inadequately driven by the governance structure, the legal framework, the resources or the system of responsibilities. Some strategies adopt a restrictive approach to homelessness and fail to grasp the complex realities of the issue, which has a direct impact on the provision of prevention, emergency and reintegration services³⁰. Others have expired, have fallen from the political agenda or have been revised downwards in terms of resources or scope. These difficulties have been exacerbated given the context of austerity policies that have followed the recession.

We want to create here a list of the most common pitfalls based on the experience of FEANTSA members. This is by no means an exhaustive list and the examples mentioned are certainly not the only ones that took a wrong turn when establishing a strategy.

LIGHT-TOUCH POLICY: SCALING DOWN GOALS, RESOURCES, CONTINUITY AND STAKEHOLDER RESPONSIBILITY

National governments often go overboard when delegating responsibility for combating homelessness to regional or local authorities. This is a refusal, implicit or otherwise, to take on the coordination

and facilitation role that is ultimately their responsibility as the institutional structure guaranteeing management of public policies on their national territory. While the implementation of a strategy must in effect be rolled out at local level to ensure that it meets the specific needs and characteristics of a given territory and population, local authorities cannot be the only level of governance with responsibility for the strategy. Issues of resources, political will, evaluation and responsibilities must be shared in order to avoid deepening social and territorial inequality.

In the United Kingdom, and particularly in England, a significant contrast has been noted between an interventionist approach³¹ to homelessness in the 2000s, that showed proven success at the time, and a "light-touch" approach, in place since 2010.

In its 2017 report on homelessness, the National Audit Office (NAO) criticised the Department for Communities and Local Government, responsible for homelessness, for having adopted this light-touch approach. It highlighted in particular the fact that the Department requires each local authority to develop a strategy to combat homelessness, while shirking responsibility for evaluating the content or progress of these strategies. Given the reduction in the number of social housing units³² and the reduction in the number of private landlords agreeing to work with local authorities to house homeless people, the NAO stated that local authorities' ability to address the increase in homelessness is hampered by the limited housing options available for homeless people. The NAO also noted the absence of an interministerial strategy for preventing and combating homelessness in England. Despite the existence of guiding principles for homelessness

Continuity of homeless reduction policies can be jeopardised by various factors such as a change in the political agenda, a lack of monitoring and simultaneous lack of funding. Strategies that disappear from the agenda during or after the specific time period they cover have little chance of widening any significant change, as was the case in Sweden where they had a national programme of action from 2007 to 2009, without any subsequent programme

PAPER POLICIES: DEVELOPING A STRATEGY AND NOT ACTING ON IT

"Paper policies" have good intentions but the lack of evidence, resources, political engagement, or a legal framework can sabotage implementation. In recent years, Member States have published numerous commitments that do not specify in concrete terms the resources allocated for their implementation. These strategies are "a good example of how things could be done, but because of a lack of political will, are not done"³³, as was the case in Portugal during their first national strategy.

Portugal was the first Mediterranean country to adopt a strategic approach to homelessness. However, the National Strategy for the Integration of Homeless People 2009-2015 received a lot of criticism. Despite moving in a positive direction and mobilising local stakeholders to reorganise responses to homelessness in a more integrated way across different territories, there were many failures in its implementation. The lack of political backing, institutional steering, transparency in funding allocation as well as weaknesses in horizontal coordination and follow-up/evaluation mechanisms all seriously compromised the strategy's actual impact. However, a new action framework for 2017-2023 that is entering a more favourable political agenda – the President of the

prevention and intervention, specific programmes with local authorities and working jointly with other government departments (Health, Justice, Work and Pensions, Home Office), the NAO believes that with the absence of an interministerial strategy, it is not possible to evaluate the efficiency of resources used by the Department to combat homelessness.

The light-touch approach was also, according to the NAO, characterised by the absence of any evaluation by the UK government on what is causing the increase in all types of homelessness since 2011. Between 2011 and 2017, households living in temporary accommodation increased by 60%³⁴ (77,240 households in temporary accommodation in March 2017 – of which 120,540 were children, an increase of 73%, 88,410 households applied for homeless assistance in 2016-2017, 105,240 households under threat of homelessness were helped to stay in their homes by local authorities in 2016-2017 (i.e. an increase of 63% compared to 2009-2010). The number of people sleeping rough – 4,134 – increased by 134% from an autumn night in 2010 to an autumn night in 2016. Despite the growing gap between the explosion in house prices and income stagnation, and despite the impoverishment of the most vulnerable people, the UK government has not evaluated the impact of its reforms on these worrying trends. Among other effects, the 2011 reform to housing allowances has, according to the NAO, contributed to the increase in homelessness by making rental housing costs even more unaffordable to those on benefits. According to the same report, "it is difficult to understand why the Department persisted with its light touch approach in the face of such a visibly growing problem. Its recent performance in reducing homelessness therefore cannot be considered value for money."

33

72,240 households in temporary accommodation in March 2017 in England – 120,540 of whom were children. An increase of 73% of the number of children in temporary accommodation.

34

Homelessness in all its forms has increased in recent years, driven by several factors. Despite this, the UK government has not evaluated the impact of its reforms on these worrying trends. Among other effects, the 2011 reform to housing allowances has, according to the NAO, contributed to the increase in homelessness by making rental housing costs even more unaffordable to those on benefits. According to the same report, "it is difficult to understand why the Department persisted with its light touch approach in the face of such a visibly growing problem. Its recent performance in reducing homelessness therefore cannot be considered value for money." Anyas Mores, Head of the National Audit Office, 13 September 2017.

35

On the Portuguese National Strategy for the Integration of Homeless People 2009-2015: "The Strategy is a good example of how things could be done, but because of a lack of political will, are not done." A. FERREIRA MARINS & FERREIRA R. (2015). "National Strategy for Homeless People: A Review of the Ground". FEANTSA Magazine Homeless in Europe – Summer 2015. https://www.feantsa.eu/download/homeless_in_europe-summer-2015 781902169373656387

30

The issue of a "light touch" approach to homelessness is vital in this respect. To find out more, see N. PLEACE (2015), "How to Tackle Homelessness", FEANTSA Magazine Homeless in Europe – Summer 2015. https://www.feantsa.eu/download/homeless_in_europe-summer-2015 781902169373656387

31

In the words of the National Audit Office (2017), Homelessness Report. <https://www.nao.org.uk/report/homelessness/>

32

National Audit Office (2017), Housing in England – Overview Report. <https://www.nao.org.uk/report/housing-in-england-overview/>

Portuguese Republic had directly favoured renewal of the strategy – has already seen noteworthy advances in its operational methods including strengthening the internal workings of the inter-institutional group (the GIMAE), which is responsible for monitoring strategic implementation³⁶.

In **Spain**, the first Comprehensive National Homelessness Strategy 2015-2020 was adopted by the Spanish government on 6 November 2015. It came about because of a spike in homelessness in Spain, with numbers rising from 21,900 in 2006 to 36,000 in 2012. According to Spain's National Statistics Institute, the increase in homelessness between 2005 and 2012 was mainly due to mortgage defaults (38%) and to unemployment (35%). The Spanish strategy (ENI-PSH) aims to reduce the homeless population from 23,000 in 2015 (estimate from the government based on data from the Statistics Institute) to 20,000 by 2018 and 18,000 by 2020. The five stated goals relate to prevention, awareness-raising, rehousing, reintegration into society, and improving information on public services. A mid-stream evaluation is planned for 2019 with a final evaluation in 2021. This new strategy was adopted as a result of consensus being reached between the different ministries concerned as well as charitable organisations and the Autonomous Communities. It includes innovative approaches to housing (with measures including Housing First) and is focused on individual and coordinated support for homeless people. However, these potential advances are not seeing the light of day in the absence of any dedicated budget for implementation or additional budgets for prevention activities, social innovation, research or continuous evaluation. Furthermore, the implementation of comprehensive reform requires a vertical system of coordination (between national and regional administrations) and a horizontal system of coordination (between different areas of social intervention) which does not currently exist in Spain with regard to housing³⁷.

36

L. BAPTISTA & P. PEREIRA (2017), 'Implementing the New Portuguese Homelessness Strategy: on the right track?', ESPN Flash Report 2017/6.

<https://www.espn.europa.eu/media/press/flash-report/2017/6/2017-06-20-18824.html>

37

G. RODRIGUEZ MARRAN & CALLECO (2018), 'Spain's First Comprehensive National Homelessness Strategy: A Mid-Stream Evaluation', *ESPN Flash Report 2018/25*.

38

K. HERMANS (2012), 'The Dutch Strategy to Combat Homelessness: From Ambition to Window Dressing?', *European Journal of Homelessness*, Vol. 6 No. 2, <http://www.leanpub.com/lehj62> download/lehj62.pdf

39

Ibid.

DEVELOPING AN AMBITIOUS POLICY AND SABOTAGING THE OUTCOMES IN PRACTICE BY CRIMINALISING HOMELESS PEOPLE

Within the context of austerity, it is worrying to see **'the growing gap between the discourse on homelessness and the local policies being implemented that limit homeless people's access to services'**³⁸. The commitments expressed within the framework of the integrated strategies may be undermined by measures that penalise or criminalise homeless people.

In **the Netherlands**, the strategic approach to combat homelessness, in place between 2006 and 2014, was first set up in the four main cities then extended to 43 municipalities. It focused on three main objectives: fighting homelessness through prevention, creating a user-centred approach in order to improve housing conditions and living conditions for homeless people, and reducing 'public nuisance' incidents caused by people living rough. The motivations behind this policy were thus quite unfocused: it was about 'reducing public nuisance' caused by homeless people while at the same time eliminating the structural causes of homelessness. The positive results observed after the first phase of the action plan's implementation – particularly with regard to preventive and curative measures – show that the structural approach was dominant. On the other hand, the grey area around the reduction of public nuisance had a significant effect on how local service providers implemented the measures. This led in parallel to local policies that penalised homeless people and restricted their access to services³⁹. One of the changes was a tightening of the residency criteria as well as the criteria for being considered 'locally based'. These criteria were then used to refuse access to accommodation by allowing local authorities to set their own rules in these matters,

and through this, ignore the right of each and every individual to social assistance. To access a place in emergency accommodation, homeless people have to provide documents proving that they have been resident in the region for a minimum period of 2 or 3 years. These practices have since been challenged in two European Committee of Social Rights decisions, following complaints lodged by FEANTSA in 2012, which cited non-respect of the Revised European Social Charter, particularly with regard to the rights of homeless people without proof of registration with the local authorities, recovering addicts trying to cut ties with their former circles, newly arrived immigrants, Roma populations and other marginalised groups that do not have formal proof of identity⁴⁰.

In December 2017, two circulars issued by the **French Government** introduced a mechanism allowing mobile teams to enter emergency accommodation to verify the administrative status of migrants, and to proceed with deportation procedures if lack of legal residency is proven. Social services providers in France unanimously condemned the government initiative and have referred the matter to the *Défenseur des Droits* [France's rights' protection body], for contravening the values and mission of the homeless assistance services, and for not respecting the principle of unconditional reception of people into emergency accommodation centres, which is a fundamental principle of public policy. This led to condemnation from the *Défenseur des Droits* and a demand that the circulars in question be retracted⁴¹. In the

United Kingdom, a guide published by the Home Office in February 2017 considered sleeping rough to be an abuse of the right of residence and thus adequate basis for deportation. This misinterpretation of European law criminalising people who are already hugely vulnerable, has since been revised following proceedings being brought at national and European level⁴².

40

FEANTSA v. The Netherlands (collective complaints), The Netherlands, ECtHR, 19/2013.

41

See J.H. French, *Défenseur des Droits*, <http://www.defenseurdesdroits.fr/fr/communiqu%C3%A9s/2018/07/2018-07-20-18824.html>.

42

See the publication of notable EU citizens in precarious situations in England - England country zoom, Chapter 2017, FEANTSA posts release Welcomes UK High Court judgement that sleeping rough is not a 'breach of immigration rules', <http://www.feantsa.org/press-releases/2017/2017-06-20-18824.html>.

<http://www.feantsa.org/press-releases/2017/2017-06-20-18824.html>

43

Benjaminsson & Dyb, *op. cit.*

44

<http://rebuildingireland.ie/about/irland-actions/34>

As is clear, integrated strategies to combat homelessness can be undermined by local, regional or national policies penalising all or some categories of homeless people.

POLICY SILOS: THE RISK OF HAVING A HOMELESS STRATEGY SEPARATE FROM AN EFFICIENT POLICY ON DECENT AND AFFORDABLE HOUSING FOR ALL

Whether or not the goals set at national level as part of a strategy for combating homelessness are reached is determined by the complex interplay of responsibilities, resources, organisation and practices at local level, and this also includes the structural context of affordable housing that is available⁴³. **All relevant branches of public policy** must be included in an integrated approach: the housing sector, health, migration, education, employment, social inclusion, town and country planning, justice, etc. It is particularly complex to establish a strategy, no matter how integrated it is, in contexts where the private rental market is more and more burdensome and increasingly volatile, and where affordable public housing either does not exist or is being hollowed out.

In **Ireland**, despite the ambitious, concrete and measurable design of the national strategy to fight homelessness⁴⁴ coupled with a strategy for building affordable housing, the results have not materialised. This is partly due to the property market situation in the aftermath of the 2008 crisis, when construction, particularly of social housing, was almost entirely halted. At the same time, emergency management of the homelessness crisis, which affects families with children in particular, spurred political decision-makers to take short-term initiatives such as the creation of family hubs. These are former hotels that have been transformed into temporary accommodation for

homeless families, and have caused controversy within Ireland's voluntary sector. While improvements in accommodation for homeless families is always welcome, there has been criticism of the absence of long-term solutions and of a targeted strategy to get families out of homelessness in the long term. Without these, the short-term interventions alone risk normalising what are very high numbers of homeless families.

In **England**, the end of private rental contracts has become the primary cause of statutory homelessness⁴⁵. The number of households registering as homeless following the end of an assured shorthold tenancy has tripled since 2010-2011. The proportion of these households (out of the total number of households registered as homeless by local authorities) has increased from 11% in 2009-2010 to 32% in 2016-2017. In London, this proportion has risen from 10% to 39% in the same period. In England, the end of a private short-term contract represents 74% of the increase in the number of households in temporary accommodation since 2009-2010. Formerly, the main causes of homelessness were different: family breakdown, impoverished parents who could no longer house their children, etc. According to the 2017 report from the National Audit Office, housing affordability is an increasing factor contributing to homelessness in England. Since 2010, the cost of private rental accommodation has increased three times faster than income, and eight times faster in London where private rents increased by 24% and average incomes by 3%. The number of homeless people is higher in places where private rental costs increased the most since 2012-2013. In parallel to this, the reduction in housing allowances and the social welfare reforms have strongly impacted households' capacity to pay their rent. The erosion of policies that provide a housing security net can undoubtedly lead to increased homelessness.

In **France**, some recent decisions cast doubt on the political will of the French government to implement an integrated policy to fight housing exclusion: the reduction in housing assistance, which has led to social housing bodies facing penury and thus a predictable inability to renovate or build housing, calls to mind the measures taken in England in 2011, which were singled out in the NAO's 2017 report as being one of the causes of increased homelessness.

III. WHAT SHOULD EUROPE DO?

Politicians at national, regional and local level should therefore take every opportunity to develop, in partnership with users, stakeholders in the field and other partners, strategies that will bring about, in a tangible manner, the right to housing for all. But what role can Europe play in the process?

The European Union does not have exclusive or specific competency with regard to housing, and the aim of organisations fighting housing exclusion is certainly not to challenge the principle of subsidiarity. However, several EU-led policies, such as those related to social inclusion, cohesion, energy, migration, financial regulation, competition, health and human rights already affect – to a greater or lesser extent – the issue of housing exclusion in our countries. The European Union has a role to play in terms of coordination, follow-up and support of Member States in bringing about the right to housing for all. To address growing needs, this role must be strengthened, and this requires courage and commitment at decision-making level. In this regard, the political context is favourable so all that is left to do is seize the opportunity.

THE POLITICAL CONTEXT

Adoption by the EU and Member States of the **UN's Sustainable Development Programme** is a results-based commitment to reach the Sustainable Development Goals by 2030. Objective 11, the complete eradication of extreme poverty in the world and Objective 11.1 which ensures access for all to housing and adequate, safe basic services, access to affordable prices, and commits to cleaning up slums, all of which requires rapid progress on the issue of homelessness in Europe.

To this end, the **European Social Rights Pillar**⁴⁶, announced on 17 November 2017 by the European Commission, the European Parliament and the European Council, provides a renewed framework to bring in the EU's social dimension. The aim of the Pillar is to demonstrate that the EU intends to defend the rights of its citizens in a rapidly changing world. It commits the EU and Member States to comply with twenty rights and principles in the areas of equality of opportunity and access to the labour market, fair working conditions, social protection and social inclusion. It addresses the **right to housing and assistance for homeless people in its 19th priority**. Member States and the EU institutions must fulfil their role to ensure that:

- Access to high-quality social housing or housing assistance shall be provided for those in need.
- Vulnerable people have the right to appropriate assistance and protection against forced eviction.
- Adequate shelter and services shall be provided to the homeless in order to promote social inclusion.

It is now time to move beyond articles in EU documents towards a basis on which to proceed for true progress in the fight against homelessness in Europe.

46

https://ec.europa.eu/economic_finance/press_room/2017/11/22/european-social-rights-pillar-social-rights-20-principles_en

47

EUROPSA press release 2018-0118 with Survey 2018 Calls on Member States to Tackle Homelessness', <https://www.fundationofeuropa.eu/press-releases/2018-0118-calls-on-member-states-to-tackle-homelessness/>

In the eyes of EU citizens, the social dimension of the European project has lost credibility over the last few years. In the context of a global recession, macroeconomic imperatives have been prioritised over social imperatives. This has been very clearly demonstrated to citizens in the area of housing with banks being bailed out at the same time as families were being evicted. EU institutions are now endeavouring to correct this imbalance and to strengthen the social dimension of the European Union. The macroeconomic and fiscal governance mechanisms that were put in place after the financial crash have been gradually "socialised" and greater emphasis has been put on social cohesion. The **European Semester** is the annual cycle of the EU for coordinating economic and social policies. It aims to ensure that Member States avoid and correct excessive deficits and macroeconomic imbalances, develop structural reforms and make progress towards fulfilling the Europe 2020 objectives. In 2017, the issues of housing exclusion and homelessness were seriously dealt with in the analysis of several countries' social situation. The **Annual Growth Survey**, which lays down priorities for the year ahead, covered the issue of homelessness for the first time in 2018. This may be a starting point from which the European Union will rigorously track the issues of housing exclusion and homelessness within Member States and make recommendations on measures that need to be taken if necessary⁴⁷.

The European Union is currently in the process of preparing its next long-term budget (the **multi-annual financial framework 2021-2027**). During his State of the Union Address on 13 September 2017, President Juncker highlighted the need for the European Union to have a budget that will allow it to fulfil its ambitions and rise up to

existing barriers. The administrative complexity and financial insecurity that NGOs in the sector face when using these funds are a serious barrier to progress. Advances in simplifying the process must be made alongside measures preventing any "creaming effects" that negatively impact the most vulnerable people. The new multiannual financial framework should guarantee adequate flexibility to enable complex social interventions. It should include measures protecting beneficiaries, particularly homeless people, from excessive financial risks. Finally, it should make it possible for Member States to use a multi-fund approach by combining, for example, ESF and ERDF for socially supported housing. Thus far, this possibility has proven highly complex and needs to be made more accessible going forward.

- **Ensure the EU's Investment Plan benefits all citizens, including the most vulnerable.** When focusing on the combination of financial instruments, measures to stimulate investment in housing solutions for homeless people (as social infrastructure) should be included. Thus far, only 4% of EU funds for Strategic Investment were allocated to social infrastructure. Europe could be much more efficient than it has been so far with regard to investing in solutions to the homelessness and housing exclusion problems.

In conclusion, it is of the utmost urgency that Europe focus its energy on uniting to consider the other Europe; the one where people are experiencing homelessness or housing exclusion, whose numbers have been growing for years and who have diversified to the point where they represent the entire population. The establishment of integrated strategies for reducing and eradicating homelessness by local authorities, regions

and Member States, encouraged and closely monitored by the European Union's Institutions, is a social imperative. Efficient integrated strategies have demonstrated the feasibility of our ambition. The lessons to be learned and the pitfalls to be avoided when establishing such strategies have been shared. As a result, innovative actions that provide decent and affordable housing and support for the most vulnerable have flourished throughout Europe. Political will is now key: Europe and its Member States must pull together to finally ensure the right to housing for all.