

# BSHF Submission to the UN Special Rapporteur on the right to adequate housing

Questionnaire for National Human Rights Institutions, UN agencies and civil society organisations in general

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# About BSHF

The Building and Social Housing Foundation (BSHF) is an independent housing charity committed to ensuring that everyone has access to decent and affordable housing. As such, we are in accord with the objectives of the Special Rapporteur. We welcome the current focus on right-based approaches, and the connection between homelessness and access to adequate housing. BSHF has a strong commitment to housing rights and seeks to identify and promote housing policies and practices that ensure people are adequately housed, both in the UK and internationally.

BSHF holds Special Consultative Status with the United Nations Economic and Social Council, and has run the World Habitat Awards since 1985. This programme identifies and celebrates housing projects, in both the Global North and South, which show a commitment to innovation, sustainability and knowledge transfer. In our 2014-15 World Habitat Awards, we received over 200 applications from organisations in 81 different countries. This provides a unique, global perspective on effective housing practices and projects. Within the group of winners and finalists from the last 30 years, at least 30 have had a significant focus on tackling homelessness.

Recent award winners from the United States (U.S) and Finland provide insights into both national initiatives to tackle homelessness, but also grassroots action and activism. Through the application of Housing First, these projects put a right to housing front and centre of their approach. These projects also demonstrate methods for operationalising the right to housing. They help us understand how to link national legislative ideals to the local delivery of adequate housing.

BSHF is developing initiatives that transfer learning from some of these projects to other contexts. We are working with the European Federation of National Organisations working with the Homeless (FEANTSA), to develop a European Campaign to End Street Homelessness. This is modelled on the 100,000 Homes Campaign in the U.S. Our objective is to build a movement of European cities all seeking to end chronic street homelessness. Participating cities are committed to;

- Developing a Housing First approach suitable for each city;
- Knowing every homeless person by name and assessing their needs;
- Regularly collecting person-specific data to accurately track progress; and
- Building coordinated housing and support systems, and targeting resources at the most vulnerable

We believe that this approach can stimulate innovation, exchange and competition which helps get more people off the streets. This initiative is being piloted with six cities<sup>1</sup> with the aim of opening participation to more cities in 2016. In the submission below, we share our knowledge and experience from this work and other significant policy and practice research.

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<sup>1</sup> The cities in the pilot of this campaign are Barcelona, Brno, Copenhagen, London, Lyon and Madrid

# Introduction

The World Habitat Awards, which we have run in collaboration with UN-HABITAT since 1985, give us a privileged overview of housing issues and solutions around the globe. However, it means we do not have a detailed understanding of legislative frameworks in specific countries. Where we have a deeper knowledge of the laws, policies and procedures in specific countries, this relates to those European nations where we are currently developing our campaign.

The value of our submission is therefore in the perspective it offers across national contexts, and the specific insights we can share about Europe. Our submission focuses on how NGOs and civil society can help defend and realise a right to adequate housing, and whose work can concurrently be strengthened by governments who are committed to those rights.

Our submission focuses on three of the seven questions posed by the Special Rapporteur in the questionnaire.

## Question 1: Defining and measuring homelessness

***‘Please explain how your organisation or institution defines homelessness in various contexts, for example, when measuring the extent of homelessness or conducting research about it, or preparing proposals and advocacy projects. Please explain why the definition was chosen. Do these definitions differ from those used by your government? Please provide any available data on the extent of homelessness in general and among particular groups in your country and identify any limitations to this data’.***

We have participated in recent efforts to develop a global definition of homelessness, notably the Institute for Global Homelessness’ recent [framework](#) (IGH, 2015). We understand the challenges inherent in this exercise. Homelessness has different meanings throughout the world, with local norms and cultural factors affecting classifications of those without housing. The value of the IGH framework is in providing a fixed global definition of different forms of homelessness, which in turn facilitates data collection that will allow for comparisons between communities, nation states etc. Such comparisons are crucial in drawing attention to disparities and variation in the phenomena, and the scale of the problem in different regions. This connects crucially with efforts to develop an ‘urban rights agenda’. As the Special Rapporteur has noted (UN, 2015), previous targets to address housing issues at a global level have been too vague. If we are to set water-tight targets around rights to housing, we must have equally tight conceptual definitions and processes for measurement.

The importance of conceptual clarity and measurement is becoming clear in our current work on homelessness in Europe. We are applying some of the lessons from the 100,000 Homes campaign focusing specifically on street homelessness. We have used FEANTSA’s ETHOS model to define what we mean by ‘street homelessness’ (FEANTSA, 2009), using ETHOS categories 1 & 2 (‘people living rough’ & ‘people in emergency accommodation’). We feel this is a solid platform for identifying and collecting data about those who are ‘roofless’.

Developing intervention for this group is critical, but we accept that other forms of homelessness should be prioritised and addressed. A narrow focus on only those who are sleeping rough or in crisis accommodation may mean we lose focus on some of the structural causes of homelessness. It may mean we ‘disassociate a lack of affordable, adequate housing from homelessness causation’ (Pleace, 2015), as we are drawn to the more acute needs of a smaller group. Definitions of homelessness should encompass those in temporary accommodation, in overcrowded dwellings, in temporary or unfit buildings, and those sofa surfing or in insecure accommodation. It should also include those leaving institutions. So whilst BSHF are currently focusing initiatives on street homelessness, we know that other forms of homelessness should be addressed.

In Europe, whilst a number of countries have sophisticated systems for measuring homelessness, overall the data is inadequate. In FEANTSA’s recent report (2014) data on ‘people living rough’ is presented for only 9 of the 28 EU member states. Through BSHF’s work in Barcelona, Brno, Copenhagen, London, Lyon and Madrid, we are learning about the scale of homelessness in these cities. In most of these cities those who are ‘roofless’ are increasing in number. For instance in Barcelona official statistics suggest around a 10% rise in the number of people sleeping rough, or in crisis accommodation, between 2011 and 2013 (XAPSL, 2013). In London, there was a 64% increase in rough sleeping between 2010/11 and 2013/14 (Crisis, 2015). Clearly these patterns are affected by the movement of people across Europe, and in cities such as London, UK nationals now account for only 43% of rough sleepers (GLA, 2015).

In light of this potential increase in rooflessness, our European campaign is attempting to build a movement which provides some remedies. At the heart of this is a very specific approach to the collection and use of data. It is modelled on the approach of the 100,000 Homes Campaign (Community Solutions, 2015), which was the 2013-14 winner of our World Habitat Awards. This campaign was a movement of 186 communities across the U.S., all trying to house the most vulnerable people sleeping on their streets. Between 2010 and 2014, the participating communities found housing for over 104,000 people, with a significant up-turn in the speed and numbers of people being housed (Urban Institute, 2015).

A key principle of the 100,000 Homes Campaign was to use, in real time, data about people experiencing homelessness. Each community was tasked with knowing everybody that was sleeping on the street by name, and establishing their needs. Using an approach called Registry Weeks, volunteers and professional conducted street surveys to establish the scale and nature of this need. Communities were then encouraged to use this data to get people housed as quickly as possible. From our work in European cities, we have noticed how processes for such data are often geared toward simple reporting, or for the development strategies and/or policy responses. What is unique about the 100,000 Homes approach is that it focused on using the data to improve processes for getting people housed, not merely as a tool for reporting trends and distributions.

If we want to operationalise a right to adequate housing we have to connect data, people’s rights, and the delivery of interventions that enact those rights. We believe this is firmly in line with the Special Rapporteur’s position, and her focus on the linkages between local, subnational and national dynamics (UN, 2015).

### Question 3: The systemic and structural causes of homelessness

***'In your organization's view, what are the primary systemic and structural causes of homelessness? How is your organization addressing these and how should these be addressed by Governments'?***

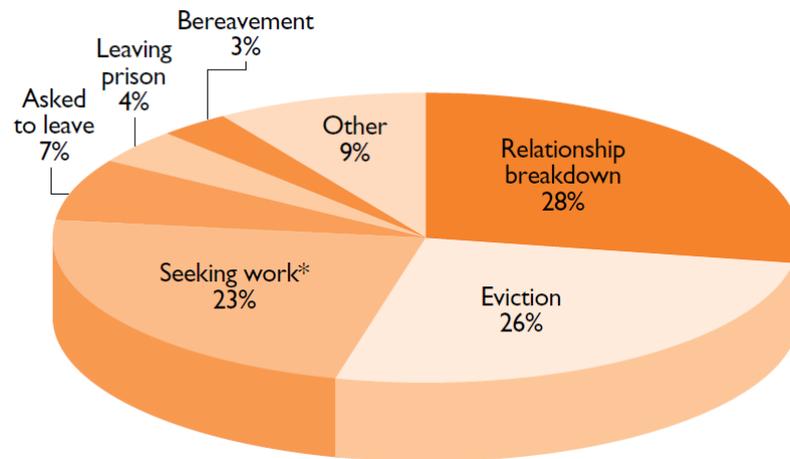
The causes of homelessness have a structural element. Those forces which drive the movement of people across borders, for example, or which exclude people from places through economic means, are clearly significant. However, we must look at the interplay between these structural forces, and the individual decisions that people make.

We might highlight a number of structural factors such as unemployment, poverty, a lack of affordable housing, welfare provision, discrimination etc (Shelter, 2015; Homeless Hub, 2015) which cause homelessness. In many urban centres around the world house prices have out-stripped earnings, creating significant housing problems. In Europe, people with incomes below 60% of their national median are struggling to meet their housing costs, with over a third deemed to be 'over-burdened' (Housing Europe, 2015, p.16). People are turning to informal dwellings and insecure forms of accommodation to remedy this problem, even in the most affluent cities (Independent, 2012). The increasing role of the market in housing provision is leaving open the possibility of exclusion by price. In Europe price increases in a number of countries are exacerbated by low levels of housing construction. Housing Europe (2015, p.14) noted that in 2014 'the number of building permits per 1,000 inhabitants contracted in all countries, excluding Germany'.

These structural issues are often allied with 'system failures' in causing homelessness. These failures might include inadequate support services, health care provision etc, at critical points in time when people are at risk of becoming homeless. Governments, along with NGOs, have a key role to play in developing a preventative infrastructure.

It is critical that we understand how people respond to these different factors on an individual level. We know from recent research in the UK that changes in people's housing circumstances and relationships are significant drivers of homelessness (St. Mungo's, 2013). Figure 1 below shows the reasons new rough sleepers in London became homeless. Whilst these causes will vary in different contexts, we would suggest that the existence of supportive relationships is critical to preventing homelessness, and helping people sustain their housing.

Figure 1: New rough sleepers in London main reason for leaving last settled base March 2012 – February 2013 (Figures drawn from CHAIN flow data)



Source: St.Mungo's, 2013

The Special Rapporteur acknowledges the importance of evictions in undermining a right to housing, and as an important cause of homelessness (UN, 2015). And data from European nations on this issue reveals a worrying pattern. In Italy evictions increased 15% between 2008 and 2011, and in the Netherlands evictions from social housing increased by 8% between 2012 and 2013, mainly the result of rent arrears (Housing Europe, 2015). How people respond to losing their housing, especially when they have other difficulties in their life, is a critical part of understanding why homelessness occurs.

If the causes of homelessness are the result of big structural issues, system failures and individuals' responses to life changes, then mitigating these causes requires action at a variety of administrative levels. At a national level, housing/social policies, legislation to enact rights, and economic mechanisms can be used to alleviate some of the structural issues noted above. However, grassroots action is also an important component in ending homelessness. In numerous countries, waiting for governments to develop assertive strategies and legislation to end homelessness is not an option. That is why we endorse the Special Rapporteur's position outlined in their recent paper for the UN's General Assembly. We should assert;

*'...the role rights claimants and social movements must play in combination with all levels of governments and non-governmental actors in the realization of the right to adequate housing' (UN, 2015).*

The significance of civil society and social movements has been under-estimated and this is why BSHF is focusing on this area. Our work currently focuses on supporting collective action and broad scale mobilisation in addressing homelessness in European cities, and we are engaged in similar efforts to build a [Community-led Housing](#) movement in England. We see this work as a response to clear systemic failures in the provision of affordable fit-for-purpose housing.

In addressing homelessness we suggest that such movement building should be matched with action at the level of sub-national and national governments (Jones and Archer, 2015), and this is the focus of our response to Question 7 below.

## Question 7: Strategies for addressing homelessness

***'Please provide information about any proposed or existing strategies or legislation that your organisation or institution might be familiar with aimed at reducing or eliminating homelessness. Explain any goals or timelines that have been adopted for this purpose, describe how progress has been monitored, describe how those affected by homelessness have been involved and provide information on results to date. Does your institution/organization have any suggestions for how existing or proposed strategies could be improved?'***

Over 30 years of learning from the World Habitat Awards reveals the importance of co-ordinating housing and support services to address people's current and potential homelessness. Past World Habitat Award winners and finalists, operating in vastly differing legislative, economic and cultural contexts all assert this need for co-ordination. A number of these projects also made the important connection between access to housing and access to employment.

To end homelessness active government should be allied with innovative local action. We believe that Finland is an exemplar of this combined effort. The Finnish homelessness strategy shows how homelessness can be significantly reduced by co-ordinating resources and local interventions, and allying this with a constitutional right to housing. The Finnish department responsible for this strategy worked with partners to invest in the construction and renovation of thousands of apartments, specifically for people experiencing homelessness. Part of this effort entailed turning temporary shelters into permanent affordable housing.

Our 2014-15 World Habitat Award winner, the Y-Foundation, were a critical part of delivering the national objectives set out in the Finnish strategy. A social enterprise that specialises in housing homeless people, the Y-Foundation was an early adopter of Housing First principles. The organisation has sought to develop permanent housing that has minimal conditions on tenancies, and with high levels of support if needed. This has helped transform the lives of thousands of people who were homeless, some of whom were severely vulnerable.

The application of Housing First is gathering momentum across the world. There is increasing evidence of its effectiveness in tackling chronic homelessness (Padgett et al, 2015; Tsai et al), and also in providing a more cost effective intervention (Goering et al, 2014). Underpinning this model is the view housing is a basic human right, and hence it sits neatly with a broader notion of an 'urban rights agenda'.

It is legitimate to ask what can be done in countries where there is no political will to end homelessness, and where scant resources are available. We believe the answer may lie in mobilising homelessness organisations and active citizens to disrupt current processes and redesign new ones. By working together in different cities and towns in Europe, we can mobilise and motivate each other to take action, even if a national strategy is underfunded or dormant. In such circumstances, different tactics and forms

of action are required. One of the winners of the 2012-13 World Habitat Awards, FUCVAM, showed how local co-operation, joined together in the form of a bigger movement, can help bring to reality an existing right to housing;

*‘Organising and strengthening social movements is essential, not only in terms of mobilising people to claim their rights at national level, but also in terms of joining efforts and making a contribution to the international debate, starting from the fundamental premise that housing is a social good, not a commodity’ (BSHF, 2014, p.2).*

Broad-based campaigns or movements can be effective, and there is much we can learn from initiatives like FUCVAM and also the 100,000 Homes Campaign. The latter demonstrated how setting and tracking ambitious targets can motivate local actors to use existing resources more effectively. In the evaluation of the campaign, local participants argued that this target setting had ‘the greatest impact on increasing the sense of urgency around ending chronic homelessness’ (Urban Institute, 2015, p.1).

Accepting a wide definition of homelessness (i.e. to include those in temporary accommodation, overcrowded dwellings, temporary or unfit buildings, sofa surfing, insecure accommodation, or leaving institutions), requires a more systemic response. Approaches which focus on achieving systemic change (such as that employed by the 100,000 Homes Campaign) are shown to enable better use of existing resources. Addressing the most urgent cases of housing need creates a ripple effect which improves the overall housing system (Urban Institute, 2015). As long term homelessness is successfully reduced, resources can be directed to prevention, and this is exactly what is happening in Finland.

Where processes to mobilise and motivate local actors are allied with Housing First principles, we see a powerful combination. Such movements, focused on providing permanent housing and effective support services, could be critical to promoting a right to housing. Through our European End Street Homelessness campaign, we are exploring this potential. Underpinning this campaign is the view that housing is a human right (BSHF, 2015), and that we can build movements that help embed and operationalise this right.

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