Combat Poverty

A CONTRIBUTION TO POLITICAL DEBATE AND POLICY DEVELOPMENT

Biennial report 2010-2011

COMBAT POVERTY,

INSECURITY AND SOCIAL EXCLUSION SERVICE

SUMMARY

INTRODUCTION

With this sixth report, the Combat Poverty, Insecurity and Social Exclusion Service (www.combatpoverty.be) – as in the previous biennial reports – seeks to assess the extent of the effective exercise of fundamental rights and make a number of recommendations for various governmental authorities. In line with its legal mission, the Service has compiled these analyses and recommendations on the basis of consultations with various players in the fight against poverty: people who live in poverty and their associations, social workers in public and private services, professionals involved in the topics studied, representatives of social partners and administrations, etc. It goes far beyond merely lining up the different viewpoints next to each other. The many meetings that have taken place have stimulated the sharing of individual expertise. This has made a thorough analysis of the problem possible, and the formulation of recommendations that take its complexity into account. In a broader context, this dialogue is also based on available statistical materials and current scientific literature.

As an interfederal public agency, the Service focuses especially on regulations and interesting practice at a federal level, and in the different regions and communities. The report will be submitted to the Interministerial Conference on Integration in Society and, in this way, to all administrations and parliaments in the country, as well as to the advisory bodies responsible for the subjects covered in the report. This should further the aim of the report to contribute to political debate and policy development.

The 2010-2011 report is divided into two themes. The first section deals with the housing problem and explores policy strategies as a function of the effective application of the right to housing. The second section focuses on a particular group – young people – and examines the various areas where work has to be done to achieve better future prospects. These topics are in line with those of previous reports from the Service, and follow on their results.

What follows is a short summary of the various chapters in the 2010-2011 report.

I. HOUSING IN BELGIUM

Having a house where you feel at home is a necessary prerequisite for a dignified life. Moreover, access to a residence is also a stepping stone for other rights. Without a roof over your head, it is very difficult indeed to exercise your rights. Unfortunately, exercising the right to housing is far from straightforward for many people. The many barriers in the housing market create a situation wherein people in poverty have difficulties finding and keeping accommodation.

Compared with other countries, the number of home owners in Belgium is quite high, at around 70% of all households. There are many ways of encouraging ownership (mainly in terms of taxation) and relatively few measures for tenants, with people in poverty being mainly represented in this last category.

On the rental market, there is a shortage of affordable accommodation, both in public housing and on the private market. Waiting lists and waiting times for obtaining social housing are very long in all three regions. We also see that even within social housing, some people have to spend a (too) great percentage of their budget on accommodation costs. In Brussels, for example, households spend an average 30-40% of their income on rent. The situation is even more lamentable for people with a minimum integration income who rent on the private market: they spend one-half to two-thirds of their income on rent.

Some initiatives have been made to increase access to housing for people on low incomes. The activities of social rental agencies, the use of rental subsidies, examination of whether the existing insurance for homeowners can also be extended to cover groups of renters, etc. are positive signs. However, there is a lack of structural measures which can actually provide a solution for the many people for whom decent housing is a problem. An example here would be a substantial increase in the public housing supply or confining the rents on the private market.

In addition to the severe shortage of affordable housing, the conditions for gaining access to social housing are also a barrier for many people. The *"local connection"* condition is one example which people with an institutional past or those who move often find difficult to meet. People are often discriminated against on the basis of income, race, skin colour, etc. It is also not easy to get the deposit together, that is why prospective renters may be rejected.

If they do manage to rent accommodation, they are often confronted with poor quality: damp, poor insulation, etc. It is because of the structural defects in their homes that people on the lowest incomes often have high energy and water bills.

Chapter I provides statistical data and details of the Belgian housing market. It also contains recommendations for improving access to and retention of decent and affordable housing for people in poverty. Many of these recommendations have already been put forward by the Service, but have unfortunately not yet come to pass because of the continuing housing problem.

II. RIGHT TO HOUSING: TOWARDS A RESULTS COMMITMENT

The right to decent housing is enshrined in Article 23 of the Belgian Constitution, but a number of obstacles – both in the private housing market and the public housing supply – make that access to decent housing is not a reality for everyone. In principle, Article 23 has no direct effect: it is the responsibility of the government to make this right a reality. There are already a number of policy instruments aimed at making the right to housing more effective. In the case of relocation after eviction because the dwelling is uninhabitable, those instruments move in the direction of a results commitment, supported by some legal judgements. In many other areas, the ambition is not always realised, for example the law concerning the requisition of empty buildings and the provisions relating to rent deposits.

The right to housing in Scotland and France is examined in Chapter II. Both have a regulatory framework with results commitments for the government to provide housing or shelter for certain categories of people. They also provide opportunities for mediation and appeal. There is then an examination of whether such a system would be desirable and feasible in our own country.

International experiences show that monitoring and evaluation of the practical application and involvement of the stakeholders are key elements in the realisation of an enforceable right to housing. Precisely because of their enforceable nature, result commitments can lead to the implementation of more ambitious and structural procedures in terms of the housing supply. The establishment of a results commitment would reverse the logic: access to housing would no longer be the potential result of policy decisions but would form their starting point. This could represent strong symbolic progress and subsequently concrete results in the area.

III. ALTERNATIVE FORMS OF HOUSING: MORE THAN A HOUSE, A HOME

It is becoming increasingly difficult for people in poverty to find a decent and affordable place to live. The ongoing problems in the housing market are leading some of them to take their right to accommodation into their own hands. They search for viable solutions to their housing problem and stay, for example, permanently in a caravan or holiday cottage, break into an empty building, share a house with other homeless people, work on the construction of a dwelling or look for ways of buying something jointly. Chapter III goes in more detail into the wide variety of alternative forms of housing stemming from both the creativity of people in poverty and from the initiative of services and organisations.

While alternative forms of housing are often a last or forced resort, they can be of value for many occupants. By providing a roof over their heads, people in poverty at the same time create a home for themselves where they are safe, can develop self-confidence, and become stronger in other areas of life. In this way, they can take charge of their own lives. In addition, these alternative forms of housing tend to reinforce the social cohesion between people: in tourist areas, there is often a greater feeling of community, people live together in stable housing projects or engage with others in the construction of a dwelling. At the same time, this collective dimension challenges the difficult realities of living together daily, which require appropriate social support to overcome.

Some people in poverty derive added value from alternative forms of housing. At the same time, they are also confronted with obstacles achieving this. There are many negative images of people in poverty and the value of their projects, as well as ingrained stereotypes about housing. People in poverty are given the cold shoulder, especially if they are not living 'normally'. Aside from the dominant perceptions, there are also regulations that underline these views. For example, the statute on cohabitation undermines the solidarity of people who want to live together. Councils refuse to allow people who actually live in their municipality the right to reside there, with far-reaching consequences for the occupants.

The struggle of people in poverty to gain the right to decent housing using alternative means shows clearly that housing involves more than the physical, technical and objective aspects of a dwelling. The debate on the need for an adequate, high-quality and affordable supply of housing should be widened to include a different look at what a dwelling is and can signify. The policy recommendations at the end of this chapter argue for recognition of alternative forms of housing, including the initiatives of people in poverty and propose some concrete steps in this direction.

IV. LEAVING RESIDENTIAL CARE: LOOKING FOR A PLACE IN SOCIETY

The transition to adulthood and an independent life is often very difficult for young people who leave a special care facility. Many run an increased risk of poverty and social exclusion. Both their placement in a facility and their leaving it represent disruptive experiences which mark the lives of these young people and mortgage their future prospects. Furthermore, they are not usually able to find the support they need to face the challenges that confront them once they find themselves alone. This chapter discusses the sequence of disruptions and the social paradox these young people experience in the vulnerable period as they approach adulthood.

Although the placement is intended to assist young people and their parents, there is often the risk of undermining them further. Young people in care who come from families in poverty are likely to find it even more difficult. For them, there is not just a higher statistical chance of intervention from child welfare services. Young people and their parents in poverty seem less equipped and supported to offer resistance to the family break-up that often occurs as a result of a placement. For example, many young people are alienated and uprooted when they leave a facility. Enforcement of the existing law on maintaining the link between young people and their family is a key recommendation in this chapter.

Unlike most of their peers who are in a kind of 'moratorium' during their young adulthood - a safeguard and time to experiment in preparation for 'real' life – those who leave care risk entering a 'no-man's land'. Their social network breaks down; their often interrupted and prematurely discontinued schooling seldom leads to a diploma, meaning they have little prospect of working or having an income. They encounter great difficulties finding suitable housing. Yet these young people – who already have a hard road behind them – are expected to stand on their own feet, an expectation they find difficult to meet and for which they are inadequately prepared.

Despite positive developments in policy and promising projects in the field that are more to-measure and context-related, assistance in the area of child care seems to be divided between services, facilities and various kinds of support, and does not yet effectively span the junction between child and adult care. Leaving care again means disruption for young people. Their situation is also very different as being under age (almost 18 years-old) or of age when it comes to access to housing, an integration income, support for independent living, etc. The Service advocates broadening the application of certain laws for these young people under age to offer them extra protection.

V. YOUNG PEOPLE IN POVERTY AND WORK-BASED EDUCATION AND TRAINING

The education and professional integration of young people from disadvantaged backgrounds are difficult. They are, however, decisive for the chances of them finding suitable employment, and are an essential weapon in the fight against poverty. Many mechanisms were conceived to facilitate the transition from school to the world of work, among them work-based education and training, the subject of Chapter V. Such a system constitutes a potentially effective tool for directing young people into qualitative employment. However it has been established that work-based education and training are not always the appropriate springboard. There are many reasons for this. By tracking a young person following this route, the Service attempts to identify the difficulties encountered and to formulate recommendations for overcoming them.

Upstream. Young people coming from poor families are overrepresented in less attractive fields such as work-based education and training. Many of them have had an extremely negative experience at school. Their attitude towards work-based education and training is often the result of a succession of negative orientations and not of a positive choice based on their areas of interest. They finally end up in a system that does not necessarily suit them.

During training. To offer future prospects to young people, work-based education and training must provide a balance between general and professional training. This is fundamental so the young person can access quality jobs, not only acquiring technical competencies but also social and civic skills. The participation of young people through the entire training period is of vital importance if they are to take charge of their lives and decide on their professional direction. This is a difficult challenge and requires a certain maturity. The quality of the support given to young people plays a key role.

Several factors linked to poverty bring an increased risk of training being abandoned. Mobility is a prime example: the cost of transport to the training location may dissuade some from pursuing their training. The long-term improvement in their living conditions also depends on their ability to avail themselves of their rights, such as health and disability insurance, and whether or not they are entitled to provisional benefits after their training. Today, however, access to these rights varies enormously, depending on the type of apprenticeship contract, leading to legal uncertainty.

Downstream. The difficulties of professional integration are increased in young people with little education. It is therefore not only important for vocational training to offer everyone the chance of obtaining a diploma, but also for companies to accept intermediate qualifications provided by work-based schemes. These obstacles call for a series of structural measures to guarantee young people future prospects in the employment market.