
The French Homelessness Strategy: Reforming Temporary Accommodation, and Access to Housing to deliver 'Housing First': Continuum or Clean Break?

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- › **Abstract_** *In November 2009, the Secretary of State for Housing unveiled the French strategy to assist people experiencing homelessness and housing hardship, which aims to ensure that housing provision adheres to the 'Housing First' principle. Making 'Housing First' a public policy aim might seem unexpected in a country like France, where a fundamental right to housing was introduced in the Act of 6 July 1989, and a statutory basis for implementing it was subsequently provided in 1990. The right was made enforceable by the Act of 5 March 2007, which provides for remedies through the courts, replacing the State's 'best efforts' obligation with a performance obligation. In November 2009, the French Government announced a far-reaching, clean break with the existing system of homeless service provision. This paper argues that the change took place was, instead, gradual, and that the 'staircase' model continues to be used in practice both locally and nationally.*
- › **Keywords_** *Housing First, enforceable right to housing, France, national homelessness strategy, policy change*

Introduction

This article starts off by chronicling the emergence of a ‘staircase’ policy model in France, and describes the processes that led to its institutional entrenchment. It then focuses more specifically on how new principles of public policy were brought onto the agenda in the 2000s, in particular the ‘continuum of care’ principle and an enforceable right to housing. The concluding part of the article looks at the 2009 reforms to the French homeless strategy in terms of policy origination and practical implementation, in an effort to understand the underlying policy direction, especially ‘Housing First’. The ‘new social issue’ (Castel, 1999), and especially the ‘homelessness issue’ (Damon, 2001), appeared on the policy agenda with the onset of the economic crisis, rising mass unemployment and the growing visibility of homeless people in France from the mid-1980s; this led to a transformation in the system of temporary accommodation services, which grew in scale and complexity and whose structure came to involve two types of public policy approach – emergency and inclusion. So, alongside the accommodation and resettlement centres (CHRS), created in 1953 as staging posts on the way to ordinary housing for marginalised groups,¹ there developed a more short-term provision known as ‘emergency shelter’. Although designed as a temporary solution, emergency shelter services continued to diversify, accounting for an ever-growing share of provision (Haut comité pour le logement des personnes défavorisées, 2004).

Emergency Provision for Homeless People

In 1993, the State entrenched the emergency approach by introducing a specific budget item and creating the Social Samu – night-time mobile outreach teams going out “to those who have given up entirely”. Distinguishing this approach from community reintegration accommodation, its founder, Dr. Xavier Emmanuelli, defined the scope of social emergency services in medically-inspired terms: “social emergency services are all operations undertaken to rescue a person considered as a victim on the road to ruin whose life appears to be at risk in the short to medium term” (Emmanuelli and Frémontier, 2002, p. 82). Support in emergency accommodation (welfare hotels, communal night shelters or more individualized provision) must theoretically be immediate, low-threshold and short-term, while users of so-called community reintegration accommodation stay much longer and in better conditions, with individual rooms or even independent housing; however, both sets of users are required to engage with a socio-educational approach to ensure their ‘fitness’ for

¹ Since 1974 this includes: Vagrants capable of social integration; people discharged from prisons or hospitals; refugees; sex workers; and any individual or family who cannot discharge their responsibilities to society alone.

housing (Noblet, 2010). Since the early 1980s, the dominant policy has been that of a linear progression that theoretically leads to mainstream housing at the end of the integration process. In practice, however, critics of this model have come to talk increasingly in terms of ‘revolving doors’ (Conférence de consensus «Sortir de la rue» (2007)), or ‘snakes and ladders’ (Hardy, 1995; Damon, 2001) rather than integration, as these emergency policies often result in homeless people being shunted from centre to centre in a morale-sapping loop, without ever getting into mainstream housing, or only moving to long-term integration facilities (Brousse *et al.*, 2008). Meanwhile, the CHRS (Centres d’hébergement de réinsertion sociale) accommodation and social integration centres tightened their eligibility criteria, and now tend to focus primarily on those adversely effected by the crisis who do not qualify for low-rent public housing, rather than the most marginal groups. The length of stays in these centres rose as waiting lists for social housing lengthened. At the same time, intermediate forms of accommodation proliferated, ultimately replacing and making mainstream housing a more remote and unachievable prospect (Ballain and Maurel, 2002; Lanzaro, 2009; Loison-Leruste and Quilgars, 2009).

From Controversy to Policy Agenda: The Emergence of the ‘Continuum Principle’ and an Enforceable Right to Housing

The increase in homelessness from the early 2000s brought a rising tide of protest from a wide range of social welfare groups – humanitarian, charitable, activist and even single-issue housing groups – criticizing the shortage of accessible temporary accommodation and housing places, but also the way that temporary accommodation and access to housing provision was managed and the lack of access to fundamental rights.

Demands first focused on the uncertain nature of emergency provision and the ‘obstacle course’ it imposed on users (Rullac, 2008); it then focussed on managers of integration provision and their tendency to screen service users without offering any real prospects of moving on to housing (Lévy-Vroelant, 2000; Damon, 2001). Finally, some criticized the right to housing as vague and ineffective (ENA, 2005; Lévy-Vroelant, 2008), pointing out that low-rent public housing landlords were likely to avoid certain population groups and fob them off to temporary accommodation or even relegate them to the run-down private sector (Bourgeois, 1996; Houard, 2009). Concluding that existing provision was not working, the motto “housing: an urgent need and a right” emerged; the afore-mentioned groups demanded a move away from an emergency-focused approach to the recognition of the right to housing as a fundamental right, and both a state guarantee and an individual right that could be upheld by the courts (Lévy-

Vroelant, 2008). The management of temporary accommodation and access to housing was thus thrown sharply into question, but at no point was revisiting the 'staircase' approach on the agenda (Noblet, 2010).

Social welfare groups outlined their demands in the many forums where they met with researchers and policy-makers such as the Haut comité pour le logement des personnes défavorisées,² the National Observatory on Poverty and Social Exclusion, and the National Council on Policies to Combat Poverty and Social Exclusion – forums at which political alliances were formed, expertise developed and policy proposals firmed up. Through forums of experts, researchers and social welfare groups, some at European level, a consensus eventually emerged on overhauling temporary accommodation and access to housing, yet despite this development, the issue remained confined to specialist groups and was slow to filter through to the public sphere. This did not, in fact, happen until the winter of 2006-2007 through action taken by the Enfants de Don Quichotte group, established in late 2006 to publicize the issue and put it on the political agenda.

2007: A break in public policy and the continuance of the 'staircase' model

During the winter of 2006-2007, the Enfants de Don Quichotte group set up a tented camp on the banks of the Saint-Martin canal during the presidential campaign. A year later, in December 2007, the same group demonstrated on the banks at Notre Dame. Through high-impact, headline-grabbing actions, the Enfants de Don Quichotte, backed by many humanitarian and charitable groups, turned homelessness into a political issue on the government agenda. There was a policy shift in 2007 and the policy-making process began to pick up speed, something that had failed to happen previously despite the demands for an enforceable right to housing made by the Haut comité pour le logement des personnes défavorisées in every report to the government since 2002.

Within weeks, the new momentum led to the adoption of the Reinforced Strategy for Persons Experiencing Homelessness (PARSA) on 8 January 2007, followed by the Act Establishing the Enforceable Right to Housing (DALO) of 5 March 2007. These legislative enactments mark a change in the management of temporary accommodation and access to housing, and the introduction of new public policies including:

- *Moving away from the emergency-focused approach:* intake into emergency shelters was transformed with the requirement that they stay open from 5pm to 9am on weekdays and round-the-clock at weekends with no time limit on stays.

² See the reports of the Haut comité pour le logement des personnes défavorisées to the Prime Minister since 2002

- *Entrenching the ‘continuum of care’ principle for homeless people:* the rules of temporary accommodation were changed to include an obligatory indefinite stay service; in addition, all those leaving temporary services must be offered a housing solution.
- *Establishing an enforceable right to housing:* the Act of 5 March 2007 made a radical change to how the right to housing was implemented by introducing a negotiated settlement in early 2008 and then a judicial review in late 2008 for priority categories, and setting the State a performance obligation in implementing the right to housing, whereby the court can order a Prefect (the French State’s representative in a department or region) to house an applicant on pain of a daily default fine.

To create the conditions for implementation, a focus was put on increasing the supply of affordable housing, and the target for new social housing construction was raised to 160 000 units a year, including 120 000 in the public stock; a special emphasis was placed on PLAI (subsidized inclusion rent loans) and PLUS (social housing construction loans) – social housing reserved for low-income or poor families. These policy shifts were affirmed at the Off the Streets Consensus Conference initiated by FNARS (la Fédération nationale des associations d’accueil et de réinsertion sociale) held on 29–30 November 2007 in Paris (Loison-Leruste, 2008), and more broadly in all the relevant policy documents of the following year, such as the Pinte report and the Action for Housing and against Exclusion Act of 5 March 2009.

In addition to greater uniformity in policy-making, the relations between the State and relevant social welfare groups were formalized in the mandate of Prefect Alain Regnier, General Delegate for temporary accommodation and access to housing provision. Paradoxically, it was just as things came to the point of practical implementation – when state representatives and social welfare groups finally seemed to agree on the objectives to be delivered by 2012 and appropriate time frames – that the government described as critical the changes to temporary accommodation and access to housing. A new paradigm was emerging – the ‘Housing First’ model.

2009: A newly-imported paradigm – ‘Housing First’

In 2009, a new approach to tackling homelessness entered the public policy sphere – ‘Housing First’. It spread so rapidly that it became an explicit goal of the reform of temporary accommodation and access to housing unveiled on 10 November 2009. While FEANTSA had already published some studies of homeless strategies in other jurisdictions that adopted a ‘Housing First’ approach, it was not until the release of sociologist Julien Damon’s report (2009) on homelessness policies in the EU that the discussion moved out of the circles of Brussels-based experts and researchers. It was in the Damon report, submitted to Housing Minister Christine

Boutin in April 2009, that 'Housing First' made its first public appearance in France. This report showed Finland to be pioneering this approach, but it was defined by Damon in very vague terms: *"the principle is to have as vestigial a system of temporary accommodation as possible. This is not to suggest scrapping it, but logically to look at turning it towards supporting people into permanent housing"* (Damon, 2009, p. 62).

'Staircase model' versus 'Housing First'

Since the late 1990s, increasing thought has been given in Europe and the United States to the most effective means of providing services to people experiencing homelessness. Working from experimental local schemes, experts, researchers and practitioners have sought to identify the types of service that most meet users' needs within the budgetary constraints states now face. Policy norms have been mooted through research articles, discussion forums and briefing documents. It is clear from the research literature and public policies adopted in France and elsewhere that two service models predominate: 'staircase' and 'Housing First' (see, for example, Toronto Shelter, Support & Housing Administration, 2007; Atherton and McNaughton Nicholls, 2008; Tainio and Fredriksson, 2009; Busch-Geertsema, 2010; Johnsen and Teixeira, 2010; Tsemberis, 2010; Pleace, 2011; European Consensus Conference on Homelessness, 2010; FNARS, 2011). It is around these two paradigms that the stakeholders develop and argue their opposing worldviews, the core question being whether homeless people should or should not be placed directly in housing.

The 'staircase' or 'continuum of care' approach refers to a linear progression leading into permanent housing, this being the ultimate reintegration goal of those experiencing homelessness. To achieve this, the homeless person must make a stepwise progression through residential services, with increasing degrees of privacy and independence at each stage, before being deemed 'fit' to access permanent housing. This approach underpins the public policies pursued in many European countries, including France. However, there has been mounting opposition to this worldview since the late 1990s on the grounds that many people find themselves stuck on one step, being judged unfit to move up to the next, or they drop out of the services due to the strict rules imposed (Pleace, this volume).

In contrast to this stepwise approach is the 'Housing First' approach, the essence of which is that homeless people, including problematic drug and alcohol users, must get into permanent housing as soon as possible. It is a service-based system that focuses on living in 'normal' conditions in the community. If developing independence is determined more by housing than treatment (Kresky-Wolff *et al.*, 2010), users should be steered directly towards independent, permanent housing with tailored health and social services (Pleace, 2011). This approach emphasizes

consumer choice: the choice of where to live, of the level of engagement with health and/or social treatment, and whether to continue using drugs or alcohol. This model has been challenged in academic circles in North America, mainly for its failure to reintegrate people into society and the economy, and for isolating users. However, assessments are generally positive with regard to the length of time stayed in housing, payment of rent, and the costs incurred for the community. They show that most homeless people prefer to live in ordinary homes than in welfare hotel rooms, public hostels or communal night shelters. Assessments have also highlighted positive impacts on the wellbeing of people experiencing homelessness (Dane, 1998; Toronto Shelter, Support & Housing Administration, 2007; Fitzpatrick *et al.*, 2010; Busch-Geertsema, 2010; Pleace, 2011).

Dissemination of these positive assessments has contributed to the increased discussion of 'Housing First', initially in the United States, where it was taken up at federal level, and then in various European countries like Finland and Denmark, while Sweden and the United Kingdom are currently considering the transferability of this model (European Consensus Conference on Homelessness, 2010). However, the 'Housing First' concept has different meanings in different countries, and it can vary according to the target audience, the housing provided, the lengths of stay involved and the degree of user choice (Atherton and McNaughton Nicholls, 2008; Busch-Geertsema, 2010).

The popularity of the 'Housing First' approach in EU institutions owes much to the dissemination of these positive assessments, but also to FEANTSA's lobbying of the European Commission, EU Member States, policy makers, researchers and experts. The European Consensus Conference on Homelessness held on 9 and 10 December 2010 in Brussels came down firmly in favour of the 'Housing First', or what the jury called a 'housing led', model (European Consensus Conference on Homelessness, 2010 –see the special section of this volume on responses to the Jury's report).

French Reform of Temporary Accommodation and Access to Housing in 2009: Continuum or Clean Break?

France's reform of temporary accommodation and access to housing, which began in late 2009, is explicitly aimed at developing a 'Housing First' model of service provision. With state representatives claiming it as a 'radical clean break', or a restructuring of the system, it might be expected from experiences elsewhere that housing would be the first requirement for people experiencing homelessness, before any form of social support. Yet government guidance (information documents, departmental instructions, etc.) is arguably at variance with the model's underlying

worldview; the linear progression approach and the idea of the actual or perceived 'houseability' of users seems to dominate policy-making. The press release issued on 10 November 2009 when the reform was unveiled, for example, says:

"While housing is often what families most want, some are not ready to access housing, or will probably have difficulties staying in it once re-housed. Some can feasibly take immediate occupancy on ordinary terms without social support. For others, support is needed to help them access or stay in housing and to show that the family really can run their home on their own so that social landlords do not run too-great a risk" (Ministry of Ecology, Energy, Sustainable Development and Maritime Affairs, 2009, p. 12).

A more recent departmental instruction to Prefects dated 15 October 2010 defines 'Housing First' as a principle that makes temporary accommodation "a temporary and auxiliary response on the pathway towards independence."³ The same reliance on the 'staircase' model is also found in the public statements of social welfare groups and social landlords (Union sociale pour l'habitat, 2010; FNARS, 2011) and correspondence with government.⁴ Close analysis of the background to this reform shows that change is more about setting up new public policy instruments in France's Départements (creating integrated intake and referral services; producing Département intake, temporary accommodation and integration plans) without changing the overall policy direction. Despite the pervasive references in policy documents to the paradigmatic shift towards a 'Housing First' approach, change in policy itself appears to be more restrained.

An examination of the history of policy-making in the field of temporary accommodation and access to housing also reveals that there has been a shift in balance between the government and social welfare groups, with the locus of power moving from the street to ministerial bodies, and the balance of power shifting towards state representatives. Although the social welfare groups are fully involved in the reform process, as the government is aiming for reform that is agreed upon by both the State and social welfare groups, the formulation of the problem and the proposed solutions are taking shape within a specific institutional framework. Discussions are steered by the Prefect as the General Delegate for temporary accommodation and access to housing provision; the remit of working groups, the time frame, the overall budget and the goals are set by State representatives ahead of negotiations. In September 2009, the government called on the stakeholders in the policy-making process to spell out the broad lines of the reform and flesh out

³ DGCS/1A/2010/375 departmental instruction of 15 October 2010.

⁴ Open letter from charities to the Prime Minister on measures to reduce public debt, signed by the presidents of UNIOPSS, APF, CNAP, UNAP, Fondation Abbé Pierre, UNA FNARS, the French Red Cross, Secours Catholique, and ADMR dated 31 May 2010

the concepts of 'Housing First' and 'public temporary accommodation and access to housing' within two months, focusing on organizational measures rather than more structural provisions such as the level of funding for personal assistance or social housing construction, in order to take account of fiscal constraints.

The most ambitious measures merely reaffirm the guidelines set out in the PARSAs, the so-called DALO Act, the Pinte report, and the Action for Housing and against Exclusion Act of 5 March 2009. The new elements are essentially organizational:

- setting up an Integrated intake and referral service (SIAO) in each Département to structure users' pathways into housing, and to match supply and demand for temporary accommodation and transitional housing;
- defining a national framework for social support towards and in housing;
- the method of area-wide distribution of temporary accommodation and social rented housing supply is now specified in the PDAHI (intake, temporary accommodation and integration plans).

The paradigmatic shift towards 'Housing First' announced by the government has materialised as a scaled-down version of the scheme developed by the *Pathways* agency in New York, and been piloted at four sites (Paris, Lille, Marseille, Toulouse) for 400 homeless people with severe psychiatric disorders who have become sub-tenants in private rented accommodation. The decision on whether to roll the trial out nationwide will not be taken before 2014, but even in the current trial, the fixed-term nature of the tenancies mean that the homeless people are not in ordinary housing situations.

There is, therefore, a striking contrast between the government's renewed calls for a move in the direction of 'Housing First', and the policy continuum and predominance of the 'staircase' model even in the communications emerging from government departments, social welfare groups and low-rent public housing agencies. The concepts of being 'fit' to access housing, transitional housing, and pathways into housing are still the order of the day.

A year and a half after the launch of the restructuring of temporary accommodation and access to housing, the thrust of 'Housing First' and the broader scope of the reform remain shrouded in ambiguity. With no shared political definition, it is also the focus of criticism by social welfare groups, particularly as the reform is played out against a background of cuts and fiscal constraints. In a letter to the Prime Minister dated 31 May 2010, the United Coalition of Social Welfare Groups describes the government reform as "reform on the cheap" and uses the slogan "housing first

means houses first!”⁵ The next section provides a more nuanced assessment of the scale of the change beyond simply policy-making, looking at the outcomes of policy on temporary accommodation and access to housing, the investment of local government resources, and the problems encountered in putting it into practice.

‘Housing First’ in Practice

Selected indicators of homelessness and housing hardship

Without a reliable and uniform statistical monitoring system, homelessness and housing hardship are difficult to document as they can be measured only approximately. Indicators of trends do, however, exist. A recent survey by the National Institute of Statistics and Economic Studies (INSEE) shows that in the second half of the 2000s, 133 000 people in France were deemed to be homeless; 33 000 were on the streets or in emergency hostels, and 100 000 were in temporary accommodation for long periods. A further 117 000 persons without homes had come up with individual solutions including paying for their own hotel rooms and staying with family or friends. Moreover, 2.9 million people were found to be living in overcrowded housing or homes lacking amenities (Briant and Donzeau, 2011).

DALO figures also give an idea of the level of housing hardship. At the end of December 2010, three years after the introduction of negotiated settlements and two years after the introduction of judicial review, some 185 000 housing appeals had been lodged; 143 665 had been reviewed by mediation committees; 57 561 households had been identified as priority cases in urgent need of re-housing; and only 35 000 households had been re-housed as a direct or indirect result of the DALO Act.⁶ In judicial review cases, findings were made against the state in 5 585 cases for failure to offer appropriate housing within the statutory time-limits.⁷ These figures aside, obstacles to the implementation of DALO have been noted in some qualitative research reports (Loison-Leruste and Quilgars, 2009; Brouant, 2011) in that Prefects, who are responsible for performance, are having difficulties re-housing priority applicants; this is due to the large number of rejections by

⁵ Open letter to the Prime Minister on measures to reduce public debt, signed by the presidents of UNIOPSS, APF, CNAP, UNAP, Fondation Abbé Pierre, UNA FNARS, the French Red Cross, Secours Catholique and ADMR (31 May 2010).

⁶ Source: DHUP/Ministry of Ecology, Energy, Sustainable Development and Maritime Affairs; 31 December 2010. As a reference, social housing allocations average 420 000 per year (including 20% in the Ile-de-France).

⁷ Source: Conseil d’Etat statistics, 31 December 2010

low-rent social housing agencies on grounds of insufficient income or their obligation to ensure social diversity (Massin *et al.*, 2010). The situation is particularly strained in the Ile-de-France region, which includes Paris.

Local government efforts

The size of the social rented stock in France is comparatively high at 4.5 million units (Whitehead and Scanlon, 2007), and the government has recently funded record levels of social housing; this rose from 40 000 in 2000 to over 130 000 in 2010. This trend is, however, qualified by a number of factors, not least the loss of low-quality, low-rent private housing stock. Local government efforts to meet housing needs can only be understood by looking at supply against total demand, especially from low-income families. Meeting the requirements created by DALO Act would mean producing 440 000 to 500 000 new homes a year up to 2015 (Fondation Abbé Pierre, 2011). But the number of new houses starting to be built has slumped since 2007: only 333 000 new units were started in 2009 compared to 435 000 in 2007 – down 23% in 2 years. Analysts agree that housing production falls short of the need for housing, and is generally unsuited to the low-rent demand; there is a shortage of affordable rental properties for low and middle income families, especially in the Île-de-France region.

In respect of temporary accommodation, the government decided as of the 26th of May 2010 that under the ‘Housing First’ principle, temporary accommodation places should be held at their 31 December 2009 levels. However, government figures show that temporary accommodation provision – excluding provision for asylum seekers – currently stands at 72 066 places and is rising steadily, having already risen more than 40% in five years. The programme documents (the PDAHI) issued in each Département indicate that temporary accommodation provision could expand still further. Somewhat ironically, the government’s talk of supporting access to permanent housing for people experiencing homelessness seems to be belied by budgetary trends, as the housing budget is shrinking while local government provision of temporary accommodation continues to rise.

Against this background of political, administrative and budgetary constraints, the goal of ‘Housing First’ looks set to be the focus of tension between state representatives, social welfare groups and social landlords. Low-rent social housing agencies see it as potentially causing budget problems and turning certain housing estates into areas of severe deprivation. Among social welfare groups, some fear that the government may use the concept “mainly to achieve budget cuts” and a “root-and-branch dismantling of the temporary accommodation sector”, while others fear that in practice, ‘Housing First’ will not result in people in difficulty being

provided with direct access to housing, but rather in their being forced into transitional provision (FNARS, 2011), or in the restructuring of social housing waiting lists through re-housing in 'problem' neighbourhoods.

Conclusion

The clean break announced with the launch of the reform in November 2009 has led to restructuring in the provision of services for homeless people; in particular, it has resulted in the setting up of SIAO intake and referral services⁸ and the production of PDAHI programme documents in each Département. Despite these changes, it is clear that local government efforts in housing are decreasing and that the 'staircase' model remains the rule locally and nationally.

In exploring the policy shift by state representatives, it is evident that the path of change is beset by limitations and obstacles (Pierson, 1993; Palier, 2004); first, there is the often entrenched path dependency of social welfare groups and government agencies in the sector; some influential stakeholders like social landlords and accommodation facility managers also fear the established balance being thrown into question; and there is also the desire of stakeholders to preserve the *status quo* in the absence of a consensus approach to the meaning of 'Housing First'.

A year and a half after the adoption of the reform with no vision on the meaning of 'Housing First', the stakeholders in accommodation and housing policy are calling for the opening up of discussions to determine the scope of the concept, and to identify the issues, resources and time needed to adapt the system to this new paradigm. This is also what sociologist Julien Damon called for in his April 2009 report to the Housing Minister wherein he stressed the need for change to be made as part of a long-term process; for discussions to be organized; for common approaches settled in line with the 2010 European consensus conference on homelessness; and for the accommodation sector to adapt to the 'Housing First' approach by 2012 (Damon, 2009).

⁸ As at 28 February 2011: 99 Départements had opened an SIAO; one (Cher) had put the opening date back to 31 March 2011; 116 SIAO were open (5 Départements have between 2 and 7 SIAO), there was complete area-wide coverage in 93 Départements.

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