

Policy statement

Report on the progress that has been achieved and challenges that remain in the implementation of inclusive social development policies and programs to address homelessness (SG Progress Report Homelessness - Italy)¹

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In Italy two definitions of homelessness are mainly used:

(a) A legal-administrative definition, from the “Law on the Registry Office” 1228/19554, which covers **Persons with No Fixed Address**. This definition applies to categories who do not have a stable residence and domicile but are registered in the civil registry through a fictitious address or domicile (for example people have no housing stability, itinerant vendors, carousels). These people do not necessarily experience the condition of poverty, deprivation and severe housing exclusion that connote instead the phenomenon of severe adult marginality (homeless person).
(b) A research-driven definition that deals with **Homeless People** that are people who experience severe housing deprivation and widespread extreme poverty (social exclusion) and are the bearers of an undifferentiated and urgent need. A research driven definition usually used in the field of homelessness studies is the ETHOS LIGHT classification (European Typology of Homelessness and Housing exclusion).

Sometimes these definitions are used simultaneously by public opinion, media or researchers.

In Italy, data on homelessness are not periodically collected at the national level. The official documents that provide the most comprehensive basis for reflection and work are:

a. Two National surveys on homeless people by the National Institute of Statistic (Istat 2011 and follow up in 2014), conducted in collaboration with fio.PSD, Ministry of Labor and Social Policies and Caritas Italiana. Classification used was ETHOS - Category 1 and 2 (rough sleepers and homeless living in the night accommodation). Results showed that 50.724 homeless people lived in 158 cities in December 2014. They were users of homeless services (soup kitchen and night shelter).

¹ Il presente documento rappresenta una sintesi delle risposte che fio.PSD ha fornito al Questionario dell' *UN SECRETARY GENERAL ON INCLUSIVE SOCIAL POLICIES TO END HOMELESSNESS*, inviato agli Stati nell'ambito della Risoluzione A/RES/76/133 on “Inclusive policies and programs to address homelessness, including in the aftermath of COVID-19” . fio.PSD ha risposto in qualità di organizzazione ombrello nel settore homelessness in Italia e organo che ha partecipato ai lavori dell' Institute of Global Homelessness, University di Chicago. Un ringraziamento particolare al socio Avvocato di strada che ha integrato alcune risposte dal punto di vista normativo. Per info o maggiori dettagli scrivere a segreteria@fiopsd.org

b. The Census of the Population Resident in Italy as of December 31, 2021 (published on December 15, 2022 by the National Institute of Statistics - ISTAT), which includes three specific segments of the population defined as "**hard-to-reach population.**" The data collected in this survey are statistical-administrative in nature and are not intended to be in continuity and comparable with those of previous surveys on homelessness. Classification used was "legal definition" of people without fixed address and people registered in the public register. They were 96.197.

c. Data and information on homeless people are collected by services in a more systematic way. Specifically, the_fio.PSD Observatory periodically collects data on homelessness services, people receiving services from the members network, emerging profiles, youth homelessness, housing first programs. The latest report on services is from 2022². It also publishes an annual report from 2020 on the numbers of deaths of homeless people during the year. The Caritas Italiana also produces an annual report on poverty and social exclusion and counteracting policies in Italy reporting information on homelessness.

Based on statistical surveys (ISTAT 2011; ISTAT 2014), the main **triggers events of homelessness** are:

- lost of job
- health
- divorce/separation

These triggers leave people in shifting in severe poverty wherever they have not sufficient income, welfare protection, access to affordable housing, family and parental support. Other concurrent causes are insecure migration background, personnel disturbances and isolation, conflictual relation, poor jobs and inadequate social protection.

About specific trends in terms of homelessness, especially **after COVID-19**, based on the Caritas Report (2022), there is an increase, in absolute value, of nearly 1,500 people in 2022: in fact, there were 22,527 people identified as homeless by Caritas workers in 2020 and will increase to 23,976 in 2021. The purpose surveys conducted by the fio.PSD Observatory also record changes in the number and profile of homeless people housed in services with an increase in migrants and youth in low-threshold services, single-parent households in material distribution centers, and people over 65 housed in night accommodation.

² To consulting Reports, visit web page site <https://www.fiopsd.org/report-osservatorio/>

EXISTING POLICIES AND CHALLENGES

In Italy, in recent years the issue of homelessness and the policies to combat extreme poverty and marginalization have entered into the national political agenda in a structured manner.

In 2015 the Ministry of Labor and Social Policies, in accordance with the Regional governments, has adopted the **“National guidelines to tackle homelessness”**. The adoption of the document was a very important step and it represents the main policy reference point in the homelessness sector providing practical recommendations and methods to deal more effectively with homelessness. The Guidelines aim at promoting the adoption of innovative strategies based on the Housing first and housing led model, by overcoming the traditional emergency and temporary accommodation approaches.

Another strategic document which defines strategies and tools to address homelessness is the **“National plan for Social Interventions and Services to Combat Poverty” (2021-2023)**. In 2021, for the first time, the plan set the so-called **“Essential levels of social assistance for homeless people”** (LEPS). The LEPS are a strategic tool for clarifying the individual rights and benefits which must be ensured at national level (see question 14). One LEPS directly aimed at homeless people refers to the need of set-up structured and coherent procedures to ensure the obtaining of formal residence in the municipalities. Formal address represents in Italy the first step for getting human, civil and social rights (rights to doctor, to social protection, to municipal support and case management, to voting, to receive formal mail etc...).

Other LEPS target vulnerable people in general, including homeless people, and refers to the establishment of the **Emergency social helpline** (PIS). It is the permanent line of support for responding to social emergencies managed by municipalities in collaboration with NGOs.

The Italian Recovery and resilience plan (NPRR), adopted after the outbreak of the Covid-19 pandemic through European funding, included some important interventions to support most vulnerable groups including homeless people. The main interventions addressing this target group foresees the promotion of 250 interventions of Temporary housing for homeless people by 2026 and the creation of 250 One-stop-shops aimed at the most vulnerable group. The housing interventions must adopt a Housing First approach, including personalised accompaniment measures to support autonomy of people experiencing homelessness.

In the framework of the European Cohesion Policy, the programming under the **European Social Fund (ESF) for the period 2014-2020**, managed by the Ministry of Labour and Social Policies was directly oriented to fight homelessness, in particular through the call for tender 4/2016 of the National Operational Programme (NOP) Inclusion. The call financed interventions that must be coherent with the National guidelines to tackle homelessness. Namely the interventions promoted must overcome the emergency approach, by supporting the adoption of an integrated strategic model, the strengthening of services, the individualized case management, the adoption of preventive measures and the development of housing inclusion paths inspired by the **Housing First model**. The forthcoming programming of ESF+ for the period 2021-2027, which is not yet operational, foresees the continuity of the approaches and interventions already implemented

In Italy, policies and measures exist at the national, regional and local level to prevent homelessness. **Social welfare is provided through a multilevel governance at the national, regional, and municipal level.** Measures and interventions take the form of economic benefits and/or personal services. Resources for social policies come from the combined financing of the three levels of government (State, Regions, and Municipalities), according to the financial resources available in their respective budgets. Nation Fund for Social Policies; Poverty Fund; NRRR-Next Generation EU; REACT EU; European Social Fund Plus...

The Framework Law on Social Assistance (Law No. 328/2000) ("Framework Law for the Establishment of an Integrated System of Social Interventions and Services"), includes Article 28 that provides specific funding for strengthening interventions to ensure services for individuals in extreme poverty and homelessness. It established that the "Essential levels of social services" (LEPS) correspond to the set of interventions guaranteed, in the form of goods or services, according to the characteristics set by national, regional, and local planning, and implemented within the limits of resources from the National Fund for Social Policies. The law provides both measures to combat poverty (such as the so-called Citizenship income and the Social allowance) and funding for a public housing system, which can effectively contribute to this purpose. Rental assistance programs are also active at both national and regional level to prevent blameless evictions. Furthermore, at the local level, each municipality has its own Housing Services which deal primarily with preventing homelessness situations. These services provide a response to housing needs for those who are in temporary situations of vulnerability and distress (mainly family with minors). National law requires every Italian municipality to provide overnight accommodation services for homeless people at least during the winter months. Municipalities usually engage with and rely on local non-profit associations to reduce personal and family distress and improve the quality of life of homeless people.

During the pandemic period, evictions have also been suspended by law for 2 years. The Italian Constitutional Court has then ruled that suspensions of evictions affect property rights of the owners and therefore can only be justified in case of emergencies and must be temporary (Judgment No. 213/2021).

Currently, the "Plan for Social Interventions and Services to Combat Poverty," allocates approximately 620 million euros each year for three years starting from December 2021. Of this amount, around **20 million euros are allocated for interventions and services for homeless people or those in extreme poverty in 2022.** Also, within the framework of the Next Generation EU, an European instrument which aims to address the serious socio-sanitary emergency caused by the Covid-19 epidemic, funds are specifically allocated to provide services to homeless people. Mission 5 of the National Plan for Recovery and Resilience (NRRR) invests in Temporary Housing and Housing First measures.

REPRESENTATION OF THE HOMELESS AND POLICIES TOWARDS THE HOMELESS CHANGED OVER

Over the past half-century, representations of the homeless and policies towards the homeless have evolved significantly. With respect to the changes in the representation of homelessness there has been a progressive shift from a portrait of lazy people lacking in moral character, which led to stigmatization and policies that criminalize homelessness, to a portrait of homeless people as victim of systemic issues, such as impoverishment process, unemployment and lack of affordable housing.

In terms of policies, in the past they were often punitive and focused on criminalizing homelessness. **Over the past few decades, policies have shifted towards a more supportive approach.** This includes the development of homeless shelters, transitional housing programs, and supportive housing. Attempts were also made for promoting policies addressing the root causes of homelessness, such as the promotion of integration services that include mental health and addiction treatment. In recent years, as indicated in the National guidelines to tackle homelessness, a significant step forward was the recognition that the emergency approach should be overcome by more structured and long-term policies, as well as the staircase approach (which however remain prevalent) in favor of a multidimensional approach, such as in the case of housing policies the Housing first and housing led approaches.

Advocacy campaigns (position papers, newspaper articles, photo expositions), also promoted by fio.PSD, have helped to raise awareness of the issues of homelessness and to promote a **change in the language used to refer to the people experiencing homelessness.** For example, we advocated for a proper definition of homelessness proposing to talk about “homeless people” (*persone senza dimora*) instead of “people without a stable home” (*persone senza fissa dimora*). The latter term has a specific bureaucratic-administrative connotation and is intended to define the condition of a person who is unable to declare a stable place of abode and has not a registered residence. The term mainly refers to nomads, itinerant traders and carny traders, who share with homeless persons the lack of a stable residence, but who do not necessarily experience material deprivation and social exclusion. Overall, over the past half century significant changes occurred. Notwithstanding there is still much work to be done especially to overcome the rhetoric surrounding homeless people who choose to live on the streets.

Begging has been considered a crime at the national level for a long time, and it still nowadays remains illegal under certain circumstances.

Originally, the act of begging itself was prohibited by Article 670 of the Criminal Code, which imposed a penalty of imprisonment for up to three months for anyone who begged in a public place or a place open to the public. The penalty was increased to imprisonment for one to six months if the begging was done “in a disgusting or harassing manner, by simulating deformities or diseases, or through fraudulent means to elicit pity.” However, Italian Constitutional Court’s judgment No. 519/1995 declared constitutionally illegitimate the first paragraph of Article 670 of the Criminal Code because of its lack of a legitimate aim in criminalization. Article 670 was then completely repealed by Article 18 of Law No. 205/1999.

In current legislation, however, begging has been criminalized again, but only in certain circumstances. Article 669-bis of the Criminal Code, introduced by Article 21-quater of Law December 1, 2018, No. 132, now punishes begging that causes harm or obstruction to others or is carried out through artifice. This article is titled the "annoying exercise of begging" and imposes imprisonment for three to six months and a fine of €3,000 to €6,000 for "anyone who exercises begging in a harassing manner, by simulating deformities or diseases, or through fraudulent means to elicit pity in others."

Furthermore, under Article 600-octies, anyone who begs using children under fourteen years of age, and anyone who organizes, uses, or in any way facilitates the begging of others for profit, is punishable by imprisonment for up to three years.

On the basis of Decree Law No. 14/2017 and subsequent amendments, public safety authorities may also remove and prohibit individuals who are dangerous or who have committed acts contrary to urban decorum, including annoying begging, from entering certain areas of the cities (so-called "DASPO Urbano").

Moreover, **there are numerous cases of municipal ordinances and regulations aimed at regulating the issue of begging.** At the local level, bans are established by municipal regulations or, in some cases, through municipal ordinances issued by the mayor to ensure the protection of public order and safety. In the latter case, the bans have been considered legitimate by the judiciary only if they can be justified by an extraordinary situation of emergency (see, for example, the Decree of the President of the Republic of April 3, 2017, and the Council of State's opinion of November 9, 2016, which struck down a anti-begging ordinance after a legal action brought by *Avvocato di Strada*). In the Italian legal system, such regulations can only provide for monetary fines of limited severity.

For example, in Milano, Trento, Torino, and Roma, municipal regulations punish the use or exploitation of animals for begging, while in other cities such as Riva del Garda, Perugia, Verona, Genova, Livorno, Brescia, and Rovereto, begging is prohibited in the most crowded places in the city, hospitals, railway stations, and similar places.

Local administrations have also taken significant action on the issues of vagrancy and bivouac with the so-called "**anti-bivouac ordinances**". These mayors' ordinances have been justified by the necessity to protect hygiene, public health, public order, public safety, urban security, but above all to protect urban decorum and combat degradation.

Regulations of this kind have been adopted, for example, in Lucca, Gallipoli, Pisa, and Latina and prohibits the laying down, sleep, and bivouac in public places.

SOCIAL, HOUSING AND HEALTH SERVICES FOR HOMELESS PEOPLE

As indicated in the National Guidelines to tackle homelessness (2015) the main type of services provided in Italy for homeless people can be summarized as follow:

- Support services in response to basic needs: material distributions, shower and personal hygiene, Soup kitchen, outreach services, one-time financial assistance
- Overnight accommodation services: emergency shelters, night shelters, semi-residential or residential communities, self-managed housing
- Daytime accommodation services: day center, residential communities, day centers with educative support
- Informative and orientation services, support in obtaining the registered residence, postal domiciliation, support in bureaucratic procedures , accompaniment to local services
- Services for individualized care and support: personalized planning, psychological and educational counseling, structured economic support, job placement, legal protection

In addition, housing services are provided, although to a small scale, such as Housing first and housing led interventions.

Regarding the health services in Italy, free and targeted to the all population, the issue is that the access to these services by people experiencing homelessness is often limited due to the lack of regular documents.

Although various policies exist at the national, regional, and local levels to address the housing issue, there is currently no clear and precise legal norm under Italian law that generally and specifically requires the provision of emergency shelter or any other form of accommodation for homeless persons.

However, such a legal obligation derives from Italy's participation in the European Social Charter. Article 31 of the Charter requires States to guarantee emergency shelter or any other form of accommodation to all persons experiencing homelessness. Namely, Article 31 requires States to ensure that all persons who are lawfully in their territory "have access to adequate housing, which means housing that is structurally safe; safe from a sanitation point of view, i.e., equipped with all basic services, such as water, heating, garbage disposal, sanitation, electricity; not overcrowded; and with a secure tenancy agreement guaranteed by law" (Decision in the merits: European Roma Rights Centre (ERRC) v. Italy, Collective Complaint No. 27/2004, §35). Additionally, according to the European Committee of Social Rights case-law States are also required "to provide shelter to persons unlawfully present on their territory for as long as they are in their jurisdiction. Shelters must meet health, safety, and hygiene standards, and be equipped with basic services such as access to water and heating, and sufficient lighting" (Decision in the merits: European Roma Rights Centre (ERRC) v. Italy, Collective Complaint No. 27/2004, §35; Decision on the merits: Médecins du Monde - International v. France, Collective Complaint No. 67/2011, §89).

This legal obligation takes on sub-constitutional value under Article 117 of the Italian Constitution and binds both the Italian legislature and all national administrations (Italian Constitutional Court, Judgment No. 120/2018).

Overall several barriers remain to end homelessness. First of all, structural barriers which refers to the lack of affordable housing, of a robust social protection system and labor integration policies for low-skilled people. In the health sectors, it would need to reinforce the existing services in order to respond to the specific need of vulnerable groups. Finally, there are significant income inequalities that persist among different population groups.

SPECIFIC POLICIES, SERVICES OR INITIATIVES TARGETING GROUPS AT PARTICULAR RISK OF HOMELESSNESS

In Italy there aren't national policies in place aimed at specific target groups which have a declared intent to prevent them from becoming homeless. However, at the local level there are several experiences of measures addressing specific target groups.

For example, in the municipality of Bologna a recent project called "Shel(H)er" is aimed at **women victims of violence** who are experiencing homelessness. The project aims at experimenting with an active anti-violence mobile service within the structures of the low threshold. The method proposed by the project foresees a first engagement of the women within the day and night temporary shelter and the accompaniment of the women to the anti-violence centers in order to encourage an empowerment path to escape from situations of violence. In this view, the collaboration between anti-violence services and homelessness service system is crucial to support women to escape from the violence and for the treatment of particularly complex cases.

Another project, implemented in the municipality of Verona, and aimed at young people is "Casa Solidale Giovani". This is a **Housing project for youth** which provides three different accommodation typologies and supportive approaches. The first typology adopts the Housing First model. The second is co-housing, where groups of young people live together with social workers during the day and volunteers at night. The third accommodation typology is a protected house, dedicated to young people with mental health issues, supported by volunteers. One unique feature of this project is the presence of voluntary tutor families, who support, together with the social operators, the young people involved in the project.

Sources and link (chronologically)

- 2023 - fio.PSD Observatory Report on **Homeless deaths fio.PSD:** <https://www.fiopsd.org/morti-senza-dimora/>
- 2022 fio.PSD Observatory Report, N. 3/2022 <https://www.fiopsd.org/i-servizi-alla-homelessness-in-italia-infografiche-2022/>
- 2022 - **Caritas Report:** 23,976 homeless people in 2021 detected in the 2,797 Listening Centers and services in network with data collection <https://www.caritas.it/presentazione-del-rapporto-2022-su-poverta-ed-esclusione-sociale-in-italia/>
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- **2015, Ministry of labor and social policy,** **Linee di indirizzo per il contrasto alla grave marginalità adulta in Italia,** <https://www.lavoro.gov.it/temi-e-priorita/poverta-ed-esclusione-sociale/focus-on/Poverta-estreme/Documents/Linee-di-indirizzo-per-il-contrasto-alla-grave-emarginazione-adulta.pdf>
- **2014 ISTAT surveys on homeless people (Follow up):** 50,724 homeless people <https://www.istat.it/it/archivio/175984>
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