

Questionnaire from the Special Rapporteur on the right to adequate housing – Response from the ombudsman for children in Sweden (Dnr 2.5:0334/16)

The knowledge about children who are homeless and children in inadequate housing in Sweden is limited and has not reached the public debate to any greater extent. This is worrying since the situation seems to have worsened dramatically over the past few years. Even though few children are homeless or in a situation where they have no roof over their head, a large number of children lack permanent housing. These children and their families live in apartments with short term contracts, in shelters, on campsites or in hostels. Living in these types of accommodation often involves severe overcrowding with multiple persons of both sexes in each room and limited access to cooking facilities.¹ The locations are often insecure and the children sometimes share common rooms with adults who suffer from severe social problems. All this deeply concerns the Ombudsman for Children in Sweden who currently is working on a report about economically distressed families, focusing primarily on living conditions and inadequate housing.

Statistics

The Ombudsman for Children in Sweden has statistics about evictions where children are affected. These statistics show a decrease in the number of children affected by evictions since 2008. However, this decrease is mainly a decrease in absolute numbers, since there is a decrease in the total number of evictions during the period. Seen as a share of all evictions, the proportion of children affected is nearly constant. According to the Swedish Enforcement Authority the most common reason for evictions where children are affected is rent debt. In about half of the cases this debt is less than 10 000 SEK (approximately 1 200 USD), which is considerably less than what the eviction itself costs, without taking additional expenses into account. In the majority of these cases, the children are living with single mothers.² Research shows that the decrease in evictions to at least some extent has occurred since a large group of the population never enters the regular housing market to begin with, but rather seeks less secure and/or inadequate alternatives.³

The Ombudsman for Children in Sweden has no statistics about children living in inadequate or temporary housing. The National Board of Housing, Building and Planning has mapped the market for the so called secondary housing market, short term contracts for accommodation in apartments provided by the social services, and found that at approximately 5 000 children were living in such apartments in 2013.⁴ They have also proposed that Sweden initiate some kind of “social housing” as a way of meeting a growing need for less expensive apartments for economically deprived families among the migrant population. According to their forecast, another 700 000 new apartments are needed in the next ten years to meet the increasing demand.

Housing-related problems seem to affect vulnerable groups disproportionately. Among children in homeless families, as many as 70 percent belong to the foreign born population,

¹ Stockholms Stadsmission (Hans Swärd), Hemlös 2011, 2011 (<http://www.stadsmissionen.se/global/om%20oss/press/dokument/ppa-110921-heml%C3%B6s%202011-rapporten%20final.pdf>) . Boverket, Boendesituationen för nyanlända, 2015.

(<http://www.boverket.se/globalassets/publikationer/dokument/2015/boendesituationen-for-nyanlanda.pdf>)

² <https://www.kronofogden.se/statistikavhysning.html>).

³ Socialstyrelsen, Vräkta barn, 2013. (<http://www.socialstyrelsen.se/Lists/Artikelkatalog/Attachments/19102/2013-5-35.pdf>) (<https://www.barnombudsmannen.se/barnombudsmannen/pejling-dialog/omraden-som-pejlats/barn-i-ekonomisk-utsatthet/>)

⁴ Boverket, Uppföljning av den sekundära bostadsmarknaden 2013, 2013.

(<http://www.boverket.se/globalassets/publikationer/dokument/2014/uppfoljning-av-den-sekundara-bostadsmarknaden.pdf>)

or have parents who do. In addition, as many as 70 percent live with single mothers. These two groups overlap to a large extent, but are not identical.⁵ The women's shelters of Sweden have also reported that the time spent in safe housing for women and children who have experienced domestic violence has increased due to the difficulties of finding affordable housing. They also report that some women and children return to an abusive relationship in order to solve their housing problems.

<http://www.svt.se/nyheter/lokalt/ost/bostadsbris-for-valdsutsatta-kvinnor>

https://max18.barnombudsmannen.se/max18-statistik/statistik-per-amne/ekonomi/1_5_andel-barn-som-berors-av-vrakning

The Ombudsman for Children in Sweden's project "Pejling och dialog"

In 2012, the Ombudsman for Children in Sweden initiated the project "Pejling och dialog" commissioned by the Swedish government. The principle aim of the project was to disseminate the government's strategy to strengthen the rights of the child in Sweden. Our approach to fulfilling this aim was to spread the national strategy to local decision makers throughout the country, since many decisions which involve children are decentralised to local authorities. Fifty municipalities were chosen to participate in the project, focusing on certain thematic areas related to children in vulnerable situations. A fundamental methodological choice in the project was to include children's voices, allowing them to talk about their own experiences and views with local decision makers. One of the thematic areas included in the project was children in situations of financial vulnerability.

The project was implemented during two years and our methodological point of departure was a method called "Young speakers" developed by the Change Factory in Norway, consisting of qualitative interviews. The children who participated were children who had experienced evictions, children living in temporary social housing solutions, and children in families receiving financial assistance from social services.

A common theme among the children was that they felt that the social services had not been there for them. They told us that their experience was that they had not been believed, and that the social services did not keep their promises. It is clear that housing issues are seen as an adult matter which the child is not involved in. The children talked about a lack of information from the social services concerning the support available, when and how the eviction will take place, as well as the duration of their stay in temporary housing.

When the children talked about their housing situation, they described it as crowded. They wanted their own kitchen and bathroom because they found it hard to share such facilities with a large number of other people. They described the environment as noisy, also at night-time. Some children told us that there were other adults in the building who drank and that they were afraid of these people.

Hard is a word that the kids repeated in describing their situation. It is hard to live in a crowded space, and it is hard to share the kitchen with others, for example. One child stated that the other tenants complained that the food which his mother cooked smelled bad. We also met children who found that it was great to live with many others because there was always friends to play with.

⁵ Marie Norfeldt, Hemlösa barn i Håsselby-Vällingby, 2007. (<http://www.diva-portal.se/smash/get/diva2:360416/FULLTEXT01.pdf>) Gunnar Andersson & Hans Swärd, Barn utan hem, 2007

School was important to these children. For some it was a sanctuary where they could focus on other things than their situation at home. For others it could be difficult to get schoolwork done when suffering from an insecure housing situation. Moving many times can also lead to having long distances to school.

Children described how they were forced to move many times and talked about the importance of a permanent accommodation. Moving many times can lead to problems with friends and other relationships. Some are ashamed to tell their friends that they do not have permanent accommodation, so instead they make up excuses of why they cannot invite friends over.

Swedish constitution

According to chapter 1, article 2 of the Instrument of Government, public power shall be exercised with respect for the equal value of all and the liberty and dignity of the individual. The personal, economic and cultural welfare of the individual shall be fundamental aims of public activity. In particular, public institutions shall secure the right to employment, housing and education, and shall promote social care and social security, as well as favorable conditions for good health.

This provision does not imply a right to demand housing from the state but an objective provision of the policy.

The European Convention for the Protection of Human Rights and Fundamental Freedoms is also a part of Swedish law.

According to chapter 4, article 1 of the Social Services Act, anyone who cannot meet their needs is entitled to assistance from the social welfare committee for their livelihood and for their way of life in general. The individual should be offered assistance which is sufficient to acquire a reasonable standard of living. The assistance should be designed so that it strengthens his or her ability to live an independent life. Financial social support can for example be given for reasonable costs for housing and domestic electricity. In order to get financial social support, social services may demand that the applicant move to a housing associated with lower costs. The requirements for the applicant to move to a less expensive home, should of course, be based on an individual assessment and should be done with consideration for the social consequences which may arise for the household, especially when it comes to families with children. Social services should provide assistance if the individual or family has difficulties finding alternative accommodation.

Case from the Swedish Supreme Court

There is a case from the Supreme Court (Högsta Domstolen) in Sweden concerning a situation where the Enforcement authority wanted to seize a house where a family with children lived, due to debts. Such a move would entail significant inconvenience to the man and his family. Since an attachment of salary had already been enforced, and since only a small amount would be gained from seizing the house, the Supreme Court ruled in favour of the man who was allowed to keep his house.

<http://www.hogstodomstolen.se/Domstolar/hogstodomstolen/Avgoranden/2013/2013-12-27%20%20c3%96%202656-13%20Beslut.pdf>

Between 2012 and 2014 the Swedish Government had a national coordinator on homelessness. This is the report from his work: (in Swedish)

<http://www.regeringen.se/rappporter/2014/06/s2014.019/>