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SOCIAL WORK, (DE-)CRIMINALISATION AND HOMELESSNESS: THE CASE OF BELGIUM

Vagrancy historically have been a population who were often perceived as a threat. Groups of vagrants were found roaming the country committing petty thefts and at times even attacking cities (Nagel, 1977). In Belgium, the penal law of 1867 confirmed the status of vagrant as criminal and defined it as having three constituting elements: (i) not having a place to live (ii) not having the necessary means to survive (iii) not having a regular profession. In 1891 the 'Law to Curb Vagrancy and Mendicancy' was passed. Vagrancy was still a crime, nevertheless no penalty was set for the crime, but measures in the form of putting them at the discretion of the government. The measure could be (i) internment in an 'Agricultural Colony' (ii) 'Beggars Institutions' with rules resembling those of penitentiary institutions (iii) Colony of Benevolence (for youngsters). Their goal was to release the vagrants from pernicious cities and to 'discipline them and impart social norms, values and regularity (in their daily life) to them' (Meert & Stuyck, 2005: 17).

Changes could be seen, however, starting in the sixties and continuing in the seventies of the previous century with a boom of reception houses with as leading principles: professionalisation, small scale organisation and social re-integration (De Decker & Van Menxel, 2005). These were privately founded and were for the most part based in the charitable sphere, as a reaction to the institutional and societal circumstances (De Decker & Hardouin-Steyaert, 1999).

With the decriminalisation of vagrancy in 1993 the municipal Public Centres for Social Welfare got the responsibility for this population through the right to social welfare for which they were responsible. By that time there was a consensus that it was inhumane to criminalise people for being extremely poor (Adriaenssens, 2006). This led to a situation that the social services were maladapted to this new population entering social work organisations. The decriminalisation led to problems with the population because their familiar structures collapsed and they had to reorganize in a totally different setting. The social services thought that by decriminalising, the number of reliefs would increase but that did not happen (Fret, 2007). In this presentation we will deal with the possible counterproductive effects this decriminalisation has led to and make a comparison with the supply of services present now.

References

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