



# **The recent controversial rough sleepers provisions in Japan**

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## Introduction

In Japan, it has emerged that ‘the homeless’ issue has been a social problem since the 1990s. The number of rough sleepers in Japan has been rapidly increasing after the burst of the bubble economy. The number of rough sleepers has gradually increased since 1990s and has been increasing much more rapidly since 1997 when the instability of Asian currencies brought about an economic crisis, with 20,000 rough sleepers estimated by the Ministry of Health and Welfare in 2000, 24,000 in 2001 and 25,296 in 2003. The number of rough sleepers in Japan was estimated at over 30,000 in 2003. The place where rough sleepers live has been spreading to parks, train stations, streets and riverbeds. The rough sleepers issue has become a social problem precisely because of rough sleeping in public spaces.

On the other hand, the number of completed houses and vacant houses remains high. The number of completed houses was 1,630,378 in 1996, 1,213,157 in 2000 and 1,173,649 in 2003. The investment in housing in Japan has been at a high level, with the average age of housing being less than 30 years. Many houses which have been constructed year by year have not delivered to people who need housing.

There are larger social problems that existing measures cannot solve. Although there has been some reduction of low-income people (1,929,408 people received income support in 1955, vs. 1,349,230 in 1975, vs. only 882,229 in 1995; Ministry of Welfare, 2000), the number of rough sleepers has been increasing mentioned above. There are rapidly increasing numbers of self-declared bankruptcies rising from 14,625 cases in 1985 to 43,414 cases in 1995. The number of job-hopping part-time workers increased from 0.5 million people in 1975 to 1.51 million people in 1995 and the number of domestic violence cases became quite visible with 2,418 cases in 1999 (task group for the social services for the supporting people the situation of social services on December 2000). These indicators suggest that social policies are needed to tackle the problems of people who are not able to have a home.

Recently, some local governments have made strategic plans to address rough sleeping followed by the 2002 homeless law. So I would like to examine the recent controversial of rough sleepers provisions in Japan and show the importance of the provisions of the accommodation.

### Outline of rough sleepers provisions in Japan

#### The history of rough sleepers provisions

In May of 1999 the liaison committee of the homelessness reported the tentative measure for rough sleepers for tackling the rapidly increasing of rough sleepers. In August of 2002, the

special measures law for the homeless self-reliance support was enacted to tackle the rough sleeping. It provide that the central government or the local authority take the responsibility of the planning and the provisions of rough sleeping. The central government should set down the basic policy followed by the result of the national rough sleepers survey. Some local authorities should plan the strategies followed by the basic policy to react the state of rough sleeping. In March of 2003 the national survey of the rough sleepers was examined followed by 2002 homeless law. In July of 2003 the central government established the basic policy for the homeless self-reliance support followed by the result of the survey. And then in 2004 some local authorities institute the implementation programs for the homeless self-reliance support.

#### The structure of rough sleepers provisions

The special measures law for the homeless self-reliance support shows the target of homeless provisions and the central government should establish the basic policy for the homeless self-reliance support and some local authorities should institute the implementation programs for the homeless self-reliance as the responsibility of government.

The national survey of rough sleepers was examined by the law in 2003.

The basic policy shows the official recognition of rough sleepers, provisions, basic ideas of rough sleepers provisions, the aspect of issues such as jobs, accommodations, health, life knowledge, self-reliance support and so on. The recognition of rough sleepers as a result of national survey are follows, number of rough sleepers was 25,296 and they spread all over Japan. The average age was 55.9. 84.1% of them stayed fixed somewhere. 48.9% of them stayed in parks and 17.5% of them stayed in riverbanks. Most recent occupation was construction workers(55.2%) and manufacture(10.5%) and their status is regular workers(38.9%) and day labour(36.1%).

Some local authorities which have a lot of rough sleepers should have made the implementation programs. They are composed of the goal, review and measures for rough sleepers.

#### Basic Policy of Rough Sleepers Provisions

Basic Policy shows the basic idea which classify the reasons rough sleepers as followed. The first factors of rough sleeping is to be unemployed with willing to work, the second is in need of the medical treatment and the welfare relieves, the third is to refuse the social life. It said the reasons of rough sleepers are combined three reasons. However the category is based on the workability. Rough sleepers are selected by the workability. According to the basic policy, it is necessary to support rough sleepers who are able to live with reliability in local community getting the accommodation. It shows to recognise the something what is necessary prior to get the accommodation. This criteria has never changed before.

Basic Policy also shows the basic measure. It shows to recognise the something what is necessary prior to getting the accommodation. It shows the first measure is to secure the chance of the employment and then to secure the stable accommodations.

However it has the broader aspect that it is necessary to recognise the homeless issue as not only rough sleeping but also social issues. It is important to built the community welfare to prevent the new rough sleepers.

#### Implementation program

Implementation process is combined of three steps. The first step is to classify the rough sleepers by the workability followed by the basic policy. The first group is someone who cannot work due to the health or physical problems. The second group is someone who are not employed with willing to work. The third group is someone who avoid the social contacts. The second group is followed by welfare provisions after the assessment in institutions. Then they are removing to rental houses with livelihood protections. However the special purpose shelters are constructed to assess the rough sleepers who stay in the particular parks, especially have made tents or sheds. Shelters provide a dinner, daily goods, health check, advice for living and job for clean up parks for residents for a half year period. After the assessment in the shelter rough sleepers remove to the self-reliance support centre. And then they are living in accommodations with livelihood protections. Basically they are living at private rented houses. Table shows the place where rough sleepers have gone from the shelter in Nagoya for about 1 year and 5 months. Moving to self-reliance centre indicates less than a quarter (23.1%). Being employed and Livelihood protection in dwelling indicates more than 40%. However leaving indicates more than 20%.

Table The place where rough sleepers have gone from the shelter

Place	persons	%
Self-reliance support centre	43	23.1%
Being employed	37	19.9%
Being welfare institutions	15	8.1%
Livelihood protection in dwellings	38	20.4%
Backing to hometown	9	4.8%
Other	6	3.2%
Leaving	38	20.4%
Total	186	100.0%

Data from Shirakawa shelter in Nagoya between Oct. 2002 and Feb. 2004

Self-reliance support centre is a quiet low living standard, for instance twelve persons per room. It also provides a advice for job seeking for a half year period. According to the staff in self-reliance support centre in Nagoya average age of residents is 51 years old. It is younger than whole rough sleepers. Because the criteria of acceptance is the person who is under 65 and has willing to work and suitable mental and physical conditions to work. Residents are mostly referred by the social welfare offices.

Jobs & accommodations are necessary to live by themselves. Almost rough sleepers would like to work. However the over 55 age's the effective opening-to-application ratio was 0.44 in January 2004. It is quiet difficult for rough sleepers to get a job. While they get jobs, many jobs are instable such as tied accommodation. So livelihood protections and vocational trainings are necessity to be well. According to the rough sleepers survey two third (61.2%) of rough sleepers in Aichi got less than 30,000 yen ( 170). So they could not pay the rent. Furthermore almost rough sleepers do not have an acquaintance as a warrantee. Some social welfare corporate bodies warrant the person coming from shelter or the self-reliance support centre. And local authorities provide few public houses to the homeless.

A lot of provisions for rough sleepers are underpinned by NPOs or volunteers. However there is a weak cooperation between local authorities and NPOs.

#### Livelihood protection in dwellings

These days rough sleepers are instituted to assess and then they are provided livelihood protection in dwellings. However after Satoh lawsuit had been decided in Oct. 2003, some rough sleepers have been provided directly livelihood protection in dwellings from the sleeping rough.

However the people who used to be rough sleeping living at accommodations have not social cohesion. They are struggling to live by themselves without living skills and acquaintances in their living community (The survey for the people who used to be rough sleepers living at accommodations project team, 2004).

#### Considerations

##### The definition of the homelessness

The 2002 homeless law defines the homeless who stay at the parks, roads and river banks, actually rough sleepers. This definition leads the superficial solutions such as sweeping off the rough sleepers from the public spaces. It leads the eviction. The definition of the homeless should include more wider meaning such as unstable housing situations.

Is the first provision an accommodation or a job?

Japanese homeless provisions are based on jobs first. However the over 55 age's the effective opening-to-application ratio has been quite low and rough sleepers' average age is over 55. It is unable for over 55 years old rough sleepers to get jobs. They are entrenched in rough sleeping.

The eviction from the public spaces and rough sleepers provisions

According to the Aich implementation program for the homeless self-reliance support, the eviction is discussed from the view point of public uses and the urban landscape. These view points are based on the person not concerned. The first is the friction between the community and rough sleeping. The second is related with tourism, business or conventions. Any view points doesn't respect for the human rights of rough sleepers.

The role of NPOs in the homeless policy

According to the 2002 homeless law and the basic policy, the local authorities should cooperate with NPOs who are familiar with rough sleepers. And the Aich implementation program describes the role of NPOs and the social welfare corporate bodies. When rough sleepers get jobs or accommodations, they need warrants. But rough sleepers don't have any cooperation with community. So NPOs and the social welfare corporate bodies are trying to be rough sleepers' warrants.

There are a lot of needs to consult rough sleepers to live. According to the national survey 2003, more than half of rough sleepers have never consulted with the local welfare office. The basic policy and the Aich implementation program doesn't describe distinctively the role of NPOs in this area. This shows that the cooperation between local authorities and NPOs have not yet formed.

The supporting measures for people who used to be rough sleepers living at accommodations  
People who used to be rough sleepers live in accommodations with difficulties. However there have not been yet distinctive measures to support daily livings. They need supports for eating habit, the health, living facilities and community cohesion. This situation is condemned as the homeless.

Conclusions

The lack of liaison with supporting measures

There is no liaison with housing and any kind of living supports. It is necessary for rough sleepers to have accommodations, jobs, health checks, welfare provisions and daily living skills. Mostly they have received one of them.

### Establishing the housing first provisions

Japanese rough sleepers provisions are based on self-reliance to work by themselves. It is unable for people who are over 50 years old to get jobs. Over 65 years old persons get the welfare provisions. However between 50 and 65 years old persons cannot get welfare provisions. There is a gaps. So it is necessary to provide accommodation to rough sleepers at first. And then the welfare provisions are provided to them and they should look for jobs if they are possible.

### The term of administration

The term of administration in the shelter and the self-reliance support centre is a half year. Many rough sleepers have health troubles. So they should have cures. And then they look for jobs. However there is no time to get new vocational skills. So the jobs they can get are unstable and they are easy to become rough sleepers.

### The low standard of living condition of the self-reliance support centre

The residential density of the self-reliance support centre is quite high. So residents have severe stresses and sometimes have strife. Some of rough sleepers avoid the troubles not to stay at the self-reliance support centre. It is necessary to improve the living condition of the self-reliance support centre to tackle the rough sleeping.

### People who used to be rough sleeper are helpless in their community

People who used to be rough sleeper living in the accommodations are actually the homeless. It is necessary for the homeless not only to receive welfare provisions in the dwellings but also to form the social cohesion.

As the results of theses the homeless provisions should be formed by whole range of living aspects. First of all the homeless should be defined wider meaning including of unstable living situations. Secondly people who are sleeping rough should be settled in accommodations. In the case of having troubles they are accommodated in the institution to assess. After that they should be settled in the ordinary houses. Thirdly they should receive the welfare provisions, vocational trainings and daily living skills. And lastly they should form the social cohesions in their community. All kind of community members should help them to dwell.

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