# The National Report on Homelessness 2006 Policy Report

Prepared for the European Observatory on Homelessness

# Ilja Hradecký

Prague, October 2006

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# Introduction

To understand the prevailing negative attitude of the public (but also a lot of the media and many politicians) towards homeless people we must mention misunderstandings and mistakes in the terms used. When talking about homeless people in regular communication, the general public, as well as social service providers and some researchers use the word "*bezdomovec*". This term however, is understood by general public mainly in the constricted sense, as meaning "rough sleeper" or "roofless", i.e. persons who do not seek out social services or only do so sporadically. People often do not distinguish between homeless persons and beggars who are not homeless. The word "*bezdomovec*" thus becomes a term for an unkempt, dirty, foul-smelling and obtrusive person, predominantly a man. This is contradicted by the fact that homeless people who receive social services can by unrecognisable from other people. Such misconceptions give rise to aggressive attitudes among the public, which are sometimes encouraged by a shortsighted statement of a local politician.

It is a fact that international documents ratified by the Czech Republic oblige the state to fulfil certain responsibilities. The International Pact on Economic, Social and Cultural Rights<sup>1</sup> states: *The States... recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions*. The Universal Declaration of Human Rights has been part of our legislation since 1948.<sup>2</sup> The Charter of Fundamental Rights and Freedoms,<sup>3</sup> which is a constitutional law, generally guarantees the right to assistance: *Every person, who is in material exigency, is entitled to such assistance as is necessary for the securing of basic living conditions*. It does not, however, define whether basic living conditions are to be understood as including housing. The European Social Charter became effective for the Czech Republic on 3 December 1999. The Czech Republic considers itself obliged, among other things, to provide housing for families.<sup>4</sup> It has also pledged to "enable elderly people to choose their life-style freely... by providing housing suited to their needs"<sup>5</sup>. The revised Charter, which defines the right to housing more specifically<sup>6</sup>, has not yet been ratified by the Czech Republic.

As part of the realisation of the National Action Plan on Social Inclusion for 2006–2008, homeless people are listed as one of the groups the state will, in the period of 2006-2008, spend financial resources on from the state budget and from European funds. This target group is also mentioned in the National Development Plan for 2007–2013 and in the upcoming proposal of the operational programme Human Resources and Employment of the European Social Fund.

<sup>&</sup>lt;sup>1</sup> Ministry of Foreign Affairs Intimation No. 120/1976 Coll. on the International Pact on Civil and Political Rights and the International Pact on Economic, Social and Cultural Rights; both came into effect in Czechoslovakia on 23 March 1976.

<sup>&</sup>lt;sup>2</sup> Precisely from 10 December 1948, published in UN Selected declarations No. 1/1948.

<sup>&</sup>lt;sup>3</sup> The Charter of Fundamental Rights and Freedoms was incorporated into the legal system by constitutional act No. 23/1991 Coll. The quotation comes from Article 30, paragraph 2.

<sup>&</sup>lt;sup>4</sup> European Social Charter, Article 16 – The right of the family to social, legal and economic protection.

<sup>&</sup>lt;sup>5</sup> Additional Protocol to the European Social Charter, Article 4.

<sup>&</sup>lt;sup>6</sup> Article 31 guarantees the right for housing and prevention of homelessness.

# **Social Protection**

The social protection of individuals is regulated by a number of laws and other legal regulations. Some of them have been valid for several decades with numerous amendments, others are new and valid but have not yet come into effect. Two important elements in social protection are Act No. 117/1995 Coll. On State Social Support, amended 40 times in total since it came into law in 1995, and Act No. 100/1988 Coll. On Social Care, which has been amended 53 times since 1988.

In spring 2006, the Parliament of the Czech Republic accepted a set of laws which affect the sphere of social protection and housing. Most significant for people in danger of social exclusion and for providing social services in general are Act No. 108/2006 Coll. On Social Services, Act No. 110/2006 Coll. On Minimum Subsistence Level And Minimum for Survival and Act No. 111/2006 Coll. On Help in Material Need. On the other hand, Act No. 107/2006 Coll. On Unilateral Increase of Apartment Rent could prove itself a potential accelerator of homelessness (see more details in the chapter on housing). These laws should come into effect on 1 January 2007, but due to the uncertain political situation at a national level (October 2006) there is a risk that the effective date may be moved back at least one year.

## **State Social Support**

Through state social support<sup>7</sup>, the state contributes to the covering of expenses for nutrition and the other basic personal needs of children and families and provides support in certain other social situations. In specified cases, state social support depends on the level of income. These costs are covered from the state budget.

The following benefits are awarded in relation to the level of income: (1) child allowance, (2) social allowance and (3) housing allowance. Other benefits are awarded to every applicant without perusal of their income level. These are (1) parental allowance, (2) contribution towards school equipment, (3) foster care allowances, (4) birth grant and (5) funeral grant. Regarding the prevention of homelessness and social exclusion, it is the housing allowance that is especially relevant.

Housing allowance can be claimed by the owner or tenant of an apartment who is registered in the apartment for permanent residency and whose housing expenses exceed 30% of the family's income (35% within the territory of the Capital, Prague). A person is also considered a tenant of an apartment if they are renting a habitable room in facilities designated for permanent accommodation in accordance with the Civil Code.

# Subsistence And Existence Minimum Act and Act on Help in Material Exigency

The Subsistence And Existence Minimum Act<sup>8</sup> defines minimum subsistence as a minimum limit for the financial income of physical persons for securing nutrition and other basic personal needs, and existence minimum as a minimum limit for income considered necessary for the securing of nutrition and other basic personal needs at a level that allows survival. At the same time, according to this act, neither minimum subsistence nor existence minimum include necessary housing costs (this issue is addressed in a different manner). For the year 2007, the minimum subsistence level was set at 3,126 CZK (approx. 107  $\in$ ) per month and the existence minimum at just 2,020 CZK (approx. 70  $\in$ ) per month; in both cases the amount applies to individuals. The government is to valorise both figures annually should the consumer price index increase by over 5%.

When considering multimember households, the amounts for individual members are graded and decreased. As an example, we can consider a family with two children aged 5 and 7. The minimum subsistence level for the older spouse (regardless of their age) is 2,880 CZK, for the

<sup>&</sup>lt;sup>7</sup> Act No. 117/1995 Coll. On State Social Support.

<sup>&</sup>lt;sup>8</sup> Act No. 110/2006 Coll. On the Subsistence and Existence Minimum becomes effective on 1 January 2007.

younger one 2,600 CZK, for the older child 1,960 CZK and for the younger one 1,600. In total, the minimum subsistence level of this family is 9,040 CZK (approx.  $310 \in$ ) per month. Regarding the satisfaction of nutrition and other basic personal needs of a family with two children (with the exception of housing), the monthly income at this level poses a great risk of social exclusion.

#### **Subsistence Benefit**

The Subsistence And Existence Minimum Act is declaratory and only defines what financial amount is to be sufficient for a person's subsistence or survival. Municipalities provide subsistence benefits to persons in material exigency, under the regulations given in the Act on Help in Material Exigency.<sup>9</sup> This act is very extensive and the municipal authorities will require substantial personal data about the applicant.

This act is to prevent social exclusion. Municipalities must provide assistance to persons in material need who have difficulties resolving the situation on their own. Some homeless persons belonging to a group that finds it hard to secure a job will receive more assistance than hitherto. Those who avoid work will get assistance that is at their subsistence level. In such an instance, assistance will be provided by social services. Currently, these people do not qualify for social care benefits and therefore rely solely on the help of non-governmental organisations.

#### **Housing Bonus**

Housing expenses are considered separately from subsistence expenses. Under certain strictly defined conditions a household can be granted a so-called housing bonus<sup>10</sup>. In awarding this benefit, the municipal authorities will again require substantial personal data about the applicant. However, it has not yet been possible to test this law in practice.

Regarding the target group of homeless people, the crucial fact is that the basic condition for awarding the housing bonus is the actual occupancy of an apartment. For this purpose an apartment is understood as a set of rooms, or, as the case may be, a single room, which – according to the decision of building authorities – meets the requirements of a permanent dwelling in its constructional and technical disposition and equipment.<sup>11</sup> In practice, this means that this help is only available to people living in apartments, but other groups of people living in hostels, subtenancy, mobile homes or other premises not certified for dwelling are not entitled to it. Therefore even homeless people cannot successfully apply for the housing bonus.

### **Social Services**

MOLSA is responsible, among other things, for issues of social policy, social care and care for citizens who need special assistance. The ministry is well informed about the providers of social services who receive state funding through it

Based on the principle of subsidiarity, municipalities and regions are responsible for securing the availability of social services. An information system that will allow for the rapid location of suitable social service facilities for a given target group should be an appropriate tool for them. The system will also serve the municipalities and regions in their decision-making concerning the availability of the social service network in their territory for a given target group.

The Social Services Act<sup>12</sup> anticipates the registration of all providers of social services in a special register, which will also include information about the number of users. The audit will be carried out by a new institute for the inspection of social services. The data will be used for

<sup>&</sup>lt;sup>9</sup> Act No. 111/2006 Coll. On Assistance in Material Exigency. This act becomes effective on 1 January 2007.

 <sup>&</sup>lt;sup>10</sup> According to Act No. 111/2006 Coll., the housing bonus is a different instrument from the housing allowance as defined by Act No. 117/1995 Coll. Under certain circumstances, the concurrence of both benefits is possible.
<sup>11</sup> Act No. 110/2005 Coll., section 4, 2.

<sup>&</sup>lt;sup>12</sup> Act No. 108/2005 Coll. on social services, section 92-95. This act becomes effective on 1 January 2007.

the drafting of future policies. The Social Services Act was passed on 14 March 2006 and becomes effective on 1 January 2007. So far there is no code of practice that would clarify specific conditions.<sup>13</sup>

This law charges the regions with the duty to compile and submit to MOLSA a medium-term plan for the development of social services and its regular evaluation. This plan of course also deals with services for the homeless. In the process of compilation, the regions will need analytical data about all targets groups so that they can justify the need for the corresponding social services. The compilation of the regional medium-term plan for the development of social services will be one of the conditions for the allocation of subsidies.

#### Social Services According to Act on Social Services

The Act on Social Services gives an exhaustive list of 33 specific types of services for various target groups. It places each of these services in one of the three following groups: social counselling (2 types), social care services (14 types) and social prevention services (17 types). The act also defines 13 basic activities in the provision of social services and each type of service is defined by a combination of these.

*Example: Low threshold day centres provide walk-in or, as the case may be, field services for people without shelter. The service includes these basic activities:* 

- *a)* assistance in personal hygiene or provision of facilities for personal hygiene,
- b) provision of food or assistance in securing food,
- c) assistance in asserting a person's rights and legitimate interests and in dealing with personal matters.

The law places services for homeless people in the group of social prevention:

- a) (section 61) Low threshold day centres provide walk-in or, as the case may be, field services for people without shelter.
- b) (s. 63) Overnight shelters provide walk-in services to people without shelter who are interested in using hygiene facilities and overnight lodging.
- c) (s. 57) Homeless hostels provide temporary accommodation services for people in an unfavourable social situation resulting in a loss of accommodation.
- d) (s. 58) Halfway houses usually provide residential services for people under 26 years of age, who leave educational institutions for institutional or compulsory care after coming of age, or for people from other institutions for children and youth, and for people released from prisons or compulsory treatment. The manner of providing social services in these facilities is adjusted to the specific needs of these people.

Social prevention services contribute to the prevention of the social exclusion of persons who are at risk of such exclusion because of an emergency social situation, their habits and lifestyle leading to a conflict with society, because of a socially handicapping environment or imperilment of rights and legitimate interests through criminal activities of other persons. The aim of social prevention services is to help people in overcoming their unfavourable social situation and to protect society from the occurrence and spreading of undesirable social phenomena.<sup>14</sup>

Beside these, there are also other services primarily designated for other target groups which can also by used by homeless people (counselling centres, services for seniors, handicapped people, alcohol or drug addicts) but in these services, homeless people are not distinguished from other persons. Particularly important in the work with homeless people is a service called *"field programmes"* (sect. 69) that defines streetwork, which is important for approaching people who do not seek out social services and sleep rough.

<sup>&</sup>lt;sup>13</sup> Parliamentary elections were held in the Czech Republic in June 2006. While this report is in preparation, negotiations are being held about the creation of a new government. Considering the results of the elections it is impossible to estimate what the new government will do with the Act on Social Services.

<sup>&</sup>lt;sup>14</sup> Act No. 118/2005 Coll., section 53.

A significant role in the prevention of social exclusion is played by social activation services for families (sect. 65), consisting of field work in problematic areas. The clients of these services are often Romany families and debtors owing rent for holobyts.<sup>15</sup> These services can be successfully complemented by a low-threshold facility for children and youths. (sect. 62). Workers in this type of walk-in facility prepare motivational programmes for education, school preparation, homework and, for the older children, motivation towards gaining a qualification. They also prepare leisure-time activities, focusing on noble interests, such as music, dancing, sport and the preservation of nature and the environment.

#### **Registration According to Act on Social Services**

Registration (sect. 78 - 79): Social services may only be provided based on authorisation for the provision of social services; authorisation ensues from the certificate of registration. Awarding certificates of registration is in the jurisdiction of the appropriate regional authorities according to the location of the provider's head office.

One of the conditions for registration is the submission of a written application for registration which includes, among other things, the following information about the social services provided:

- 1. name and address of the facility or location where the social services will be provided
- 2. types of social services provided
- 3. group of people for whom the social services are designated
- 4. description of how the social services are provided
- 5. description of staffing for the social services provided
- 6. time schedule for the provision of social services
- 7. capacity of social services provided
- 8. financial balance for running costs
- 9. way of securing medical care if social care is provided in homes

Register of social service providers (sect. 85-86): Each regional authority keeps a register of social service providers, in which it records the social service providers who have been issued a certificate of registration. The register is kept in both written and electronic form. The regional authority is the administrator of the written form of the register and compiler of the electronic form. The ministry is the administrator of the electronic form.

Planning of social services (sect. 95-96): The region determines the needs for the provision of social services to persons or groups of persons within its territory, compiles a medium-term plan for the development of social services, monitors and evaluates the implementation of the plans for the development of social services and informs the ministry of the implementation of these plans. MOLSA administers and supervises the performance of state administration in the area of social services, compiles a medium-term national plan for the development of social services and cooperates with the Ministry of the Interior on optimising the accessibility of local public services.

#### **Methodologists for Social Inclusion**

In future, an increasingly important role will be played by the regional methodologists for social inclusion who are already active at all regional offices and are under the methodological guidance of MOLSA. The reform of public administration and especially the abolishment of district authorities (state administration on the NUTS IV level) brought changes in the jurisdictions of departments working with groups of people at risk of social exclusion. In

<sup>&</sup>lt;sup>15</sup> No act provides a definition of a *holobyt*. *Holobyts* started being established as a reaction of municipal councils to deteriorating payment practices by tenants of council flats, and they are a punishment for households not paying their rents. A *Holobyt* often consists of a single coal-heated room with a concrete floor and cold water and shared toilets in the corridor. They are intentionally designed in this way to be a real punishment.

municipalities with extended jurisdictions, a new position was created of social inclusion coordinator. The scope and workload of this function was not – and is still not – completely clear and the position is often accumulated with other responsibilities. The situation of the regional methodologists for social inclusion, who are supposed to give methodological guidance to the aforementioned coordinators, is similar. MOLSA has therefore commissioned a public contract, funded from the ESF, for the provision of education for methodologists and coordinators.

The task of methodologists for social inclusion is to give methodological guidance to municipal coordinators. From 1 January 2007, municipal authorities will provide professional social counselling to a target group of persons returning from serving a prison sentence or from custody.

### Prisons

The Ministry of Justice also plays an important role in the issue of homelessness, as it is the body responsible for the prison system and is the direct superior to the Prison Service of the Czech Republic. Some prisons have a pre-release department where the prisoners should be prepared for discharge but only a small fraction of prisoners actually pass through it. Prison social workers often know which of the released prisoners have no place to return to but they are only able to recommend them a homeless hostel. In this way, the Prison Service cooperates with several NGO's providing social services (not just for homeless people). As an example, we could mention the project "Šance" (Opportunity), focusing on finding employment after release from prison. The Prison Service neither keeps a register of people who have no place to go after they are released, nor does it know their total number.

Sometimes the prisoners, especially those waiting to be released on parole, do not admit that they have no place to return to out of fear that it might endanger their release. Social workers in prisons usually have sufficient information about the prisoners to assess their situation. Others might think that they still have a home and only when they return do they find out that their place had been taken by someone else. There are more reasons why the prison social workers can only guess at the number of potential homeless people before release. The Prison Service of the Czech Republic does not have a central register. It is also difficult to get any integrated information from Prison Spiritual Care (NGO).

## **Municipalities**

Cities and towns give financial support to social services designated for homeless people and also establish such services themselves. In the minds of people, often also of municipal representatives, remains the idea of native domicile, although the right of domicile, introduced during Austro-Hungarian rule, was abolished in 1948. The institute of permanent residency, which was introduced, does not actually constitute any specific rights for citizens. Some municipalities are then only willing to finance services for "their own" citizens, that is for people with permanent residency within their territory.

For several years, the social service providers operating in Prague have been pressing for the establishment of a winter night shelter for homeless people who sleep rough. They have the support of the capital's municipal administration, but the efforts are hindered by the fact that the City of Prague is divided into 22 city districts, each with their own local authority administering the territory. Without the approval of these district authorities, the City of Prague authority cannot establishment a winter night shelter anywhere within the city.

This was substantially demonstrated in winter 2004-2005 when, in succession, four remote areas were chosen for a temporary winter shelter, but all four district authorities refused the plans. In winter 2005-2006 a temporary winter shelter was set up in rented premises of an empty, privately owned building, but after a short time a populist campaign had set off using xenophobic attitudes and the night shelter was closed. A similar situation (this has not changed

since June 2006<sup>16</sup>) surrounds the establishment of a new day centre to replace the one in the vicinity of the Central Station where the rental contract was terminated by the new private owner. The usual argument in objecting to social services for homeless people is describing the location as a "residential area".

There are obvious efforts to solve the "problems with the homeless" (as opposed to "problems of the homeless") through persecution, repression, agitation and harassment. Especially local politicians try to force the homeless out of their territory to neighbouring areas, from the city centre to the outskirts, from the outskirts to the centre or beyond the city limits. To the public, they present the establishment of social services as the cause for an increase in the number of homeless people.

The public is, for the most part, insensitive and indifferent towards the fate of the homeless. In recent years, the media have reported incidents of violence against homeless people, in some cases very brutal violence.<sup>17</sup> However, even these reports failed to awaken public opinion and mobilise support for their protection.

<sup>&</sup>lt;sup>16</sup> At the time of completion of this report in October 2006.

<sup>&</sup>lt;sup>17</sup> For more see Hradecký: Profiles of Homelessness in the Czech Republic. Conflict, Rooflessness and Use of Public Space. FEANTSA 2006.

# Health

### **Medical Care**

The basic law providing the legal framework for health care is the Act on Public Health.<sup>18</sup> An important law from the patients' point of view is the Act on Public Health Insurance.<sup>19</sup> According to this law, all persons with permanent residency in the Czech Republic (and not just them) are insured, i.e. including homeless people. Health insurance begins on the day of birth and ends on the day of demise. A problem lies in the fact that many homeless people do not fulfil the obligation to pay the insurance but are still insured and have, by law, the rights of the insured. It is common, however, for insurance companies to refuse to refund doctors for persons who are in debt towards them. As a result, many medical facilities are reluctant to treat these persons.

### **Monitoring of Medical Care**

Part of a joint project implemented by a group of NGO's<sup>20</sup> is a survey of health care. The need to monitor and propose changes in health care ensues from the experience of providers of social services for the homeless. During the course of health education, serious diseases were discovered among the homeless, both acute and chronic ones. One alarming thing is the homeless people's experience of some doctor's reluctance to treat them. In the entire Czech Republic there is only one medical facility specifically focusing on this group of people, located in Prague.<sup>21</sup>

There is an interrelationship between homelessness and mental disorders; they influence each other. The decreased work potential and more difficult position of homeless people in the job market is often caused by their impaired health and mental state. That, in turn, is influenced by insufficient health care, which is not easily accessible for this group.

One objective of a two-year joint project of social service providers is to determine the accessibility of medical care to homeless people. An analysis was done of 37 questionnaires returned by hostels. The attitude of doctors was described as the biggest problem (10 responses). Most hostel facilities do not officially cooperate with any doctors, the ones that do only do so based on unofficial agreements. In the other cases, hostel clients meet with indifferent or even averse attitudes on the side of medical staff in the region.<sup>22</sup>

Emergency medical services have also been approached and 10 returned questionnaires were processed. According to the paramedics, the biggest difficulty they come up against is handing the patient over to medical facilities, mostly hospitals. There was only one encouraging response from a smaller town, six respondents stated that they sometimes meet with problems. It is alarming that in three significant large cities admitting a homeless person to hospital is a problem every time. The most burdensome thing for the ambulance crew is the difficult administration connected with the absence of personal documents, non-payment of insurance etc.; 6 responses were recorded to that effect.<sup>23</sup>

During the monitoring of the state of health of homeless people in one city district, 132 people were approached (106 men and 26 women), of whom 50 received medical treatment (41 + 9) and 16 were referred to specialists (13 + 3). Many of the squatters neglect their health long-term. At the same time, their way of living excludes them from the regular health care system. Because of repeated experience of being turned down when requesting specific medical help, they do not try to seek professional help even with urgent health problems. The only solution is

<sup>&</sup>lt;sup>18</sup> Act No. 20/1966 Coll. on Care for Public Health, amended many times.

<sup>&</sup>lt;sup>19</sup> Act No. 48/1997 Coll. on Public Health Insurance.

<sup>&</sup>lt;sup>20</sup> For more on the project "Strategy for Social Inclusion of the Homeless in the Czech Republic" see chapter "Data Collection".

<sup>&</sup>lt;sup>21</sup> The GO office within the day centre in the vicinity of the central train station is supported from the Ministry of Healthcare outside the health insurance system.

<sup>&</sup>lt;sup>22</sup> D. Šupková: Analysis of questionnaires from hostels in the Czech Republic, unpublished.

<sup>&</sup>lt;sup>23</sup> D. Šupková: Analysis of questionnaires from emergency medical services, unpublished.

often the change of an originally trivial problem into a life-threatening state and calling the emergency medical service.<sup>24</sup>

The Ministry of Healthcare is responsible for the protection of public health, as well as for health care for the homeless (and others), the diagnosis and treatment of illnesses. Research carried out by the Institute of Health Policy and Economics (IHPE) has documented a more frequent occurrence of chronic diseases, a higher prevalence of infectious diseases including TB and more frequent problems of mental health. At the same time it pointed out discrimination exerted in the provision of healthcare to homeless people, expressing suspicion that the "right to healthcare, as guaranteed by the state, is not always completely fulfilled" (Barták 2005: 12).<sup>25</sup>

<sup>&</sup>lt;sup>24</sup> D. Šupková: Report from the monitoring of health state of the homeless in Prague 5, unpublished.

<sup>&</sup>lt;sup>25</sup> M. Barták: Medical state of the homeless population in the Czech Republic and its determinants II.

# **Data Collection**

### **National System of Data Collection**

The issue of homelessness is described in the National Action Plan on Social Inclusion for 2004-2006. The terms "homeless" and "homelessness" have not been defined anywhere and different people understand them differently. The Social Services Act uses two terms for homeless people ("*persons without shelter*" and "*persons in an unfavourable social situation connected with loss of accommodation*") but does not clarify their definition.

There is no national system of registration and data collection concerning the number of homeless people. Neither is there a strategy for dealing with the issue of homelessness in the Czech Republic. The government is responsible for keeping track of the issue of homelessness. MOLSA is generally responsible for the strategy of social services and social support, while housing support and development come under the authority of the Ministry for Regional Development.<sup>26</sup> Current legislation allows for data collection but does not put any authority under obligation to collect data about the number of homeless people. There is no basis for data collection. No system of registration and data collection about the number of homeless people is currently in preparation and there are no plans to prepare such a system in the future.

The Czech Statistical Office is a state body that carries out periodical population and housing censuses. During the last census<sup>27</sup>, it differentiated – according to the manner of accommodation – between (1) persons living in apartments, (2) persons living in institutions and (3) persons living elsewhere (i.e. not in apartments and not in institutions). This group includes people who live at their workplace but also persons who have their permanent address registered in a house in which they have not been present, possibly for several years, and a different family is already registered as permanent residents in the given apartment. It also includes people living in weekend houses (cottages), in non-standard structures not intended for accommodation, and in mobile homes<sup>28</sup>. Each citizen of the Czech Republic must be registered at some address for permanent residence; they can be counted and included in the population census even in their absence. Further information is available in the Statistics Report.

### **Regional System – Examples**

#### **Homeless Census Prague 2004**

The Capital City of Prague forms one of the regions<sup>29</sup> in the Czech Republic. As a capital city, Prague offers many possible ways of earning money – therefore it attracts people looking for jobs, unemployed people from other regions, but also people whose lives have fallen apart. This includes homeless and otherwise vulnerable people. The city authorities have been addressing the problem of homelessness for several years, with fluctuating intensity. An analysis<sup>30</sup> was published in May 2003, which had been commissioned by the city authorities and was compiled in joint co-operation by the providers of social services. Among other things, this analysis proposed two projects with the objective of homelessness measurement in the capital city.

The first proposal was to carry out a one-time count of homeless people during the winter period; its purpose being to gain information about the number of obviously homeless people staying within the municipal area of Prague during winter (ETHOS operational categories 1-4).

<sup>&</sup>lt;sup>26</sup> Act on the Establishment of Ministries and Other Central Bodies of State Administration in the Czech Republic No. 2/1969 Coll., amended 61 times by 31 December 2005.

<sup>&</sup>lt;sup>27</sup> The last census occurred on the 1 March 2001, for more information, see www.czso.cz.

<sup>&</sup>lt;sup>28</sup> Detailed numbers are given in the report I. Hradecký: The National Report on Homelessness 2005 http://www.nadeje.cz/downloads.html.

<sup>&</sup>lt;sup>29</sup> The Czech Republic is divided into 14 self-governing regions (NUTS 3), Prague is unique in being a single municipality at the same time.

<sup>&</sup>lt;sup>30</sup> Visible Homelessness in Prague – analysis and proposals for dealing with the issue for the winter period of 2003-2004.

The findings can be used for the best possible adjustment of social services and for the preparation of related financial calculations. The other proposal was to establish an integrated register of statistical data. The aim of this project was to compile periodical reviews containing information about the changes in the target group of clients and in the volume of provided social services. Information acquired in this way would also be used for the best possible adjustment of social services.

The first of the projects was carried out in February 2004 throughout the entire municipal area<sup>31</sup>, based on a field count executed through observation. The counting of homeless people in Prague focused primarily on the target group whose living conditions correspond with the ETHOS "roofless" and "houseless" categories (ETHOS operational categories 1-4), the target group being people who survive on the streets (people living rough) and people using specific social services, namely day centres, overnight shelters and homeless hostels. The methodology proved demanding in terms of the number of people involved and in terms of organisation. It was used as a one-time event to demonstrate the necessity of social services; the project implementation has fulfilled its objective<sup>32</sup>. A repeat is not expected. Further information is available in the Statistics Report.

As yet it has not been possible to implement the second project for the establishment of an integrated register of statistical data. The most significant reason why this idea has been abandoned, is the aforementioned collision with the Protection of Personal Data Act.

#### Homeless Census Brno 2006

A similar methodology was used by the City of Brno authorities for a homeless census in the second largest city in the Czech Republic. The project was backed by the Brno City authorities and the press release was accompanied by the following motto: "Addressing the social phenomenon of homelessness is a matter of public interest". The aim of the census was, just as two years before in Prague, to arrive at an estimation, as accurate as possible, of the number of homeless people within the city's territory; the target group was also defined in a similar way. The survey in Brno was extended to include homeless people living in commercial hostels.<sup>33</sup>

The project's implementers carried out the survey with the objective of using the results as a starting point for a professional analysis and the creation of social policy for the City of Brno and the South Moravia Region, focusing on the planning and development of social services. The findings acquired can assist in arriving at the best possible adjustment of social services, such as accommodation capacities, for this target group in the city and the surrounding region, within the framework of the community planning of social services.

<sup>&</sup>lt;sup>31</sup> For more information, see: I. Hradecký & col.: Homeless Census Prague 2004, final report, Prague 2004.

<sup>&</sup>lt;sup>32</sup> The total number of homeless people registered during the census reached 3,096 persons, of which 2,662 were men (86%) and 434 women (14%), including 14% under 25, 73% between 25 and 60, 8.5% over 60, for 4.5% it was not possible to estimate their age. 23% people were in residential facilities, 13% in day centres, 3% in other institutions, 10% on public transport; 51% of the homeless people were found outdoors. (I. Hradecký and col.: Homeless Census Prague 2004, final report, Prague 2004).

<sup>&</sup>lt;sup>33</sup> The total number of the homeless recorded in the census amounted to 1,179 persons of whom 852 were males (72.5 %) and 327 females (27.5 %), including 10 % under 25, 82 % between 25 to 60 and 8 % over 60 years; estimating the age of 4 persons was impossible. 380 (32.2 %) persons were counted in overnight facilities, 45 (3.8 %) in night centres without beds, 130 (11 %) in other institutions and 38 (3.2 %) in municipal transport. The field census included 155 (13.2 %) and field self-census 214 (18.2 %) homeless persons. (Homeless Census Brno 2006, press release Brno 2006).

# Employment

### Support in Unemployment<sup>34</sup>

Besides securing the right to employment, the state employment policy also includes the provision of unemployment support and retraining support. A job seeker can claim unemployment support if they have been employed or performed other gainful activity for at least twelve months over the previous three years and are not receiving old age pension. For the first three months, the level of unemployment support is 50% of the previous average net monthly income, falling to 45% for the rest of the support period. Unemployed people can claim unemployment support for the duration of the support period, which is 6 months for people under 50 years of age, 9 months between 50 and 55 and 12 months for people over 55.

Homeless people often do not meet the conditions for claiming unemployment support, especially the length of employment over the previous three years. Many of them take casual jobs without a work contract, reside in areas away from their – often fictitious – permanent address, others are returning from prison. Therefore they usually do not receive unemployment support. However, employment offices provide offers of jobs and job facilitation for homeless people, utilising several measures of the government's active employment policy.

Some NGO's providing social services for homeless people create work opportunities of various types, often utilising the financial support of employment offices, supplied by the active employment policy, or of the ESF. For several years now, Emauzy ČR (Emmaüs) has been offering community-style housing with work at farms. In a similar way, the Silesian Diaconia offers work rehabilitation at a farm. Broumov Diaconia employs homeless people for the collection, storage, repairs and distribution of humanitarian aid for abroad. Naděje creates publicly beneficial jobs subsidised by employment offices. There is also a pilot project for the employment of homeless people in co-operation with a shopping centre.

Example: From 2006, the "Activation of Work Potential" project is being implemented in Prague, which receives financial support from the ESF for its Objective 3. This project creates a system of support for threatened groups, namely homeless people and people released from prisons, in their return to the open job market. It sets up a programme for the renewal and development of abilities, knowledge and skills, with emphasis on an individual approach. The programme modules include: training of key abilities (social skills, communication with the employer, basic knowledge of the Labour Code, basic PC skills), job club, training employment and supported employment.

<sup>&</sup>lt;sup>34</sup> Act No. 108/2005 on Employment.

# **Housing and Housing Rights**

Neither the Constitution of the Czech Republic nor any constitutional act explicitly guarantees the right to housing. The Charter of Fundamental Rights and Freedoms<sup>35</sup>, a constitutional act, generally guarantees the right to assistance in ensuring basic living conditions. The Charter of Fundamental Rights and Freedoms is based upon international documents ratified by the CR. The wording of the International Pact on Economic, Social and Cultural Rights<sup>36</sup> is more specific.

The Civil Code governs tenancy relationships with respect to flats<sup>37</sup>: *Flat tenancy is based upon a lease... Flat tenancy is protected and unless agreement is reached, it may only be terminated on the grounds set out by law.* The Civil Code protects tenants against the arbitrary conduct of the owner, and regulates the possibilities of a joint flat tenancy by married couples as well as the transfer of a flat tenancy in the event that the tenant dies or permanently leaves the common household<sup>38</sup>. The Civil Code also specifies the terms under which a tenancy may be terminated. Each termination of a flat tenancy must be sanctioned by the court, which provides a statutory safeguard. If the tenant cannot act to influence the grounds for the termination and is aggrieved by the termination, s/he is entitled to an adequate replacement flat. In some other instances when the tenant gives grounds for the termination (gross violation of peaceful coexistence in the building, failure to pay rent), s/he is entitled to replacement housing of lower quality, and a lease may then be concluded for a short period of time without further rights. The law also recognises the institute of *shelters*, replacement housing. The number of persons living in such conditions cannot be determined.

The Civil Code was amended with a special law<sup>39</sup> that allows for a unilateral increase of the required rent once a year, under precisely defined conditions. At the same time, tenancy relations have been adjusted in the Civil Code to benefit the landlord. Under certain circumstances, a court approval is no longer necessary for a termination notice, the landlord can also require a deposit to the amount of three months rent. The state housing allowance and municipal housing bonus are described in more detail in the "Social Protection" chapter.

The law does not impose an obligation upon any public administration authority to provide housing assistance to a person that has nowhere to live because s/he has lost a flat for some reason or has never owned one. The assistance then hinges solely upon the willingness of persons involved in the public administration, in particular upon municipalities.

### **Ministry for Regional Development**

By law, the Ministry for Regional Development is responsible for housing policy, for the development of housing stock and for issues of rental housing. In its "*Programme of Construction of Supported Housing for 2005-2006*"<sup>40</sup> it provides subsidies to municipalities for the complementation of their dwelling stocks with apartments for medically or socially disadvantaged people; the municipalities can also use these to help homeless people. It is not possible to determine what proportions of supported apartments are used by formerly homeless people, as there is no definition of this social group.

<sup>&</sup>lt;sup>35</sup> The Charter of Fundamental Rights and Freedoms was incorporated into the legal system by constitutional act No. 23/1991 Coll.

<sup>&</sup>lt;sup>36</sup> Ministry for foreign affairs Decree No. 120/1976 Coll. on the International Pact on Civil and Political Rights and the International Pact on Economic, Social and Cultural Rights; both came into effect in Czechoslovakia on 23 March 1976.

<sup>&</sup>lt;sup>37</sup> The Civil Code as amended. The Civil Code is based upon a regulation from 1964 that was frequently amended, often in an incoherent manner. The issue of rents is addressed in particular in sections 663-719. Other related regulations include for example Act No. 102/1992 Coll. and Act No. 50/1976 Coll.

<sup>&</sup>lt;sup>38</sup> Act No. 40/1964 Coll., The Civil Code § 700-708.

<sup>&</sup>lt;sup>39</sup> Act No. 107/2006 Coll. On the Unilateral Increase of Apartment Rent became effective on 31 March 2006.

<sup>&</sup>lt;sup>40</sup> Under the "Programme of Construction of Supported Housing for 2006-2007" the ministry has provided support for two years for 41 municipal projects for the construction of 698 supported apartments, in the form of state subsidies to the amount of 507,5 million CZK (approx. 17 million EURO). Ministry for Regional Development: www.mmr.cz [on line 2006-04-24].

Housing is accompanied by two types of services which can be relevant to specific groups of homeless people<sup>41</sup>: "Support of independent housing" (section 43) is a field service provided to persons with decreased self-sufficiency caused by handicap or chronic disease, including mental illness, whose situation requires the assistance of another physical person. "Protected housing" (section 51) is an accommodation service provided to persons with decreased self-sufficiency caused by handicap or chronic disease, including mental illness, whose situation requires the assistance of another physical persons with decreased self-sufficiency caused by handicap or chronic disease, including mental illness, whose situation requires the assistance of another physical person. Protected housing can be in the form of individual or group accommodation.

The set of state measures to support housing focuses on contributions towards the construction and maintenance of the housing pool and towards the quality of housing on a macroeconomic scale.<sup>42</sup> The support, in the form of a loan or subsidy, may be used to cover some of the costs of constructing and modernising flats and houses. For low-income or destitute persons, state housing support is virtually pointless.

### **Municipalities**

Municipalities are responsible for their own housing policy within the scope of their independent jurisdiction. The state can only influence their actions through offers of state subsidies designated for the housing of specific target groups. Municipal housing policy is, in most cases, unmethodical. Many towns decided to sell apartments off to the citizens, keeping too few apartments in their portfolio for the future need of social housing.

In many towns and villages, social housing remains taboo or is degraded to so-called  $holobyts^{43}$ . Holobyts represent hidden homelessness, because their occupants usually conclude agreements for a definite period of time and are often accommodated without the statutory safeguards for tenants. People whose rent is in arrears are often evicted to a *holobyt*, which results in the formation of ghettos of social pathology, 'houses of horror'. Although a *holobyt* may provide a temporary refuge from complete loss of housing, they are not a solution to the problem of homelessness – on the contrary, they may pose this risk. There are few towns that combine this type of housing with an offer of social services provided by NGO's.

The Ministry for Regional Development provides methodological assistance to municipalities in dealing with their housing policy. It also provides support in the form of subsidies to certain NGO's which protect the interests of tenants. Since 2004 it has been consistently focusing on the problem of spacial segregation.

<sup>&</sup>lt;sup>41</sup> Social Services Act No. 108/2005 Coll.

<sup>&</sup>lt;sup>42</sup> Act no. 211/2000 Coll. on the State Fund for Housing Development.

<sup>&</sup>lt;sup>43</sup> Further information is available in the remark 15.

# **Examples of Good Practice**

#### Analysis of the Situation of Homeless People in the Prague 11 City District

The Prague 11 City District is a peripheral district in the southern part of Prague. A major part of its territory is built-up with housing estates from the 1970's, so-called paneláky (*prefabricated panel blocks of flats*). Most of the inhabitants commute to the city centre for work; there is no industry in this district and job opportunities only open up with the development of trade and services. This district has many deserted and neglected places; wide urban roads and motorways run through it. The city district has its own municipal administration.

The local administration requested an analysis of homelessness in its territory from an NGO<sup>44</sup>, which engages in street work. During the survey, the field workers identified a total of 49 persons generally perceived as homeless, all of them men and no women. Through talking to them and through reference it was established that 24 of them are roofless persons with Czech citizenship, 11 of them are construction workers (mainly from Slovakia and Ukraine) and, surprisingly, 14 of them are citizens residing in this city district. However, people from all three groups do have mutual contacts and lead a similar lifestyle.

#### **Results of Field Research Among the Homeless People in the Territory of Prague 5 City District**

In the 19<sup>th</sup> Century, the Prague 5 area was an industrial suburb of Prague and in the 20<sup>th</sup> Century an industrial part of the city. Today, after a radical change over the last 15 years, it is a business, cultural and residential area and can be considered extended city centre. Especially the area of Anděl (*a high-profile business and entertainment area surrounding a junction of two major shopping streets*) and the Nový Smíchov shopping centre are very attractive. However, there are also areas of natural vegetation, abandoned houses and derelict buildings within the district's territory, which are attractive for squatting and living in seclusion.

The local administration authorities requested an analysis of homelessness from an NGO<sup>45</sup> working with homeless people. Due to the size of the city district and the large number of persons with socially pathological behaviour it was beyond the power of the street workers to systematically cover the entire territory in the commissioned survey. They therefore focused mainly on the areas surrounding Anděl metro station, Smíchov train station and Nový Smíchov shopping centre. In these areas they approached and identified as homeless a total of 482 persons including 56 women, of whom 244 persons spend their time here long-term (incl. 40 women, 27 foreigners and 24 drug addicts). In the eight visited squats they approached another 134 persons (incl. 22 women); about 50 of them are voluntary squatters who do not consider themselves homeless.

#### Winter Emergency Centre Letná

After several frosty days at the beginning of 2006, the Mayor of Prague declared a state of emergency on 24 January 2006. On the same day the rescue battalion of the Armed Forces of the Czech Republic set up 5 tents on the plain of Letná with a capacity of 100 places, after two days the capacity was extended with 3 extra tents to 160. However, already the first night after the capacity extension, 234 persons spent the night in the centre. Extra beds were brought in but there were always several people spending the night on blankets on the floor. Each tent was heated by two wood heaters; the heating put extra strain on the staff because of frequent changes of environment with temperatures around 25°C inside and -20°C outside. The centre

<sup>&</sup>lt;sup>44</sup> The on-site survey was carried out by Naděje over a period of three months between May and August 2005 in the entire territory of the city district. The information is taken from the project's final report.

<sup>&</sup>lt;sup>45</sup> On-site survey in the city district's territory was carried out by Naděje for a duration of three months between October and December 2005. Due to the size and layout of the territory the street work focused on the most frequented areas surrounding the Anděl metro station, Smíchov train station and Nový Smíchov shopping centre. The workers also visited eight squats. The information is taken from the project's final report.

was in operation for a total of 22 nights, until 15 February 2006. Staff for the centre was provided by a group of organisations providing social services for the homeless people in Prague, with substantial help from volunteers.

On Sunday 29 January 2006, a statistical survey was carried out in the tents between 8 and 9 pm. At the time of the survey, 227 persons were present in the centre, of whom 206 were men and 21 women (9 %). 33 % of the accommodated persons came from Prague, 48 % came from other regions of the Czech Republic, 19 % were foreigners (Slovakia, Lithuania, Ukraine). All age groups were represented among those accommodated, corresponding with the age structure typical for the Czech homeless population – the age structure does not follow a Gaussian curve but is characterized by a distinct drop around the age of 40. Most homeless people are of working age and there are a disturbingly high percentage of young people among them (see chart).<sup>46</sup>

Emergency medical services were also called to the tents on daily basis (sometimes several times). The most frequent indications included epileptic and other spastic fits, injuries and chilblains, scabies, chest pains and intoxication.

#### Office of a General Practitioner for Homeless People in Prague

Towards the end of 1994, a GP office was established in the centre of Prague, not far from the Central Station, joined to a day centre. From the beginning, this unique facility has been financially supported by the Ministry of Healthcare and the City of Prague municipal authorities. In 2005, 5054 persons sought the help of a doctor, of which 3997 were men (79 %) and 1057 women (21 %); 1682 more were treated by a nurse outside surgery hours. The following chart shows the most frequent ailments for which the homeless people see the doctor.

Ailment	No. of cases
Flu, air passages	709
Mental or psychological problems, addictions	83
Gastric and intestinal complaints	175
Infections	31
Scabies	75
Venous ulceration	553
Rheumatism and neurological problems	347
Dermatological problems	424
Cardiovascular problems	494
Frostbites	62
Other and unidentified	984

The existence of this facility, beside its direct help to the homeless people themselves, is a powerful tool in preventing the spread of infectious diseases and parasites. Apart from the ailments listed in the chart, 182 persons were referred to a specialist for TB screening. The surgery is equipped with six beds for acute illnesses, which are quite often fully occupied. The in-patient section only operates during the winter months (December-April), as it is not possible to cover the costs of all-year operation, although it would be desirable.<sup>47</sup>

While this report is being prepared, the future of this surgery is under serious threat, as the building where it is in tenancy has been acquired by a real estate agency. Such facility is, of course, undesirable for this agency, as it decreases their potential profits. In this situation, we also hear the voices of influential local politicians who want to push the homeless out of Prague, requiring that the surgery is closed down without replacement.

<sup>&</sup>lt;sup>46</sup> The data from the statistical survey, including the chart, is taken from the "Evaluation of Statistical Survey Among the Clients of Winter Emergency Centre Letná", compiled by Petra Kosová from the Municipal Centre for Social Services and Prevention.

<sup>&</sup>lt;sup>47</sup> The information is taken out of the statistical summary of the surgery for homeless people run by Naděje in Prague 1, Bolzanova 5.

# Conclusions

Society exhibits contradicting tendencies concerning homelessness and particularly homeless people. The national government, especially MOLSA, clearly realises the urgency of addressing the issue of social exclusion. Strategic documents<sup>48</sup> name homeless people as a jeopardised social group, which they take into account. The state gives financial support to services for jeopardised persons and groups. Services, primarily social ones, have been developing for over 15 years, mainly due to civil initiatives.

On the other hand, antisocial voices are heard ever more frequently, especially at the local level, aimed at the presence of homeless people in city centres. The gentrification of public space is accompanied by populist statements against them. There are obvious efforts to push the homeless out of sight, and, consequently, segregate them. Aggression against them is rising, the police have recorded a double murder in Pilsen and two attempts at setting homeless people on fire in Prague.<sup>49</sup> In a similar way, rent debtors are pushed out to the outskirts of towns into holobyts, creating ghettos of a kind.

From 2007, the Act on Social Services requires the regions and their regional authorities to compile medium-term plans for the development of social services. That is also the reason their representatives are beginning to realise the urgency of addressing this issue.

<sup>&</sup>lt;sup>48</sup> E.g. National Action Plan on Social Inclusion.

<sup>&</sup>lt;sup>49</sup> See more in the thematic report 2006 Conflict, Rooflessness and Use of Public Space.

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## Annexes

New People	Vision		
Klienti Základní	Rodiče a rodina Příchod odchod	Sociální část Finance Účet	t Zdravotní karta Výdej Poznámka Kniha služeb
Příjmení	Jméno	Datum narození	Rodné číslo
Drákula	Pepík	6.3.1924	791205/5423
Ulice:	Tlustá	Místo nar:	
Obec:		Stát. přísl.:	
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Čislo ND:		Platnost:	10.8 2004
Cestovní D.:		Platnost:	10.5.2004
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### Annexe 1 New People Vision

#### Translation:

Clients – Basic – Parents and family – Arrival and Departure – Social part – Finances – Account – Health card – Issue – Notes – Service Book Surname – Given names – Date of birth – Personal No. Street – Place of birth Community – Nationality Post code – Sex Region – Marital status County – Registered as a child Health insurance provider Document No. – Date of expiry Temporary doc. No. – Date of expiry Passport No. – Date of expiry Notes Accommodation contract valid until – Expelled until

New People Vision Klienti Sestavy Nastaveni K	niha služeb 0 apli	kaci			
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Copyright © 2004 Handy Proje	ects			[Práva] [Odhla	ásit / změnit uživa

### Translation:

Clients – Print-outs – Settings – Service Book – About application Filter name – Description/Print Age from... until... – Sex – Child – Legal accountability – Handicap – Physical dependence Health insurance provider – Paroxysmal diseases – Addictions Medication – HIV Community – Region – County – Nationality Type of social service provided – Marital status Arrived from – Reason for loss of accommodation Reason for leaving – Education – Criminal convictions Accommodated from... until... – Group affiliations Utilization of services from... until... Accounts from... until... Number of children provided for – Number of children unprovided for

📰 Naděje - Klienti	- 🗆 🗵
{Nový}	
Základní údaje Ostatní	
Jméno: Příjmení: {Nový} Rodné číslo:	
Datum narození: Místo narození:	
Rodinný stav: Děti: 0	
Rodinný původ:	
Státní příslušnost: 1 Národnost: 1	
Vyznání:	
Proč vyhledává pomoc:	
Trvalé bydliště: Důvod:	<u>±</u>
Pobyt v Praze:	
IIIIZáznam: 1 z 1 ► ► II	

**Annexe 2 EK Client Registration** 

### Translation:

Basic data – Other Given Name – Surname – Personal No. Date of birth – Place of birth Marital status – Children Family origin Nationality – Maternal language Religion Permanent address - Reasons for seeking help Dwelling in Prague

	Naděje - Klienti	<u>- 0 ×</u>
	{Nový}	
	Základní údaje Ost <u>a</u> tní	
	Vzdělání: Původní povolání:	
	Kvalifikace: Nynější zaměstnání:	
	Údaj 1:	
	Údaj 2:	
	Datum vystavení: Vystavil:	
	Další důležité údaje:	
		_
KK	Cáznam: 1 z 1 DE	

### Translation:

Basic data – Other Education – Original occupation Qualifications – Current employment Data 1 Data 2 Date of issue – Issued by Other important information