



Home Office

Rt Hon Chris Philp MP
Minister of State for Crime,
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Sir George Howarth MP
House of Commons
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2 February 2024

Dear Sir George,

Thank you for your email of 19 January to the Home Secretary on behalf of a number of your constituents who have expressed concerns over the provisions regarding nuisance rough sleeping in the Criminal Justice Bill. I am replying as the Minister of State for Crime, Policing and Fire.

The Government agrees nobody should be criminalised for simply being destitute or sleeping rough. That is why we are committed to bringing into force the repeal of the outdated Vagrancy Act 1824.

Provisions that would repeal the Vagrancy Act were made in the Police, Crime, Sentencing and Courts Act 2022. However, as was made clear at the time, this repeal will only be brought into force once suitable replacement legislation is in place to ensure local authorities and the police have the powers they need to support vulnerable individuals and keep communities safe. This was set out in the Anti-Social Behaviour Action Plan published in March 2023.

This Government has made the unprecedented commitment to end rough sleeping within this Parliament and has embarked on a strategy to shift the focus to prevention and move vulnerable individuals into multi-agency support, backed by £2 billion over three years. The flagship Rough Sleeping Initiative has been extended to 2025, with over £530 million funding over three years so that local areas can provide the tailored support needed to end rough sleeping. Outreach and engagement from local authorities will continue to remain integral to helping vulnerable individuals into appropriate support.

In terms of prevention and support, the Government has taken action to support households across the country. Overall, we are providing total support of over £94 billion over 2022-23 and 2023-24 to help households and individuals with the rising cost of living. We are providing £26 billion of support for this year which includes benefits uprating, worth £11 billion, to working-age households and disabled people. Over 8 million households across the UK, many of whom face the biggest challenge making their incomes stretch, will be supported via additional Cost of Living Payments.

However, we also recognise that everyone has the right to go about their business without being unduly impeded and that communities have the right to feel safe. Some instances of rough sleeping are linked to nuisance behaviours such as causing damage, disruption and

distress. Where this happens, we must consider the rights of other members of the community and ensure local authorities and the police are able to appropriately address the problem.

The provisions in the Criminal Justice Bill will be used alongside existing outreach and offers of appropriate support and are designed to encourage those who are vulnerable towards support and away from life on the streets. This is not about criminalising those who truly have nowhere to go, but instead empowering local authorities and the police to protect their communities and support the vulnerable.

It is simply not true that these measures criminalise homelessness or sleeping rough. Instead, the Criminal Justice Bill gives new powers and tools to local authorities and the police to tackle the anti-social behaviour linked to those who cause a nuisance to communities, such as blocking doorways, fire escapes or leaving waste or drug paraphernalia out.

Should someone who is sleeping rough *and* causing nuisance to another refuse to comply with a lawfully made direction, notice or order to stop causing the nuisance, this may be a criminal offence. However, these tools should be used as part of a multi-stage process, which will be supported by guidance, and where appropriate the escalatory use of these tools should be considered first. This is not criminalising a person for rough sleeping but for failing to follow a lawful direction given by the local authority, constable, or court where it is deemed appropriate on the individual facts of the situation.

Partnership working, staggered enforcement and holistic support is fundamental to these provisions, and these principles were also set out in the joint National Police Chiefs' Council and Crisis guidance available at: <https://www.crisis.org.uk/ending-homelessness/resources-for-practitioners/housing-centre-guides/from-enforcement-to-ending-homelessness-guides/>. We know there is already a lot of good practice between local authorities, police and other partners in addressing begging and rough sleeping and we fully expect this to be built upon and will be producing guidance to support appropriate and effective implementation.

I trust this clarifies the Government's position for you and your constituents.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Chris Philp', written in a cursive style.

Rt Hon Chris Philp MP