

All-Party Parliamentary Group for Ending Homelessness

Meeting on the Criminal Justice Bill

Meeting Minutes

Tuesday 12 March 2024, 12:30-14:00

Panellists:

Andy O'Rourke, Lead worker, Crisis: Lived experience
Fran Busby, Homelessness Lead for South London and Maudsley NHS Mental Health Trust: a frontline perspective on Health and Well being
Janine Green, Founder ASB & Associates: A practitioner's perspective on Anti-Social Behaviour and Community Safety
Neelam Sunder, Senior Programme Manager, Homelessness, West Midlands Combined Authority (WMCA): views from the WMCA Homelessness Taskforce

Parliamentarians:

Bob Blackman MP (Co- Chair and Registered Contact)
Paula Barker MP (Co- Chair)
Fleur Andersen MP
Rachel Hopkins MP
Mick Whitley MP
Baron Rees of Ludlow
Navendu Mishra MP

Sector Guests:

Jo Carter, Glass Door Homeless Charity
Nikki Dudley, Groundswell
Greg Barradale, Big Issue
Mike Neale, St Mungo's
Nye Jones, Homeless Link
Kathy Parker, Connection at St Martin's
Deborah Garvie, Shelter
Anna Yassin, Glass Door Homeless Charity
Arian Nemati, LGA
Nooshin Nabavian, Crisis

Parliamentary staff:

Damian Bailey, Office of Paula Barker MP
Harriet Shoosmith, Office of Bob Blackman MP
Chloe Halstead, Office of Lord Best, House of Lords
William Lawson Cole, Office of Natalie Elphicke MP
Matthew Torbitt, Office of Christian Wakeford MP

Secretariat:

Rosie Perkins, Crisis
Jasmine Basran Crisis
Sarah Goulbourne, Crisis



<p><u>Bob Blackman</u> <u>MP</u></p>	<ul style="list-style-type: none"> • Welcomed panellists and sector guests and went on to say the Co-chairs were compelled to call the meeting on the Criminal Justice Bill before it returns to the floor of the House of Commons for Report Stage. • Outlined the purpose of the meeting to discuss the proposed new measures in the Bill relating to homelessness and rough sleeping, to raise awareness, and urgently agree a way forward. The meeting provides an opportunity to explore the issues around the potential criminalisation of homelessness via the Criminal Justice Bill and hear from experts about the risks associated with the ‘nuisance rough sleeping’ and ‘nuisance begging’ provisions within the Bill. • Outlined his interest in the issue -having long campaigned for the repeal of the Vagrancy Act of 1824, alongside politicians from all parties, people facing homelessness, homelessness and housing organisations, local authorities, and police forces. Pointing out such concerns have been shared by notable figures over its 200-year history, including Winston Churchill and William Wilberforce. • Reminded the meeting that in February last year both Houses of Parliament voted to repeal the Act. He said despite this, and despite the growing scale of homelessness and rough sleeping, the Government has introduced measures that go even further than the Vagrancy Act. • Outlined evidence-based solutions to ending homelessness, including, providing genuinely affordable housing and the right, specialist support services in a timely manner. As well as the importance of treating people with dignity and as human beings. • He stated that as Co-Chairs of this APPG are calling for the nuisance rough sleeping and nuisance begging provisions to be completely removed from the Bill. • Acknowledged there are examples of genuinely harmful begging that are of concern to constituents. Nevertheless, police and local authorities already have the powers they need to tackle genuine anti-social behaviour without targeting powers at vulnerable people and that this has been confirmed by expert legal advice. • Outlined amendments tabled that will remove these measures from the Bill, enact the repeal of the Vagrancy Act. The amendments will also require Government to update statutory guidance on existing ASB legislation and how it can be used to tackle instances of genuinely aggressive begging or anti-social behaviour – and how powers should not be used to target people who are rough sleeping or begging without causing harm. • Outlined the panel’s expertise and urged parliamentarians in the room to consider what the panellists say, and asked for their support in overturning the measures that criminalise homelessness.
<p><u>Paula Barker</u> <u>MP</u></p>	<ul style="list-style-type: none"> • Paula joined Bob in expressing her profound concerns with the criminalisation of homelessness in the Criminal Justice Bill and the need to prevent the Bill going forward in its current form. • Highlighted that more than 100,000 households, including 140,000 children, find themselves stuck in temporary accommodation at huge costs to councils, declaring it a matter of shame for society. • Outlined that on any given night in Autumn 2023 3,898 people were sleeping rough across England, an increase of 27% on the previous year. This is the second year in a row that the government has reported an increase in rough sleeping and the sharpest rise over a 12-month period since 2015.

	<ul style="list-style-type: none">• Expressed concern at the broad scope of the proposed legislation and rejected the notion that anyone in need of support should be deemed a 'nuisance'.• She highlighted that the Bill says that someone can be considered a 'nuisance' even if they have not slept rough – but just look like they might be or are intending to – and if they are sleeping in a doorway or if they have an 'excessive smell'. She described this as dehumanising and subjective.• Emphasised the need to recognise that people beg when they are in the most severe forms of destitution and cannot afford to live. Research into people sleeping rough found that one in three had begged at some point over a 12-month period and the main reason given was needing to buy food.• Outlined the cross-party amendments and explained that the updated guidance will also encourage police and local authorities to take a person-centred, multi-agency and trauma-informed approach to helping people leave rough sleeping behind. It should be co-produced to reflect lived experiences as well as include appropriate safeguards, so that police powers cannot be targeted at people for their homelessness. Called for a complete shift in approach and for Government to lead by example.• Pointed out that homelessness can have a disproportionate effect on certain groups. Women, especially those escaping domestic violence, young people leaving the care system, and ex-offenders are particularly vulnerable to homelessness – as we heard at our last meeting.• Called for a long-term comprehensive strategy that encompasses all parts of Government and addresses the root causes of all forms of homelessness. This should be underpinned by delivery of the social houses we need with a commitment to prevention at the core.• Expressed pride in the work the APPG does on a cross-party basis and encouraged all members and peers across the house to join efforts in stopping the alarming plans in the Criminal Justice Bill.
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<p>Andy O'Rourke</p>	<ul style="list-style-type: none"> • Andy shared his personal experience of street homelessness, saying he was forced to sleep rough from the age of 14, describing this period as the hardest period of his life. • Explained that he slept rough for 18 months and was regularly subjected to violence and abuse, including attacks by drunken people while sleeping. His days were filled with danger. • Hunger was a problem and at that time he was forced to climb into skips to find food. He recounted cruel treatment whereby bleach was poured on sandwiches thrown in the skip, such inhumane treatment was a daily problem. • Reflecting on his days sleeping on the streets, Andy shared a quote by Ghandi "the true measure of any society can be found in how it treats its most vulnerable members." The way he was treated when experiencing homelessness has had an everlasting profound effect. • Explained that he now works as a Lead Worker for Crisis where he provides support and uses his lived experience to help and encourage people experiencing rough sleeping- he wants everyone to know there is always a route back. Nevertheless, in his view further criminalisation will only make that route harder, measures in the Criminal Justice Bill and imposing fines will make the situation worse. • Called on MPs to take this opportunity to stop further enforcement powers via the Criminal Justice Bill – MPs have the chance now to help someone like me that just wants to find a way back.
<p>Fran Busby</p>	<ul style="list-style-type: none"> • Fran outlined her 28 years' experience in the homelessness sector working with people with a history of trauma and chaotic substance use. • She is based in the Outreach Team at South London and Maudsley NHS Foundation Trust managing a multidisciplinary team delivering integrated care to street homeless people using an outreach method. This means their focus is on building relationships with people who often fall through the gaps of services. Using such methods contact with Criminal Justice has reduced by mean score 53% contact with Emergency mental health care has reduced by mean score 54% • Outlined that further enforcement will do more harm. She said what we need is a change in the way services are used with more team integration. • Explained that many people experiencing homelessness can stay street homeless for prolonged periods, characterised by triple morbidity and trauma because services simply are not reaching people that need them. • The scale of the issue illustrates that social care and statutory service are not working to address the problem. Rather than more enforcement, statutory multi-disciplinary teams are what is needed to tackle the issue. This is a health and social care issue, not a criminal justice issue. • On the question of what more should be done – she is a strong supporter of NICE guidelines and passionately believes the guidelines provide an appropriate roadmap on how to deliver care.
<p>Janine Green</p>	<ul style="list-style-type: none"> • Janine said in her experience as an ASB practitioner, she represents the voice of 100s of ASB practitioners who are frustrated. • They know very well that new Bills are not going to solve the problem, the measures set out in the Bill are not needed, nor a separate set of powers targeting people experiencing homelessness.

	<ul style="list-style-type: none"> • Outlined her view that there are already appropriate dispersal and injunction powers set out in the Anti-social Behaviour, Crime and Policing Act (2014). • She pointed out that even in the government White paper in 2012 the need for a more effective toolkit was recognised. At that time, the government said 'we will replace 19 complex existing powers with six simple new ones'. • The powers in the Bill include Positive requirements to engage in services, however Janine outlined the evidence that demonstrates these requirements that already exist in ASB tools do not work. The Civil Justice Council produced a report in 2020 on 'Anti-Social Behaviour and the Civil Courts' highlighting how cases are often not tackled collaboratively by the public services concerned and that underlying and often causative issues such as mental health and substance abuse are therefore not addressed. She also highlighted the report by Sheffield Hallam university. • Explained the measures in the Criminal Justice Bill risk duplicating. For example, Community Protection Notices, except new Prevention Notices do not have to go through the court process and evidence is not needed. • Highlighted the risk that people will not necessarily understand their rights of appeal and Prevention Notices could be used with no consultation and issued without any knowledge of health issues. She said it presents a real danger and does not consider it realistic that people will use their right of appeal. • Janine concluded that the measures outlined in the Criminal Justice Bill are not the answer, existing guidance should be tightened, multi-disciplinary approaches taken and perhaps there needs to be some changes to ASB legislation to address the gaps.
<p>Neelam Sunder</p>	<ul style="list-style-type: none"> • Neelam outlined the perspective of a Local Authority. People can move away from the streets for good when you provide wrap around support, ensure better access to affordable housing and services like healthcare and employment. There are already some excellent examples of services that have great outcomes across England.
<p>Q & A Discussion</p>	<p>Bob opened the floor for questions. The following points were raised:</p> <p><u>Vagrancy Act</u></p> <ul style="list-style-type: none"> • Debora Garvie, Shelter-thanked Crisis for their campaign and for organising the meeting. Debora said we were happy when the Government agreed to repeal the Vagrancy Act and now disappointed it will be replaced without any consultation. We need statutory services to address the issue- we were the first country to have legislation giving the right to housing- but not everybody was covered in that legislation so we need a statutory right to accommodation – without rights, there's very little we can do. <p><u>Police</u></p> <ul style="list-style-type: none"> • Rosie Perkins, Crisis – asked the panel what the police view of the legislation is. • The panellists said that the police are crying out for a solution, but it isn't these measures, currently they go down the ASB route because there is nothing else, there also is a lack of clarity around what is the role of the police and the other teams therefore more legislation will not provide clarity so we need clearer guidance on existing remits. • Bob Blackman, said the police want to ensure they have powers to deal with aggressive begging but the measures in the Bill are too broad and unnecessary.

	<ul style="list-style-type: none"> • Arian Nemati, LGA said he agrees that more enforcement is not the solution but how are the police and others going to work in better partnership and not just moving on the problem. <p><u>Home Office</u></p> <ul style="list-style-type: none"> • Matthew Torbitt, shared his person experience of rough sleeping and said we need the Home Office to fully understand the issues and asked whether anyone in the room has had meetings with the Home Office, in particular whether the Home Secretary has met any representatives from Homelessness groups. • From the floor a concern was raised over the fact that the Home Office are increasing the number of people sleeping rough by putting people on the streets with hostile policies on Asylum Seekers. <p><u>Multi-Agency working</u></p> <ul style="list-style-type: none"> • Andy O'Rourke called for a multi-agency approach with the need to get in early to help. • Mike Neale, St Mungo's said there needs to be more wrap around services. St Mungo's are particularly concerned about people coming out of prison. And is worried about the unintended consequences of the Bill. • The panellist discussed and noted they would like budgets to be joined up – pointing out that they need to be a centralised to look at issues in a holistic way. It was also noted that a mapping out exercise is desperately needed so local authorities are aware of what is already available. • The panellists expressed the need for further upstream prevention of homelessness. • Paula Barker stated that the issue needs to be led by No10 with a push for cross departmental services. <p><u>Risk of Displacement</u></p> <ul style="list-style-type: none"> • The panel discussed concerns about potential displacement – there is a real danger that when you move people out of city centres where traditionally support services are generally available, they no longer have access to basic support systems. <p><u>Housing First</u></p> <ul style="list-style-type: none"> • The panel discussed Housing First and noted it as good example – a proven intervention that works rather than enforcement. • Housing First was acknowledged as a project that gives hope and provides a future. <p><u>Other general points</u></p> <ul style="list-style-type: none"> • Nye Jones, Homeless Link expressed concern with the direction of travel since the landmark Homelessness Reduction Act and the Duty to Refer. • Bob Blackman said the solution is to build more homes, we need a long-term provision at prices people can afford to pay.
<p>Bob Blackman</p>	<ul style="list-style-type: none"> • Bob thanked panellists and closed the meeting by asking members to sign the amendments and for others to contact their MPs.