

# An Open Letter to the Government: Do Not Push Forward with Laws Criminalising Homeless People

## *Psychologists & Psychotherapists Working in Homelessness*

In February 2022, parliament voted to repeal the Vagrancy Act (1824), in which rough sleeping and begging are deemed criminal offences. However, the Act is still in force, with its full repeal suspended until [alternative legislation](#) is in place. The Criminal Justice Bill, [currently being discussed](#) in parliament, proposes to meet begging and rough-sleeping with instructions to move-on, fines, and time in prison.

This open letter is written to implore the government to reconsider the sections of the Criminal Justice Bill that pertain to “nuisance begging” and “nuisance rough sleeping”. Our letter firstly outlines the context within which we work – focusing on the people for whom this bill could have devastating consequences. It will secondly consider problematic aspects of the bill itself. We will end on a note of hope - briefly describing some alternative steps the government could take that in our professional opinion would more successfully address the issue of rough sleeping. It is signed by a number of psychologists and psychotherapists from across the UK who hold professional expertise working with people experiencing homelessness.

Government statistics reveal a [27% increase in rough sleepers](#) in England between the end of 2022 and 2023, and [a 120% increase since 2010](#). In 2021, 700 people in England [died while homeless](#). We refute the notion that rough-sleeping is a lifestyle choice, as [Suella Braverman claimed](#) last year. For many, it is a consequence of having most choices stripped away by poverty, complex mental health, physical health, and social care needs. Trauma often lies at the heart of the issue: 87% of people experiencing homelessness [have been abused or neglected in childhood](#) and 25% are [care leavers](#). These early experiences of being let down by the people and institutions that are supposed to provide care can have profound implications on individuals’ ability to trust others later in life. Not only is trauma a fundamental cause of homelessness, it is also a common consequence – [recent research](#) found that 92% of rough sleepers have been verbally or physically abused, threatened or had belongings stolen. People experiencing homelessness are often incredibly vulnerable: in addition to complex physical health needs, [82% have a mental health diagnosis](#). Furthermore, [53% have sustained a brain injury](#), which may make it more difficult to understand and retain information, and to make decisions. It is also suspected that autism and learning disabilities – often undiagnosed – [are overrepresented in people experiencing homelessness](#). These statistics highlight the significant level of vulnerability in the population and emphasise the need for support, not punishment.

The dearth of viable housing stock in the UK limits services’ ability to suitably accommodate rough sleepers. On top of this, the services that many homeless people need have also been stretched to breaking point by cuts to funding – including mental health services, adult social care, and [treatment for addictions](#). Rough sleeping therefore occurs in the context of crumbling public services that have been unable to adequately safeguard some of our society’s most vulnerable individuals.

The Criminal Justice Bill neglects both the psychological and political drivers of homelessness, instead pushing people further into the margins of society.

Our concerns are as follows:

- The definitions of “nuisance begging” or “nuisance rough sleeping” are incredibly broad. Whilst causing harassment, alarm or distress to others or damaging property are included in the definition, these behaviours are not a requirement for the legislation to apply. Simply *being* within 10 meters of an ATM or vending machine, or within five meters of a shop door is sufficient to qualify as “nuisance” behaviour. Enforcing this could mean people are banned from large portions of city centres (which is also where support services such as outreach, mental health services etc. are most likely to be located).
- If we focus specifically on behaviours that cause harassment, alarm, distress or property damage, it is reasonable that these should be illegal – and they already are. No individual, homeless or otherwise, can legally harass or assault a member of the public, or cause damage. We already have laws against this behaviour. Specifically targeting rough sleepers/people begging is therefore redundant and does nothing but bring unnecessary scrutiny and suspicion to vulnerable individuals, further marginalising them.
- The language of the bill is dehumanising – for example, being malodorous or having “excessive smell” constitutes environmental damage and is considered an offence.
- Enforcing this legislation comes in the form of directives (moving people along) and prevention notices or orders (preventing people from returning to a location for three to five years). This is impractical, difficult to enforce, and most importantly, callous – imagine instructing those trying to sleep under incredibly harsh conditions to gather their belongings and move elsewhere.
- Formal prevention notices are given in writing, either by being handed directly to individuals or by being sent via text, email or posted to a last known address. Non-compliance is an offence. This is problematic for several reasons – sending a notice via text, email, or post neglects the typically unstable nature of homelessness, and assumes that everyone has access to a smart phone – and a fixed abode. Importantly, sending any form of written notice neglects research estimating that 50% of people experiencing homelessness [do not have the reading and writing abilities required to navigate daily life.](#)
- The consequences for failure to comply with a prevention notice are overly punitive: imprisonment for a month, a £2,500 fine, or both. Expecting our society’s poorest to be able to pay such a fine is unconscionable and pushing people further into debt is likely to worsen homelessness. We also know that short-term prison sentences maintain homelessness, [with people often being released to the streets.](#) Punishing homeless individuals for sleeping rough is therefore not only morally unacceptable, it is at best ineffective and at worst counterproductive.

Taken together, the proposed legislation is an impractical, redundant, and inhumane deflection of responsibility.

We contend that as a society we can do better. We know what works well – offering consistency, stability, and compassion to individuals, rather than dismissal and punishment. If the goal is to reduce people on the streets, we need investment in housing, particularly social housing, and the development of robust housing pathways for those most at risk of becoming homeless. Funding into initiatives such as Housing First, could [reduce offending behaviours by half](#). This demonstrates the vital influence of stable housing, financial support, and [trauma-informed care](#). We need improved access to physical health, mental health, and specialist support services, as well as funding into local councils to reinstate community support, day centres, and local activities. Finally, we need preventative support for care leavers and those who have experienced early abuse and neglect.

Fundamentally, we need to collectively recognise that people who are begging or rough sleeping are not a “nuisance” or “vagrants”. They are human beings who have been pushed into unimaginably difficult circumstances. As a professional network, we have seen the enormous potential for a more hopeful future when we treat people experiencing homelessness with compassion, empathy, and understanding, and we urge the government to do the same. Removing the sections on rough sleeping and begging from the Criminal Justice Bill represents one small step in the right direction.

Yours faithfully,

Dr Kari Vyas  
Dr Megan Webb

Dr Danielle Bagri  
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Dr Kim Guest  
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*To offer further support for this cause, please sign our parliamentary petition:*

***TBC – UK govt petitions team checking petition***

*Please also consider writing a letter to your MP urging them to reconsider these changes. The homelessness charity Crisis have provided a [template](#) to do so.*