**Response of the Government of the United Kingdom of Great Britain and Northern Ireland to the communication from the Special Rapporteur on extreme poverty and the Special Rapporteur on adequate housing.**

**Note:** Under Acts of the United Kingdom Parliament, legislative and executive powers have been conferred on devolved institutions in Scotland, Wales and Northern Ireland. While the UK Government is responsible for international relations and concluding international agreements, the devolved institutions have competence for observing and implementing international obligations that relate to devolved matters. All information in this response relates only to England.

The United Kingdom Government firmly believes that no one should be criminalised for sleeping rough, living in destitution or simply for having nowhere to live. We are committed to supporting and protecting human life and tackling the root causes and systemic failures that lead to any individual suffering destitution and living on the streets. Supporting people to leave a damaging lifestyle on the streets is one of our top priorities, and that is why the Government has committed to end rough sleeping by the end of the parliament.

The UK is committed to refraining from enforcing any laws and regulations which criminalise persons in situations of poverty or homelessness and that are incompatible with human rights standards and the ECHR *Lacatus v. Switzerland* judgment.[[1]](#footnote-2)

1. **Does your city, province/canton, federal state or national State have any laws or regulations in place that prohibit begging, eating, sleeping, or performing personal hygienic activities in all or certain public places? Could you kindly share as well the text of relevant legal norms?**

In line with the UK government’s ambition to end rough sleeping, we are committed to ensuring that people are not criminalised for becoming destitute and that there is a strong and effective support system in place to help people off the streets. That is why we published the cross-Government Rough Sleeping Strategy[[2]](#footnote-3) in August 2018. In the strategy the Government committed to reviewing homelessness and rough sleeping legislation, with the intent of ensuring that it was fit for purpose – that no one was criminalised for sleeping rough, but that appropriate legislation exists to allow the police and local authorities to take action where needed, to help keep people and places safe.

This commitment included reviewing the Vagrancy Act 1824[[3]](#footnote-4). The Vagrancy Act 1824 (as amended) sets out a framework for dealing with a wide range of offences related to disorderly behaviour, these include begging and sleeping rough. There are two sections of the 1824 Act remaining: Section 3, relating to begging; and Section 4, which relates to sleeping rough or being in enclosed premises for unlawful purposes. They remain in force in England and Wales only.

The review is currently ongoing, and the government will be reporting on its findings in due course.

1. **Could you kindly provide your views as to** **whether or not regulations relating to begging applicable in your jurisdiction are compatible with the above-mentioned UN human rights standards and the judgment of the European Court of Human Rights in the case of Lacatus v. Switzerland?**

The UK is clear that those who find themselves sleeping rough are some of the most vulnerable in society and should not be discriminated against. Issues surrounding rough sleeping are complex and multifaceted, and we know from our engagement with stakeholders that there are diverging views about the necessity and relevance of certain parts of the Vagrancy Act.

Sections 3 and 4 of the 1824 Act are used in very limited circumstances to deal with certain street offences, but there is more work to do to fully understand the detail of how rough sleepers are affected. That is why the Government committed to a review of the Act to seek the views of key homelessness stakeholders and review all the available evidence. We are finalising the conclusions of the review and the government will be announcing our position in due course. The government will ensure that this review gives appropriate consideration to the *Lacatus v. Switzerland* judgment.

1. **Had your local, regional or national Government adopted any measures to decriminalise begging, eating, sleeping or performing personal hygienic activities in public places? Is your Government planning to undertake such measures in light of the judgment of the European Court of Human Rights? If so, could you kindly explain what is envisaged and which obstacles you may be facing.**

In line with the above, this issue is under review.

1. **Which measures are in place in your municipality, province/canton/federal State to support people living in poverty from having to resort to begging, sleeping, washing, defecating or performing other hygienic activities in public places because they do not have access to employment, social assistance, adequate housing, public showers and toilets?**

This Government wholeheartedly believes that no one should be without a roof over their head. That is why we have committed to end rough sleeping by the end of the parliament. We have already implemented the landmark legislation, the Homelessness Reduction Act 2017[[4]](#footnote-5) and through the Rough Sleeping Strategy 2018, have detailed our approach to tackling homelessness and rough sleeping.

The Homelessness Reduction Act was introduced to transform the culture of homelessness service delivery. Local authorities and other public bodies must work together to actively relieve people of their homelessness or prevent homelessness for people at risk. We are committed to fully enforcing the Homelessness Reduction Act and we have taken steps to continue this work in 2021/2022 by providing £310 million in funding to help local authorities plan and respond to their local homelessness pressures through the Homelessness Prevent Grant.

The Covid-19 pandemic posed an additional challenge to our ambition to end rough sleeping. We are proud of the package we offered to support vulnerable individuals throughout, particularly the ‘Everyone In’ initiative. The Government has allocated more than £12 billion directly to councils since the start of the pandemic, with more than £6 billion of this unringfenced recognising that council are best placed to deal with local issues, including meeting the costs of accommodating some of the most vulnerable people in our society. At the start of the pandemic, rough sleepers were at particular risk from Covid-19, so we called for ‘Everyone In’ - those on the streets, communal night shelters, and at risk of rough sleeping. In response, local authorities across the country sought to ensure that people sleeping rough and in accommodation where it was difficult to self-isolate (such as shelters and assessment centres) were safely accommodated to protect them, and the wider public, from the risks of Covid-19. ‘Everyone In’ is a considerable achievement: according to the Lancet, 266 deaths were avoided during the first wave of the pandemic among England’s homeless population, as well as 21,092 infections, 1,164 hospital admissions and 338 admissions to ICUs. The initiative has so far supported over 37,000 people who sleep rough, supporting 26,000 into longer-term accommodation so far. We have also used this opportunity to address the wider health needs of people sleeping rough by establishing the Protect Plus programme. Backed by £10 million funding to local authorities, we want to ensure that all rough sleepers are registered with a GP and have access to the health services they need, including access to the Covid-19 vaccination.

In February 2021, the Government published the Annual Rough Sleeping Snapshot in England for 2020[[5]](#footnote-6). This publication showed that there were 2,688 people estimated to be sleeping rough on a single night in autumn 2020. This is a 37% decrease from the previous year, and down 43% from the peak in 2017, largely as a result of the success of ‘Everyone In’.

To make sure rough sleepers do not return to the streets, we are funding 6,000 long-term move-on homes for rough sleepers by 2024, with the majority becoming available this year. We announced a further £203 million funding for 21/22 through our Rough Sleeping Initiative (RSI), which funds local authorities to provide specialist services to help the most vulnerable off the streets and into secure accommodation. This is an 81% increase from the £112 million provided last year and this funding will provide up to 14,500 bed spaces and 2,700 support staff.

The Government is clear that to end rough sleeping there is a need for further cross government action to address the underlying causes of rough sleeping. This year alone the Government committed over £750 million to tackle homelessness and rough sleeping and the UK’s Ministry of Housing, Communities and Local Government will continue working with partners across government and the sector to consider what more needs to be done to end rough sleeping. We will carefully consider the role of health, justice, immigration and employment, alongside housing and how the department will build on the already significant success of ‘Everyone In’.

13 August 2021

1. https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22003-6910043-9279633%22]} [↑](#footnote-ref-2)
2. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733421/Rough-Sleeping-Strategy_WEB.pdf> [↑](#footnote-ref-3)
3. <https://www.legislation.gov.uk/ukpga/Geo4/5/83> [↑](#footnote-ref-4)
4. <https://www.legislation.gov.uk/ukpga/2017/13/contents> [↑](#footnote-ref-5)
5. <https://www.gov.uk/government/statistics/rough-sleeping-snapshot-in-england-autumn-2020/rough-sleeping-snapshot-in-england-autumn-2020> [↑](#footnote-ref-6)