

Review of the Vagrancy Act: consultation on effective replacement

Expert Link submission – May 2022

Introduction

1. Expert Link is a peer led organisation championing the voice of people with lived experience of multiple disadvantages, including homelessness, mental health issues, substance misuse, offending and domestic violence and abuse. We advocate for a world where people with lived experience of multiple disadvantages are treated as equal partners in decisions made about our lives.
2. We have a national network of people with lived experience of multiple disadvantages, using their wisdom to influence local and national policy. Our network is diverse, brought together by a programme of strengths-based training which supports people with lived experience to be involved in service development and influencing national policy change.
3. Our network has been able to work with policy makers across Government, in particular within the Department for Levelling Up, Housing and Communities (DLUHC) and the Department for Work and Pensions (DWP). For example, thanks to the generosity of the Lankelly Chase Foundation, we have been able to develop a National Advisory Panel of people with experience of disadvantage from across England, who have met regularly across the last 2 years to gather intelligence of the experiences of people experiencing multiple disadvantage during the pandemic, and have fed this into senior officials within DLUHC. The Lloyds Foundation have also funded us to support a group of people with lived experience of multiple disadvantages and claiming benefits, who have worked to support the DWP in their work around improving access to the benefit system.
4. The political and legal response to people engaged in begging has a direct impact on many people within our network. To support this response, we have reached out to our members to gather their views, including hosting a focus group attended by people with lived experience of begging, alongside officials from DLUHC and the Home Office. We have also gathered information through previous focus groups held on police responses to begging and a focus group held with Hearts of Ace's – a peer support group of people who have suffered from child abuse and abuse.
5. Our response provides detail on the causes of begging, the reasons why people may not engage with services, and possible political and legal responses given the current economic context. Critically, this response has been developed fully by people with lived experience of begging, sharing their experiences and evidence-based suggestions for effective interventions.
6. Although there are differences of opinion in some areas, it is clear that **any enforcement intervention in response to begging will have limited, if any, positive impact unless all involved have a thorough understanding of the causes of begging and the right support is made available to people who require it.** Expert Link would welcome working with Government to develop an effective support offer for people engaged in begging which will empower people to meet their aspirations and reduce the prevalence of begging within the UK.

Question 1. Do you agree that the government should introduce new offences to prevent specific forms of begging that may be harmful to individuals or detrimental to communities?

7. Expert Link believes that any Government response to begging, whether criminal or otherwise, will only be effective if it is informed by a thorough understanding of the range of reasons why people engage in begging. People with direct experience of begging have shared some of the drivers below in the section below.
8. Any measures taken without this understanding is likely to re-enforce stigmatisation and be detrimental to people's lives. For example, given that many people engaged in begging have experiences of childhood trauma, approaches that focus on enforcement risk traumatising individuals which in turn will have negative effects on recovery.

Drivers of begging

9. At a surface level, people may engage with begging due to addictions and/or a lack of resources.

“With my clients today, it's more that they can afford to live. The hostel, they take most of their benefits for the housing and the food and electricity and all that.”

“You got no money, you have no access to anything.”

“My experience with most people on the street, is there's a focus on drink and drugs. But that's not the issue, you know. The issue normally, if it is drink and drugs, they tend normally to have a lot of mental health underneath that drink and drugs.

10. People with experience of begging who worked on this submission identified two key drivers; **experiences of trauma and abuse**, and a **lack of services that can effectively support** people experiencing addiction.

Experiences of trauma and abuse

“I sat at a cashpoint and I used to go up and down the trains begging. And I used to beg to get money for heroin and crack. I didn't really use to eat, or if I did it would be out of a dustbin. But it wasn't because I really enjoyed taking heroin. It was because of a lot of childhood trauma. And I ended up taking these substances to make myself feel better. And then, if you don't have them, you feel really ill. So that's personally why I used to beg.”

“So we'd go out and see how many people were begging in town and where they were, chat to them and we knew every single one of them. There was one of them, I think, out of about 15, that was using it to buy alcohol, the rest of them - I know them all - and they were using it for a mixture of heroin and crack. And I'd say I know the backgrounds to most of them... a lot of childhood trauma, a lot of childhood abuse they had gone through, a lot of abuse and trauma as an adult and access to drug treatment was the hardest thing. And there was a few of them that once they'd accessed drug treatment, having nothing to do all day meant they started drinking all day. Some of these guys I still see begging because they can't access stuff.”

“I was sexually abused as a child... There was no coping mechanism... I've recognized a large population of people on the street has been sexually abused. And if the public found out, that would cause such ripple through Western society, they would see just how massive a suppressed problem it is.”

“I wouldn't say all addicts are wired wrong. But something happened, where it cut a wire, that coping mechanism.”

Lack of access to effective services

“My begging was mainly to support my heroin addiction. You know, services have been underfunded for so long now that if you miss a day or an appointment, they stop your script, so begging was a big thing for me.”

“It’s virtually impossible to get into rehab today.”

“The reason they beg is because they can’t get into rehab, and they can’t get a script.”

“I never wanted to be an addict. Once I was on it I would be crying some nights. But without help it’s more or less impossible to get off it. And even if you do get off it, I used to go to jail, get clean, they put me out in the same streets I came from, and within six weeks, I’ll be back on it again, and it’d be another cycle of stealing and begging... It’s just a horrible cycle; people need help to break it. Instead of being put in jail for begging for money for stuff that - we need it. You know, it’s not like having nothing to do today. It’s “I need every day, seven days a week and a lot of it.” You know, of course, I’m going to beg.”

“There are some services that [work effectively], but across the board, it’s not consistent. Social care, when it comes to people that are street homeless people that you would deem suffered multiple disadvantage, that service does not meet the need of those people. Mental health services – diabolical. Housing options too.”

“Different services have different understandings and different ways of working, and a lot of it really traumatizes people, it pushes people away. Why are these services not meeting the need? What are the barriers for social workers to go out on the street and do Care Act Assessments? What are the barriers for mental health services to be more flexible in terms of when someone requires mental health support? ... The services do not meet the need, but then there’s an expectation for that person to conform to what services expect to them.”

“We want you to do this on our timescale and if you don’t you fail.”

“The doctor’s response every time was ‘we’re not sending them to detox until they’ve attended four group sessions.’ Group work doesn’t work for everybody! Talk about putting barriers in place... That person was wanting support and every time it was ‘they need to attend four group sessions.’ You have to jump through hoops and do everything that they expect of you.”

Responding to the drivers

11. Expert Link recognises that begging can be antisocial, and that legal measures *may* prevent some people from begging.

“If that law was lifted, then people that are on the poverty line would start begging, I think that would cause a lot of problems.”

12. However, in terms of reducing crime, to date penalising begging and not addressing the causes has potentially had the unintended consequences of increasing engagement in shoplifting, burglary or other crimes, or increasing the risk of people with No Recourse to Public Funds who are engaged in begging being exploited. While we recognise that the police have a role in managing anti-social behaviour and protecting local communities, these measures have in many areas so far been harmful, preventing people accessing support to aid recovery.

13. **Given the identified drivers of begging, we strongly believe that forms of criminalising vulnerable people who are engaged in begging does nothing to solve the root cause of the problem or do anything to increase access to support. Worse still, as evidence has identified a clear link between people who experience multiple disadvantage and experiences of**

childhood trauma, an approach that focuses on enforcement risks traumatising individuals which in turn will have negative effects on recovery.¹

“It’s a matter of making sure there is some form of support put in place.”

“I think if you’re just begging, you’re not aggressive, you’re not a nuisance, you’re not chasing people down the street, not being a problem, then no, it shouldn’t be a criminal offense. If you are doing any of that, and if you’ve been offered support maybe five times and you’ve not taken that up, then maybe, yeah... But why not spend that money on helping the people that are begging instead of spending on police officers that are never going to catch you in the act, are gonna start getting pissed off with the people that are begging, which is gonna cause more friction between them and society.”

¹For national comparisons, see Lankelly Chases’s *Hard Edges: Mapping Severe and Multiple Disadvantage in England* and Homeless Link’s *The Unhealthy State of Homelessness*

Question 2. Do you agree that begging is harmful to individuals and detrimental to communities? What forms of begging cause greatest harm to individuals and /or detriment to communities? Are there any forms, in addition to those listed above, that cause particular concern?

14. There are many negative experiences of begging which people with lived experience have shared.

“The more I seen people let go of their hygiene and become rougher, the quicker they got their money. It would take me two hours where a lot of people could get in 15 minutes, and it was like from one vicious circle one to another you know like that.”

“As everyone who's been on the street knows – give an inch, take a mile. If you're living with an addictive lifestyle, and someone gives you a note, you're pulling for the mile you know, you're grabbing on... When I would be dropped a note, whatever note, a small note, a big note, I'll remember that person. And then when I've seen that person come, because you've got eyes like an eagle - it recognizes that person automatically and they might be 100 meters away. They've already dropped you that note, but they don't, they may walk past. And then you've just added to a bit more to that trauma.”

“A lot of people become quite angry under the influence of alcohol and that would cause a lot of problems when it's time to move on.”

15. However, given that begging can be a symptom of addiction, the harm caused by begging must be compared to the harm intrinsic to other activities. For example, people with No Recourse to Public Funds may be pushed into more exploitative activities to access funds to survive. Expert Link therefore recommends that any policy responses to begging should consider the harm caused if begging activities were displaced to other activities.

“When I stopped begging, I stole. I know for a fact that it costs more to keep me in jail for a month [than provide support, training, etc].”

“You stop people begging you just start people stealing.”

“The last part of my addiction, before coming to recovery, the last year was begging. And before that it was a progression into petty theft to pay for my addiction. I've never been a drinker. My experience of begging was that it was a lot better than getting nicked you know, it was near enough getting money for nothing. It was tough, but it was a lot better than going out committing crime.”

“I begged for a little while, but I didn't like it. But I ended up robbing from my addiction because I'm an alcoholic. And yeah, it was difficult. I was on the streets. I slept in so many different places. It was very awkward.”

“Before I started begging, I used to do things like burglary, robbing people at cashpoints, beating people up, mugging them. And then I moved to London, and then I was actually begging – it's a more ethical way of doing it rather than hurting all these people. So that's what I did. And I actually felt better about myself because I wanted to go and beat people up and nick their handbags, but instead, I wouldn't, I would say, ‘Can you spare any change?’ So it was good for me and also for the public and the police and everybody else.

“If they're clucking, they're ill, and they can't get any money, they're going to nick your bag. I wouldn't feel safe walking around the street if begging stopped, because it'd be like some kind of anarchy.”

“[It] started when I was a kid - became alcoholic when I was very young. And then lost relationships and everything else, and everything got on top of me. So when I was actually on the streets, I was hiding away. And basically messed up. I used to rob shops, because I didn't want to be seen as someone that basically, was a vagrant. So I found it very difficult.”

Question 3. Do you agree there may be benefit in raising public awareness about the drivers of begging, and the links this activity may have to sustaining an individual's life on the street?

16. Currently, the public perception of the causes of begging is quite limited to the immediate drivers, which in turn can lead to stigmatising behaviours and negative attitudes.

"I lost my sister when I was seven, my brother when I was 11. I got raped when I was 16 by some idiot. And that just took me over the edge. So that's the way I ended up turning out. And no, people don't know their backgrounds. They don't know that. They've been abused as a child. They don't know that their mum kicked them out when they were five years old. People don't stop and talk, some do. But a lot of people don't actually talk to them. All they see is someone with a sleeping bag and a begging bowl. Maybe. But they don't actually talk to them. They'll buy him a cup of coffee. They'll buy him a burger or something. When I was begging one day someone come up to me and when they go make a bacon buddy. And I turned around, I went, sorry, mate, I'm Jewish. I can't eat bacon. And they just looked at me with filth."

"The public perception of begging is – 'they're always homeless, always need somewhere to live. And most of the time, it's because they've either got addiction or because they're trying to find somewhere to live.' But they never go into the details of why someone might have an addiction. They just palm that off. ... Next to no one wants to sit on the street corner asking people for money. Not just because it's embarrassing, the first few times you do it, but the amount of abuse you get and stuff like that."

"When you walk down [CITY] high street, and you see homeless people begging, most of you probably think 'what a waste of space, why doesn't he get his life together.' But you know what I see, every time I walk past the people. It's a child... When you're abused as a child, and then when you start taking drugs to deal with that abuse, you don't grow. You start to grow when you get clean again. So I was 42 when I would go clean... I see some poor broken child who needs to be fixed, but doesn't know how to do it."

"The public should know that they're not doing it because they're lazy, or they can't be arsed. It's because they don't have a clue about life. They haven't got a clue how to get off the streets, they don't have a clue how to have any type of decent relationship with anyone apart from their dealer."

"I think we should be spreading awareness and saying, the people on the street are begging because they're suffering from trauma, which is what led them to become addicts with mental health issues"

17. Expert Link strongly recommends that any public awareness raising is clear about the drivers behind any addiction, and the availability of services for people to engage with (including conditions, quality, effectiveness etc).

"People [would] have a much more empathetic viewpoint of why someone has come to that stage."

"We had a guy in [CITY]. Never caused any trouble, every time you walk past, he used to sit in a doorway, reading. A woman .. started chatting to him for a couple of weeks, paid for him to go to rehab... It's that understanding that he's not a waste of space... He's a year and a half clean because of this woman, he's got a job doing what we do, he's got a really good relationship, got a child, his life is right on track. Goes to meetings constantly... That's because someone gave him half an hour every day, would come and bring them lunch, and sit with him for lunch. Just listen to him and understood that actually he's broken, and he needs a bit of help. He's now that productive member of society. He pays taxes, he works and pays his bills. He's a really nice bloke. That's what the public should understand."

Question 4. What types of offences and associated powers, requirements and penalties are most appropriate to incentivise individuals to engage with support? We would welcome any views about the current options available to the police, local authorities and courts as outlined above.

18. Effective relationships between individuals and support services is critical given the high prevalence of experiences of trauma in individual's childhood. Where there is mistrust, people are unlikely to engage.

"It's all about trust. And I think people, it's difficult when guys come across the guys on the street, it's easy to make promises you can't keep because you want to be able to keep them. I'm always telling my guys that when we do the street feeds. 'This is all we can do. All we can do is alleviate the misery, we can't solve it.'"

"I didn't engage with them for a long time. I came through the care system where I was told what to do, when to wash, when to do this, when to do that. I came out of the care system, I ended up going into relationships which were not very helpfully, where I was told what to do, what to wear, where to be, when to be in. Then I went onto the streets and I was told this is what you got to do, you got to do this, you got to do that, then I went into the psychiatric unit I was told you take this medication at this time, you'll do this to do that. And then the prison system, this, this this. Then, you're given this opportunity someone come down and say to you, come with me, we can do all these things. But, until you do this at this time. And that is how the system is designed. It is designed to basically to reinforce all of that control."

"I stayed out of the system for a long time, a long, long time. Why would I volunteer to have my life controlled by somebody else."

19. There are some options currently available to police that may be effective, namely Task and Target groups, Drug Arrest Referrals and Drug Rehabilitation requirements.

"The Anti-Social Behaviour groups and the Task and Target groups should have their own budget, from outside of local Drug and Alcohol services, to put people through rehab. So they can target people that are begging regularly on the streets, if they're addicted. And [people] don't have to go through the normal process of engaging with the local Drug and Alcohol service, they can bypass that and go through the Task and Target group, and then we'll come up with Drug and Alcohol services on the back end of that. You can target the money that's available better. Funding could come from a central source that sits outside that allocated for the local Drug and Alcohol service."

"I've seen a lot of people in the past engage with Drug Arrest Referrals. Get arrested, seen by the police, that person has mentioned the word heroin, or suspected of heroin or crack or wherever, and it immediately puts the arrest referral in place, so they get assessed there. In places where I've seen it work, it's not perfect, but it's a damn sight better than most other things that people are doing. And it's a lot better than moving people on or enforcement or stuff like that. I get why people are fine, but there just needs to be more support. And that support needs to be really, really targeted because there's so little money around."

"I'm so grateful for the offer in the magistrates ... drug rehabilitation requirements, instead of going to jail for six months or a year... There was a therapy, where we would do group therapy and some sort of guided meditation, and then one to one counselling session."

20. However, there is currently little evidence of the effectiveness of these approaches. Services work well when they are based on a trauma-informed, strengths based approach that is person led. Recovery is based on the premiss that an individual is put in control of their support and the way that they engage. Although there may be some positive stories, it is unlikely that interventions that dictate the support that people need to engage with and put

requirements on them doing so will be successful for the vast majority of people engaged in begging.

“It's all about when that person is ready, and me [AS A WORKER] building up a relationship with them. So when there is that small window of opportunity, I'm best placed to work with them. That [DAR'S] goes against any of that. And it goes against the ethos in terms of recovery - how is that going to be successful longer term? Short term, yes, because they feel like they don't have to get recalled to court, but longer term, how will that work? That person's not ready, that person has not made that choice, has not made that decision.”

Question 6. What changes should be considered to better equip the police, local authorities and other agencies with the tools to engage those sleeping rough and support them away from the streets? What is the best approach if individuals refuse support or where harmful behaviour is involved?

21. Expert Link believes that forms of criminalising vulnerable people who are rough sleeping or engaged in begging does nothing to solve the root cause of the problem or do anything to increase access to support.
22. However, members of the network have identified a number of ways to increase engagement with support which could empower people rough sleeping or begging away from the street.

1) Increase the availability of effective services, aftercare and effective life skills training

“We've had hostels close. So that's knackered. In [COUNTY], we've got no detox centres whatsoever anymore, where we used to have three.. There's literally buggers all now. The last time I went to detox and rehab, my detox was in [X]. And my rehab was in [Y]. I live in [Z]. I just don't understand why there aren't things set up in certain areas.”

“Look at it long term. You might stop begging for a little bit, but instead of spending money on stopping people begging start spending money on helping people to help themselves.”

“Every time I went to jail I got clean, the problem was they sent me back out to where I was - I'll be back with the same people, I didn't have no training, didn't have no life skills. When I went to rehab, they taught me how to have a decent conversation with people. They taught me a bit of painting and decorating, not much but a bit. They give me that. And give me coping skills and give me that chance in life.”

“You come into treatment, you start accessing, you know you have all this time on your hands, and the street is like the money's calling against you think well I sit down for a little while and I'll earn a little cash, but you're caught in that vicious cycle again and it's a real challenge.”

“There's a lot of help out there. But it's not the help that I would expect, or the addict in me would want. The addict in me wants help in two weeks, and I want to be fully recovered. And that is it. I've stopped using drugs, where's my life? [BUT] No life skills! No way of understanding that counselling and talking is a big part of it. It's trauma.”

“That woman in service[s] that just went out of her way to make sure I got what I needed. And then I got some training, and now I am who I am today because I had that bit of help. If I hadn't I'd still be in a doorway in [CITY] now, doing the same stuff I was doing for 24 years.”

2) Adopt multi-agency ways of working to engage people into the right support

“Multi agency approach, so arrest referrals. Usually the (DIP) teams used to be made up with a prescribing nurse, a police officer and probation officer and some form of outreach worker, usually from a mental health outreach, if possible. And they work together all of them in an office separate from any other offices, none in uniform... And they would form relationships with people; it takes a long time to get that relationship. Most police officers will never have that opportunity to do it. Because they've been shifted from here to there.”

3) Provide interventions that promote a public health response that include working with healing individual's childhood trauma, both for individuals engaged in begging and the police.²

“Understanding and training around childhood trauma.”

“Childhood trauma, let's sort that out. You know services don't do that. So if you get clean for six months, and then something triggers you, then from personal experience I'm back on heroin again. It wasn't until I could afford to get my own counselling on childhood trauma that I actually got clean, and then I could start to help people.”

“Smile, a bit of kindness, and perhaps a bit of consistency. So people would know the officers that were continually approaching them. Rather than if you see a policeman you hide, you run. How's that helping? You want a policeman that is able to approach people and that people won't run off... And then some training around childhood trauma, and things like that. And then those police officers would go and be the first point of contact and just try and change that whole relationship from assertive to a bit caring to get people to engage, instead of running off and hiding and going underground.”

“The services need to be trauma informed, the police need to be trauma informed.”

“The often chaotic sort of lifestyle that people can be in - accessing health care whilst you're in the midst of that just isn't practical. Health care providers and professionals need to make reasonable adjustments. Otherwise, it's discrimination.”

4) Ensure the police adopt a compassionate approach developed through understanding.

“My experiences with the authorities was quite a good one. I found them quite compassionate.”

“I got nicked. And as tough as they were, and as rough as they were, they showed compassion. I feel it now. Compassion needs to be felt not shown, because your frontline cops can't really show compassion, but they can feel it. There still is a front about protecting the public, and the public needs to see that they're being protected. That's a big part to be seeing.”

“Compassion and understanding. When I was battling addiction, the compassion from [A POLICE OFFICER].. I'm getting emotional now. It made such a difference to my life, for someone to see me and go, ‘I've seen you clean, I hope you get it again. Please try. Do you need me to do anything for you? Do you need any help?’ You know, and now I'm 6 years clean from heroin and crack, just because them few words and then the couple of bits of help he gave me. It's that, it's just someone who understands, and wants something for you, and has the authority to get it. Or maybe not the authority to get it, but that bit more... [HE SAID] ‘What do you need, I'll make it happen,’ and it did, God bless him, it really did. I've been clean now from heroin and crack, and I was 24 years in the doorway, and I was bad on it. When I got clean this time, I was five and a half stone. I was virtually dying in the doorway. I could not stop the addiction. I could not stop thinking about the addiction. I sit at a table and I cry all over my heroin and crack, just watch it dissolve because I could not stop myself, and just [to] have that one guy, just believe in me. That was good for me, it was just unbelievable.”

We would welcome elaborating further on any of the information provided.

Contact

Chris Brill, Policy and Research Manager, Expert Link
Chris.Brill@ExpertLink.org.uk

² Please see the latest NICE guidelines ‘Integrated health and social care for people experiencing homelessness’ for further recognition of the need to understand how particular conditions can be a barrier to engaging with health support.