

Simon Community submission to the consultation on Repeal of the Vagrancy Act 1824 & the Vagrancy (Ireland) Act 1847

Executive Summary

Simon Community believe that no one should be criminalised for not having a safe place to call home. We therefore strongly welcome and agree with the Department of Justice's plans to repeal laws which criminalise rough sleeping and begging. We believe these are outdated laws that have no place in modern society and which do nothing to address the root causes of homelessness.

Rather than punitive measures, Simon Community would like to see:

- Multi-agency support and outreach scaled up across Northern Ireland, swiftly linking people forced to rough sleep or beg with appropriate and stable housing and specialised support.
- Further development of the Housing First approach in Northern Ireland to provide permanent housing and wraparound support to those most in need.
- Adequate funding and resources to address the chronic undersupply of social and affordable housing in Northern Ireland.

In our response below, we will set out further detail on:

- The Simon Community and what we do;
- The scale of homelessness in Northern Ireland;
- Recorded street activity in Northern Ireland; and
- Simon Community's views on repealing laws which criminalise rough sleeping and begging.

Who is Simon Community?

As Northern Ireland's largest homelessness charity, Simon Community is determined in our commitment to ending homelessness. Operating right across the region, we provide preventative services, temporary accommodation and specialised support services that address the unique challenges faced by those experiencing homelessness. In the past year, we've provided vital support to around 1,400 people through our accommodation and support services and responded to nearly 18,000 calls for help to our free 24/7 support line. Simon Community's aim is not only to provide immediate assistance but also long-term solutions that end the cycle of homelessness for good. We work in partnership with all sectors, embrace innovative approaches and leverage the strength of our relationships to create meaningful change and ensure a society where everyone has a place to call home.

Homelessness in Northern Ireland

Northern Ireland is in the middle of a housing and homelessness crisis. Every day, Simon Community staff are on the frontline of this crisis and we are deeply aware of the immense challenges faced by those we help. Unless we do things differently, homelessness in Northern Ireland will only get worse, with more and more people living with the devastating effects of not having a safe space to call home.

A wide range of factors, from the lack of truly affordable homes to the rising cost of living, can quickly force people into homelessness and onto the streets. But homelessness is more than just a housing issue. It is linked to poverty, poor mental health, addiction, low educational attainment, lack of job opportunities, relationship breakdown and domestic abuse.

Currently, there are just under 89,000 people here waiting for a social home and over 58,000 people are legally classified as homeless – that's 1 in every 33 people in Northern Ireland.ⁱ And this is only what the official figures show – recent research by the Simon Community suggests that there could be as many as an additional 25,000 people in Northern Ireland who are experiencing 'hidden homelessness' as they are not engaging with statutory services and are invisible to the official system.ⁱⁱ

Street activity in Northern Ireland

Rough sleeping is the most extreme and visible form of homelessness. People who sleep rough often have complex physical and mental health needs, may be struggling with addiction and have often experienced trauma in their lives. Rough sleeping is a dangerous and isolating experience with people who rough sleep almost 17 times more likely to have been victims of violence and 15 times more likely to have suffered verbal abuse compared to the general public.ⁱⁱⁱ

The most recent rough sleeping count by the Northern Ireland Housing Executive estimates there are currently around 45 people rough sleeping across Northern Ireland, a 36% increase from the 2022 count of 33.^{iv} However, the recent Street Needs Audit from the Northern Ireland Housing Executive, carried out over a six-week period in early 2023, identified nearly 300 individuals engaging in street activity in Belfast, Derry-Londonderry and Newry.^v Rough sleeping and begging were amongst the most common street activities observed across the three cities. Those taking part in street activities also had significant support needs in relation to their mental health and addiction issues. However, it's believed that what was recorded was a significant underrepresentation of support needs due to self-reporting.

Simon Community's view on proposals

Simon Community believe that those who take part in street activities such as rough sleeping and begging are vulnerable individuals who should be treated with dignity and humanity and who require support and appropriate accommodation, not the threat of prison or fines. Punitive measures do nothing to address the root causes of homelessness and street activity like rough sleeping and begging, and enforcement of these provisions could draw people into a criminal justice system that is not designed to meet their complex needs.

Laws such as the Vagrancy Act 1824 and the Vagrancy (Ireland) Act 1847 also reinforce the stigma which surrounds homelessness, further trapping people in a cycle of homelessness. At Simon Community, we want to change the narrative around homelessness, raising awareness that behind every statistic is a person who is often experiencing complex issues and traumas that have led to them having no safe place to call home.

Simon Community therefore strongly supports the proposals to repeal these laws which criminalise rough sleeping and begging. Rather than punitive measures, we should be focusing our collective efforts on providing those involved in street activity such as rough sleeping and begging with appropriate support, as well as investing in homelessness prevention and increasing our supply of affordable housing. This aligns with the findings of an international evidence review undertaken by Crisis which found that effective interventions to end rough sleeping included Housing First, person-centred support and choice and cross-sectoral collaboration to meet wider support needs.^{vi}

The Belfast Complex Lives initiative, which Simon Community is part of, shows the positive impact that can be made when statutory bodies and the charity sector collaborate in their response to homelessness. The initiative supports some of the most vulnerable people in our society and aims to break the cycle of chronic homelessness by helping people access housing, addiction support, mental health support and healthcare. Central to Complex Lives is the collaborative working between partners and across sectors to provide the right support in the right place at the right time.^{vii}

Multi-agency support and outreach services such as this should be scaled up across Northern Ireland, linking more people who are experiencing chronic homelessness with suitable and stable housing and specialized support to help them overcome the barriers that are keeping them trapped in a cycle of homelessness.

Simon Community would also like to see the Housing First approach further developed and rolled out across Northern Ireland. Housing First is an approach to ending homelessness

through the provision of condition-free housing and intensive support. It is often targeted at those with complex needs and histories of chronic homelessness or rough sleeping. There is overwhelming international evidence about the effectiveness of the Housing First approach, with studies showing that it can help people with complex needs sustain permanent accommodation while also helping to resolve or improve other non-housing issues they might face.^{viii} In their Homelessness Strategy 2022-27, the Northern Ireland Housing Executive have committed to extending Housing First provision across the region, providing settled housing as a first response for people with multiple needs. There are a number of Housing First projects already in operation across other parts of the UK and which show positive results in terms of reducing homelessness for people with high-level needs.^{ix} However, we are still waiting for the final independent research report on the feasibility study for Housing First for Northern Ireland to be published. Simon Community would like to see this research published as soon as possible and the recommendations and actions from this research taken forward without delay to help more people exit homelessness for good.

For the small number of people experiencing chronic homelessness and who have committed offences that cause genuine harm to the community, we believe the police and criminal justice system should practice a more-trauma informed approach, which takes into account the multitude of factors that have led to this person rough sleeping or begging. Liaison and diversion services, rather than punitive measures, should also be put in place to better support these vulnerable individuals.

We must also focus our efforts on addressing the root causes of homelessness such as the lack of affordable and suitable housing. With 1 in 33 people in Northern Ireland currently experiencing homelessness, we must urgently focus our collective efforts and resources on enhancing housing supply here. Simon Community were pleased to see the long-awaited Housing Supply Strategy launched recently, with a target to deliver 100,000 homes (of which around a third will be social homes) over the next fifteen years. This is positive; however, we are concerned that growing levels of homelessness and record high social housing waiting lists may mean this is not enough to cope with current and projected future demand. Adequate funding is key to addressing the housing crisis in Northern Ireland. The recent announcement by the Finance Minister of £100 million in ring-fenced funding for social housing in the draft 25/26 budget provides a welcome foundation for addressing the chronic undersupply of social and affordable housing in Northern Ireland. Simon Community would like to see the Executive continue to prioritise funding for social housing in future monitoring rounds this year, as well as in future budgets, particularly given the priority status of housing in the draft Programme for Government.

Conclusion

The current provisions under the Vagrancy Act 1824 and the Vagrancy (Ireland) Act 1847 criminalise and dehumanise the most vulnerable in our society, often pushing individuals further away from help and into more dangerous situations. Repealing these provisions is therefore a timely step towards a better response to the challenges of rough sleeping and begging. To support people away from rough sleeping and chronic homelessness, we must take a coordinated approach across government departments and sectors to provide timely and adequate housing and support while also addressing the root causes of homelessness in our society.

ⁱ Simon Community FOI Request to NIHE (Oct 24).

ⁱⁱ Simon Community. (2024). *Under the Radar: Unveiling Hidden Homelessness across the island of Ireland*. Available at: <https://simoncommunity.org/assets/pdfs/Under-the-Radar-Unveiling-Hidden-Homelessness-Across-the-Island-of-Ireland-FINAL-1.pdf>

ⁱⁱⁱ Sanders, B. & Albanese, F. (2016). *“It’s no life at all” – Rough sleepers’ experiences of violence and abuse on the streets of England and Wales*. London: Crisis.

^{iv} Northern Ireland Housing Executive. (2024). *Rough Sleeping Counts / Estimates*. Available at: <https://www.nihe.gov.uk/getattachment/d1e1e33a-2de4-4c44-a926-46b788e36c12/Rough-Sleeping-Counts-Street-Estimates-2023.pdf>

^v Northern Ireland Housing Executive. (2024). *Street Needs Audit 2023*. Available at: <https://www.nihe.gov.uk/getattachment/c4dcf791-f62a-4b3f-ba71-d352cd3684c6/Street-Needs-Audit-2023.pdf>

^{vi} Crisis. (2017). *Ending rough sleeping: what works?* Available at: https://www.crisis.org.uk/media/238368/ending_rough_sleeping_what_works_2017.pdf

^{vii} Evidence provided to APG on Homelessness, February 2023. Available at: <https://homelessconnect.org/apg-on-homelessness-hears-about-complex-lives-and-the-fundamental-review-of-allocations/>

^{viii} Crisis. (2018). *Everybody In: How to end homelessness in Great Britain*. Available at: https://www.crisis.org.uk/media/239951/everybody_in_how_to_end_homelessness_in_great_britain_2018.pdf

^{ix} Crisis. (2018). *Everybody In: How to end homelessness in Great Britain*. Available at: https://www.crisis.org.uk/media/239951/everybody_in_how_to_end_homelessness_in_great_britain_2018.pdf