

Huw Irranca-Davies MS
Chair of the Legislation, Justice and Constitution Committee
Welsh Parliament
Cardiff Bay
CF99 1SN

CC: John Griffiths MS, Chair of the Local Government and Housing Committee

March 2024

Dear Huw Irranca-Davies MS,

I write to you as Chair of the Legislation, Justice and Constitution Committee on behalf of the following homeless charities and housing organisations which operate in Wales, Crisis, CIH Cymru, Cymorth Cymru, Llamau, Salvation Army, Shelter Cymru, Tai Pawb and The Wallich.

We understand the Committee is tasked with reporting on the Criminal Justice Bill by 22nd March. In light of this, we wanted to share with you our grave concerns regarding the impact of the proposed clauses within this Bill around “nuisance begging” and “nuisance rough sleeping.”

In 2022, politicians from across the political spectrum (including in the Senedd¹), people with lived experience of homelessness and homeless charities, celebrated the decision to scrap the archaic Vagrancy Act. However, this legislation remains in place and proposals within the UK Government’s Criminal Justice Bill seek to reinstate some of the most problematic aspects of this ancient law, which would continue to criminalise homelessness.

These problematic proposals include police powers to move people on, fine up to £2,500, or imprison a person who is, or even looks as though they are intending to, sleep rough or beg. The proposals also place an emphasis on people who “have an excessive smell” and opens the door for people to be judged according to their housing status.

These measures are dehumanising and could not be further from the general direction of travel in Wales, as outlined in the Ending Homelessness National Action Plan and recently published White Paper on Ending Homelessness.

No one should be punished for being homeless. We know that people who are pushed into sleeping rough already face violence, stigmatisation, isolation and increased health risks. Crisis previously conducted research, drawing on a survey of 458 people sleeping rough in England and Wales. The research found that almost 8 out of 10 had suffered some sort of violence, abuse or anti-social behaviour, including 35% that had been deliberately hit or kicked.²

¹ See [Written Statement: Police Crime Sentencing and Courts Act \(7 June 2022\) | GOV.WALES](#)

² See [here](#).

Fining or moving people on who have nowhere to go does not solve homelessness. That is why Crisis, alongside 38 partner organisations, including Wales-based organisations, are calling for these clauses to be dropped from the Bill.

We believe that these clauses within the Bill will cause people who are sleeping rough to be displaced into less safe areas. In addition, it will create a break down in trust between people forced to sleep on the streets and the organisations and authorities that can provide them with support. The recently published Ending Homelessness White Paper contains proposals for significant improvements in person-centred support for people experiencing homelessness in Wales. However, these reforms rely on people seeking the support of services. If enacted, the proposals within the Criminal Justice Bill could drive people who are experiencing street homelessness further away from the doors of housing options and from accessing this crucial support.

The proposed Bill also seems to be at stark odds with the Wales Safer Communities Network, which seeks a multi-agency and collaborative approach to reducing crime and increasing community safety.

For these reasons, we support the concerns outlined within the Welsh Government's recently published Legislative Consent Memorandum and agree that "rather than a punitive approach to rough sleeping behaviour, [...] psychologically-informed environments and trauma-informed responses should underpin all interactions with those rough sleeping."³

We urge the Committee to also take a firm stance on these highly problematic aspects of the Bill, which fail to address the underlying causes of homelessness and instead serve to perpetuate street sleeping.

If you would like any further information on the Bill, please do not hesitate to get in touch.

Kind Regards,



³ <https://senedd.wales/media/qgupunrtu/lcm-ld16294-e.pdf>