



**Ministry of Housing,  
Communities &  
Local Government**

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*Dear Clive,*

*19-6-19*

As you will know, in the Rough Sleeping Strategy, we committed to a review of homelessness and rough sleeping legislation, including the Vagrancy Act. This review is to ensure that legislation creates the right environment in which to deliver effective services and constructively engage with vulnerable people.

I am therefore writing to update you on the review of the Vagrancy Act, and to share the Terms of Reference for the review.

The Government believes that review, rather than wholesale immediate repeal, is the right course of action. We are looking at all options including retention, repeal, replacement or amendment. We have committed to reporting on the review by March 2020.

No one should be criminalised simply for having nowhere to live and sleeping rough. Homelessness and rough sleeping are complex issues and we know from our engagement with a number of stakeholders including homelessness charities, local authorities and the police that there are diverging views about the necessity and relevance of the Vagrancy Act. We are determined to ensure that we fully understand these views and get the balance right in our response.

I will continue to update the Committee on the review at the next appropriate point.

**MRS HEATHER WHEELER MP**

# Review of the Vagrancy Act 1824

## Terms of Reference

### Context

The Government is clear that no-one should be criminalised simply for having nowhere to live and sleeping rough.

There are mixed views amongst key stakeholders about the necessity of the Vagrancy Act and we understand that this issue is complex. For this reason, the Government made a commitment in the Rough Sleeping Strategy to review the 1824 Act as part of a wider review of homelessness and rough sleeping legislation to ensure that legislation creates the right environment in which to deliver effective services and engage with vulnerable people constructively.

### Objective

Reporting to the Secretaries of State for the Ministry of Housing, Communities and Local Government, Home Office and Ministry of Justice, the review will collect and examine evidence and data from a range of stakeholders, and bring forward recommendations for the retention, repeal, amendment or replacement of the 1824 Act. The outcome will seek to balance the need to deal with certain street behaviours that have an impact on communities and the need to effectively support and protect rough sleepers.

### Scope

The review will look at:

- The rationale and objectives behind relevant legislation;
- How and why the 1824 Act is being used, and the perceived negative and positive consequences of the use of the 1824 Act;
- The availability of other legislation to respond to begging and linked street offences, and the similarity and differences with 1824 Act powers;
- Whether the repeal of the 1824 Act will leave a gap in offences that the 1824 Act covers which limits action to deal with certain street behaviours;
- Other unexpected consequences that could arise from repealing the 1824 Act;
- Views and perceptions of stakeholders including national homelessness charities, local authorities, voluntary sector organisations, local businesses and their representatives such as Business Improvement Districts, the Police and the Crown Prosecution Service.

*Ash*

## **How**

The review will be overseen by the Ministry of Housing, Communities and Local Government, working closely with both the Home Office and Ministry of Justice.

At the heart of the review will be the collection and analysis of evidence and data. The review will also collect and examine the views and perceptions of a range of relevant stakeholders.

The review will make recommendations in light of the evidence gathered, and the Government will look to act on recommendations at the earliest opportunity to better help those who are homeless or at risk of homelessness whilst balancing the needs of local communities to be protected from anti-social behaviour associated with certain street behaviours.

We expect the review to report by March 2020. If appropriate, we may look to report sooner.

## **Governance**

The review of the 1824 Act will be led by the Ministry of Housing, Communities and Local Government, working closely with the Home Office and Ministry of Justice. The views of other relevant bodies such as the police, business, and local authorities will be sought. At appropriate points we intend to share findings from the review with the Legislation, Accountability, Data and Support Task and Finish Group, and the Rough Sleeping Advisory Panel.

19-6-19

*John*  
P.3.

