

# FIRST WAVE FINDINGS: Homelessness

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Sarah Johnsen, Beth Watts and Suzanne Fitzpatrick

Recent years have witnessed an escalation in the use of enforcement measures with associated penalties, together with increasingly interventionist and/or conditional forms of support, in responses to rough sleeping and 'street culture' activities such as begging and street drinking, particularly in England. These have included, amongst others: arrests, Anti-Social Behaviour Orders (ASBOs), more assertive forms of street outreach, and making receipt of some services contingent on users' compliance with support plans. This briefing paper presents preliminary findings from our research undertaken to date, based on interviews and focus groups with policymakers and practitioners plus interviews with 55 people who had current or very recent experience of homelessness (welfare service users).

## Key points

- There has been an increasing (but not unanimous) consensus amongst homelessness service providers in England that enforcement has a role to play in combatting rough sleeping and street culture. Homeless people support the use of enforcement in some circumstances, but generally resent measures that are implemented in an obviously discriminatory manner.
- Enforcement does prompt some homeless people to discontinue harmful behaviours and/or engage with support. But it also sometimes displaces the problem, causes those affected to disengage from support, and/or strengthens their resolve to continue participating in street culture.
- Stakeholder opinion remains divided regarding the effectiveness of assertive outreach, 'single service offers' and other interventionist or conditional forms of support, versus comparatively non-interventionist and/or less conditional approaches such as traditional night shelters and soup runs.
- Many rough sleepers are also subject to benefit conditionality. This can lead to increased compliance with Claimant Commitments, but there is little evidence that the current regime is effective in helping homeless people into paid work. As well as causing some homeless people considerable distress, dealing with the 'fallout' from sanctions diverts support workers away from assisting with accommodation and other support needs.
- There is a consensus amongst support providers and homeless people that while



the sentiments behind increased benefit conditionality may be defensible, current implementation practices affecting homeless people are extremely problematic and difficult to justify.

- While rough sleepers in Scotland are affected by benefit conditionality in a similar way to those elsewhere in Great Britain, there is less appetite to use enforcement measures to address street culture. Interventionist approaches to support are present but less fully developed in Scotland.

## Introduction

Street homelessness has been a policy priority in the UK for some time, with successive governments investing substantial resources in attempts to reduce its prevalence. In England, recent years have witnessed the increasing use of ‘control’ as well as ‘care’ in various initiatives targeting rough sleepers and those involved in ‘problematic street culture’ such as begging and street drinking. Rough sleepers and other homeless people throughout Great Britain have also been affected by the increasing conditionality of the social security system, and use of sanctions within it.

## Policy background

A range of measures employing varying degrees of ‘force’ have been employed to combat rough sleeping and problematic street culture in England (Johnsen and Fitzpatrick, 2007). The main tools adopted by local authorities, in different combinations and with varying degrees of associated support, have included:

- Arrests under the Vagrancy Act 1824 which specifies that begging and persistent begging are arrestable offences; also that it is an offence to sleep rough, albeit only when an individual has been directed to a ‘free place of shelter’ and failed to take this up.
- Anti-Social Behaviour Orders (ASBOs), and more recently Criminal Behaviour Orders (CBOs), these being civil orders intended to protect the public from behaviour that causes ‘harassment, alarm

or distress’. A breach of ASBO/CBO conditions is a criminal offence carrying a potential penalty of five years imprisonment.

- Public Spaces Protection Orders (PSPOs), which prohibit activities that ‘are having, or are likely to have, a persistent and unreasonable detrimental effect on the quality of life of those in the locality’. Perpetrators may be given a fixed penalty notice or face prosecution and a fine.
- Controlled drinking zones such as Designated Public Places Orders (DPPOs), within which individuals refusing to comply with police requests that they stop drinking or surrender alcohol for confiscation can be arrested and fined.
- Dispersal Orders, giving the police powers to require groups, such as street drinking ‘schools’ to disperse from a designated public place. Refusal to comply is a criminal offence.
- Designing out via ‘defensive architecture’, that is, manipulation of the built environment to make it less conducive to street culture activities (by removing seating or gating off ‘hotspot’ areas, for example).
- Diverted giving schemes, that is, campaigns attempting to dissuade members of the public from giving money to people who beg and (sometimes but not always) to give directly to homelessness charities instead.

In parallel to such changes has been a trend toward increasing levels of ‘interventionism’ in support services, evident in England much more than in Scotland, which reflects an escalation in expectations that homeless people ‘engage’ in a constructive manner and/or change aspects of their lifestyle (Dobson, 2011; Whiteford, 2010). These interventionist approaches overtly aim to deter people from rough sleeping, begging and/or street drinking and encourage them to address any underlying or associated issues such as substance misuse or mental health problems. A key example is ‘assertive’ street outreach which overtly attempts to persuade rough sleepers to move into accommodation (Parsell, 2011). Similarly, since the Places of Change (Hostels Capital Improvement)

programme hostel staff have been encouraged to adopt a much more proactive approach to moving residents on into settled homes, jobs and/or training (Jones and Pleace, 2010).

Further to these changes, elements of ‘conditionality’ have become more apparent in some forms of service provision in England, wherein eligibility for support has become more explicitly tied to service user compliance. The clearest example has arguably been the No Second Night Out (NSNO) approach, first piloted in London, which requires ‘new’ rough sleepers to engage with a ‘single service offer’ (SSO) developed by homelessness agency staff; failure to do so renders them ineligible for support from participating agencies within that area (Hough et al., 2011). For people sleeping rough in an area where they have no recognised ‘local connection’, this may comprise an attempt to ‘reconnect’ them to an area where they have previously lived or used services (Johnsen and Jones, 2015). Such requirements have become more commonplace as most local authorities across England have endorsed NSNO principles (Homeless Link, 2014b), although the prevalence and means of SSO implementation varies (Johnsen and Jones, 2015). Cutting across this general trend has been the development of initiatives that actually relax requirements regarding service user engagement and behaviour change. Thus far, these have tended to be small in scale and targeted at the most ‘entrenched’ or ‘service resistant’ rough sleepers. One key example is the (limited) engagement of the homelessness sector in the adult social care personalisation agenda (Cornes et al., 2015), which works with service users more ‘on their own terms’ than is typically the case, often utilising individualised budgets (Brown, 2013; Hough and Rice, 2010; Teixeira, 2010). Another example is ‘Housing First’, which has been piloted in a number of areas (Bretherton and Pleace, 2015; Johnsen, 2013). This offers rapid access to housing, with wraparound support, for homeless people with complex needs on a relatively ‘unconditional’ basis. It does not require service users to address substance misuse or mental health issues prior to accessing accommodation, and (largely) enables

them to determine the extent and manner of their engagement with support (Tsemberis, 2010). At the same time, rough sleepers and other homeless people in all parts of Great Britain have also been affected by the increasing conditionality of welfare benefits and use of sanctions for those who fail to comply with specific behavioural requirements (Batty et al., 2015). In light of evidence that homeless people and other vulnerable groups were being disproportionately affected by sanctions (Oakley, 2014), in July 2014 Jobcentre Plus advisors were granted discretionary powers to temporarily exempt rough sleepers and homeless people in supported accommodation from requirements that they be available for work, actively seek work or participate in the Work Programme (Spurr, 2014). This ‘easement’ may be applied to homeless Jobseekers Allowance (JSA) recipients in a ‘domestic emergency’ providing they are taking reasonable action to find accommodation (Homeless Link, 2014a).

## Enforcement measures

There has been an increasing (but by no means unanimous) consensus amongst homelessness service providers in England that enforcement has a role to play in combatting rough sleeping and street culture. This is especially so where associated activities are concentrated and/or when an individual’s behaviour is clearly compromising their own health and wellbeing or that of others:

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*“ I think people who are living on the streets and using drugs are posing major risks, and not just to themselves but to the public, so there has to be a response to that... We can’t possibly go to a situation where we’ve got lots of vulnerable people living in cardboard cities; that’s awful. Some people look back on them fondly, but I don’t. I don’t think they were lovely places to live, they were exploitative, very miserable. Living in a cardboard box in Waterloo is not what I’d wish for anybody... ”*

*So by way of wanting better for people, enforcement is part of that. ”*

*(PS27, Senior representative, homelessness umbrella organisation)*

*“ Unfortunately the reality is that when people drink in the way that most people drink on the street - not all of them... it often leads to people not feeling safe... They can be verbally aggressive, physically aggressive... I think people are right not to want that on their doorstep. ”*

*(FG23, Homelessness, England)*

*“ If you condone it [persistent street drinking] you’re not helping them because the more they drink the worse their health would be. If you help them face up to their responsibility to themselves you are helping them at least in theory. ”*

*(FG23, Homelessness, England)*

It is widely agreed that ‘harder’ forms of enforcement with potentially severe penalties (such as ASBOs or CBOs) should only be used as a last resort when supportive interventions have been tried extensively and exhausted. Evidence suggests that this does not always happen in practice, however. Many service providers can cite examples of effective multi-agency working and coordination of support for targeted individuals. But there were concerns about an apparent lack of involvement of support agencies or the limited availability or poor quality of support offered to individuals in some cases and/or places:

*“ It’s important to have... a case conference, a multi-professional meeting, a best-interest meeting... It hasn’t always happened, and when it doesn’t happen things don’t go well. When it does happen, it can all be really effective and there can be a positive result at the end. ”*

*(FG24, Homelessness, England)*

*“ I think much of the intervention tends to be disjointed... So, as opposed to actually bringing all the services together and trying to work out a plan of stick and carrot, they don’t often do that. ”*

*(FG23, Homelessness, England)*

*“ Making life unbearable can actually be positive in the sense that that person may feel ‘I don’t want to be leading this life’... So these things may lead them to take different decisions, but the problem is... that they [enforcement authorities and support agencies] don’t always offer the help that they should be. ”*

*(FG23, Homelessness, England)*

A number of important issues continue to be debated regarding enforcement. One relates to the proportionality of penalties, with some stakeholders and homeless people suggesting that these are often inappropriately harsh given the nature of the ‘offence’ committed (that is, sleeping rough, begging or street drinking). The recent implementation of PSPOs to prohibit rough sleeping in a small number of English cities was a particular focus of criticism given the potential for perpetrators to be prosecuted and fined up to £1,000.

Many service providers and homeless people continue to express concerns about potential discrimination, given that although some initiatives (notably DPPOs, PSPOs, and dispersal orders) are ostensibly equally applicable to everyone, existing evidence suggests that those individuals who look ‘out of place’ or who are ‘known’ to authorities are more likely to be targeted and penalised.

More generally, questions continue to be asked about the effectiveness of enforcement interventions. The policy stakeholders, frontline practitioners and homeless people interviewed confirm that enforcement does ‘work’ in some cases, in that it can prompt individuals to discontinue harmful behaviours and/or engage with support:



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*“ I guess probably we’ve all worked with people who it has helped... there’s been people who have been stopped from street drinking, from begging, and it has helped them in terms of their actual health and lifestyle that they go on to achieve. ”*

*(FG22 Homelessness, England)*

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*“ Some of the people I’ve worked with if they hadn’t got the ASBOs, I don’t think they’d be alive today. ”*

*(FG22, Homelessness, England)*

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*“ I think [Dispersal Orders] can be good but no-one likes them though... If you get dispersed every couple of days after a bit you think ‘I just don’t want this anymore.’ ”*

*(WSU, homeless man, England)*

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Interviewees did however also confirm that enforcement sometimes displaces the problem, causes those affected to further disengage from support and/or strengthens their resolve to continue participating in street culture activities:

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*“ It hasn’t affected their drinking, but it makes them... less likely to trust us as workers. Because you know, they’ve been moved on from a different area, so it’s harder for us to... engage with them. ”*

*(FG22, Homelessness, England)*

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*“ I was begging in those days so it was ‘Get out of [borough] or we’ll give you an ASBO... I just moved to the other side of the water. I didn’t go far... I just moved area and when the same thing happened again just moved area. ”*

*(WSU, homeless man, England)*

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*“ I’ve been fined for drinking in certain*

*places where there is a no-drinking zone, right?... I’m normally having arguments with the police and I just tell them where to go... Sometimes they might just take the can off you and tip it down the drain... When it happens I just go to the shop and just get another drink five minutes along the street. ”*

*(WSU, homeless man, England)*

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A core issue here is that enforcement remains a high risk strategy, as while there are things that can be done to increase the likelihood of a positive response (such as by tailoring individual support plans) there is no way of accurately predicting how an individual will react (see Johnsen and Fitzpatrick, 2007).

There appears to be less of an appetite to utilise enforcement in Scotland, except in cases where individuals are exhibiting extreme and/or persistent anti-social behaviour:

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*“It’s [enforcement is] not part of the landscape but I think it depends where you go in Scotland around particularly the begging issue. [City] has over a number of years tried to get a by-law... Every new administration keeps bringing it back and trying to get it... [but] every time they have come to Scottish Government to get permission for the by-law... there has never been a cabinet secretary who will sign it off. ”*

*(PS17, Senior statutory sector representative, Scotland)*

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*“ There’s just no appetite for that [enforcement] type of approach here at all... There is a sense that I suppose we created this situation... I think in our sector it’s pretty much off the agenda. ”*

*(PS35, Senior representative, homelessness umbrella agency)*

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## Interventionism and conditionality in support provision

Opinion amongst service providers remains divided regarding the relative effectiveness and ethicality of interventionist and/or conditional forms of support. These differences of opinion are based, in part, on the limited amount of existing evidence regarding the outcomes of different approaches, but also, importantly, the different ideological and normative stances of various stakeholders.

In England, there has been an increasing divergence in the approaches endorsed by service providers. On the one hand, traditional non-interventionist services such as soup runs and night shelters – which are often (but not always) provided by charitably funded faith-based organisations – continue to make very few (if any) demands of service users in terms of behaviour change. On the other hand, statutory funded services (including many hostels and street outreach services, for example) are increasingly requiring evidence of user engagement and/or compliance with care plans. These different stances regarding interventionism have been a focus of debate for some time, but the intensity of debate has escalated in light of increased levels of conditionality associated with some forms of provision in the past few years, most notably SSOs. In this vein, policy stakeholders and frontline practitioners indicate that there is marked tension between interventionist services that are offered on an explicitly conditional basis (such as an SSO) and those that are not only less interventionist but also less conditional (such as traditional night shelters), with providers of the former claiming that the latter undermine their potential influence in fostering positive behavioural change. At the same time, frontline providers offering SSOs acknowledge that they rely on services such as traditional night shelters and soup runs to meet the essential living needs of rough sleepers who refuse to comply (Johnsen and Jones, 2015).

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*“ The shortcomings of the more interventionist approach is that not*

*everybody’s able to sign up to it... There are a lot of people who do get motivated, do want to change, do want to have more settled lives and will play that game, ‘I’ll abide by these conditions’... For other people, it doesn’t suit them... and they’ll walk, they’ll walk rather than being told again. ”*

*(PS27, Senior representative, homelessness campaign organisation)*

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Stakeholders point to a further tension associated with differing levels of conditionality, most notably the distinction between the highly conditional approach often employed in response to ‘new’ rough sleepers (who may be subject to an SSO and denied other local authority funded services if they refuse to comply) as opposed to the lesser levels applied with known long-term rough sleepers (who may be eligible for an individualised budget, for example). Some suggest that this two-tier system poses difficult dilemmas regarding equality of service access:

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*“ There is a small group of people, in London but in other cities as well, that are basically given special treatment; the people they describe as ‘service resistant’ or ‘entrenched rough sleepers’... We continue to criminalise people when they really are just struggling to survive and making their needs more complex, and eventually when they are indeed in a very difficult position, then all of a sudden, we’re offering them everything they want, ever needed. It’s illogical. ”*

*(PS28, Senior representative, homelessness campaigning organisation)*

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Homeless interviewees’ experiences and views regarding interventionist and conditional support services were highly variable. For some, persistent attempts to persuade them to engage with support, coupled with the prospect of being denied services if they failed to do so, served to

increase their compliance. For others, neither interventionist approaches (such as assertive outreach) nor the application of conditionality (such as an SSO) had any tangible positive effect on the level or nature of their engagement with services or involvement in street culture activities, in the short term at least:

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*“ It changed how I thought about things... Like, ‘Well what’s the point in living on the street...?’ You know what I mean, staying in the madness, staying in the drug world when you know there’s a lot more to life than running around wasting my time all day. ”*

*(WSU, homeless man, England)*

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*“ My choice is to be on the streets... You have to know what it is to be a nobody for you to appreciate being a somebody or to make yourself a somebody... I understand [why various people are trying to persuade me to come off the streets] but I just think I’m not in the dire situation as they make it out to be. ”*

*(WSU, homeless man, England)*

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## Benefit conditionality and sanctions

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Homeless service providers generally report that whilst the threat of welfare benefit sanctions does increase some homeless people’s compliance with work search or preparation requirements, they were far from convinced that welfare conditionality as currently practised is effective in helping homeless people into paid work:

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*“ I have not seen any evidence that sanctions work and have the desired effect... I think there are elements of the welfare reforms which are actually positive about saying, ‘We will give additional support to help you into work? That’s exactly the right approach but I don’t*

*believe that the sanctions add anything to that. ”*

*(PS37, Senior representative, homelessness umbrella agency)*

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Homelessness practitioners are also highly critical of what they consider to be an unacceptable number of sanctions caused by Department of Work and Pensions administrative or communication errors, unreasonable Claimant Commitment requirements, and/or the fact that vulnerable claimants often do not fully comprehend the requirements or consequences for failing to comply. A number of homeless claimants have been penalised for failures of comprehension rather than deliberate non-compliance:

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*“ The Work Programme sends confusing messages to our clients. Sometimes they wouldn’t contact them in months, or they would send letters to very old addresses, or fail to inform them, or just inform them by text without sending a letter. People often change their mobile phones, they lose them. ”*

*(FG22, Homelessness, England)*

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*“ At first when people sign on, they don’t care, nothing’s explained... so people sign themselves to these ridiculous contracts, and they need to have an advocate to basically go and change all this... Very much it’s a huge difference in individual workers, because some of them are aware of social justice guidelines, some of them have no idea. ”*

*(WSU, homeless woman, England)*

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Homeless interviewees’ experiences of support associated with welfare conditionality were variable. Some had found Jobcentre staff or Work Programme courses helpful, for example. This was not the case for many others, however. In this vein,

a number of frontline practitioner interviewees emphasised that the support provided by the Jobcentre and/or Work Programme fails to meet the needs of most homeless people. Many do in fact view the current conditionality regime as a box-ticking exercise which takes insufficient account of individual circumstances and does little to enhance this group's prospects of employment:

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*“ I take them [service users] to the work-ready interviews, I do all the talking. I make sure that between us and the Jobcentre we all know the score. We all give each other the nod and we all blag it between us. It's nonsense. They [Jobcentre staff] know they're [service users are] not going to go back to work, I know they're not going to go back to work because everyone knows, in the long run, we're going to go back round again. ”*

*(FG22, Homelessness, England)*

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*“ Because [the Work Programme is] on payment by results, if someone is really close to work they'll kind of focus their attention on them. A quick win. Our kind of clients, who are chaotic, they don't seem to have as much focus on. But the client feels the pressure from the Jobcentre, perhaps from themselves ... Yes, it seems just a stupid exercise to me sending someone that isn't ready at all. ”*

*(FG22, Homelessness, England)*

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Many of the interviewees who had been sanctioned reported turning to food banks or other charitable sources for material support. A number reported that they had resorted to criminal activity in order to get by financially:

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*“ I got a sanction for not going to an interview. I got sanctioned for a month... It made me shoplift to tell you the truth. I couldn't survive with no money. I was homeless and I didn't have any money. So if I needed something I'd have to borrow it*

*from [supermarket] or something. ”*  
*(WSU, homeless man, England)*

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*“ [I got by] illegally... Drug dealing. That's what I did... That sanction probably turned me to crime and making my money. And then after that I was making that much money I didn't need their [benefit] money. ”*  
*(WSU, homeless man, Scotland)*

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Sanctions, or the threat of them, had caused significant distress for some interviewees, especially those who did not fully comprehend what was required of them or who struggled to keep to the terms of their Claimant Commitment. A small number had stopped claiming benefits because they found the process too complex and had become wholly reliant on charitable provisions or income gained from criminal activity:

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*“ [I got] in a complete state of panic and nervousness ... I was extremely anxious ... I went to the Post Office, because I had no money, so I had to walk quite a distance, every day to check if I had any money. ‘No, no, no, no’... Very stressful. ”*

*(WSU, homeless woman, England)*

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Service providers note that increasing amounts of staff time are taken up in dealing with the ‘fallout’ from sanctions, and that this impedes their ability to help homeless people make progress in accessing settled accommodation, recovering from addiction, or preparing for or seeking work:

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*“ Benefit sanctions... divert them from looking for employment because they're trying desperately to find some cash to get together. It diverts staff resources at the homelessness services to helping them deal with having no money rather than helping them move toward employment. ”*

*(PS37 Senior representative, homelessness umbrella agency)*

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## Views on Whether and When Enforcement, Interventionism and Conditionality is Justified

### Enforcement and support

The use of enforcement, together with the increased use of interventionist and/or conditional forms of support, are typically justified by authorities implementing such initiatives on grounds that rough sleeping and street culture: a) has a negative effect on local business and tourism; b) is intimidating to members of the public; and/or c) is damaging to the individuals involved (Johnsen et al., 2014). On the last point, authorities advocating such approaches commonly draw upon consistent and compelling evidence of associations between street homelessness, substance misuse, street culture activities, and excess mortality (see for example Johnsen and Fitzpatrick, 2007; Morrison, 2005; O'Connell, 2009).

A number of service providers are very sympathetic to these arguments, and assert that some homeless people are highly unlikely to alter their behaviour unless compelled to do so. The use of interventionist or conditional forms of support and/or enforcement measures is, in their view, justified on these grounds. Some argue that the ability of vulnerable homeless people to make decisions in their best interests is often severely impaired by substance misuse and/or mental health problems, so the decision about whether or when to engage with support cannot justifiably be left to the individual concerned. A number go as far as to suggest that it is irresponsible to knowingly allow such individuals to continue behaving in ways that not only have a negative effect on the wider community but can, in extreme cases, lead to the (avoidable) premature death of the individual concerned.

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*“ Decision or capacity around addictive behaviour is a really, really grey, sketchy area. Essentially [if allowing a street drinker to continue drinking in public*

*places] we'd be complicit in allowing, potentially, people that we're meant to have some responsibility for to continue to engage in a behaviour that they may not actually be able to control. I mean, that's addiction, isn't it? Loss of control. To the point of death. So you need to find a balance. ”*

*(FG24, Homelessness, England)*

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*“ My approach is based on respect... There is a group that includes me that thinks we're letting people down by leaving them to vegetate on the street... There will be those who will say that they're making a lifestyle choice and that by urging them to move inside we are misguidedly foisting our values on them... [But] I recall once trying to explain the doctrine of lifestyle choice to the children of a rough sleeper at his funeral. They listened politely, but I could guess what they were thinking and that was that if it had been your dad sleeping in that shop doorway, a greater humanity would have trumped your belief in lifestyle choice. ”*

*(PS25, Senior representative, homelessness charity)*

Other stakeholders and practitioners adopt a very different stance. They oppose overtly interventionist approaches on grounds that services actively promoting or making explicit demands regarding behaviour change contravene the therapeutic conditions required for people to recover from addiction and/or trauma, and argue that 'kinder' and more 'accepting' approaches are more effective when working with individuals deemed to be 'service resistant'. Many oppose conditional interventions on grounds that they potentially deny vulnerable people access to support services (as is the case with SSOs, for example). They also criticise enforcement measures for subjecting such individuals to potentially severe penalties (including substantial fines or lengthy prison sentences), and/or oppose

both conditional support and enforcement measures for potentially ‘driving’ non-compliant homeless people into more dangerous spaces or activities:

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*“ Most people who’ve been on the street, in that lifestyle, they’ve lived a life of being told what not to do. It doesn’t work. ‘What, you’re going to tell me I can’t do this? So what? I’ve been told all my life that.’ So it doesn’t work. ”*

*(FG24, Homelessness, England)*

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*“ No [using enforcement is not justified]. It’s not helpful. It’s not beneficial. It’s pointless. It’s a waste of resources. ”*

*(FG26, Homelessness, Scotland)*

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*“ If people are being a nuisance there has to be a response, I don’t have a problem with that, it’s just that the response has to be a compassionate one... The bureaucratic, as it were, enforcement response, generally speaking I think with those more challenging individuals it merely displaces them... I think our stance philosophically and theologically, would be that people need human responses... we have to care for each other as an obligation that we have as human beings. ”*

*(PS27, Senior representative, homelessness umbrella agency)*

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Homeless people generally support the use of enforcement interventions in certain circumstances, most notably when the individual concerned is behaving in a way that is clearly having a negative impact on other people.

‘Aggressive’ begging is an obvious case in point (albeit that there is disagreement on what constitutes ‘aggressive’ in this context); so too situations when a street drinker is persistently abusive toward fellow street drinkers or other members of the public, for example. That said,

homeless interviewees resented the use of measures that they perceived to be unjustifiably discriminatory, in that ‘known’ members of the street community and/or individuals who look ‘out of place’ are more likely to be targeted than the general public even if not behaving in an anti-social manner at the time. DPPOs were a particular target for criticism in this regard. Homeless interviewees were also generally very critical of enforcement interventions that have the potential to affect people ‘just’ sleeping rough, such as arrests under the Vagrancy Act.

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*“ As long as they’re not causing a nuisance or leaving empty cans or drinking or shouting and screaming, what harm are they doing? Just laid there sleeping? ”*

*(WSU, homeless woman, England)*

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Homeless interviewees’ views on the justifiability of interventionist and/or conditional support services were widely variable. Some profoundly resented the imposition of behavioural expectations on grounds that they believed these took insufficient account of the impacts of trauma and/or addiction on an individual’s readiness to change and/or receptivity to support. Others were ambivalent toward the interventions, because they could see the potential benefits in principle but believed that the accommodation or other forms of support people were being ‘pushed’ to accept was of poor quality and/or insufficiently tailored to individual needs. Yet other interviewees, however, argued that interventionist and/or conditional support was entirely justified as a potentially effective means of deterring vulnerable people from becoming entrenched in street lifestyles and promoting positive service engagement.

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*“ I think they should allow people, if they want to do that [continue to sleep rough], let them do that... You can’t force someone to do something, can you? ”*

*(WSU, homeless woman, England)*

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*“ Outreach teams should really provide warm places for people to sleep where people can set up their stuff and sleep rather than forcing people off the streets ... Where you send them may not be the help that they need or it may not be where the help that they need is. ”*

*(WSU, homeless man, England)*

*“ Perhaps hassling some people helps them... Otherwise they might hit rock bottom before they are ready to get off the street. ”*

*(WSU, homeless man, Scotland)*

## Benefit conditionality and sanctions

Increased benefit conditionality and the use of sanctions is typically justified by government and others advocating such approaches on either: a) the idea that in return for welfare assistance, claimants must do all that they can to find work and cease their dependence on benefits ('contractualist' grounds); or b) the belief that promoting uptake of paid work is in the long-term best interests of welfare recipients as it encourages them to free themselves from poverty and welfare dependency ('paternalistic' grounds) (Watts et al., 2014).

There is a general consensus amongst service provider and homeless interviewees that while

these sentiments may be defensible, current implementation practices affecting homeless people are extremely problematic and difficult to justify. There are particular concerns that many of the 'casualties' of conditionality are not people who will not work, but rather people who cannot work. Our data adds to a growing body of evidence that Claimant Commitments typically take insufficient account of the vulnerabilities and circumstances of homeless people (see also Batty et al., 2015) and, with some exceptions, that the provision of support is generally inadequate for this group.

*“ I certainly am a believer in a tough love, not patting somebody on the head and saying it's okay if it isn't okay, because some things aren't okay, but sanctioning people when they actually can't do it is a different matter from sanctioning somebody who has just refused to do it. ”*

*(FG26, Homelessness, Scotland)*

*“ I completely believe in conditionality but it's almost across the board unrealistic... and the staff poorly trained... You wouldn't go to a car showroom and buy a car and the car didn't work and you couldn't return it and have rights about it. So if you've got a massive piece of machinery that's supposed to look after the welfare of the country and it doesn't work then we would like to return it and get one that does. ”*

*(FG26, Homelessness, Scotland)*

### -KEY-

PS refers to policy stakeholder  
 FG refers to focus group  
 WSU refers to welfare service user

It should be noted that homeless people generally support the use of sanctions for housed benefit claimants who fail to comply with the conditions of their Claimant Commitment. But they believe that the imposition of requirements regarding work activity or preparation for people who are sleeping rough in particular is unfair, especially if they also suffer from mental health problems, addiction, or other vulnerabilities. Most homeless interviewees were unaware of the existence of the

JSA 'easement', and felt that much greater use should be made of this.

## Data sources

This paper draws upon data from interviews with 7 policy stakeholders (including representatives of national support or campaigning organisations), 27 participants across six focus groups with frontline practitioners (including street outreach and hostel/day centre support workers), and (wave one) interviews with 55 people who had current or very recent experience of homelessness.

## Further research

These homeless people will be interviewed again for our research in 2015-16 and then for a third time in 2016-17. This will enable the research to capture the dynamics of change for these individuals and the role of sanctions and support within this. It will also enable a better understanding of the medium-term cumulative outcomes of interventions and the impacts of new legislation and mechanisms of sanctions and support that are currently being introduced.

## Further Information

This paper was written by Prof Sarah Johnsen, Dr Beth Watts and Prof Suzanne Fitzpatrick from Heriot Watt University. It is one of a set of nine presenting our first wave findings on different policy areas. An overview paper sets out our findings in summary.

Further information about the project may be found at: <http://www.welfareconditionality.ac.uk/> A briefing paper on the policy context and existing research evidence on homelessness may be accessed at: <http://www.welfareconditionality.ac.uk/publications/>

For further information about our findings, please contact communications officer Janis Bright at [janis.bright@york.ac.uk](mailto:janis.bright@york.ac.uk)

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