

Written evidence submitted by Generation Rent (CJB33)

Criminal Justice Bill: call for evidence submission

1. I am submitting this call for evidence for the Criminal Justice Bill on behalf of the organisation Generation Rent.
2. This submission specifically relates to the measures within the Criminal Justice Bill to replace the Vagrancy Act 1824, namely: "A new framework of nuisance begging directions, prevention notices and prevention orders, together with broadly identical nuisance rough sleeping directions, notices and orders and an offence of trespassing with intent to commit a criminal offence."

Executive Summary

- [Research](#) conducted by Generation Rent has revealed that police in England are disproportionately using the Vagrancy Act against people who are Black.
- Freedom of information responses from police forces in England and Wales indicate that Black people who rough sleep are 68% more likely to be arrested under the Vagrancy Act than white rough sleepers.
- There is a genuine risk that if replacement legislation is once again used to criminalise people who are rough sleeping, it will also be used in a discriminatory way.

Who are Generation Rent?

3. Generation rent is a non-profit campaigning for every private renter in the UK to live in a secure, quality and affordable home.

Full research

4. Black people who rough sleep are 68% more likely to be arrested under the Vagrancy Act than white rough sleepers.
5. [Freedom of information responses](#) from 35 police forces across England and Wales show that people who are Black made up 8% of the arrests under the Act in the last five years, despite making up only 4% of the general population.
6. Only 5% of England's rough sleeping population identify as Black, according to government figures, indicating that people who are Black are being disproportionately targeted by the police using the Act.
7. There have been at least 4,200 arrests under the Vagrancy Act between 2018 and 2022. Of these the majority of people arrested, 3,274, were white, but 327, 8%, were Black.
8. We believe that in its current form, the Criminal Justice Bill not only leaves the door open for people sleeping rough to continue to be criminalised for being homeless but also for people who are Black to be discriminated against.

Recommendations

9. In its current form, the Criminal Justice Bill does nothing to prevent the disproportionate application of the new law against people who are Black. Indeed, the lack of clarity surrounding terms such as “nuisance rough sleeping” only risks making such application of the law more likely.
10. However, it is important to note that there is a clear indication that ANY attempt to criminalise people who are rough sleepers carries a risk of discriminatory application, regardless of the clarity and choice of language.
11. We are therefore calling for an end to laws being used to target and criminalise people who sleep rough and people who are homeless, as well as government action to tackle the root causes of homelessness. This includes the need to end Section 21 no-fault evictions in England, and to work quickly to build more affordable and social homes where they are needed.
12. To enquire further about the research or our work surrounding the Criminal Justice Bill, please contact our Campaigns and Partnerships Officer at Tilly@generationrent.org.

Appendix A

Table 1: Ethnicity breakdown of 35 police forces in England and Wales between 2018-2022

	White	Black	Asian	Middle Eastern	Mixed race	Other	Not stated	Total
Avon and Somerset Police	120	8	1	0	3	3	8	143
Bedfordshire Police	37	4	1	0	0	0	1	43
Cambridgeshire Constabulary	30	1	1	1	0	0	1	34
Cheshire Constabulary	48	0	0	0	0	0	1	49
City of London Police	1	0	0	0	0	0	0	1
Cleveland Police	65	1	0	0	0	0	2	68
Cumbria Constabulary	46	1	0	0	0	3	2	52
Derbyshire Constabulary	122	1	1	0	2	0	30	156
Devon and Cornwall Police	13	0	0	0	0	0	0	13
Dorset Police	23	3	1	0	0	0	4	31
Dyfed-Powys Police	12	1	0	0	0	0	0	13
Essex Police	18	0	0	0	0	0	4	22
Gloucestershire Constabulary	26	2	0	0	0	0	0	28
Gwent Police	66	1	1	0	2	5	2	77
Hertfordshire Constabulary	21	1	0	0	1	3	7	34
Humberside Police	27	0	1	0	0	0	50	78
Kent Police	36	1	0	0	0	0	13	50
Lancashire Constabulary	86	3	0	0	3	0	7	99
Leicestershire Police	26	2	0	0	0	0	1	29
Lincolnshire Police	51	2	0	0	0	0	1	54
Merseyside Police	1019	25	2	0	11	16	81	1154
Metropolitan Police Service	747	242	82	55	0	0	17	1143
Norfolk Constabulary	35	0	0	0	0	0	0	36

North Wales Police	38	0	0	0	0	0	0	38
Northamptonshire Police	11	2	0	0	2	0	13	28
Northumbria Police	53	1	1	0	0	0	0	55
North Yorkshire Police	24	0	0	0	1	0	4	29
Nottinghamshire Police	19	1	2	0	1	2	3	28
South Yorkshire Police	40	0	0	0	0	0	2	42
Staffordshire Police	13	1	0	0	0	0	26	42
Suffolk Constabulary	18	1	0	0	0	0	0	19
Surrey Police	17	4	0	0	0	0	0	21
Warwickshire Police	11	0	0	0	0	0	22	33
West Mercia Police	202	7	6	0	0	0	38	253
West Midlands Police	135	10	13	0	11	4	11	184
Wiltshire Police	18	1	1	0	0	0	1	21
Total	3274	327	114	56	37	36	352	4200
	78%	8%	3%	1%	1%	1%	8%	

5 January 2024