

UK: Over 1,300 homeless people penalised last year under the 1824 Vagrancy Act

By Joe Mount
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Thousands of people are being prosecuted every year in the UK under the draconian Georgian-era Vagrancy Act 1824. This outlaws begging and rough sleeping “in any deserted or unoccupied building, or in the open air, or under a tent, or in any cart or waggon, not having any visible means of subsistence.”

Although sections of it were modified or repealed in some parts of the UK, much of the Act remains in force today in England and Wales and can see rough sleepers moved on, fined up to £1,000 or arrested.

The law was enacted when the Napoleonic Wars ended in 1815 and many destitute discharged soldiers returned home, compounding the overcrowding problem in the booming industrial cities that attracted toilers from the countryside, Ireland and Scotland. It allowed punishments such as whipping and hard labour to be used to clear the streets. A 1906 government committee characterised it as a “measure simply of repression.”

The Act was used to prosecute 1,320 people during 2018 and is most commonly employed by police as a threat to force rough sleepers to relocate. Fines levied under the Act are often deducted from weekly benefit payments.

A homeless man from Blackpool named Pudsey, who grew up in care, told homelessness charity Crisis: “The [Business Improvement District] team and the police were on me straight away when I got here. It was them who first served me the Vagrancy Act papers...”

“Since coming to Blackpool I’ve now had thirteen charges under the Vagrancy Act, and I’ve also been taken to court twice for it. Getting the papers just made me angry. They just come up and tell you to move, but I don’t know where they expect you to go? Five of those warnings I was even asleep when they gave them to me, so how could that have been for begging? I just woke up to find it on my sleeping bag. ‘Sitting in a public place gathering money for alms,’ they called it.”

“Half the homeless in town have been given Vagrancy Act papers now, and most of them have been fined about £100 and then given a banning order from the town centre. If they get caught coming back, they get done again and could go to jail, but that means all those people can’t get into town to use the few local services there are for rough sleepers.”

A 24-year-old man was fined £150 after being found outside a supermarket in the bitter cold last December, according to Middlesbrough based Teesside Live. The news site also reported cases of men, after being found in tips and scrapyards, charged under the act for “being in enclosed premises for an unlawful purpose.”

This shocking social reality has prompted a campaign—with the social media hashtag #ScrapTheAct—for its repeal backed by charities, some cross-party Members of Parliament and the Labour Party.

Labour leader Jeremy Corbyn promises to repeal the Act and provide extensive support to eliminate homelessness within five years of coming to power. These pledges are belied by instructions from Corbyn and his shadow chancellor, John McDonnell, for local councils to continue enforcing “legal budgets.” Labour authorities run most of the urban working class areas and work hand-in-glove with the Tory governments to implement austerity, while their affluent, well-connected local leaderships regularly make a killing in privatization and property development deals associated with gentrification.

The Green Party also supports the campaign, with former Green Party leader Caroline Lucas and their sole MP tweeting: “Criminalising homeless people for begging or sleeping rough is Dickensian.” This is a party that speaks for a section of the ruling elite and is amongst the most vocal supporters of the European Union, which has imposed devastating budget cuts across the continent that have impoverished millions, driving many into

homelessness. Closer to home, the Greens have worked with Tory and Labour councillors in Brighton and Hove and in coalition government with Fianna Fail in Ireland to push through spending cuts.

In response to the campaign, Tory Housing Minister Heather Wheeler declared: “No one in this day and age should be criminalised for having nowhere to live. I’m committed to ending rough sleeping for good and our rough sleeping initiative is providing an estimated 2,600 additional beds and 750 more support staff this year.”

This from a representative of a government that has slashed the annual homeless services budget by one quarter, approximately £590 million per year, since 2008, or a total of £5 billion since 2009, according to homelessness charities.

Their real attitude is shown by Wheeler’s earlier remarks, revealed this month, describing the homeless in her Derbyshire constituency as “the traditional type, old tinkers, knife-cutters wandering through,” a pejorative reference to Irish, Gypsy, Roma and other traveller communities.

Due to opposition from the wider public, who see growing numbers of homeless in every town and city centre, the government has made token gestures in recent years including a promise to “end rough sleeping by 2027” and funding that is dwarfed by austerity measures imposed in recent years.

Labour, as much as the Tories, are complicit in creating the social conditions that give rise to rampant homelessness and the encouraging of state repression of its casualties, rather than providing the support required to rebuild their lives.

Demands for the Vagrancy Act to be repealed are not new. Last year, a petition received 20,549 signatures, prompting a mealy-mouthed response from the government asserting that “enforcement can form part of moving someone away from the streets but it should also come with an offer of meaningful support.”

The routine use of such anti-social legislation was escalated under the class-war policies of the 1980s Tory government of Prime Minister Margaret Thatcher. This began the period of social counter-revolution that continues today, including the wholesale destruction of social housing provision.

This anachronistic legislation is a symbol of the repressive character of the British ruling class, which upholds the failed capitalist system by using the most brutal means to maintain its centuries-long rule. It is naïve to believe that its repeal would alleviate the problem, let

alone strike at its root causes.

While many people are still prosecuted under the Vagrancy Act, its use since 2010 has fallen overall as the police have other, more modern, weapons in their arsenal. These include the so-called Community Protection Notices (carrying a maximum £20,000 penalty), Public Space Protection Orders (involving £100 fines, escalating to prosecutions) and Anti-Social Behaviour Orders that are available for use under civil, rather than criminal, law. Some rough sleepers have even been searched under anti-Terrorism legislation, underscoring how all such laws are ultimately targeted against the working class.

The persecution of homeless people across the country is being stepped up in myriad ways. The clearing of encampments, otherwise known as “tent cities,” by local councils has steadily risen from 72 in 2014 to 254 in 2018, with some authorities seizing tents and charging for their return.

Beyond policing, this punitive approach characterises the welfare and justice systems, which criminalise the victims of societal problems, by stigmatising the poor and shifting the blame onto the supposed moral failings of the individual.

The plight of the homeless is now a tragically familiar sight on the streets of Britain. There are approximately 320,000 people homeless in the UK, with the numbers shooting up over the last decade due to rising rents, cuts to housing benefits and the scarcity of social housing. In the capital rough sleeping soared by 18 percent to 8,855 people between April 2018 and March 2019.

The homelessness crisis is not a temporary problem but a permanent part of life in capitalist society. The existence of thousands who cannot find work or meet their other basic social needs, amid an advanced technological society approaching the third decade of the twenty-first century is a profound indictment of the social and political order dominated by a narrow, parasitic oligarchy.

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