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**Living within a Public Spaces Protection Order:
the impacts of policing anti-social behaviour on
people experiencing street homelessness**

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Foreword

Hermann Mannheim, perhaps the first criminologist to establish a distinction between ‘crime’ and a less precisely defined notion of ‘anti-social behaviour’ (Mannheim, 1946), noted that the latter concept was most frequently invoked to castigate the *behaviours* of the poorest (drunkenness, disorderliness, vagrancy). His own view implied that the *decisions* of the rich and powerful (tax evasion, exploitation, wealth hoarding) were at least as deserving of attention. Of course, such distinctions about the impact of legal regulation only reiterate wider criticisms regarding the overall effect of criminal law enforcement: one law for the rich, as the saying goes.

Having contributed to several textbooks, criminological dictionaries and encyclopaedias, and frequently pointing out that the precise appeal of anti-social behaviour (ASB) powers to enforcing authorities lay in their flexibility and utility, I was led to conclude, on several occasions, that the first generation ASB provisions would only be replaced when more insidious, nuanced and flexibly deployable powers became available. Having closely observed the Sheffield Hallam University (SHU) research from the beginning, as a member of the project steering group, I’m inclined to believe that both Mannheim and I had it correct.

As the SHU research report shows the Public Spaces Protection Orders (PSPOs) established within the Anti-Social Behaviour, Crime and Policing Act (2014), give local councils flexible widely selective powers inevitably entailing much discretionary enforcement. Furthermore, although statutory guidance from the Home Office urges that PSPOs should not be used to target people experiencing street homelessness, there is plenty of evidence to indicate that the guidance is not being followed in practice, to the contrary, many PSPOs contain provisions that directly target people experiencing street homelessness such as begging, street drinking and erecting temporary shelters.

In many respects the new powers re-energise some of the more invidious powers and provisions of urban governance; the provisions of the 1824 Vagrancy Act which summarily empowered constables to arrest and criminalise vagrants and suspicious ‘others’, and the ‘intentional homelessness’ provisions of the Housing (Homeless Persons) Act of 1977 by which many local authorities assumed widespread discretionary powers to abdicate their housing responsibilities for many vulnerable people. As the SHU research makes clear, in the wake of national austerity measures impacting local authorities, street homeless numbers have increased and attitudes have hardened towards the simple presence of visibly homeless people. Unfortunately, as the research makes plain, the dispersal powers associated with the PSPO have created vicious cycles of intimidation, dispersal and

displacement which merely recycle the homelessness problem rather than go anyway towards deterring – let alone preventing - the problems associated with homelessness.

One of the research anecdotes which stands out especially for me concerned how the field researcher himself, while interviewing a homeless person for the project, was directly threatened with dispersal on the assertion that he was ‘placing himself in a position to beg’. Yet another explicitly discriminatory ‘status offence’ for the 21st century, no doubt.

It is to the great credit of the research team, however, that beyond their detailed, thoroughly evidenced and critical analysis of the use of the new PSPO powers, they have sought to provide practical guidance as to how the tools and powers available under the ASB, Crime and Policing Act (2014) might be more effectively and humanely implemented. Suggestions include the strengthening and updating the statutory guidance, improving the training of frontline officers and staff and ‘altering’ the underlying philosophy of police and ASB enforcement (no small order this) by adopting key guiding principles of legal literacy: following the spirit of the law, reinforcing professional ethics within ASB work and respecting human rights and social justice.

The authors of the report make it clear where we need to begin, acknowledging basic principles, and starting from where we are, the more fundamental questions of rising inequality and measures to tackle the nation’s housing crisis will demand equally bold and courageous thinking.

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Details of anti-social behaviour tools and powers

This study focuses on tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014). The main powers discussed in the report are as follows:

Public Spaces Protection Orders

Description: A Public Spaces Protection Order (PSPO) is a spatial order that addresses anti-social behaviour by prohibiting and/or requiring specific behaviours in a defined public space. *Any* behaviour can be restricted, so long as the behaviour is considered by the local council to have a detrimental effect on the quality of life, is persistent, unreasonable, and justifies the restrictions imposed. Commonly, PSPOs are situated in town and city centres and prohibit behaviours such as alcohol consumption, begging, and public defecation. Requirements often relate to the control of dogs, such as walking them on a lead.

Penalty: Individuals that do not comply with a PSPO can receive a fixed penalty notice of up to £100, a fine not exceeding £1000 on conviction, or a fine of up to £500 for breach of an alcohol-related prohibition.

Dispersal Orders

Description: Dispersal powers can remove individuals over the age of ten from specified public spaces if they commit or are likely to commit ASB, crime or disorder. If an individual engages in the defined ASB within the Dispersal Area, they are issued with a Section 35 direction to leave notice, which requires them to leave the area for up to 48 hours. Dispersal orders are a short-term remedy used exclusively by the police that are designed to provide immediate relief to a community experiencing ASB. Dispersal Orders should operate for a period of up to 48 hours and are subject to authorisation by a police officer of at least Inspector rank under Section 34 of the Anti-Social Behaviour, Crime and Policing Act (2014).

Penalty: Failure to comply with a direction to leave is a criminal offence which can result in three months imprisonment, or a fine not exceeding £2500 on conviction.

Community Protection Notices

Description: A Community Protection Notice (CPN) is a civil preventive notice for individuals aged over 16, or organisations, whose behaviour is considered to: have a detrimental effect on the quality of life of those in the locality, is of a persistent or continuing nature, and is unreasonable. The behavioural threshold for a CPN is lower than previous ASB powers and almost *any* behaviour can be

captured by it. CPNs are issued out of court by individual frontline officers from the local council, police, or registered social landlords where they have been delegated authority. Prior to a CPN being issued, the potential recipient is required to receive a written Community Protection Warning (CPW). This must outline the ASB in question, request the behaviour stops, and detail the consequences for non-compliance. Breach of the CPW can result in the issuing of a CPN.

Penalty: Breaching a CPN is a criminal offence, punishable by a £100 fixed penalty notice or a fine of up to £2500 on conviction (£20,000 for organisations)

More information about PSPOs, Dispersal Orders and CPNs, as well as information about the other powers from the Anti-Social Behaviour, Crime and Policing Act (2014) can be found in the statutory guidance for frontline professionals, produced by the Home Office (2022a).

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Executive Summary

Context

In England and Wales, Public Spaces Protection Orders (PSPOs) were created through the Anti-Social Behaviour, Crime and Policing Act (2014). They give local councils flexible powers to tackle anti-social behaviour (ASB) in public spaces if the behaviour in question has, or is likely to have, a detrimental effect on the local community's quality of life. The behaviour must also be of a persistent/continuing nature. This broad definition means that virtually any behaviour could be sanctioned. PSPOs operate in a defined geographical area, often town and city centres, and contain a range of prohibitions and/or requirements to control the behaviours considered to be a problem. Breaching the Order is a criminal offence and punishable by a fixed penalty notice of up to £100, or a fine on conviction of up to £1000. Despite statutory guidance from the Home Office warning that PSPOs should not be used to target people experiencing street homelessness, there is evidence to suggest that this guidance is not being followed in practice (Brown, 2020). Indeed, many PSPOs contain prohibitions that directly target people experiencing street homelessness such as begging, street drinking and erecting tents and shelters.

Street homelessness is not simply the result of individual problems but is heavily preceded and impacted by socio-structural and institutional challenges, including a lack of welfare support, poor housing provision, unemployment, and engagement with the Criminal Justice System (Grimshaw and Ford, 2017). Since the early 1990s street homelessness has been a policy concern, with greater responsibility being placed on local authorities to reduce street sleeping in local areas. For example, the Homelessness Act (2002) requires all local authorities to formulate robust plans to reduce rates of homelessness. After ten years of decline, the numbers of street sleeping individuals increased in 2010, coinciding with the financial crisis, austerity measures and a reduction in local authority spending (Davidson et al. 2021). Despite the vulnerability of this group and recent funding interventions such as the Rough Sleeping Initiative and the 'Everyone In' response to the coronavirus (COVID-19) pandemic, people experiencing street homelessness are still often subject to policy and practice which regards them as disorderly and anti-social and thus subject to targeted policing measures (Grimshaw and Ford, 2017). PSPOs are one such example.

Little is known about how people experiencing street homelessness are policed within PSPO areas or how the different powers from the Anti-Social Behaviour, Crime and Policing Act (2014) are used to manage ASB associated with street homelessness, such as street drinking or begging. This study aims

to address this gap in understanding, offering an original insight into the lived experience of being policed through these powers, with reference to both informal and formal measures being used by the policing bodies to address local ASB concerns.

The research

The aim of this study was to critically assess how people experiencing street homelessness experience and are impacted by anti-social behaviour tools and powers within a Public Spaces Protection Order area.

The study utilised qualitative semi-structured interviews with 52 people experiencing street homelessness in ten case study areas in England and Wales. Areas selected had a PSPO with prohibitions related to street homelessness. A supplementary mixed methods inquiry into the perspectives of key informants was also undertaken. This was an exploratory sequential design beginning with 16 semi-structured interviews with key informants from frontline roles, including outreach workers, local council employees, and charity workers. This was followed by a quantitative online questionnaire of key informants to explore central themes generated by the interviews. In total, 108 valid responses were analysed. All fieldwork was conducted between March 2021 and May 2022.

Main findings

- The case study areas reflected two distinctly different approaches to policing; punitive or performative. Punitive PSPOs had a proactive focus to seek out people experiencing street homelessness for enforcement, for example, issuing Section 35 'direction to leave' notices. Performative PSPOs had a chiefly informal and reactive approach to managing the street homelessness landscape, 'turning a blind eye' unless it was causing a significant problem.
- Across the case study areas there was a shift in the threshold of what is defined as anti-social, with a wider range of behaviours subject to enforcement.
- People experiencing street homelessness said they felt constantly policed within a PSPO area, fuelled by the high volume of informal interactions with the policing bodies where they were repeatedly told to move on.

- Different formal powers were often layered within PSPO areas creating a volatile space for people experiencing street homelessness, where their behaviour could result in formal enforcement by any one of several different powers, each with a different sanction.
- Continual dispersal and displacement were central to the experience of being policed in a PSPO area. However, people ultimately returned to the PSPO area, producing a cycle of policing and dispersal/displacement which neither stopped nor deterred the behaviours of people experiencing street homelessness.
- In most instances our participants experiencing street homelessness said that they were not signposted to support through their interactions with the policing bodies, resulting in a missed opportunity for meaningful engagement.
- Key informant participants perceived the PSPO as a framework to engage and support people experiencing street homelessness, with enforcement as a last resort. However, there was consensus amongst our participants that the way the PSPO was policed did not solve the underlying ASB problems and drivers of street homelessness.
- People experiencing street homelessness reported varied policing interactions from supportive to verbal and physical abuse, emotionally impacting on the participants and resulting in antagonistic relationships and further ASB.
- Key informant participants highlighted pockets of good practice, but the quality of partnership working appeared patchy. Many also stated the need for better and more accessible support resources and greater tolerance for those who fail to engage.

Recommendations

We have created a guidance document for how the tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014) should be used with people experiencing street homelessness. We co-produced the guidance with Crisis, ASB Help and ASB consultant Janine Green, a copy of which can be accessed separately [here](#).

The guidance covers three main recommendation areas:

1. Updating the Home Office statutory guidance for frontline practitioners

Recommendations specifically relate to PSPOs, Dispersal Orders, Community Protection Notices, and informal policing interactions.

2. Changing the mindset and narrative of the policing bodies and ASB sector

This is underpinned by the guiding principles of legal literacy (Braye and Preston-Shoot, 2016), which are:

- Doing things right and in the spirit of the law
- Doing the right things in terms of professional ethics
- Rights thinking, which respects human rights and social justice

3. Improving training for frontline officers

Specialist homelessness training for frontline officers should be provided, which reflects the local context. This training should be trauma informed.

The specific details for each of the three areas can be found in the [guidance document](#).

Chapter 1 - Introduction

1.1 Anti-social behaviour in England and Wales

Anti-social behaviour (ASB) is a significant problem in England and Wales, with police recording 1.3 million incidents in the year ending March 2022 (Office for National Statistics, 2022a). This is supported by the Crime Survey for England and Wales which found 24% of respondents personally experienced or witnessed ASB in their local area in the past twelve months (Office for National Statistics, 2022a).

The legal definition of ASB in England and Wales is 'conduct that has caused, or is likely to cause, harassment, alarm or distress to any person' (Anti-Social Behaviour, Crime and Policing Act 2014, Section 2 (1a)). This is a subjective definition that can encompass a wide range of criminal and sub-criminal behaviours perceived to cause a problem, such as noisy neighbours, graffiti, and vandalism. In public spaces, behaviours associated with people experiencing street homelessness can be perceived to be anti-social, such as rough sleeping, begging, and street drinking. We know individuals engage with these types of behaviours through self-report data gathered by Crisis which showed that 92.8% of homeless people sleep rough, 60.7% drink on the street or in public places, 47.8% take drugs outdoors or in public spaces, and 36.5% beg (Sanders and Albanese, 2017). In response, the policing bodies, who we define as the police (including police community support officers), local council officials and enforcement officers, and private security firms (either employed by local councils or private businesses), have a range of tools and powers at their disposal to address these behaviours where they are considered to be causing a problem.

1.2 Tools and powers to tackle anti-social behaviour and street homelessness

Specific legislation to tackle ASB was introduced through the Crime and Disorder Act (1998), which included Anti-Social Behaviour Orders (ASBOs), Dispersal Orders and Criminal Behaviour Orders. Research by Fitzpatrick and Jones (2005), Johnsen and Fitzpatrick (2007), and Moore (2008) all investigated how these enforcement measures were used to tackle ASB attributed to people experiencing street homelessness, with mixed results. Fitzpatrick and Jones (2005) and Johnsen and Fitzpatrick (2007) found some positive behaviour change associated with formal enforcement and the use of ASBOs, whereas Moore (2008) noted that Dispersal Orders had a displacement effect.

The original ASB legislation created by the New Labour government was modernised and streamlined through the implementation of the Anti-Social Behaviour, Crime and Policing Act (2014)

by the Conservative-Liberal Democrat Coalition, powers which are still in force today. The introduction of these new powers fostered greater interest in the link between street homelessness and ASB due to the creation of Public Spaces Protection Orders (PSPOs).

PSPOs are a tool to manage public spaces and can be used to place a number of behavioural prohibitions and requirements onto a designated area, where the behaviour in question has, or is likely to have, a detrimental effect on the quality of life of those in the locality. The behaviour must also be of a persistent or continuing nature, unreasonable, and justify the restrictions imposed (Home Office, 2022a). This flexible and subjective definition means that virtually *any* behaviour could be subject to sanction, thus behaviours associated with people experiencing street homelessness (such as begging and street drinking) could be curtailed by this power. Breach of a PSPO is a criminal offence, punishable by a fixed penalty notice of up to £100 or a fine or up to £1000 upon conviction.

Academics and human rights organisations have been critical of the nature of PSPOs from the outset and have highlighted their potential to target vulnerable populations and criminalise people experiencing street homelessness (Liberty, 2016; Brown, 2017: 2020; Heap and Dickinson, 2018; Moss and Moss, 2019). Despite Home Office guidance (2022a: 69) stating that ‘Public Spaces Protection Orders should not be used to target people based solely on the fact that they are homeless or rough sleeping’, the limited empirical research that has examined PSPOs shows this has not been heeded in practice. Research by Brown (2020) utilised data from 125 local councils and found 27 had PSPOs with prohibitions related to begging and rough sleeping. Sanders and Albanese (2017) conducted a large multi-method study of the scale and impact of enforcement interventions with people experiencing street homelessness. They sampled 56 local councils, 17.2% (n=5) of which were using PSPOs to address rough sleeping, with a further 52% (n=29) suggesting they would use them in the future. The encounters that people experiencing street homelessness had with enforcement agencies were also examined by Sanders and Albanese (2017) through a combination of a survey and interviews. It was found that 81% said their most recent experience of enforcement came without any support or advice. The quality of interactions with enforcement agents was also mixed and varied between positive, supportive engagement to negative hostile encounters. Ultimately, they found that neither formal nor informal enforcement measures enhanced engagement with support services. This broadly supports the work of Johnsen et al. (2016) who examined enforcement-led interventions with people experiencing street homelessness and found a

mixed picture of success. Enforcement encouraged some individuals to desist, but others became more disengaged and displaced from support services.

1.3 Street homelessness in England and Wales

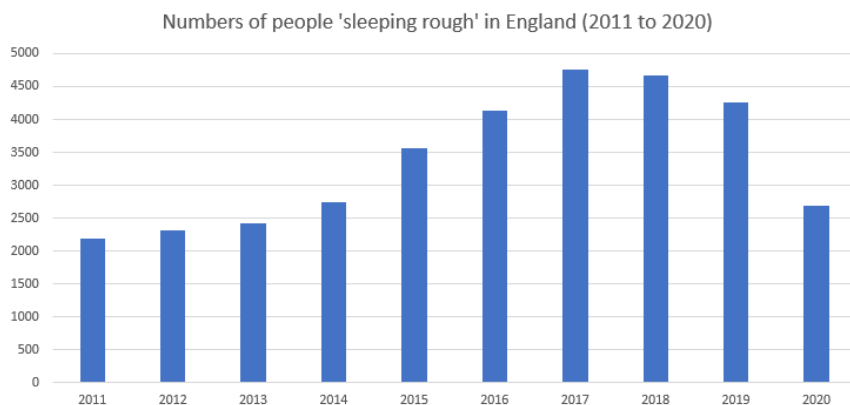
Street homelessness has been a prominent area of policy development and transformation in the UK since the early 1990s as a succession of governments sought to reduce the tangible signs of homelessness in towns and communities across the country (see Fitzpatrick et al., 2000). Following the implementation of the Crime and Disorder Act (1998) a core theme around these policy initiatives was the gradual shift of responsibility for the street sleeping population away from central government to local councils (Maclennan and O'Sullivan, 2013). The Rough Sleepers Unit sought to place street homelessness within a wider package of policies to combat social exclusion by providing funding for services including night shelters, street outreach, and tenancy support schemes. A key piece of legislation within the emergence of localism in England and Wales, the Homelessness Act (2002), required all local authorities to formulate robust plans to reduce rates of homelessness.

Localism in the policy field of homelessness reduction can be linked to a broader global trend of 'new urban politics', with an increasingly diverse set of political actors such as Business Improvement Districts and private landowners (for example, shopping precincts) shaping urban policies to promote 'public entrepreneurialism' and greater inward investment (MacLeod, 2011). In terms of homelessness policy, Coleman (2009) links this approach to a greater necessity for 'cleanliness' in urban centres and requires local councils to seek ways to 'cleanse' the streets of visible signs of a street sleeping homeless population.

Whilst policies around homelessness became increasingly complex and localised, the estimates of people experiencing street homelessness in England and Wales are fallible due to differing methodologies across (and occasionally within) local council areas (Randall and Brown, 1999; Robinson, 2004; Fetzer et al., 2019). Non-statutory agencies have argued that the method of counting people is problematic as most authorities only take 'snapshot' observational counts of the people experiencing street homelessness in areas likely to be frequented, thus not counting people who are deliberately elusive (Cloke et al., 2001). Whilst acknowledging the flaws in accurately measuring street homelessness, the general trend across the first two terms of the New Labour government (1997-2005) showed a decline in the number of people rough sleeping in England and Wales, which fell from 1850 in 1998 to 459 in 2005 (Office of the Deputy Prime Minister, 2005).

The observed decline in the numbers of people sleeping rough in England and Wales ceased with the onset of the financial crisis of 2008/9 and the emergence of mass unemployment and austerity (see Fitzpatrick et al., 2012; Watts and Fitzpatrick, 2018). The uneven distribution of people experiencing ‘core homelessness’ shows that social factors including experiences of child poverty, being from a working-class background, and living in urban areas with tight housing markets significantly increased the likelihood of becoming homeless (Bramley and Fitzpatrick, 2018). Interconnectedly, rough sleeping started to increase from 2010 (See Figure 1.1). The numbers of rough sleepers dying in England and Wales also increased year-on-year by 22% throughout the middle part of the last decade (Aldridge, 2020).

Figure 1.1: Numbers of people sleeping rough in England 2011 to 2020 (ONS, 2020)



The localism inherent to housing and homelessness policymaking continued under the Coalition and Conservative governments, alongside wider austerity measures through spending reductions on housing allowances to private tenants and grants to local authorities (Beatty and Fothergill, 2017). Hastings et al. (2017) argue that the reductions in government spending disproportionately impacted cities in England and Wales, as ‘non-ring-fenced’ services such as housing and assistance to homeless groups dropped significantly. In the view of Davidson et al. (2021; 685) ‘these changes have had a profound impact on investment in and the nature of responses to homelessness at the local level’ and directly contributed to increases in the rates of homelessness. The disparities in levels of support available to rough sleepers constitutes a form of ‘patchy retrenchment’ (Turner, 2019: 61) due to the lack of uniformity, funding, and availability of resources between local authority areas.

Considering high rates of rough sleeping, the current Conservative government pledged to ‘end the blight of rough sleeping by the end of the next parliament’ by continuing the Rough Sleeping

Initiative (2018) (Nickson et al., 2021: 46). The Rough Sleeping Initiative included a broad set of interventions that are shaped and implemented at a local level, such measures include improving; 'outreach services, day centre provision, specialist non-housing roles, and hiring rough sleeping coordinators who coordinate partnership working across local services' (Aldridge and Enevoldsen, 2021: 152). The numbers of people sleeping rough in England and Wales appeared to have peaked in 2017 with moderate year-on-year decreases in 2018 and 2019 (see Figure 1.1).

In 2020, the Conservative government intervened more significantly in rough sleeping policy as a result of the coronavirus (COVID-19) pandemic due to high rates of comorbidities amongst this population. In response, the 'Everyone In' initiative was launched to lessen transmission of COVID-19 by closing communal accommodation and limiting the capacity of day centres and other forms of support that required face-to-face contact with service providers (Hayward and Story, 2020). In effect, the policy provided funding for local councils to move approximately 15,000 rough sleepers from the streets into requisitioned hotel rooms and provided funding for multi-agency support, such as access to medical professionals and drug/alcohol workers (Story and Hayward, 2021). Evidence from the ONS suggests this approach saved lives, as deaths (of all causes) amongst the wider homeless population fell from 778 in 2019 to 668 in 2021 (ONS, 2021). In the view of Fitzpatrick et al. (2021), the first wave of the coronavirus pandemic reset discourses around homelessness and reconceptualised the issue as a public health concern. Whilst the 'Everyone In' was widely regarded as a successful initiative, it was not re-implemented for successive waves of COVID-19 despite calls from the British Medical Association (2020). Recent data suggests that around two thirds of rough sleepers accommodated through 'Everyone in' are currently housed in settled housing options, however, concerns persist over the future wellbeing of those who are no longer in accommodation and have returned to the state of homelessness.

In summary, the last 25 years in the homelessness sector have shown how responsibility for homelessness has gradually shifted from central government to local councils. Like many other areas of social policy, the homelessness and housing sector has experienced a succession of funding cuts, that until the coronavirus pandemic, resulted in greater rates of rough sleeping in England and Wales. The coronavirus pandemic mandated a brief reversal of this general trend, although the present state of play suggests that rough sleeping and wider concerns around homelessness remain at the forefront of public policy.

1.4 Vulnerabilities of people experiencing street homelessness

The lived reality of people experiencing street homelessness are intersected with a range of factors that make them one of the most vulnerable groups within society. Whilst 'rough sleeping is widely considered to be the most visible manifestation of poverty' (McCulloch, 2017:171) the vulnerabilities experienced by this group are often hidden from public view.

People experiencing homelessness have a far lower life expectancy than the general population as the mean age of death for men is 45 years and 43 for women (compared to 76 and 81 respectively for the general population) (Jayawardana and Mossialos, 2020). Furthermore, they are 17 times more likely to be victims of violence and 15 more likely to have experienced verbal abuse (Mackie et al. 2017). A survey of 458 rough sleepers for Crisis found that 48% had been threatened with violence and 59% had been subjected to harassment or verbal abuse (Sanders and Albanese, 2016). Mental health issues are also prevalent within this population. Estimates suggest that between 30-50% experience mental illness (Wilson, 2011). This may be an underestimate as a survey of homeless people by Homeless Link (2014) found that 80% of respondents reported having a mental ill health, with only 48% having received a formal diagnosis. Substance misuse amongst rough sleepers is also commonplace: research conducted by the Advisory Council on the Misuse of Drugs suggests that around half of rough sleepers in England have some form of substance misuse problem (ACMD, 2019). In recent years further research has shown that drug use amongst the rough sleeping population is becoming progressively more complex due to the use of prescription drugs, New Psychoactive Substances and traditional drugs such as 'crack' cocaine and opioids (Ralphs and Gray, 2018; Devany, 2019).

1.5 Gaps in understanding and the purpose of this study

It is clear that street homelessness and ASB combine to create an incredibly complicated and nuanced social issue. Despite the existing research conducted into the concomitant areas of ASB and street homelessness, as well as where these two domains intersect, there remains a dearth of detailed information about the lives of people experiencing street homelessness and the impact of being subject to ASB tools and powers.

This study aims to address this gap in understanding by providing an in-depth investigation into the impact of tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014) upon the lives of people experiencing street homelessness. Our attention focuses on the implementation of PSPOs that contain prohibitions relating to the behaviours associated with people experiencing

street homelessness. Thus we offer an original insight into the lived experience of being policed through this power, with reference to both informal and formal measures being used by the policing bodies to address local ASB concerns.

1.6 Report structure

The next chapter, Chapter 2, offers a detailed account of the research methods used to collect the data presented in this report. Chapter 3 provides an in-depth examination of each of the ten case study areas in England and Wales that were selected as sites for data collection. It presents the characteristics of each area, followed by observations from the researcher's fieldnotes. This is supplemented by the types of ASB our street sleeping homeless participants reportedly engaged in, as well as the types of policing practices that our participants experienced. Chapter 4 then comprises a comprehensive overview of the findings from the interviews with our street sleeping homeless participants, detailing six key themes: being moved on, begging, the removal of belongings, formal powers, relationships with the policing bodies, and the personal impacts of being policed. This is followed by Chapter 5 which affords a thorough insight into the data collected from key informants, namely interviews and the online questionnaire. The key themes detailed here cover their perceptions of ASB in the local context, the implementation and effectiveness of PSPOs and the policing of PSPOs. Finally, Chapter 6 summarises our main conclusions and proposes a range of empirically informed recommendations for policy development, which have been created in partnership with key policy stakeholders.

Chapter 2 - Research methods

2.1 Research aim

To critically assess how people experiencing street homelessness are impacted by anti-social behaviour tools and powers within a Public Spaces Protection Order area.

2.2 Research objectives

1. To understand the types of anti-social behaviour identified by the authorities to be causing a problem and the thresholds at which sanctions are imposed.
2. To identify how anti-social behaviour tools and powers impact the daily lives of people experiencing street homelessness.
3. To explore the lived experience of people experiencing street homelessness whose behaviour is perceived to be anti-social.
4. To investigate the impact of anti-social behaviour tools and powers on people experiencing street homelessness from the perspectives of key informants.

The study used multiple methods to meet the research objectives. This involved qualitative semi-structured interviews with people experiencing street homelessness in ten case study areas in England and Wales, which was the main component of this research. A supplementary mixed methods inquiry into the perspectives of key informants was also undertaken, which involved an exploratory sequential design where semi-structured interviews were conducted first, and their data used to design a quantitative online questionnaire.

The fieldwork was conducted between March 2021 and May 2022. Ethical approval was granted by the authors' institution (reference: ER27540187), with the participants anonymised and presented in the report using pseudonyms for the interviews and response categories for the questionnaire. The coronavirus (COVID-19) pandemic affected the timing of the fieldwork; however it did not curtail the desired nature of the data collection. Throughout the duration of the project, the research team complied with all iterations of national and institutional coronavirus guidance as well as health and safety regulations. Where research was conducted in person, the research team provided personal protective equipment to all participants.

2.3 Qualitative research with people experiencing street homelessness

Qualitative research was undertaken to elicit detailed accounts of how people experiencing street homelessness interact with the requirements of ASB tools and powers. We wanted to investigate how the tools and powers affected their experience of and engagement with urban centres, therefore our interest focused on Public Spaces Protection Orders (PSPOs). A qualitative approach offered the opportunity to explore the frequency and quantity of any formal or informal enforcement, the types of behaviours being sanctioned, and the nature of the interactions that took place with the policing bodies. Further, we were keen to assess the lived experience of being perceived to be anti-social and the impact of any formal or informal enforcement upon their lives.

Case study selection

The research was conducted in ten case study areas in England and Wales. This approach was used to capture a variety of experiences and different policing practices. Case study areas were sampled purposively, based upon two criteria:

1. Having an active PSPO in place at the time of the fieldwork that specifically targeted and prohibited behaviours associated with people experiencing street homelessness. For example, street drinking, begging, leaving belongings on the street, sleeping in tents and the use of new psychoactive substances.
2. Areas issuing the highest numbers of fixed-penalty notices (FPNs) for breach of a PSPO as determined by Freedom of Information Request data published by the Manifesto Club (2020). If an area was unresponsive, the area with the next highest number of FPNs was considered.

Care was also taken to ensure the areas selected offered an even geographical spread. The result was a final sample of nine areas in England and one in Wales. The following regions were represented: North East, Yorkshire and the Humber, East Midlands (two sites), East of England (two sites), London, South East (two sites), and Wales. The ten case study areas were served by nine different police forces; thus the sampling frame offered the potential for variances in practice to be observed. Each case study area was ascribed a pseudonym, namely: Bridgecliffe, Eastholt, Lightford, Marsh Vale, Moorhurst, Nortown, Roseden, South Oak, Winterton, and Woodcastle. Chapter 3 provides a thorough overview of the attributes and characteristics of each case study area.

Semi-structured interviews/focus group

Participants were voluntarily recruited through homeless day centres in all case study areas apart from one (Woodcastle). The day centres were utilised because it enabled the researcher to access participants in an environment that was safe for both parties, in terms of both the research itself and in relation to the social distancing guidelines in place due to the coronavirus pandemic. To minimise power imbalances, the day centres were strictly non-interventionist in nature, in the sense that they did not seek to actively change the behaviour of people experiencing street homelessness. Recruitment through interventionist groups could have created a false impression that participation in the research was obligatory. The centres involved in the study provided food, signposting advice, and support.

Having a gatekeeper organisation also enabled the researcher to consult staff to ensure they were alert to whether a participant would be at risk of harm through their participation in the research. Where concerns about vulnerability were raised, potential participants were not interviewed. The researcher also worked closely with staff to make sure that participants had access to support, whilst being mindful of not compromising participant confidentiality. Where possible, the participants were offered the opportunity to be interviewed outside of the day centre in a nearby public space to reduce distress if they were uncomfortable in the centre. In these circumstances confidentiality was maintained at all times by sitting/standing away from anyone who could overhear the conversation. To acknowledge their time, expertise and hospitality, financial recompense was offered to the day centres.

In Woodcastle, access to a day centre was not possible because the ones we approached either declined to be involved or did not respond to our invitations. Nevertheless, the case study area was still used because it met our selection criteria. Subsequently, interviews with the street sleeping homeless participants were conducted on the streets. The researcher deployed a range of additional safety precautions in this area, such as interviewing in public spaces, during daylight hours, and with regular check-ins with the project team by telephone.

In total, 43 face-to-face interviews took place. This was supplemented by one focus group containing nine participants, which took place in Lightford. All participants were recompensed for their time and input by being offered a £20 High Street Gift Voucher.

The sample comprised 47 males and 5 female participants. Their ages ranged between 20 and 68, with the mean age being 41. The vast majority were White, with one Black, one Spanish, two Polish and two British Indians. This sample is broadly representative of the wider homeless population as 88% of people experiencing street homelessness in the UK are male (Reeve, 2018). The UK government and local authorities do not collect data on the ethnicity of people experiencing street homelessness although research on 'severe and multiple disadvantage' (a proxy measurement for people experiencing street homelessness) suggests that 85% of this population is White (Bramley et al., 2015). A translator was required for one of the Polish participants, who was present during the interview. Twenty-three participants self-identified as disabled with a range of mental and physical conditions disclosed. This reflects the assertion that people with physical and/or mental disabilities are over-represented among people experiencing homelessness (Stone et al., 2019; Public Health England, 2018).

Semi-structured interviews were conducted following the same outline interview schedule. All participants were asked contextual questions about themselves, their behaviours in the town/city centre, the PSPO in their area and other types of enforcement, their relationship with the policing bodies, and about their understanding of what being 'anti-social' meant to them. Where possible, the interviews were supplemented by a mapping exercise, where the researcher presented the participant with a hard-copy paper map of the local area and asked them to mark where they undertook different behaviours such as: drinking, begging, loitering, where they felt safe, where encounters with the policing bodies took place and where they slept. This process enhanced the interviews by giving insight into the location, as well as the different ways each participant used the space. It also proved invaluable when attempting to understand how and where participants were moved on by the policing bodies and the implications of such movement.

In total, 52 people experiencing street homelessness participated. The focus group and all the interviews apart from one were audio recorded and transcribed. The transcripts were analysed using Braun and Clarke's (2006) framework for thematic analysis and a variety of themes were generated, which are detailed in Chapter 4. Recruitment of the street sleeping homeless participants was challenging for a range of reasons. It was difficult to secure access to day centres in the chosen locations due to their capacity to engage with the study. During the fieldwork period for this part of the project between August 2021 and January 2022, day centres were struggling with staffing because of the coronavirus pandemic due to employees having to isolate. This resulted in a reduced service in some centres, which meant it was difficult to accommodate the researcher as well. Some

centres were also already operating at a reduced capacity given social distancing guidelines. Staffing was also hindered by the 'fuel crisis' in autumn 2021 where petrol shortages prohibited staff from getting to work. Furthermore, Storm Arwen, which affected England and Wales between 25-29 November 2021 also hampered the fieldwork because of significant damage caused to a day centre the week prior to our scheduled visit. We are extremely grateful to the day centres for facilitating our data collection during this particularly difficult time.

Fieldwork notes and observations

In addition to the formal interviews and focus group, the researcher kept a fieldwork diary throughout the duration of the data collection. Observations about the case study areas were noted and used to facilitate the interviews and mapping exercises, as well as to provide context about the areas. For example, noting the location of PSPO signage.

2.4 Mixed methods research into the perspectives of key informants

The second part of the project captured the perspectives of key informants from practice. Local councils must consult with 'community representatives they think appropriate' (Home Office, 2022a: 65) when planning to implement a PSPO in their locality. Therefore we wanted to examine how much key informants were engaged with this process, and their awareness of other ASB-related enforcement practices. Key informants are a vital source of information about the local homelessness context, so we were keen to understand their experiences and how their service was supporting our participants that were experiencing street homelessness.

This mixed methods element of the project comprised an exploratory sequential design, where semi-structured interviews were conducted to obtain an insight into this under-researched topic which we could later test through an online questionnaire. The findings are reported in Chapter 5.

Semi-structured interviews

As the coronavirus pandemic delayed the commencement of our face-to-face data collection with our participants experiencing street homelessness, we conducted the semi-structured interviews with key informants first. Sixteen online interviews (using Zoom or Microsoft Teams) were conducted between March and November 2021. Videoconferencing interviews were always the data collection method of choice due to their cost effectiveness and high satisfaction ratings among participants even when compared with face-to-face methods (Archibald et al., 2019).

Of the sixteen interviews, eleven were with key informants from the same case study areas as the participants experiencing street homelessness, and 5 were from potential case study areas that were eventually discarded. Potential case study areas were ultimately discarded because we could not gain access to a homeless day centre to facilitate the interviews with the street sleeping homeless participants. Nevertheless, the practitioner interview data from those areas were still useful to this component because many of the same themes were generated across the dataset and could therefore inform the design of the online questionnaire. We quote participants from three of these areas in Chapter 5, their locations were allocated the following pseudonyms: Bright Bank, Morwold, and Redby. Participants were recruited through a range of convenience, purposive and snowball sampling for us to speak to the most relevant people in the local areas. The sample consisted of 10 males and 6 females. A variety of roles were represented including soup kitchen co-ordinators, outreach workers, local council employees, and charity workers. Exact job titles are not reported to maintain anonymity.

All interviews followed the same semi-structured schedule, where questions were posed about: their role and organisation, the local environment they worked in, questions about the PSPO, broader questions about ASB and enforcement conducted by the policing bodies, and the impact policing had on their service users. The interviews were audio recorded, transcribed, and thematically analysed using Braun and Clarke's (2006) thematic analysis framework. The findings from the analysis provided a dataset in its own right, which is reported in Chapter 5, and it was also used to develop the questions for the online questionnaire.

Online questionnaire

Based on the thematic analysis of the semi-structured interviews, the questionnaire was developed to include three themed sections: i) local context, ii) questions about PSPOs and policing, and iii) demographics.

All respondents were posed the same questions about their local area to understand the context of their experiences. Questions investigated: geographic region, local regeneration activity, political control of the local authority, partnership working, the extent of homelessness, and local ASB problems. A screener question was then used to determine whether the respondent was located in an area with a PSPO. Depending on the response, the questionnaire branched into two sections. One for those located in an area with PSPO and one for those not. Questions for those without a PSPO included: potential PSPOs and the consultation process, perceived effectiveness of PSPOs, and

policing homelessness. The questions where a PSPO was present included: the consultation process, types of PSPO prohibitions, types of enforcement, signposting, and perceived effectiveness. The demographic questions asked familiar questions about the respondents' personal characteristics to be able to determine the composition of the sample, as well as questions about job role and function of their organisation, length in service, length in the sector, and their organisation's funding. At the end of each themed section participants were offered the opportunity to provide additional comments through a free text box. To enhance the response rate the completion time was substantially under twenty minutes (Callegaro et al., 2015). The questionnaire was piloted by a small sample of key informants who also took part in the interviews. It was also reviewed by selected members of our Research Advisory Group.

The online questionnaire was created on the Qualtrics platform. Prior to the questions starting, details about the study were provided alongside a full information sheet and informed consent question, which respondents had to answer before being able to access the questionnaire itself. Respondents could skip questions they did not feel comfortable answering, which led to variations in the number of responses for each question. To adhere to Sheffield Hallam University guidelines for online questionnaires, respondents were required to 'submit' their answers by clicking a box at the end of the questionnaire that confirmed their willingness to take part. Unfortunately, several respondents did not complete this process leading to many incomplete and thus unusable responses.

The questionnaire was released in March 2022, and it was open for ten weeks. The target population was key informants in the homelessness sector. To recruit participants a range of techniques were used to circulate the online link to the questionnaire. We created a database of homelessness organisations in England based on the information provided on the Homeless Link website, which contained 575 organisations, and a database from the Centre for Homelessness Impact website that contained a further 167 organisations, practitioners and researchers in England and Wales. Contacts on these databases were emailed directly multiple times. We also promoted the questionnaire on social media primarily through the researchers' Twitter accounts, where our tweets were viewed over 6000 times. We utilised Facebook by posting details of the questionnaire on 12 sites related to homelessness in England and Wales and disseminated the details via LinkedIn.

In total there were 202 responses, but due to not all respondents completing the necessary consent or submission requirements we achieved a total of 108 valid responses. The data were analysed using SPSS with the results presented in Chapter 5.

Of the valid submissions, 105 respondents provided information about their gender with 43.8% of the sample identifying as women, 51.4% as men and 4.8% preferred not to say. The ages of respondents ranged from 23 to 68, with a mean average of 44.6 years. The vast majority reported a white British ethnicity (91.5%, n=97), with 1.9% (n=2) identifying as a mixed/multiple ethnic groups, 0.9% (n=1) Asian or Asian British, 1.9% (n=2) an other ethnic group, and 3.8% (n=4) preferred not to say. A wide variety of key informants responded, ranging from CEOs to volunteers, with the most common post being a policing related role (25.3%, n=24). Most respondents (28.7%, n=31) had been in post for more than ten years, with 35.5% (n=38) working in the homelessness sector for more than ten years. The majority of respondents' organisations were publicly funded either through central government (23.8%, n=25) or local councils (30.5%, n=32), over a medium term of between 3-6 years (25.2%, n=26). Most respondents were either located in Yorkshire and the Humber (20.4%, n=22), the South West (18.5%, n=20), or the South East (17.6%, n=19). We also had a good response from Wales (13%, n=14), with the majority based in cities (46.3%, n=50).

Whilst every effort was made to ensure the data collected was of the highest quality and the greatest utility, there were some limitations. Despite not knowing the total number of potential respondents in our proposed population, 108 is a relatively small sample size. Respondents were self-selecting therefore participation is likely to reflect a particular interest in the research subject. Furthermore, the coronavirus pandemic limited our opportunity for data collection. The questionnaire was scheduled for release in early January 2022 but was postponed due to the peak in positive COVID-19 cases due to the Omicron variant (GOV.UK, 2022a). At the time, national guidelines required 10 days isolation for all contacts of confirmed cases, therefore we anticipated that our population may not be available. Unfortunately, high case numbers continued into the spring. The response rate may have also been curtailed by the frontline nature of our target population who were not necessarily sitting behind a desk to receive our emails and tweets. Despite using multiple different avenues to contact potential respondents, they were a challenging group to engage.

Chapter 3 - Case study areas and context setting

This chapter details the types of ASB powers and policing interventions that are taking place in each of the 10 case study areas. This contextual information is vital to aid our understanding due to the increasingly localised approach to policing street sleeping homeless populations (Brown, 2020). To ensure that the anonymity of participants and stakeholders are maintained, this chapter will refer to each of the locations and participants with pseudonyms. This also means that detailed references to specific area-related literature cannot be made. Most data for the area characteristics are taken from publicly available national statistics (Office for National Statistics, 2022b; Ministry of Housing, Communities and Local Government, 2019; Department for Levelling Up, Housing and Communities, 2022).

As noted in Chapter 2 the locations were selected based on the following criteria:

1. Having an active PSPO in place at the time of the fieldwork that specifically targeted and prohibited behaviours associated with people experiencing street homelessness. For example, street drinking, begging, leaving belongings on the street, sleeping in tents and the use of new psychoactive substances.
2. Areas issuing the highest numbers of fixed-penalty notices (FPNs) for breach of a PSPO as determined by Freedom of Information Request data published by the Manifesto Club (2020). If an area was unresponsive, the area with the next highest number of FPNs was considered.

The locations of potential case study areas were considered and reviewed to ensure that a wide geographical spread across England and Wales was achieved. Several case study areas selected had multiple PSPOs within the local authority boundary. In those instances, the specific PSPOs we focused on were in the city/town centre that explicitly had requirements related to street homelessness to fulfil criterion one. The sizes of the PSPO areas varied considerably, from encompassing sections of the town/city centre to the entire local council area. The specific conditions of each PSPO also differed.

This chapter presents a brief overview of each area and its respective PSPO, as well as the fieldwork observations from the researcher during the data collection process, and reflections on the area

from key informants. It also explores the types of ASB that our participants experiencing street homelessness engaged in, in addition to their perceptions of what it means to be considered anti-social. Further, it outlines the main types of policing practices that our participants experienced. Overall, this chapter demonstrates a varied approach to implementing and enforcing ASB legislation across each of the 10 case study areas, which appears to have little bearing on the location or demographics of the area.

3.1 Bridgecliffe

The PSPO area

This seaside town in the East of England receives large numbers of tourists throughout the summer as visitors use the beach and plentiful leisure amenities. There are relatively low levels of deprivation, and house prices and the cost of renting are both above England averages. Rough sleeping has declined since pre-coronavirus (COVID-19) pandemic levels. The PSPO is one of the most restrictive amongst the entire case study sample and includes prohibitions relating to: begging, drug use, street drinking, urination/defecation, sleeping in public places and erecting tents. This PSPO also has a 48-hour dispersal requirement embedded for individuals considered to be engaging in ASB. This is a relatively unusual combination of powers under the legislation and appears to offer greater policing options whilst reducing some of the safeguards around traditional forms of dispersal orders, such as having to be approved by senior officers. Utilising PSPOs in this manner is unpacked further in Section 4.4 in Chapter 4. The local council in Bridgecliffe has also imposed an 'enhanced area' within the wider PSPO area, where street drinking is subject to greater levels of enforcement. The agencies with the authority to issue fixed penalty notices were police officers, PCSOs, and community safety wardens. The consultation for the PSPO was not available online for inspection.

The PSPO area covers the linear seafront area, the main town and one/two city blocks away from the promenade and town centre. The research in Bridgecliffe was conducted over three days immediately after the August bank holiday when large numbers of tourists were visiting the vicinity of the town and the surrounding areas. Hence, the researcher observed multiple instances of street drinking at all times of the day, but it was difficult to ascertain whether this was being perpetrated by residents of the town, tourists, or people experiencing street homelessness. Visible signs of homelessness were seen around the seafront in the form of tents and sleeping bags amongst the trees near the beach, as well as people sleeping each morning on benches above the promenade. Across the three days the researcher noticed that the tents and sleeping bags remained stationary, suggesting that the authorities were not actively trying to make people vacate the area. Signage

warning people of the PSPO was placed on numerous lampposts across the town (the researcher counted a total of 10).

The participants and ASB

The five participants interviewed in Bridgecliffe were all male, with an age range of 29-52 years. They engaged in a number of behaviours that would be considered anti-social and would breach the prohibitions in the PSPO. In particular, participants engaged in street drinking, drug use and erecting tents. Only one of the participants stated that they would beg on occasion. They described becoming homeless through a variety of situations. For example, Harvey suffered a relationship breakdown and has issues with drugs and alcohol. Elliot had an ongoing issue with a neighbour and Edward struggled after release from prison. Participants discussed the challenges and complexities of street sleeping, including the weather, the lack of security, their addictions, the challenges of staying away from other people with addictions, and the difficulties of accessing support. Whilst it was acknowledged that some of them and their associates' behaviours may be anti-social, it did not prevent the behaviours. Three of the participants discussed attempting to keep their areas clean from litter and to reduce drug use and offensive behaviours, like swearing, when people were around. More critically, they perceived that ASB legislation was primarily used to keep them out of sight:

Elliot: Exactly, they want you to keep moving all the time. If you go to an area around the back of town out of sight somewhere they leave you alone. I don't like being seen in town. One guy got told - there was a Scottish guy, he was on the street, he's eating in the high street, he got told no one wants to see you eat in the high street, they'll see a homeless guy eating in the high street, put it away or whatever, you know what I mean?

Participants' overview of policing practices

The interviews took place within a day centre within the PSPO area, albeit on the outer edge. The stakeholders and staff at the day centre spoke of a partnership approach to tackle rough sleeping in Bridgecliffe and were broadly supportive of the authorities and the PSPO. However, most staff felt that fining homeless people for begging was a futile exercise as they would not have the money to pay the fine. The participants of the study reported not having received any formal enforcement measures, such as fines, for breaching the PSPO conditions (although every participant had broken at least one of them on a regular basis), though they all talked about the use of fines against homeless people. Primarily, the approach of the police and PCSOs appeared to be informal by

moving people on if they were drinking alcohol, begging, or smoking cannabis. Similarly, fines were not issued for erecting tents, although two participants had received 'eviction orders' warning them that their tents would be removed in 24 hours if the tent remained in its current location. The community safety wardens also had very little contact with people experiencing street homelessness. Two of the participants expressed an antagonistic relationship with the policing bodies. In a broad sense, the PSPO in Bridgecliffe appeared to be more informally enforced upon the street sleeping homeless population, rather than the use of formal enforcement measures.

Figure 3.1: Typical interaction in Bridgecliffe as described by Edward

Edward: I will show you now. Look, I've got one in my pocket. Say I'm drinking that, and I see them, and everyone's like that and with holes in their pocket ... that is exactly what everyone does, it goes straight in my pocket upright like that or put it behind you, behind your leg.

Interviewer: I guess with the yellow jackets you can spot them.

Edward: You can spot them. We see them as they're coming down the prom and everyone's like – it is like smuggling really, 'Yellowjackets!!! Hide your beers, hide everything'.

Interviewer: And do they know that you're hiding it though?

Edward: Yeah, they must do. Theyor they will spot one on the floor and go 'Look – to be fair, most of them say 'Look, I'm not going to take your drinks away. Can you just move to another area' or they go 'Oh can you go and put it in the bin' or something. But then they walk over to the bin, and everyone is like that, gulp, gulp, gulp, and then when it's gone they put it in the bin. Or they stand by the bin drinking it and they're just looking at you thinking 'Don't take the piss' but they're ...

...

Edward: Yeah, I've never had a problem with them to be honest, personally myself.

3.2 Eastholt

The PSPO area

This is a sizeable market town in the East Midlands with one of the most stringent PSPOs, which prohibits many behaviours associated with people experiencing street homelessness, including street drinking, leaving belongings, putting up tents, begging and loitering, and urination and defecation. The economy of the town appears to have been significantly impacted by the pandemic, with frontline workers at a homelessness day centre reporting that footfall in the shopping areas had decreased markedly since March 2020. Post-coronavirus pandemic, the town was projected to see declines in gross value added greater than the regional average. There were more shop vacancies

than pre-pandemic levels despite recent regeneration initiatives. According to frontline workers, the notable exception to this pattern of reducing footfall was the ongoing popularity of market days that drew visitors and shoppers from neighbouring urban areas. Levels of deprivation are relatively low, and the numbers of rough sleepers has declined since pre-pandemic levels.

The geographical extent of the PSPO covers the economic centre of the town (including the main transport hubs) and the adjacent urban green spaces. The PSPO prohibitions include: aggressive begging, leaving unattended belongings on the street, drinking alcohol, erecting tents, loitering in a defined area, and urinating and defecating. Signage advising of the PSPO is minimal, with only two signs being visible on the outer edges of the PSPO area. Furthermore, the signs were erected around 3 metres high on lampposts and used small fonts. The consultation submissions suggest that the broad purpose of the PSPO was to tackle alcohol consumption with view to minimising ASB, crime, and intimidating behaviour. Overall, support for the PSPO amongst the public and businesses was overwhelming with respondents being in favour of every proposal within the PSPO and most respondents asserting that ASB related issues in the town centre had worsened in recent times.

The participants and ASB

Four interviews were conducted with street sleeping homeless males within a homeless day centre just outside of the PSPO zone in Eastholt. They were aged between 38-44. The men described a range of reasons that led to their homelessness, including being released from prison with nowhere to go, the breakdown of a relationship and issues with drugs and alcohol. The types of ASB that they reported engaging in was street drinking, drug taking, erection of a tent, urination and one report of begging, though another participant did say they would often receive donations but never asked for them. Most participants agreed that drinking and drug taking was anti-social and that it should not be done in front of children. They did however acknowledge that it was pointless to fine homeless people and that there is little alternative to street drinking for those who sleep rough. As Lucas says about drinking, 'Well, I do it in my house. It's unfortunate that my house is Eastholt!'. The consensus was that if you were not causing any additional 'bother' than you should be left alone:

James: I think if you're doing it on a quiet one and not causing no bother or any mess it's all right, you're not causing no bother, you're not hassling nobody then you're not hurting nobody I think, that's personally what I think but obviously other people think different. As long as you're not being lively and it's under cover and you're not causing drama I don't think it's a problem.

One of the participants described deliberately committing acts of urination to antagonise the police in a power play; a way to 'just be seen':

Lucas: It's just one of them things. It's a little thing and I know it's a little win.

Participants' overview of policing practices

Fieldwork in Eastholt took place over three non-consecutive days midweek. On these days there were visible signs of street homelessness in the form of two disregarded sleeping bags in doorways, as well as three tents sheltered amongst the trees in a small green space. The level of visible policing during the two days of research was relatively minimal with a total of two police officers and two PCSOs patrolling the town centre in pairs at any given time. The qualitative interviews with people experiencing street homelessness and key informant participants state that there is a strong working relationship between the local council and a homelessness charity in the town. For example, during cold weather the local council works closely to ensure that people experiencing street homelessness are swiftly accommodated. However, the collegiality between charities and the local council did not prevent abusive and negative behaviour from the policing bodies towards people experiencing street homelessness; participants in this study spoke of being moved on away from warm vents throughout the day and night, receiving Section 35 directions to leave¹ for begging, feeling unsafe in the town centre, and being subjected to verbal abuse from Police Officers and PCSOs.

The most common use of policing powers came informally in the form of being asked to move on from being sat or sleeping in shopping areas and public parks. There were some reports of name calling from the police. James reported being called 'fucking dirty junkie, fucking homeless tramp, all sorts. They call you all sorts', a factor explored further in Section 4.5 in Chapter 4. The relationship between the police, PCSOs and the street sleeping participants was mixed. For two, it was a very antagonistic relationship, whilst the other two were more mixed with reports of some positive and some negative interactions. Several participants reported specific individuals who were more enforcement heavy than others:

James: It all depends what sort of copper it is, do you know what I mean? If they know you, they'll be all right, if they don't - there's always one that's a jobsworth, do you know what I mean?

¹ A Section 35 direction to leave is part of the dispersal power from the Anti-Social Behaviour, Crime and Policing Act (2014). A detailed explanation of this power can be found on page 10.

The data suggests that increased policing of the street sleeping homeless population occurred intermittently when complaints were received from business owners and/or the general public. In total, none of the four participants had received fines for breaching the PSPO conditions, and two had been issued with Section 35 directions to leave.

3.3 Lightford

The PSPO area

This is a compact and prosperous city in the South East with a vibrant night time economy and cultural sector. Whilst the economy of Lightford is buoyant it also experiences high rates of homelessness when compared to other cities of a similar size. It has low levels of deprivation and an above average cost of housing, including renting. Rough sleeping has almost halved in 2021 compared to pre-pandemic levels of 2019.

The PSPO in Lightford focuses exclusively upon restricting street drinking and geographically covers the city centre and two adjoining suburbs. However, we have received anecdotal evidence from multiple sources that indicate that the policing powers are being used against people experiencing street homelessness in the city on a wide scale. Within the city centre the researcher saw a total of seven people passively begging outside of supermarkets, on one occasion the researcher saw a person outside the supermarket approached by PCSOs before being gestured to move away from the area. At night, the policing of the homeless population appeared to be more stringent as the researcher saw the police engage with two street sleeping homeless men who had set up a makeshift bed in the entrance to a small theatre. The actions of the officers strongly suggested that they wished the two gentlemen to move on, however they resisted and stayed in the entrance. Concurrently, a very large group of students (up to 50), over half of whom were drinking wine straight from the bottle, walked past this interaction and the police officers took no action despite the PSPO being specifically targeted at people street drinking.

The participants and ASB

The participants in Lightford consisted of seven males and three females (one focus group of nine and one interview). Their ages ranged from 29-64. The participants mainly engaged in street drinking and begging and were very critical of the policing of alcohol consumption amongst homeless people under the banner of ASB. It was described as a form of exclusion that was targeted at people experiencing street homelessness above others who also engaged in the same activity without it being seen as anti-social:

Roy: Yeah, it's a bit of hypocrisy, you know what I mean, going on. It seems to be systemic; you know what I mean? We've got examples of people who are telling us to do things when they're doing it themselves. You know what I mean? And it comes right from the top. So, what chance do we stand when it's like that.

Fining homeless people for alcohol consumption was described as a 'pointless exercise and a cruel exercise' (Les). Several participants described the need for better understanding from frontline services as to the impacts of addiction. It was recognised that people experiencing street homelessness may not be in a position to engage immediately with services, but that they should not be given up on:

Les: I mean I was saying to somebody the other day, a service user, that when there's something on the streets and the street services go around, if they tell you to get on your bike, don't just leave it like that, go back the next day. Then go back the next day. Because one day they will turn around and say to you that yeah, I do need help, but they might be having a bad time. And if we keep saying 'Oh well, if that is your reaction then you can sit there and stay there', you know, but until people start understanding that there is a reason that this is going on in their head, we won't move past- This is where the services really need to get their act together, that they need to understand that people don't wake up in the mornings and say 'Do you know what? Today I'm going to be homeless today/today I'm going to be a drunk/today I'm going to be a druggie.'

Participants' overview of policing practices

The fieldwork in Lightford took place at a homelessness charity within the city centre, during which a focus group and one additional interview were recorded. The overwhelming majority of the focus group attendees had experienced some form of negative interaction with the police when they were homeless. Typically, these interactions amounted to being told to move on when being sat on the street or having alcohol removed from them. Additionally, the same majority described their interactions with some police and PCSOs in negative terms due to the way they felt that the authorities had acted, describing them as 'bullies in badges' (Olivia). These views were supported by the key informant interviews where they highlighted the inequities of targeting people experiencing street homelessness for their drinking, whilst ignoring similar actions by the general public. However, participants' perceptions of policing was mixed with some police and PCSOs described as being generally respectful. It was also recognised that when people were under the influence of

alcohol, they could be antagonistic towards policing bodies. Enforcement of the PSPO in Lightford was generally informal, but participants reported threats of being fined and heavy-handed actions by the policing bodies.

3.4 Marsh Vale

The PSPO area

This large town in the South East is in the process of significant urban regeneration and upgrading of transport connections that is starting to be reflected in the town centre. Despite Marsh Vale receiving high levels of investment, the area is still moderately deprived (particularly in comparison to neighbouring towns/cities). Presently, the town centre is based along one prominent high street where the main shopping area is located. The high street has recently replaced the traditional benches with structures that are designed to prevent people from sleeping on them. The numbers of rough sleepers are higher than average though this has reduced slightly compared with pre-coronavirus pandemic levels.

The PSPO largely focused on preventing street drinking but had additional prohibitions on urination/defecation. The PSPO covers the entire local authority area, including parks, residential areas, transport hubs, the town centre, car parks and semi-rural areas. Unlike many of the other case study areas, the only officers with the power to issue fixed penalty notices are the police and PCSOs. The consultation document was not available. The research in Marsh Vale occurred during one day at a homeless day centre on the outskirts of the town within the PSPO area. At the homeless day centre around 30% of the service users were Eastern European, with a smaller proportion of British Asians, but the majority were White-British. Upon arrival into the town the researcher walked from the train station to the high street where he surveyed the entire area and the adjoining alleyways to ascertain the levels of street homelessness and alcohol related ASB. In total, eight people experiencing street homelessness were seen in the alleyways and vacant plots around the high street. Two empty bottles of vodka and three used needles were seen, but this was out of public view. No police officers or PCSOs were seen in the morning, although two council wardens were patrolling the high street.

The participants and ASB

The five participants interviewed in Marsh Vale were all male and their ages ranged between 27-68. They were homeless for a range of reasons including non-payment of rent, job loss and mental health-related issues. They engaged in a number of behaviours that would be considered anti-social

such as erecting tents, street drinking, drug use and urination. One participant described shoplifting. Only one participant stated that they would beg for money. Participants considered certain behaviours to be anti-social, such as drug taking in public and aggressive begging. Most noted a distinction between passive begging and aggressive begging, with aggressive begging being seen as a problem. Being sat on the street 'minding your own business' was not seen as anti-social, though begging was described by one participant as 'immoral'. However, the majority felt that street drinking was not anti-social, but the impression it generated was seen as a problem:

Youvraj: I could understand what they're saying, it's only like impression as far as they're concerned, it's not like I've ever been in trouble for being a nuisance while being drunk, nah, I'm just out of the way, have my beer and just chill. I can see where they're coming from and that but I didn't think it was a problem. It never used to be. You could sit in a park and have a beer but you can't anymore.

The participants perceived that they were being policed mainly for impression management rather than actual alcohol consumption, which participants such as Youvraj (above) appeared to accept. For others such as Harry, however, this was a source of contention, especially as he compared it to people drinking in pubs:

Harry: No, I think it's wrong. I think it's wrong, so wrong because there's loads of pubs on the high street and that, you know what I mean? There's loads of people that drink outside in the pub so what's the difference from them drinking outside in the pub sitting on a chair or someone walking past having a can? There's no difference at all.

Participants' overview of policing practices

Stakeholders in Marsh Vale had broadly negative views on the policing bodies for the way that people experiencing street homelessness were treated. The perspectives of the participants were very mixed. Some reported being awoken by a police officer kicking them and one participant described being grabbed to wake him up. Participants described a range of policing bodies that they had contact with, including the police, PCSOs, street wardens and community officers. There was also discussion of security guards (in car parks and supermarkets) and defensive architecture. The main type of enforcement was the informal policing of being moved on. Only two participants described a very antagonistic relationship with policing bodies, in particular the police and PCSOs. The other three described specific interactions but did not express these as routine types of policing.

Two of the participants described being the subject of welfare checks and were signposted to services, though the participants had already sought the help that was recommended:

Youvraj: Because I've had police officers offer me, oh, you should go there for help or go there for help, I say I've done that, I've gone up the council, I've gone on the housing register but as they told me I'm low priority, they told me there's nothing they can do. But the PCSO didn't really know the information or give that sort of information out, the only thing they normally say is just don't want to see you here again.

3.5 Moorhurst

The PSPO area

Moorhurst is a typical post-industrial city in the North East of England. Inward investment into Moorhurst since the decline of heavy industry has been modest and the city centre has many empty stores, low footfall and visibly high rates of street drinking and begging. The city centre of Moorhurst is compact and concentrated around the main transport hubs and an ageing shopping precinct. According to a key informant in the area, Moorhurst was significantly impacted by the pandemic as this exacerbated the long-term decline of the city centre. Whilst house prices and rent are some of the most affordable nationally, income and employment deprivation is relatively high. Whilst the discrete numbers of rough sleepers were reasonably low, the numbers have remained similar to pre-coronavirus pandemic levels.

The PSPO in Moorhurst covers the entire city region and prohibits begging, drug use, street drinking, and urination/defecation. The consultation for the PSPO indicated a high level of support for issuing fixed penalty notices for all restrictions, with the general justification being that they are necessary to reduce ASB and to improve the aesthetic appeal of the city centre. Unlike many of the case study areas, the local council displayed PSPO signs explaining the conditions and requisite penalties on every third lamppost in the city centre. Research in Moorhurst took place across five days (one three-day visit and another for two days) and occurred in a homelessness day centre on the outskirts of the city centre. Across the five days, the researcher observed that the main responsibilities for policing the city centre rested on PCSOs, as at least two groups patrolled the space at any given time. The researcher did not see any homeless people sleeping in the city centre but street drinking was observed on numerous occasions each afternoon. The main area where people experiencing street homelessness would 'bed down' was within a park just outside the city centre. In particular, a group

of between six and ten street sleeping men were seen in this park huddled around a warm air vent each morning between 8am and 9am.

The participants and ASB

The five participants interviewed in Moorhurst were all male and were aged between 20-50. They engaged in several behaviours that would be considered anti-social such as street drinking, begging and erecting tents. Only one participant stated that they would beg for money. Another explained that he did not beg but would ask for cigarettes and a third acknowledged that 'I don't beg but I don't say no'. As in other areas, there was a mixed perception of what the participants considered to be anti-social, especially in relation to their own behaviours. ASB was described by participants in ways such as being drunk, causing a nuisance and aggressive begging. At the same time, the participants struggled to differentiate between intentional ASB and behaviours that take place as a consequence of being homeless. For example, Ashley was asked:

Interviewer: Do you think you cause anti-social behaviour?

Ashley: Yeah. I think you do hanging around drinking innit. It's not like I've got nowhere to go though is it.

Similarly for Frank, when he was considering whether he felt like he committed ASB, he struggled to unpack the complexities of being homeless and the associated activities being perceived as anti-social:

Frank: Well, people who are drunk and act like muppets, obviously that's anti-social but if someone's genuinely homeless and they're just trying to get by day-to-day I don't see how that's anti-social. When people - mainly I suppose it's kids, kids being kids I suppose. I don't know, throwing food about or something. Swearing and carrying on in the street. When someone's actually genuinely homeless I don't see how that's - well, I suppose it is anti-social but that's one being homeless in the first place is I don't agree with the way that society is set up. if you don't subscribe to the way that you're told that you need to live in a certain way, you need to subscribe to the way they tell you to live life then you're outcast and you're prosecuted, you're harassed, you're bullied sometimes, just because you don't - I just don't know how I fit in to society. I suppose I am anti-social really.

It was generally understood by the participants why they were policed, but the sentiment was that it was not necessarily fair to target homeless people:

Jake: If you're getting pissed and all that on the streets. I understand why they do it but in another way I don't because why would they want to ... someone who's homeless if they're sat there?

Participants' overview of policing practices

Interviews with participants took place in a homeless day centre on the outskirts of the city centre. Staff at the centre had a variety of views about the policing of their service users. For example, one staff member expressed a concern that the local council were actively attempting to 'rid the city' of homeless people through harassment and limiting investment in temporary accommodation. Conversely, another member of staff spoke of a partnership approach with the police and local council that was helping to get their service users off the streets within 48 hours.

The main type of enforcement used against the participants in this study was to informally move them on, including when asleep. Though there were threats of fines and the issuing of Section 35 directions to leave. In terms of formal enforcement amongst the participants, there had been one fine for breaching coronavirus regulations, one Community Protection Notice, one prosecution under the Vagrancy Act and two arrests for being drunk and disorderly. None had received fixed penalty notices for breaching the PSPO. Primarily, the policing was conducted by PCSOs, the police and community wardens. Four of the five participants expressed an antagonistic relationship with the policing bodies, and they were regularly described as 'bullies' and 'arseholes' and described being called 'pissheads' by the policing bodies. Two of the participants reported they would be aggressive in return through refusing to move or throwing things at the policing bodies. Three of the participants expressed that it was the PCSOs who were more enforcement heavy than police officers. The participants described the occurrence of 'dispersal days' where the area was intensely policed for a day of action. Though the participant stated that they would be forewarned about these days to ensure that they were not present.

3.6 Nortown

The PSPO area

This location is a large town in the East of England that has seen large numbers of Eastern European migrants arrive in the last two decades. Numbers of rough sleepers have decreased significantly since before the coronavirus pandemic and at a greater rate than the region. There are low levels of deprivation. In recent years the town is showing signs of being regenerated as new shopping areas and modern flats start to reshape the urban landscape, yet the town centre and surrounding suburbs remain deprived and in need of inward investment. The main shopping area consists of one main high street and an ageing shopping precinct; many of these shops were boarded up prior to the coronavirus pandemic.

The consultation that shaped the PSPO highlighted public concerns over the safety of the town at night, as well as during the day but to a lesser extent. Issues were also raised about people drinking and begging. The conditions proposed by the local council were widely approved, in particular, the planned prohibition on begging received the greatest level of support as many consultees thought that begging made older people feel unsafe. The PSPO contains conditions around begging, street drinking and urination/defecation within the town centre, including transport hubs and shopping areas. This is a clearly defined area within the urban landscape as the core of the town is surrounded by transport infrastructure to delineate itself from the surrounding residential areas. The PSPO authorises fixed penalty notices to be issued by police officers, PCSOs and 'authorised officers'. Like with many other areas, signage for the PSPO was absent and no signs indicating the conditions of geographical extent of the PSPO were observed.

The participants and ASB

Four participants were interviewed in Nortown. All were male and were aged between 36-54. Two were British and two were Eastern European. They stated that they primarily engaged in street drinking and begging. There was also mention of urination. The participants reported not wanting to cause trouble and they highlighted instances where other people experiencing street homelessness would drink and cause a disturbance with other members of the public. As Scott describes, 'it's the few that fuck up for the many'. Though they expressed the need to drink given their addictions to alcohol. As Bartek explains, he is often asked to move on and drink elsewhere:

Bartek: Yeah. I had a problem all the time, nicely told me Bartek, can you leave that place, you cannot drink in the town, can you go to the park or somewhere? I told him I'm alcohol[ic]. What do they care to do? I'm not taking drugs, nothing, just drinking.

Bartek does not perceive drinking to be as problematic as drug use, which he does not do. Equally, Scott, who was asked to drink outside of the PSPO zone refuses to do so for logistical reasons:

Scott: Why don't you go and drink in [Nortown] Park? My answer to that is where's the off-licence in [Nortown] Park that sells decent beer at a cheap price and have toilets, so we don't have to come back into the town? You've got all of them facilities there...

In addition, Scott described a different definition of anti-social when considering begging. For him, being friendly and kind when begging was the opposite of anti-social:

Scott: But I'm not anti-social though. I'm not anti-social.in my life! I'm not anti-social, do you know what I mean? I'm more social than they are! They perceive it as being anti-social because I'm begging, that's anti-social behaviour. Even though I'm begging I'm still being social, I'm still the nicest person in the world, do you know what I mean?

Participants' overview of policing practices

The research took place over the course of three days in the summer of 2021 when rates of COVID-19 transmission were relatively low, and the weather was conducive to spending time outside. This was potentially a major factor in the visibility of groups street drinking in four specific locations across the town. When drinking, the groups were usually tucked away from the main thoroughfares and numbered between four and eight individuals. Despite the PSPO focusing on alcohol, the researcher did not observe any police officers, PCSOs or council employees approach any of the street drinkers. Similarly, the researcher saw people begging on the main high street and the entrances to the indoor shopping precinct but no interactions or interventions from the police, PCSOs or local council employees were observed.

Key informants in Nortown detailed their close working relationship with the policing bodies to identify individuals at risk of harm. This view was not shared by the participants who expressed their often-fractious relationship with law enforcement due to being told to move on and what they deemed to be disrespectful language towards them. Two of the participants were Polish, these men

were far less concerned by the police and often carried on drinking when the police requested that they stop. Overall, of the four participants, one had received a fixed penalty notice for begging, and all had been threatened with fines and experience of being told to move on by the authorities.

3.7 Roseden

The PSPO area

Roseden is a small post-industrial city in Wales. It has relatively high levels of rough sleeping and deprivation. The PSPO is like many other local authorities in this study as it prohibits aggressive begging, street drinking, drug use, loitering in defined locations and urination/defecation. The PSPO covers the broad city centre area, encompassing the main shopping streets/centres, former industrial factories, hospitals, parks, and smaller residential areas adjacent to the centre. Within this PSPO there is also an embedded 24-hour dispersal requirement for individuals engaging in ASB. As mentioned, combining dispersal powers within a PSPO offers a greater range of enforcement powers for policing bodies, which is discussed further in Section 4.4 of Chapter 4. In addition to the city centre PSPO, Roseden has other PSPOs across the city to reduce instances of 'anti-social behaviour'. Responses to the PSPO consultation show that residents, workers, and businesses have concerns over the impact of visible deprivation upon the local economy and public safety. The outcome of the consultation reveals that all potential conditions of the PSPO received significant support from respondents, hence the PSPO was imposed with no significant amendments to the consultation document. In particular, the conditions around begging and street drinking received the most unanimous level of support.

Fieldwork was conducted on three consecutive days. The researcher 'shadowed' an outreach worker on one occasion and observed the interactions between the worker and people experiencing street homelessness. There were signs of visible homelessness, street drinking and begging in the economic centre. There were also groups of people experiencing street homelessness congregating in the older parts of the city. Levels of policing within Roseden were comparatively high in relation to the other locations as two pairs of police officers were within the city centre at any moment in time. Similarly, three pairs of PCSOs patrolled the city during the afternoons and at least two pairs of wardens (council employees) were in the vicinity of the city centre.

The participants and ASB

Six people were interviewed in Roseden, including five males and one female. Their ages ranged between 31-51. They engaged in numerous behaviours that would be considered anti-social, such as

street drinking, begging and erecting tents. Though several stated that they either only asked for cigarettes or did not ask at all, but would be given money by passers-by, as described by Arwen:

Arwen: Yeah, well you say begging, I don't class it as begging. I don't ask, you know, if I'm asking then yeah that is verbally begging but if you're just sat there minding your own business, you know, then that's it then.

Several of the participants doubted the genuineness of some of the homeless people that they saw, suggesting that they were housed, but would beg anyway. This was frowned upon by the participants. The participants also agreed that drinking alone was not something that should be considered anti-social as it was a normal thing that happened in our culture and a response to the strains and boredom of street homelessness:

Owen: Like a friend will have a can in a bag or something and there's like a doorway or like an alley or something and you make a few friends and they'd be like 'Oh, would you like a little drink/smoke' and I'd be like actually I've got nothing to do with my day so why not. I mean anyone can understand people drinking out of boredom. We had lockdown.

Participants' overview of policing practices

The key informants reported that recent investment into the shopping areas had failed to regenerate the city centre to a significant extent, as many of the stores remained vacant and that some businesses shifted their locations from older units to the newer precinct, thus hollowing out the periphery of the city centre. PSPO documentation from Roseden states that the authorities with the legislative power to issue fixed penalty notices for PSPO breaches were police, PCSOs and 'council officers' (again, the exact role of the 'council officers' was not defined). Interactions with people experiencing street homelessness were most likely to be instigated by the PSCOs and wardens, these appeared to be requests for people to stop drinking or begging on the street and/or to move on. If these requests were not adhered to then the police would attend the incident. Street drinking was prevalent on research days (over a dozen instances were observed), however, it should be noted that the weather was unseasonably warm during the visit to Roseden and aggressive and/or loud behaviour was not associated with this drinking. Instead, people experiencing street homelessness were quietly drinking alone out of sight of the main thoroughfares.

The key informant held positive views of individual policing agents, stating that they were only doing their job when moving people on, whilst also arguing that such interventions as well as issuing fixed penalty notices was largely futile as it did not resolve the underlying causes of homelessness. The participants in Roseden held a range of views towards the policing of the PSPO area – one detailed an almost maternal relationship with the PCSOs where they had help in a time of need:

Owen: Some of them are nicer, some of them you can tell they're putting the job on because they want to generally help rather than be forceful and aggressive. A good example is an officer, Officer Damian, he is very polite and respectful and just a good guy. He does intervene when things are going – whenever there are arguments in town and stuff, but otherwise, when it comes to homeless people and stuff he doesn't say go away, he's like 'Are you okay? Have you got help?' and if not he will take your number down and a lot of them do that, they take your number down and say I can try and help you get into a hostel. ...to do that, I can't remember its name, sadly. But they will use their power to try and get people housed and just well again if they're not causing any fuss, especially so – yeah, it's very different and then some other officers can be a bit 'Do you mind moving away' and all that.

Conversely, others were largely negative towards the policing bodies and described instances of verbal abuse and excessive issuing of fixed penalty notices. Another participant described getting into a physical altercation with a police officer during an interaction.

3.8 South Oak

The PSPO area

Unlike the other nine case study areas that were distinct towns or cities, South Oak is an urban district in London. Whilst the area itself is relatively prosperous, it has comparatively high levels of rough sleeping, a large proportion of which are non-UK nationals. This adds to the complexity of the picture in terms of their entitlement to funding and accommodation support. Housing costs are well above national averages both in terms of rent and to buy and significantly higher than household incomes. The complex PSPO in South Oak covers the entire district and is one of the most restrictive within the study and includes (but not limited to) conditions around drinking alcohol, drug use, and urination/defecation. This district also has multiple 'enhanced areas' within the PSPO that place limits on groups congregating in a manner that is deemed to be anti-social. Within this PSPO there are also embedded dispersal requirements meaning that individuals can be required to disperse for

24 hours as a condition of the PSPO to prevent ASB. As previously mentioned, this is a relatively unusual combining of the powers under the legislation.

The consultation for the PSPO in South Oak indicates that there were very significant concerns over the prevalence of ASB, particularly street drinking and drug use. The consultation also shows that the local population had considerable fears for their physical safety during the day and particularly at night. Outcomes of the consultation were almost unanimously in support of almost all conditions attached to the proposed PSPO. The signage that provides information on the PSPO was largely absent for the 'enhanced' and 'standard' areas as only one sign was observed within the enhanced area – this sign was an A4 sized notice attached to a lamppost on the periphery of a main shopping street. During the research days, the researcher saw three discarded sleeping bags and one tent.

The participants and ASB

Four participants were interviewed in South Oak. Of these, three were male and one was female. Their ages ranged between 36-56. They engaged in several behaviours that would be considered anti-social such as street drinking, drug taking, urination and one participant reported begging frequently. Whilst most agreed with the policing of ASB, there were broad definitions of what was perceived to be anti-social, with some participants having their own rules around their behaviour to make it less anti-social. For example Brady would beg but would never approach older people. Jacob perceived begging as a necessity for some people which was to be understood, so long as 'you're not out there annoying the people to get money out of them'. In terms of drug use and alcohol consumption, these were considered anti-social:

Faye: If I had had too much to drink, yeah, I will admit that, yeah, and I would be shouting my mouth off and talking a load of rubbish. Because I was the one that decided to have the alcohol, I can't blame anyone else so then I became, whatever, if I became angry and then I would be abusive to somebody if they were abusive to me but, yeah, it was my decision whether I took that alcohol or not so the buck stops with me. But, yeah, in a perfect world we wouldn't have homelessness. In a perfect world but we don't live in a perfect world.

Interviewer: But do you think that taking drugs is anti-social?

Faye: ... yes, I do but the other sense of it, if you've got problems, yeah, it takes away the reality for that little while but you've still got to face it. You've still got to face it the next day. It's all different from different categories.

In both instances, regardless of the consideration of these behaviours as anti-social, the actions were equally considered to be a necessity that were clearly not being prevented by policing alone.

Participants' overview of policing practices

Regarding the policing of South Oak, the participants and key informants were consistent in their view that the police, PCSOs and environmental health officers frequently used the PSPO powers to 'manage' the homeless population and all residents who were seen breaching the conditions. In particular, the environmental health officers were reported to be particularly overzealous in aiming to reduce littering by issuing multiple fines (often for feeding pigeons and dropping cigarettes). Some participants and key informants felt that the environmental health officers were actively watching and following potential perpetrators of littering in order to increase the numbers of fines that were issued. The participants all described being moved on by the police and PCSOs on a regular basis, especially when groups of four or more were congregating. Interviews with our participants experiencing street homelessness also suggested that the police and PCSOs were especially active at night as they awakened some interviewees multiple times (often more than once in the same night).

Of the four interviewees, two were issued with Section 35 direction to leave notices, one received a PSPO related fine, and one having been prosecuted for begging under the Vagrancy Act (1824). However, their relationship with the police and PCSOs in the area was varied. Brady had a particularly antagonistic relationship with the police and described violent altercations with them. Curtis had mixed experiences, 'there are good cops and bad cops'. Though he did also describe deliberate acts to antagonise the police:

Curtis: When the police really piss me off I will go and sleep in the waiting room of the police station, that really pisses them off but there's nothing they can do! [laughs].

Faye and Jacob both thought the policing bodies were generally positive and respectful, even when moving them on.

3.9 Winterton

The PSPO area

Winterton is a large city in Yorkshire and the Humber. The city has undergone considerable regeneration over the previous three decades though there are still high levels of deprivation. It also

has a high count of homelessness within its region, though this had reduced somewhat before the pandemic and is also reflective of the size of the city. The PSPO in Winterton is one of the least expansive in terms of conditions, however, data on the number of fixed penalty notices suggests that meaningful steps are being taken to lessen instances of ASB linked to the street sleeping homeless population. In this vein, the PSPO in Winterton focuses upon reducing cases of street drinking and the erection of temporary structures (e.g. tents and encampments). The consultation documents from the PSPO indicated a very high level of support from the public and businesses for issuing fixed penalty notices for street drinking due to concerns over public safety in the day and at night. The views around banning encampments were less emphatic, but nevertheless received support from an overall majority of respondents. The PSPO also included an 'enhanced area' surrounding a civic building where additional restrictions were placed upon congregating, refusing to leave, drug use and 'harassment'. Authorities with the power to issue fixed penalty notices were the police, PCSOs and other 'authorised officers' (although the specific role of the 'authorised officers' was not divulged).

Research in Winterton took place across two non-consecutive days. On both days around a dozen people were seen begging in both a passive (sat on the street with either a cup or hat) and more proactive (sat asking for money or approaching people as they walked past) way. There is a large private shopping centre where security guards were present. No homeless people were seen entering or using this space. A PSPO sign was only seen in the 'enhanced area' of the PSPO, observable on a lamppost in the vicinity of the area. The police/PCSO presence in the city across both days was low and only one interaction was observed between someone passively begging and two police officers – the conversation appeared to be brief and the person who was begging left the area immediately upon being asked.

The participants and ASB

Four participants were interviewed in Winterton, all male and aged between 23-43. They engaged in many behaviours that would be considered anti-social, such as begging (two participants), street drinking, drug use, erecting tents and squatting in abandoned buildings. As in other places, their perceptions of ASB differed when discussing begging. Whilst some felt that passive begging was ok, aggressive begging was seen as anti-social. Interestingly, Augustus had a slightly different view of proactive begging, which he considered to be more social than passive begging (see Figure 3.2). Lawrence discussed the legal complexities of street sleeping and squatting. As with many

participants in this study, he considered the behaviour to be wrong, but not wrong for him at present:

Lawrence: Well, in a way, yeah, it's not right, is it? It's not right but it's not wrong. Well, it is wrong, it's a lot wrong but it's not wrong for me right now. I'm finding it good right now. It's keeping me dry and if they've got a problem with me keeping dry whilst there's an empty building, I don't get it.

In addition, the participants considered the formal enforcement approach of fining a person experiencing street homelessness to be pointless and suggested other more productive possibilities:

Edwin: Nah. I mean if you want to give someone a bit of punishment, I don't know, get them to go and do these RAR days that I've been given, rehabilitation. Go see someone or activities. Community service or something. Anything other than taking more money off someone who's got no money.

Whilst these types of rehabilitative activities are issued on conviction for an offence, the sentiment that Edwin is conveying highlights the call for more productive and less financial punishment.

Figure 3.2: Augustus' strategy for begging which began his troubles with the police

Interviewer: Can you describe what you were doing when you were begging? Were you just sat there? Were you approaching people?

Augustus: A bit of both. Initially it started off sitting down and I never really used to ask people because I didn't have the courage to and I felt ashamed of what I were doing but I needed to fund my drug habit and I also needed to fund food and shelter so eventually I ended up getting the courage to ask people for money. After sitting down for so long people that were sitting down were very ungrateful and stuff in the area that I was in so –

Interviewer: The other guys who were -?

Augustus: Other people, yeah, they used to obviously just take advantage of it and there were so many people that were sitting down begging you just couldn't make no money. So eventually it progressed to walking and asking people but how it ended up progressing for me was instead of being rough and sleeping bad I was still living on the streets but I wasn't dressing dirtily or sleeping dirtily either, like I scrubbed myself up, I started to wear decent clothes what people had got me, you know, like students and that had given out clothes and that progressed to me making more

money being like that because people would say I'd rather someone approach me and have a conversation than just walk past and want that money straightaway. The way I've seen it is I was putting more effort in really than what I was just sat there begging and expecting it to come to me.

Interviewer: Is that when you started to get in trouble with the police then?

Augustus: Yeah, because when you're walking up to people it's classed as aggressive begging.

Interviewer: Do you think that's aggressive?

Augustus: Yeah and no. In my opinion what I was doing it wasn't aggressive. At some points because I had quite a quirky personality due to taking drugs and that so maybe from an outsider's perspective it probably would have seemed a bit aggressive but in a joking way, you know, like this guy's a bit larger than life, do you know what I mean? You take it or leave it how everybody is but at the same time, no, because I'd just come up and I wouldn't be anti-social about it, I wouldn't be aggressive or approach them in a bad manner. I'd calmly go up and approach them and converse with them like you would in your day-to-day conversations with other people.

...

Augustus: I'd just start a conversation, start a conversation like say hello, how's your day been?

Obviously, you start a general conversation, build a bit of trust first before you ask people for money because in my eyes it's just cheeky, do you know what I mean? Then I'll tell them my situation, I'm homeless, this, that and the other but I don't want to be sat down begging for money, I'd rather approach you and ask you for help, can you help me with x amount of money or not even an amount of money, just any contribution or something to eat or if you don't feel comfortable giving any money could you just buy me something to eat or something or grab me something from the shop because I understand that people don't want to just give out money willy nilly. If it were me, I would do the same.

Participants' overview of policing practices

The key informants reported that ASB was a major concern in Winterton. However, it should be noted that they were employed within the broad policing/community safety sector. In particular, they reported issues around aggressive begging, ASB caused by street drinking (this was not observed during the two days of research) and theft from stores by people experiencing street homelessness. Broadly, the participants experiencing street homelessness held negative views towards the police and PCSOs as they described being moved-on for no apparent reason.

Participants attempted to avoid the policing bodies due to previous negative interactions, for example Edwin said: 'I don't talk to the police. I've had a lot of bad dealings with the police'. This

avoidance led to a kind of acting or facade where the participants said what they needed to say to be left alone:

Dylan: Like I say, it's by the by to me, you know. It's pointless getting upset because it falls on deaf ears. It's pointless getting angry because you end up getting locked up so it's just best off to nod your head, agree with them, tell them what they want to hear so they go and leave you alone. That's it.

For all four participants these moving on requests eventually resulted in them avoiding the city centre and spending time in the surrounding neighbourhoods and parks. One participant described some positive interactions and offers of help to find food and accommodation, though he stated that this was rare in recent times. One participant was issued with a Section 35 direction to leave for begging. Another participant was warned that he would be prosecuted and jailed under the Vagrancy Act (1824) if he proceeded to beg in the city centre. Furthermore, participants spoke of tents being removed from locations *outside* of the PSPO area. Several participants described interactions with security guards and being asked to leave the private shopping precinct. Overall, whilst official powers were used on occasion, the data from interviews with our participants indicated that the main tool of the police and PCSOs in Winterton was to ask people to move on regularly and often without explanation.

3.10 Woodcastle

The PSPO area

Woodcastle is a city in the East Midlands region. It experiences relatively high levels of deprivation and is the most deprived area in our sample. There has been a slight decrease in the count of rough sleeping homeless people since pre-coronavirus pandemic levels. There has been significant regeneration in Woodcastle and especially within the PSPO area, which is considered a key site of regeneration opportunity. The research in Woodcastle was distinct from the other locations as no homelessness charities or service providers were willing to facilitate the research. Instead, the researcher interviewed people experiencing street homelessness on the streets of Woodcastle. All interviews took place with the researcher and interviewee physically sat on the street – thus, this approach also granted the researcher with unique insights into the experience of being on the streets and interactions with the policing bodies and the general public.

The PSPO covers the entire city centre, adjacent transport hubs and inner-city residential areas. It contains a range of prohibitions including: blocking doorways, unauthorised distribution of materials, begging, urination/defecation, and psychoactive substances. The public consultation for the PSPO showed that a small majority of consultees supported the aforementioned conditions. The powers restricting the consumption of alcohol received a similar level of support, with conditions relating to urination/defecation seeing a larger majority of support from consultation respondents. When the research was conducted, people experiencing street homelessness were visible on the main shopping streets and nearby backstreets. Simultaneously, signs of street sleeping were prevalent in public car parks and alleyways in the form of begging, sleeping bags, two tents and used needles in car parks and at the rear of shopping centres (near the warm air vents). In total, the researcher counted over 20 people experiencing street homelessness throughout the day, the vast majority of whom were white-British men. In Woodcastle only one PSPO sign was seen, although this had been defaced with a poster protesting the PSPO.

The participants and ASB

The five participants interviewed in Woodcastle were all male, aged between 24 and 47. They engaged in a number of behaviours that would be considered anti-social in that space and a breach of the prohibitions in the PSPO. In particular, participants engaged in begging and drug use. Begging appeared to be a highly policed behaviour within this case study area. All five participants described that they would take money from the public, though their definitions of what constituted begging varied. For example, Julian stated that he would never overtly ask for money to avoid committing an offence but that 'if they drop you something it's up to them, isn't it'. Similarly, Samuel had a sign that read 'I will never ask, but thank you'. Theo would wish people to have a happy day/happy Christmas or other relevant phrases rather than ask for money. They also did not consider this form of begging to be anti-social. Samuel described himself as 'far from' anti-social as he is just sitting. Only aggressive begging was seen as anti-social. As Theo notes:

Theo: Aggressive beggars? Yeah, yeah. I don't think there's any place for it myself. It gives us all a bad name.

Interviewer: You think what you do, do you think that's anti-social?

Theo: I don't think it's anti-social myself. I was always taught that if you need help to ask for it, but now they're telling us like we are asking for help and they're telling us that we're not supposed to be, so you're confusing us. As kids you're telling us if we need help to ask for it,

but then as adults you're telling us that when we're asking for it that we're wrong. So what do you want us to do? Not ask for it? Or ask for it ... you know what I mean.

Only Austin described a more proactive begging tactic of approaching an individual and 'hand tapping' (tapping his hand to indicate requesting money). He was conscious of potentially approaching undercover officers who were perceived to patrol the area. He also acknowledged that this may be intimidating and considered anti-social but that necessity was more important:

Austin: I do in a way, yeah. I do understand where they're coming from, but then again, you've got to do what you've got to do, do you know what I mean? Yeah, I do understand where the police are coming from, yeah, I do. I do. For some people it is intimidating. ... you shouldn't get away with in this day and age, do you know what I mean? But like, it is.

Neither the PSPO nor the Section 35 direction to leave notices that were issued appeared to deter the participants from begging.

Participants' overview of policing practices

The enforcement style in Woodcastle mostly involved the informal practice of moving people on. In addition, participants were all aware of and had been issued Section 35 direction to leave notices, primarily for begging or being in a 'position to beg', which is discussed in detail in Section 4.2 in Chapter 4. This appeared to be the most policed behaviour. These Section 35 directions to leave were used alongside the PSPO and were enforced within the PSPO area. Several of the participants had been arrested for breaching the Section 35 direction to leave and one was waiting to attend court. The layering of these powers demonstrates an enhanced area of policing in which multiple tools were used. An interviewee described how being given a Section 35 direction to leave created a barrier to him accessing his methadone each morning. Three of the participants described what they thought was an undercover drugs policing team (the 'undies') who also policed the homeless and street using populations looking for information and drug use. There was some perception that these undercover officers were trying to 'catch' homeless people begging.

Participants mainly reported having frequent contact with the police and PCSOs. The relationship they had with the policing bodies was mixed with some reports of positive interactions and some reports of negative interactions, including the use of physical and verbal aggression. All but one participant described having an antagonistic relationship with the policing bodies. Three of the

participants identified a specific individual officer who was described as being enforcement heavy and deliberately targeting homeless people:

Julian: Oh mate, if I ever get arrested, I wouldn't like him to be in front of me when I'm going to jail, put it that way. He's the one that goes out of his way to punish us, you know what I mean? Like there have been times where he's had someone, he's stopping and searching them and he's left them to his colleague and ran across because he's seen me. You know what I mean?

3.11 Conclusions

The case study areas clearly show the heterogeneity in the creation, implementation, and policing of PSPO areas across England and Wales. There was no obvious correlation between the location of an area, the deprivation/affluence of an area, and the PSPO restrictions with the types of enforcement that took place. Whilst all areas engaged in informal methods of policing, specifically moving people on, half of the areas' participants reported formal measures such as fines or Section 35 direction to leave notices. In addition, the types of relationships that the participants had with the policing bodies was mixed across the areas. This is explored in greater detail in the next chapter.

Interestingly, whilst our participants admitted to engaging in the types of ASB outlined in the PSPO they gave a mixed response to what they themselves perceived to be anti-social. Many of the participants reported keeping their areas clean and tidy in a bid to reduce complaints. Several felt that drinking alone should not be considered anti-social unless accompanied with additional disruptive behaviours. There was a mixed response to begging, but generally the consensus was that passive begging or being in a 'position to beg' was not considered anti-social but that aggressive begging could be. Overwhelmingly, participants stated that the policing of behaviours associated with street sleeping that were perceived to be anti-social was not only futile given the needs and lack of alternatives for homeless people, but that it was primarily a way to exclude or keep homeless people out of sight in public places.

Chapter 4 - The realities of ASB-related policing for people experiencing street homelessness

This chapter provides a detailed account of the main findings from the 43 interviews and one focus group conducted with our 52 participants experiencing street homelessness. It covers six themes:

- 4.1 Being moved on
- 4.2 Begging
- 4.3 Removing belongings
- 4.4 Formal powers
- 4.5 Relationships with the policing bodies
- 4.6 Personal impacts of being policed

Throughout the chapter we refer to 'policing bodies'. We consider the policing bodies to include the police, PCSOs, enforcement officers from local councils, and officers from private security firms (either employed by local councils or private businesses).

We discuss informal enforcement, which constitutes actions or measures without legal penalties, as well as formal enforcement which comprises actions or measures with legal penalties. Our participants were subject to both informal and formal enforcement, but as previous research has reported, most experiences involving the policing bodies were of an informal nature (Johnson and Fitzpatrick, 2007; Sanders and Albanese, 2017; Brown, 2020).

Overall, we uncovered a complicated picture and have tried to present the findings in the most straightforward way possible. Sections 4.1 to 4.4 deal with discrete issues and have a greater focus on the tools and powers available through the Anti-Social Behaviour, Crime and Policing Act (2014). Sections 4.5 and 4.6 begin to unpack the messy nature of the relationships involved in policing people experiencing street homelessness and some of the impacts and effects policing interactions had on our participants. We have deliberately included numerous quotations from our participants to foreground their experiences in their own words, some of which contain offensive language.

4.1 Being moved on

Key findings

- People experiencing street homelessness were informally moved on more than any other policing intervention.
- Most participants were not advised where to move on to. In many instances they were moved on multiple times in the same day, only to return to their original spot.
- Participants reported being woken in the night and moved on from a sleeping position, even where this was reportedly outside of a main public route. This occurred most predominantly in three of the case study areas (Marsh Vale, South Oak and Woodcastle).
- A fifth of the sample reported being signposted to some kind of support service when moved on, though this was often to the main homeless charity that the participant was already aware of.
- Opportunities for meaningful engagement with people experiencing street homelessness were lost.
- The practice of moving on did not prevent or stop the behaviour that was taking place.

Being moved and where to go

Across the ten case study areas the most common form of policing intervention was through informal measures. Most frequently used was the informal requirement for people experiencing street homelessness to move on from the position they were occupying to another location. Across our sample, being asked to move on was used in each of the case study areas and in relation to issues such as street drinking, actual or assumed begging, being in groups and sleeping. Whilst this method was used in the majority of instances with our participants, it was unclear and undisclosed under what tool or power this request was being made nor which piece of legislation would be utilised to reinforce this request. In addition to this opacity of policing powers, in all but one of the interviews with people experiencing street homelessness, participants were not advised where to move on to:

Interviewer: Say for instance you're down there, they think that you're begging, do they tell you where you should move on to? Or is it just-

Olivia: No, it's 'just go.'

This sentiment was reiterated throughout the sample. In general, participants were being asked to move away from high streets and shopping areas within the PSPO areas. From the participants'

perspectives, so long as they were out of view of the main footfall areas, then they were left to engage in the same acts of ASB such as street drinking:

Interviewer: What do they do? Say for instance they catch you red handed and you've got a drink in your hand, what happens then?

Charlie: Usually they'd get you to move on and they'll say there's no drinking in the town centre, would you like to move? That's what they said to me. I mean I don't know what they've done with other people but with me they've asked me to move but you see I'm older so maybe that's what it is...

Interviewer: So, they tell you to move on, yeah?

Charlie: Yeah.

Interviewer: Where do they tell you to go to?

Charlie: Off the high street. As long as you're off the high street, that's what they say.

Interviewer: So, what, if you're in like an alcove off the high street it's okay?

... [participant identifies locations on a map]

Charlie: Yeah. Anywhere like that you'll get away with it.

Similarly for some participants, so long as the ASB in question, in this instance street drinking, was inconspicuous the policing bodies would turn a blind eye. That is unless the ASB was conducted in a group, which would then result in the same moving on intervention:

Scott: Generally they leave us alone. As long as we're not a big crowd and we're not causing problems they'll generally leave you alone depending on which policeman it is. You've got jobsworths.

Interviewer: So if you're drinking by yourself, they don't really bother you too much but if you're drinking in what, two, three, four people?

Scott: Yeah, well that's when you start getting trouble innit when people get drunk, and they start fighting. Generally if you're on your own and you've got a can, they'll walk by you and leave you alone, do you know what I mean, as long as you're behaving yourself and you're not performing.

The way people were moved on varied across the sample. For some participants, this policing was perceived as polite and personable and considered to be respectful. This assertion is supported by Bogdan:

Interviewer: So no problems with the police.

Bogdan: Ah if [I] was sitting on the bench drunk the police just ask [me] gently, 'Listen you cannot be here'. Something like that.

Interviewer: Do they treat you respectfully?

Bogdan: Yes.

For Bogdan, being moved on was accepted and adhered to and experienced as respectful. For others, their experience depended on the individual officer engaged in the policing, as the following discussion between Jermaine and Olivia from Lightford demonstrates:

Jermaine: I think personally that it doesn't matter if you're – it doesn't matter if you're a judge, it's who. It's not police or PCSO, it's who in the police or who in the PCSO department because I used to get nicked a lot, even as a kid. And you would know the difference between ... you would get beaten up one time or you would get a coffee the next. It's who you're dealing with at that precise time.

Olivia: There are human coppers.

Jermaine: 'Don't do that again, just clear off' and then there's others, bang, facing the floor.

This perception that the policing interactions were dependent on the individual in question was also reiterated by Dylan in Winterton, who suggested that some officers would not ask you to move on at all in contrast to more formal forms of enforcement:

Interviewer: is it mostly the police that tell you to move on? Is it mostly the PCSOs? The wardens?

Dylan: It can be the police. It can be the PCSOs... Like I say, you get some PCSOs that aren't bothered, they'll just walk past you and not say anything. You'll get some that are just arseholes and straightaway issue you with a banning order to move out of town, bang, you're gone instantly, yeah?

Whilst being moved on was a common experience for our participants, it was a source of contention because the power appeared to be targeted towards homeless populations. For example, other people displaying the same behaviours within the PSPO area were not asked to move:

Les: So, what is the difference between a homeless person drinking on the streets and pubs putting stalls out on the streets and people drinking on the streets. What is the difference?

Jermaine: The homeless people, what they will do is they will be like 'Oh they pay money, so they have more right,' but because we think that they might have stolen it, because of how society looks at homeless people, looks at alcoholics and looks at drug taking people, the stigma – it's built into you, isn't it, as a kid. Like you need to eat or else you'll die. It's that whole stigma.

Alec: And it's separating one group and saying

Jermaine: Yes, because we think that they're paying and because they dress better, so materialism, because they've got material things, we will leave them alone but oh, hold on, because that guy's hair doesn't look like it's been washed, doesn't mean that he couldn't be a millionaire, but we think that he's not. Let's punish him.

As Alec states, this not only targets homeless groups for relatively universal behaviours, but is also perceived to feed a negative public perception of homeless people:

Alec: And the other thing is, it's when people see the police doing it and how they treat the homeless people, then other people start doing it.

Understandably, the frequency of being moved on frustrated the participants, often leaving them with nowhere to go or, in many of the instances described, moving back to the same places that they began. This illustrates the futility of this practice and contributes to a potentially negative relationship with the authorities:

Interviewer: Whereabouts do you hang about in the daytime?

Frank: In the town, getting harassed by the police... They harass you for being homeless.

Interviewer: What kind of things would they [police say]-?

Frank: They just move you on all the time so you can't sit here, you can't sit there, you can't sit there. What am I supposed to do?

The question of what a participant was supposed to do raised by Frank highlights a consistent finding amongst the sample, which was that alongside a lack of direction of where to move to, there was also an absence of an offer of support to assist people experiencing street homelessness. Rarely was it reported that the opportunity was taken for the policing bodies to engage with people

experiencing street homelessness and attempt to move them into support services. Roughly one-fifth of participants reported being advised to go to the local homeless shelter or to telephone the council. However, most were already familiar with this information and the potential limitations of these suggestions. For example, Harry was advised to move on to the local homeless shelter, which was only open during daytime hours:

Harry: No. Tell me to come down to [homeless shelter]. I say what's the point in that? It's only fucking ten till two, you know what I mean? What am I going to do from two till ten? Do you know what I mean?

For Ollie, the authorities conducted what he referred to as a 'welfare check', where support was discussed. However, he perceived that there was little that could actually be done for him in his situation:

Interviewer: So, what would they do? Would they just find you somewhere safe?

Ollie: They would do what's called a welfare check and they ask you if you're okay, if you've got somewhere to sleep but at the end of the day no matter what they ask you, God bless them, I don't think they've got any power to help. They're just police people. I'm not saying they're just policeman, they're everything, they're social workers, they're domestic abuse people, you know, they try and solve everything, they'll help as much as they can but, yeah, it's called a welfare check, they just ask you, you're not getting abused? You're not getting bullied? You're not getting forced to take drugs, are you? You're not getting forced to sell drugs? Stuff like that, you know.

Complicating matters further, many of the participants would pre-emptively move to avoid being told to move by any policing bodies, further reducing the opportunity for positive or supportive engagement:

Scott: Before they even tell me I'm usually gone; do you know what I mean.

Disruption of sleep

Moving on was not only restricted to the daytime, it was also experienced by participants throughout the night, particularly when sleeping. The disturbance of sleep by being moved on was a significant issue for some, particularly in three of the case study areas where this was a common

occurrence (Marsh Vale, South Oak and Woodcastle). For Harry, this created a continual sense of transience as he was moved throughout the day by PCSOs and then during the evening by police officers, often in what he described as a heavy-handed manner:

Harry: It's only when you get your head down, get to kip, start snoring, bang, that's it, they start kicking you.

Interviewer: So, if you're sleeping, they'll kick you?

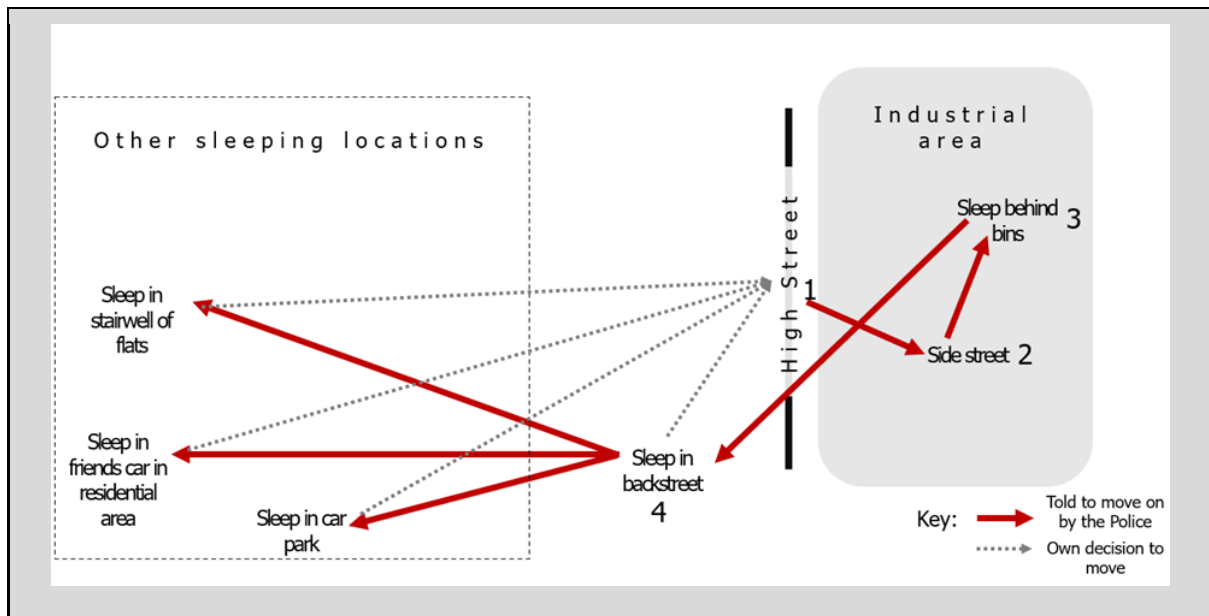
Harry: They kick you, they rough you up, yeah.

Interviewer: What do you mean 'rough you up'? I know they kick you, what else would they do?

Harry: They'll pick you up, like get up, get up, get up. I'm like 'what the fuck', I'm fucking asleep... do you know what I mean? Leave me. Get up, get up, shaking you, waking you up. I'm like, 'fucking hell'. I'll go to my other spot then.

Figure 4.1: Harry's moving on locations

Harry mapped out the locations where he was told to move on from throughout the day and night (see Figure below). Typically, he would start the day on the High Street [1] before being asked to move, from there he went to a nearby side street [2] until the evening when he bedded down behind some bins [3] close to the High Street. From there he would be moved and go to a side street [4], from where he would be moved to one of a few sleeping locations. In the morning he would head back to the High Street [1]. At night the participants explained that the PCSOs stopped interacting with the street sleeping homeless population as the police took over responsibility for moving people in the late evening and early hours. Harry described being found by the police and violently woken and told to find somewhere else to sleep. On a typical night, Harry could be moved on from discrete locations at least twice:



One common contact point for being woken from sleep to move on was in the mornings to pre-empt the start of the working day. This was particularly the case when participants were sleeping in car parks or doorways, as described by Austin:

Interviewer: So where do you sleep then?

Austin: Carparks, doorways.

Interviewer: And do you get moved on from there as well?

Austin: Yeah.

Interviewer: So how often will you be moved on in a car park?

Austin: From five in the morning they will try and move you on... You're left alone until 5, until they come to work to clean and then from that, basically from 5 o'clock in the morning,

Interviewer: And that is the security people who move you on? What about sleeping on the streets?

Austin: If you're in certain doorways where the shop isn't opened then you're alright, but then the ...[enforcement officers] just move you on.

Highlighted here is the multiplicity of actors that came into daily contact with the participants in our sample. The authorised policing of space within the PSPO area is undertaken by more traditional forms of policing such as police officers, PCSOs and council-based enforcement officers, but the experiences of policing more generally for participants involved a much wider group of people, including private security in supermarkets, shopping centres and car parks adding to their overall

experience of access to space. This is reflected in Theo's experience of sleeping in his common 'spot', a bin room:

Interviewer: So where do you spend most of your time? You go to that car park, but is there anywhere else? Would you sleep in doorways, or?

Theo: Yeah, doorways, like – I've got a couple of, we call them spots, like they're kind of sheltered, there is one inin the [location], it's got like a bin room. It's got like three walls and then an open space. You can pull the bins to make you warm, sort of thing.

Interviewer: So you can stay a bit warmer there.

Theo: Yeah, it's sheltered and stuff but then you're only there until the security guard comes in the morning and moves you on. A lot of it's moving you on, sort of thing.

Similarly, Wes experienced policing within car parks when trying to sleep, a location chosen because of the stairwells and doorways that are warm and dry, regardless of his knowledge of the illegality of doing so:

Interviewer: How often are you moved on while you're sleeping?

Wes: All the time. Every night, we're not allowed to sleep in car parks, it's against the law.

Interviewer: What happens when the police find you in car parks?

Wes: They tell you to move. Doesn't matter how cold it is outside they will tell you to go outside. It doesn't matter.

Interviewer: Don't they tell you to go to a hostel or?

Wes: No, they just tell you to move on. Move on.

For Wes, he perceives the main reason that they are moved on from car parks is because of the public's perception of people experiencing street homelessness as a security threat, something which is exacerbated more so in car parks than on the street:

Interviewer: So, is that the same on the streets as it is in the car park?

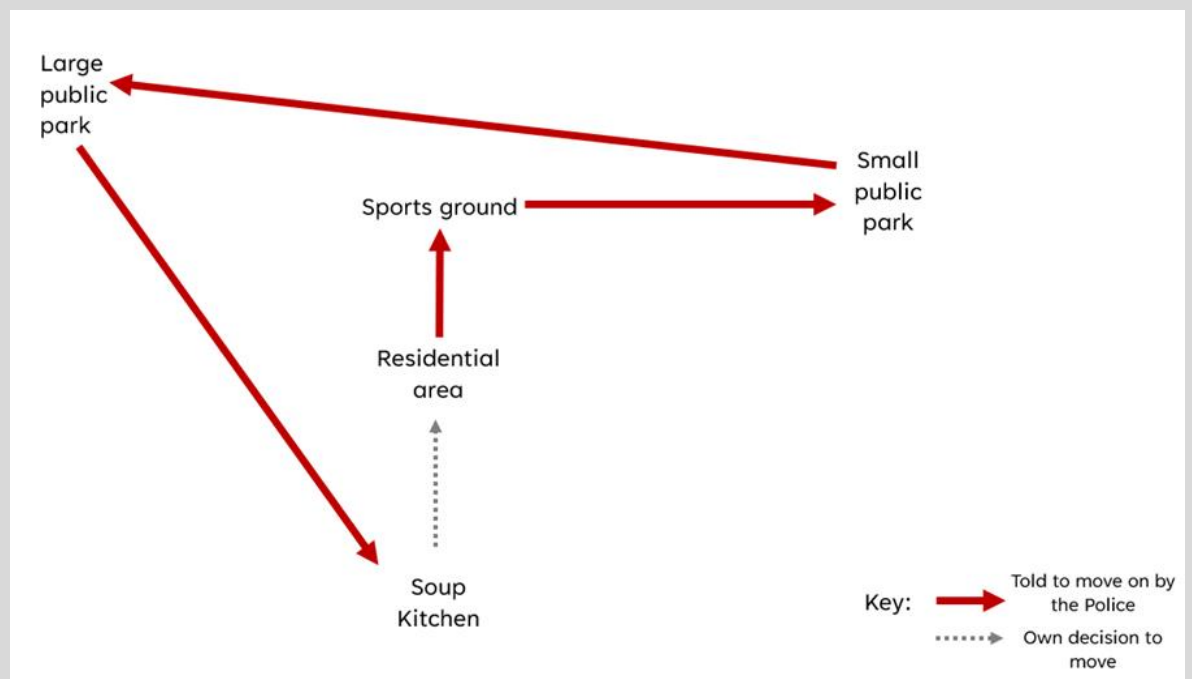
Wes: No, no, if you're on a doorway or something they will leave you until 9 o'clock when the shop opens and then they will tell you to move. They're not so much bothered here, but in public spaces like car parks, where people park their car, in case you try and rob them.

Interviewer: Really? Is that what they say?

Wes: Yes, they think that we're all fucking thieves and shit. Sorry about my language.

It may be expected that participants were moved when blocking access to locations, but some participants also expressed being moved on from parks and other more secluded spaces that they were sleeping in. As can be seen in Figure 4.2, Brady (South Oak) was woken up and moved on throughout the night, predominantly from public parks.

Figure 4.2: Brady's experience of being moved on



Interviewer: Over what kind of time period? Would this be over the space of a day or so or?

Brady: No, this is like three o'clock, four o'clock in the morning.

Interviewer: This would happen in the space of one night?

Brady: In one night. Every time you move, yeah -

This raises the question of who was experiencing a detrimental effect during this time and what the justification was for moving Brady on. For one participant, to be found in their sleeping location in a park must have meant that the police were going out of their way to look for them:

Curtis: They [the police] turn into super dog detectives after midnight. They don't really do much in the day.

This experience of being woken from sleep and moved on more generally not only antagonised the participants, adding to already strained relationships with policing bodies, but also caused a knock-on effect on people's health, especially for Charlie who was 68:

Charlie: The thing is age does take its toll and I know that now because I get slow, I get really tired, you know, I want to sleep in the afternoons, have something to eat, you know, that sort of thing... You can't because there's nowhere to sleep and if you do go to sleep you get lifted by the cops.

In addition, Theo discussed the impacts of sleep deprivation on his mental health:

Theo: Yeah, yeah it does. If you're sleeping, for example, if you're somebody who doesn't sleep very well anyway, and you've managed to actually get to sleep and then the next minute somebody's kicking your foot to tell you to move on-

Interviewer: And that's what they do?

Theo: Yeah, you might have just managed to get half an hour, you know what I mean. yeah, it does affect your mental health, sleep deprivation and stuff.

As can be seen in the above experiences, many participants were moved on, including during the night, with limited productive engagement around accessing services and building relationships. There is therefore greater scope here to improve these contact points through closer working relationships between policing bodies and outreach workers (Williams, 2021).

4.2 Begging

Key findings

- People experiencing street homelessness in five case study areas were subject to informal and formal policing measures if they were deemed to be 'in a position to beg' (Lightford, Moorhurst and Woodcastle) or simply sat on the pavement (Nortown and Roseden).
- More generally, participants explained how they were regularly moved on for engaging in passive begging, assumed begging, or when they were seen to be in receipt of money or sustenance even if it was not asked for.
- Participants' accounts suggest the policing of begging was not confined to the PSPO areas, with informal interactions shaped by the threat of sanction by a combination of the Vagrancy Act, PSPO prohibitions and Dispersal Orders.
- The deployment of tools and powers from the Anti-Social Behaviour, Crime and Policing Act and the Vagrancy Act did not deter or prevent people experiencing street homelessness from begging.

Being 'in a position to beg'

One of the main reasons why people experiencing street homelessness were asked to move on in Lightford, Moorhurst and Woodcastle was because they were considered to be 'in a position to beg'. This exact phrase was a part of the lexicon amongst the street sleeping population, suggesting that being moved on for this reason was a common occurrence. This term is not found in any ASB legislation, the Home Office statutory guidance for frontline professionals, nor the Vagrancy Act. Nevertheless, there was a uniform understanding across the areas of being 'in a position to beg' despite them not being geographically close nor having the same police force.

Consistently, participants explained that sitting on the pavement constituted being 'in a position to beg'. For example:

Interviewer: The police, what do they say to you when they try and move you on?

Austin: Well, they just say basically you're putting yourself in a position to beg, so can you move and so basically like you now, you're putting yourself in a position to beg.

As stated by Austin, the broad definition of what constitutes a 'position to beg' means that the interviewer could have been moved on (or subject to formal enforcement) simply for being sat alongside Austin conducting the interview - a subject we return to later. Olivia provides more context about the mundane nature of being sat 'in a position to beg':

Olivia: I sit and I get comfy and people come up and give me money. I'm nice. I'm not stupid. I'm not going to say no. Do you know what I mean? But I don't beg. And the police say it's – what is the word they used?

Interviewer: Passive, is it?

Olivia: No, no, you're sat in a position to beg. So basically if you're sat and you're knelt down you're fucked. Do you know what I mean? It depends on who you are and what you look like. Because a student could be doing exactly the same thing and get away with it.

Olivia points out that other citizens who do not sleep rough would not be subjected to the same policing interaction or enforcement. This chimes with other informal encounters our participants had with the police related to street drinking and being moved on.

The practice of being 'in a position to beg' was tested by Frank, who appeared to find a loophole:

Frank: ... they're saying they're moving me on because I'm sat in the begging position but I worked out if I find a chair somewhere and I put a chair there and I sit on a chair they can't actually do anything, they can't move you because I'm on a chair!

Interviewer: So you're not in a begging position?

Frank: If you're sat on a chair you're not in the begging position but if you're sat on the floor then technically you're in the begging position but if you find a chair then you can technically sit in - I found a chair one day and I sat in this, it was like a garden deckchair thing and they walked past and said, oh, very clever Frank! I was like, what? Oh, well, technically you're in a chair so we can't actually tell you to move because you're not sat on the floor! I was like, are you actually fucking joking me mate?! Oh well, nice one, thanks for letting me know!

Frank's account highlights the common, adversarial cat and mouse-type relationship that existed between the policing bodies and our participants, as well as the perception that the policing bodies were always out to get them one way or another.

The explanations provided about being 'in a position to beg' suggest that a person exhibiting this behaviour is not actually begging, merely being 'positioned' to do so. Being 'in a position to beg' is not illegal and thus cannot be prohibited by the Vagrancy Act. Being 'in a position to beg' could technically be sanctioned if such a prohibition was contained within a PSPO, but this was not the case for any of the PSPOs in force in our ten case study areas. Three of the PSPOs contained the generic prohibition not to cause any 'harassment, alarm or distress', but even in these circumstances being 'in a position to beg' would not reasonably meet the threshold for enforcement.

In Nortown and Roseden the phrase 'position to beg' was not used, but just being sat on the pavement was still enough for informal and formal enforcement to take place as Alfie explains:

Alfie: I said define begging, I wasn't asking no one and he said it looks like you're begging because you're sat there. Phht.

Interviewer: Did you have a coffee cup in front of you or?

Alfie: No, no, I didn't have a cup out or nothing, but because I'm sat there it looks like I'm begging, so he done me for it.

The evidence we have gathered demonstrates that in half of the case study areas, the presence of people experiencing street homelessness sitting on the pavement or when they were considered to

'be in a position to beg' was enough to trigger the attention of the policing bodies for enforcement around begging. In contrast, sitting on the pavement was not a problem in the other areas. This illustrates the different thresholds of enforcement for begging-related behaviours and the varying levels of scrutiny people experiencing street homelessness are under, depending on their location.

Passive begging, assumed begging and 'not begging'

Other begging-related behaviours prompted interactions with the policing bodies. Despite the sample being polarised between those who steadfastly refused to beg and those who commonly begged, many participants explained how they passively begged by sitting down with a cup or hat. There was an acceptance amongst the sample that if they used some kind of receptacle, even their hand, then enforcement action would follow.

The other type of behaviour that appeared to bring our participants to notice was them deliberately exhibiting that they were not begging. For example, Samuel unsuccessfully attempted to circumvent informal policing interactions by presenting a sign that clearly demonstrated he was not expressively begging:

Samuel: Yeah, I've been sat [by] myself, I sit silent. I've just got a sign that says 'I will never ask, but thank you'

The sign did not have the desired effect and he was asked to move on. Dylan explains how he does not ask for anything, but just being given money by a member of the public brought him to the attention of the police who advised the citizen not to give money due to the potential for it to be spent on drugs or alcohol:

Dylan: I actually had an argument with a copper once about some lady gave me some money in front of him and he said you're not allowed to do that, you're not supposed to do that and, bless her, she stood there and went this is my money, I work hard for my money, he hasn't asked me for it, I've chosen to give him it so who I give my money to is none of your business... I've spoke to hundreds of people when I've been sat down begging and you'll be amazed how many of them will turn round and say if I was in your predicament, I'd be using drugs or drink.

Across all begging-related behaviours, be they in the 'position to beg', passive begging with receptacles, or just being seen to be in receipt of something from members of the public, our participants were drawn into interactions with the policing bodies. In every area, they were aware that begging would result in some type of enforcement action. However, the threshold for action to be taken varied between, and sometimes within, the case study areas. For example, sometimes officers in Roseden 'turned a blind eye' to begging conducted by one participant, whereas two others were spoken to.

The policing of begging

Our participants' accounts highlight how begging was policed across a range of spaces. Where begging-related prohibitions were in place, the PSPO area was a common site for policing interactions. However, it was clear from our participants' explanations that begging was policed outside of the PSPO under the auspices of the Vagrancy Act (1824), and they were subject to possible further enforcement through Dispersal Orders, which in some cases covered a different geographical area to the PSPO.

Whether 'in a position to beg' or simply sat on the pavement, the first begging-related interaction with the policing bodies was through the informal requirement to move on. This was as simple as being told to move away from the area, without being directed where to move on to and often not being told why they were being moved on or why they were not allowed to beg.

Furthermore, these numerous interactions would take place every day or every few days resulting in a constant transience of being moved from one place to another. When our participants refused to move on or when they were already known to the policing bodies, they were warned that if they did not comply, formal enforcement would follow. Where a formal sanction was threatened, our participants were more likely to comply with the instruction to move.

Formal enforcement against begging chiefly took place in the three case study areas that used the phrase being 'in a position to beg', namely Lightford, Moorhurst and Woodcastle. The result was generally the receipt of a Section 35 direction to leave Dispersal Order. Many participants in those areas received numerous Section 35 directions to leave over a long period of time, with some reporting to have had '*probably a good 10-20 of them*' (Wes).

Whilst the Vagrancy Act (1824) was not utilised as much as Dispersal Orders, it was being used in Lightford and Nortown despite the PSPOs prohibiting begging. This suggests that instead of using the PSPO, the police chose to use the powers contained within the Vagrancy Act, which criminalises begging if someone is found to be 'placing himself or herself in any public place, street, highway, court, or passage, to beg or gather alms, or causing or procuring or encouraging any child or children so to do; shall be deemed an idle and disorderly person within the true intent and meaning of this Act'. This approach poses questions about the underlying reasons for implementing a PSPO in both locations, which are beyond the scope of this study, but it highlights how begging behaviours are being policed in multiple ways. The use of Dispersal Orders for begging and other types of ASB is examined as part of a broader discussion on formal enforcement in Section 4.4.

Participants in two case study areas, Woodcastle and Bridgecliffe, mentioned how there were also undercover officers involved in the policing of begging.

Wes: an undercover went past and I accidentally asked him and I got a summons to court and so I'm going to court. I don't know when I'm going to have to go yet because I haven't got the date yet but I have to go to court for begging. ...

Interviewer: Are they looking for drugs or?

Wes: [undercovers are] Just looking for the homeless to see if they can get rid of them begging.

Interviewer: So, what do you think that they're trying to achieve? Are they trying to get you to-?

Wes: I don't know what they're trying to achieve. They're just trying to get us off the streets. The way that the other people see it ... they don't want to come by and see beggars sitting on the street, do they. That is the way that we see it, and the council as well is one of the biggest problems as well.

Result of enforcement on begging behaviours

A range of different approaches to the policing of begging were evident, both in terms of how it was conceptualised, and the different types of informal and formal enforcement explained by our participants. It was clear that the vast majority of enforcement was informal, but formal enforcement was also undertaken.

Ultimately, when asked whether their begging behaviours were deterred or prevented as a result of the enforcement taken, the resounding answer was no. Arwen details:

Interviewer: when you were fined did it actually change anything? Did you decide you were not going to beg, or?

Arwen: No.

Interviewer: Did it actually change your behaviour at all?

Arwen: No. I didn't

Rhys' explanation typifies why our participants continued to beg despite the way they were policed:

Rhys: And it's illegal, I don't want to be doing nothing illegal. But push comes to shove I am going to have to, or I am going to have to steal. Beg, borrow, steal to survive. Even if it means going back to jail. I don't have no bloody choice ... I don't want to be doing that, but living out there man, it's hard.

Augustus provides more context about his necessity to beg and what he spends the money on:

Augustus: I was just being straight up and honest. I had plenty of people come and ask me do you take drugs? I wouldn't lie to them, I'd tell them. I'd say, look, to be honest with you, yeah, I will, I will probably buy drugs with your money because I'm on the streets, it's my life and it's my way of coping but I were always honest and said if you were to give me £10, £20 or something, for example, I'd probably spend a tenner on essentials like baby wipes, probably a pair of socks or something, food, and then maybe once I'd got all my essential things if I've got a tenner left over then, yeah, I'm going to buy some drugs, do you know what I mean? I need something to cope on a night, it's freezing, middle of winter, do you know what I mean?

Therefore policing and enforcement in isolation is not solving the problems faced by people experiencing street homelessness (poverty), nor the perceived detrimental effect their begging has on the community because the behaviour is not deterred or stopped.

4.3 Removing belongings

Key findings

- In three case study areas, tents belonging to people experiencing street homelessness were removed and destroyed without notice (Bridgecliffe, Roseden and Winterton).
- There was a feeling amongst our participants that the policing bodies deliberately 'went looking' for their tents to remove them.
- Sometimes where tents were removed without notice, all individual's possessions were removed as well, leaving them with nothing.
- In contrast, other areas did not police people experiencing street homelessness using tents, with individuals living in them for months at a time.

Out of the ten case study areas and associated PSPOs, three contained a prohibition outlawing the erection of temporary structures, including tents. Like all PSPO prohibitions, the punishment for breach is a Fixed-Penalty Notice. Consequently, there is no legal provision within the PSPO to remove the temporary structures as a sanction for breaching the notice unless specifically stated. Outside PSPO legislation, seizure powers for tents are available to the policing bodies under local bylaws associated with Section 150 (2) of the Police Reform and Social Responsibility Act (2011), and the Highways Act (1980) where an obstruction is being caused.

A small number of our participants talked about how their tents had been removed. It is unclear from their accounts what law (if any) was used to remove their possessions. The confiscation of tents took place both within and outside of the PSPO areas, which suggests the practice was not necessarily linked to the PSPOs.

In Winterton, where the PSPO included a prohibition about tents, the confiscation of tents occurred outside of the PSPO area, often with little or no warning. These tents were most commonly located outside of the city centre in undergrowth and hidden locations. Hence, the participants asserted that the PCSOs and council officers must have specifically sought to find their tents (and possessions therein) in order to displace them further from the city centre:

Interviewer: Did the council explain to you why they took away your tent?

Augustus: ... no. I've had it happen on several occasions. You get up, you go out in the morning, you go back and everything's fine and then all of a sudden you go back and everything's gone. There's no note saying why they've moved it... It wouldn't be so bad if they

actually came and put a note on your tent saying you've got 24 hours to move it or we will take it... I think it's wrong when they just come and take it.

In total, Augustus had received four tents from the street outreach team in Winterton, on each occasion they were removed with his other belongings, meaning that he was forced to acquire another tent and to find another spot to bed down. This scenario reflects a lack of local partnership working if support services are distributing resources that subsequently put people experiencing street homelessness at risk of formal enforcement action.

We also heard accounts of more than just tents being removed. Dylan had a tent removed with no notice provided:

Dylan: you get up in the morning, you go out, you do what you need to do, you come back, yeah, things are great, everything's there and then all of a sudden you come back and, bang, it's gone, everything's gone. They've taken everything you've got so now all you've got is your clothes that you're stood up in, so anything that you managed to build up, whether it be through charities... all personal things that you've managed to keep on to, it's gone. Everything.

Later in the interview Dylan characterises the relationship with the police, PCSOs and council officers as 'a game of cat and mouse' as he was always in a state of preparedness to be forced to find another location to pitch his tent. The constant threat of a tent being removed was coupled with threats of other formal enforcement such as Fixed Penalty Notices.

There was a small amount of evidence that suggested eviction notices were occasionally posted on tents in Winterton and Bridgecliffe. Toby recalls a conversation he had with friends in Bridgecliffe:

Toby: I bumped into these people, said, oh, how are you doing? They said bit shitty really, they've evicted us from the tent. I said how can they evict you from a tent? You're tenting. No, we've been evicted, pulled out an eviction notice out of their pocket. Big words 'Eviction.' 'Notice.' So, you know, it is there, they are doing silly things like that to try and get rid of us.

However, we also received accounts in Bridgecliffe of individuals being able to stay in tents for long periods, as Elliot details:

Interviewer: So how long have you been in that spot?

Elliot: About three months. I was there before, I went away for a little while, about a month and then come back and I've been there a couple of months. About five months this time around.

Other case study areas did not pursue people experiencing street homelessness sleeping in tents either. Bernard talks about his experience in Moorhurst:

Interviewer: Do the police, have they ever found you in a tent down there?

Bernard: Aye, they've come down. They say if we need support and that, where would you be if you needed support? I said that's where I am, there's always somebody knows where I am.

Interviewer: They've never told you to move on.

Bernard: No. I'm not causing any trouble. I'm out of the way of the public. I'm not pinching, I'm not stealing, I'm not an active criminal, I'm just homeless and trying to survive.

Overall, this theme further reflects the idiosyncrasies of the way people experiencing street homelessness are policed at a local level, with evidence of different approaches both within and between different case study areas where tents are concerned.

4.4 Formal powers

Key findings

- It was uncommon for people experiencing street homelessness to receive formal enforcement sanctions.
- Dispersal Orders, specifically Section 35 directions to leave, were the most common formal enforcement experienced by our participants and were issued in three case study areas (Eastholt, Moorhurst, and Woodcastle).
- Three PSPOs contained conditions where individuals were required to leave the designated area if they breached the PSPO and/or caused harassment, alarm or distress (Bridgecliffe, Roseden, and South Oak). This created hybrid PSPO-Dispersal Orders, which sit outside of the scope of the statutory guidelines and lack the procedural safeguards necessary for the more restrictive dispersal powers.
- When combining the areas with Dispersal Orders and the areas with PSPOs that had dispersal requirements, six out of our ten case study areas were utilising dispersal as an enforcement tactic (Bridgecliffe, Eastholt, Moorhurst, Roseden, South Oak, and Woodcastle).

- Only five of our participants had received fixed penalty notices for breaching PSPOs.
- Other formal enforcement action was rarely experienced but included arrests under the Vagrancy Act (1824) and individual civil preventive notices/orders.
- Participants experienced a duplication and layering of various tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014) in combination with the Vagrancy Act (1824), which meant our participants walked a tightrope of potential formal enforcement action.
- Formal enforcement measures did not deter or prevent people experiencing street homelessness engaging in anti-social behaviour.
- The primary result of the formal enforcement experienced by our participants was displacement, which meant they could not access key services such as food or healthcare.

Formal enforcement constitutes actions or measures with legal penalties. These measures were discussed infrequently by our participants, but they were much less common than being asked informally to move on which for some occurred multiple times throughout the day and night, see Section 4.1. Analysing the extent of formal enforcement was challenging because of the difficulties trying to untangle the escalating enforcement process when many participants did not know or understand the powers and procedures. Some participants spoke of being subjected to enforcement measures where they were unable to explicitly recall the exact mechanisms used by the policing bodies, but because of the circumstances we were able to ascertain the sanction received. Overall, the level of knowledge about the tools and powers amongst the participants was incredibly low, even for individuals who were in receipt of formal sanctions for breaching the PSPOs and/or other laws. Of the 52 participants interviewed for the study only three claimed to have knowledge of the PSPO in the area they inhabited.

The most significant finding from this section is that the tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014) and the Vagrancy Act (1824) were duplicated and layered within the PSPO areas. This involved various combinations of PSPOs utilising dispersal tactics as part of prohibitions which created hybrid PSPO-Dispersal Orders, Dispersal Order Section 35 directions to leave being used in PSPO areas to manage the same behaviours prohibited by the PSPO, and the Vagrancy Act being used to sanction begging when the PSPO contained a begging prohibition. This duplication and layering created a complex terrain for people experiencing street homelessness to navigate and left them walking a tightrope of potential formal enforcement action, which fuelled informal interactions to move on.

Despite the application of formal enforcement coupled with the duplication and layering of powers, there was a clear consensus amongst our participants that none of the measures prevented or deterred them from engaging in anti-social behaviour. For example, individuals risked getting a fine for begging because they needed to eat and knew they would not be able to pay the fine anyway, so it did not matter.

This section provides details about: PSPOs, Dispersal Orders, the Vagrancy Act, and other individual civil preventive powers.

Public Spaces Protection Orders

Key findings

- Despite all ten case study areas having a PSPO in place, formal enforcement of the orders against people experiencing street homelessness was rare.
- Only five participants had received fixed penalty notices for breach, despite the majority having engaged in various types of prohibited ASB.
- Where fixed penalty notices were received, they were not paid.
- Where fixed penalty notices were issued for breaching the PSPO, individuals did not modify their behaviour and future ASB was not prevented or deterred.
- PSPOs in three areas, Bridgecliffe, Roseden and South Oak, contained requirements to disperse or leave the designated area for up to 48 hours, which created hybrid PSPO-Dispersal Orders.
- Hybrid PSPO-dispersal powers in South Oak dispersed and displaced groups of people experiencing street homelessness who had congregated together for safety.

Fixed Penalty Notices

Despite every case study area having a PSPO in place both prior to and during the study, it was extremely rare for our participants to be formally sanctioned for breaching the PSPO. This reflects the prevalence of informal interventions and policing interactions that took place.

Five of our participants, Arwen, Jacob, Lucas, Scott, and Toby, spoke about receiving fines, which based on their description we believe to be fixed penalty notices (FPNs) for breaching the PSPO. As mentioned previously, it is not often straightforward to discern the exact nature of formal enforcement due to the numerous different, albeit similar, sanctions available and how they are articulated by the participants. The five FPN recipients were from five different case study areas: Bridgecliffe, Eastholt, Nortown, Roseden, and South Oak. It is notable that the two case study areas

that were responsible for the most Section 35 direction to leave notices through Dispersal Orders, Moorhurst and Woodcastle, were not amongst the FPN issuers. Only participants in Eastholt spoke of receiving both Section 35s and FPNs. The behaviours punished by the FPNs were street drinking, begging, urinating, and two were for smoking cannabis and drugs offences.

One individual, Arwen, received three FPNs in one day for begging. He went on to explain that he did not pay the fines, which resulted in a court summons where he was ordered to pay a single fine of £100 plus a further £125 costs. The fine handed down from the court had not been paid, nor had Arwen any plans to pay it in the future. This reflected a broader attitude towards the notion of paying fines from our participants, summed up by Toby:

Interviewer: So people just don't really care about the fines then?

Toby: No, they're not giving twofucks. We don't have to give a fuck. We can't afford 'em.

What do you want, blood out of a stone? You know. Oh, send us to court, put more money on top of the fine, do you know what I mean? We still won't be able to pay it, we can't afford it.

For Arwen, Toby, and others, the FPNs did not act as a deterrent, nor did they prevent the behaviour prohibited by the PSPO. There was simply an acknowledgement that the fine would not be paid, and for Arwen a further entrenchment of his begging behaviours. Receiving a FPN did little to help the relationship between our participants and the policing bodies, which were often strained and are discussed in detail in Section 4.5.

PSPOs and dispersal requirements

The PSPOs in three case study areas, Bridgecliffe, Roseden and South Oak, contained an unusual set of dispersal-related requirements. In these areas individuals are required to 'disperse from' or 'leave' the designated area for a proscribed period of time if they engage with the prohibited behaviours. In Roseden and South Oak this was for 24 hours, whereas it was 48 hours in Bridgecliffe. The nature of these requirements creates a hybrid PSPO and dispersal tool, which circumvents the necessary senior police officer authorisation to implement dispersal powers. It also enables powers of dispersal to be available long-term, something that is not within the spirit of the Dispersal Order legislation. In fact, the Home Office statutory guidance for frontline professionals notes how such powers should be used sparingly by stating: 'restricting an individual's freedom of movement is a serious issue, and accordingly the power should not be invoked lightly' (Home Office, 2022a: 47).

The hybrid PSPO-dispersal requirement is constructed slightly differently in each of the three areas. In Bridgecliffe, individuals who breached the PSPO or who engaged in ASB within the area were required to leave if asked to do so. In Roseden, this was limited to behaviour that causes harassment, alarm or distress, but with the additional clause that the failure to disperse constituted a further breach of the PSPO. In South Oak the behaviours were more specific and targeted towards behaviours associated with people experiencing street homelessness and included begging, obstructing the entrance to a business, and congregating in groups where ASB is being caused.

In Bridgecliffe and Roseden, the PSPO-dispersal requirement was not discussed by participants in terms of a dispersal power whereas it was in South Oak. The lack of participants' acknowledgement of the requirement to disperse in Bridgecliffe and Roseden further underlines their lack of awareness and understanding of the powers, but it also blurs our understanding of how frequently the dispersal aspect of the PSPO was used because it blended into the informal intervention of moving people on.

A key theme generated from South Oak was the belief that the policing bodies wanted to disperse groups of people experiencing street homelessness congregating in and around a main square. The main square was situated within an 'enhanced' area of the PSPO, which was a smaller area of the PSPO that contained the additional dispersal condition. Faye explained how she and her friends were dispersed, which resulted in them no longer frequenting that area:

Interviewer: So, going back to, say, for instance you're drinking by the square, you said that you were asked to move on?

Faye: Yeah...

Interviewer: What happened?

Faye: Police came along and they gave us (all), what are they called? I believe dispersal orders. Yeah. And that's all I can remember. They were called dispersal orders and you weren't allowed to go back to that place for however many, 24 hours, 48 hours, whatever they deemed, I can't even remember what the terms of time were. You know, either 24 hours or 48 hours you weren't allowed to go back there.

Interviewer: Okay. Is there anywhere else? Not necessarily drinking but just kind of hang around?

Faye: Yeah, basically anywhere there was a bench really where we could sit down, park our bums. So, I didn't go down that way admittedly. I didn't go on to [nearby suburb], I didn't go that way, I didn't even venture that way.

This example demonstrates how long-term hybrid PSPO-dispersal powers can displace people experiencing street homelessness away from specific locations simply for congregating together. There was a feeling in South Oak that the street sleeping homeless population were being specifically targeted by the policing bodies, whereas they consciously met up in groups to feel safe. As we have noted elsewhere, our participants were not directed where to go when they were dispersed nor where they offered any signposting information that they did not already know about.

Dispersal Orders

Key findings

- Dispersal Orders were the most common formal sanction experienced by our participants.
- Section 35 direction to leave notices were frequently used manage the ASB of people experiencing street homelessness in three case study areas (Eastholt, Moorhurst, and Woodcastle)
- In these three areas, the Dispersal Orders were used to sanction the same behaviours contained in PSPO, thus creating a duplication, and layering of the powers.

In total, the policing bodies in three of the ten case study areas (Eastholt, Moorhurst, and Woodcastle) regularly used Dispersal Orders to ‘manage’ the street sleeping homeless population. Section 35 direction to leave notices were the most common formal sanctions observed in this study.

Dispersal Order powers can remove individuals from specified public spaces if they commit or are likely to commit ASB, crime or disorder. If an individual engages in the defined ASB within the Dispersal Area, they are issued with a Section 35 direction to leave notice, which requires them to leave the area for up to 48 hours. Dispersal orders are a short-term remedy used exclusively by the police that are designed to provide immediate relief to a community experiencing ASB. Dispersal Orders should operate for a period of up to 48 hours and are subject to authorisation by a police officer of at least Inspector rank under Section 34 of the Anti-Social Behaviour, Crime and Policing Act (2014). They are not supposed to be a long-term solution to ASB in a locality, unlike a PSPO which is meant to be used over a longer period of time. Resultantly, Dispersal Orders are not a legitimate ongoing strategy to combat ASB associated with people experiencing street homelessness. Despite these assumptions, this research demonstrates how Section 35 direction to leave notices were regularly received by people experiencing street homelessness in three case study areas, with the most Section 35 notices received in Woodcastle.

Section 35s in Woodcastle

Section 35 direction to leave notices (hereafter referred to as Section 35s) were most prevalent in Woodcastle. All five participants had received them on more than one occasion. Participants' accounts strongly suggest that Section 35s were used frequently to sanction street drinking and begging, even on a daily basis. Both street drinking and begging were prohibited by the PSPO, which meant that people experiencing street homelessness could be sanctioned either through a Section 35 or a fixed penalty notice for breaching the PSPO. However, the definition of begging in the PSPO differed to the threshold for begging used in relation to Section 35s (being in a position to beg). As we did not conduct research with the policing bodies, we can only speculate why this approach was taken. That said, only the police can issue Section 35s and so this must be reflective of that particular policing body's approach. Section 35s could have been used as a way of sanctioning street drinking and begging without formally breaching them via the PSPO and thus preventing them from receiving a fine. The narratives of policing we heard from our participants about Woodcastle suggest that they were being used as a quick and effective means of removing street sleeping people from the city centre area.

The term 'Section 35' was commonly used by participants, demonstrating it as part of their lexicon. It was apparent that the notices were regularly used as a method for moving on people experiencing street homelessness, as Austin outlines:

Interviewer: The police, what do they say to you when they try and move you on?

Austin: Well they just say basically you're putting yourself in a position to beg, so can you move and so basically like you now, you're putting yourself in a position to beg now, so like if a cop wants to be an arsehole, they could come and give you a Section 35 which means that you're banned from the city centre for 48 hours, that is a Section 35. Permanent. It's not hard to give a Section 35, but where would they go? You know what I mean? They're sat on the outskirts of town for 48 hours.

Interviewer: How do they explain the Section 35 to you?

Austin: They don't. And if you're caught in town again, within 48 hours, you do get arrested.

The lack of explanation from police officers regarding the use of the powers was a key theme that cut across all the interviews in Woodcastle. Wes explains how Section 35s were also issued by undercover officers:

Wes: they [undercover officers] go around in plain clothes and ...one of them, a couple of shopping bags, coming past drinking coffee and I accidentally asked him and he goes 'Yeah, yeah, no worries, buddy' and ...a badge. He said, 'I'm giving you a Section 35'. They are slimy wee bastards.

Interviewer: say for instance a cop comes down this corner now and they would see you sat down, would they give you a section 35?

Wes: [Yes] because I'm sitting down and I'm in a begging position.

Wes reported having received a total of between 10 and 20 Section 35s over the years. Again, this asserts how these notices were commonly used to sanction the street sleeping population in Woodcastle. Issuing the notices to people experiencing street homelessness for being 'in a position to beg' could be argued within the realms of the Dispersal Order definition, being to prevent anti-social behaviour. Still, it is certainly not within the spirit of the legislation. The nature of their use does not reflect a short-term respite approach. A big problem associated with the Section 35s for our participants was how the requirement to leave the area made their daily existence more difficult. Julian illustrates how this affected his ability to manage his addictions, further entrenching his vulnerabilities:

Julian: We always get given those S35s... Like where if they see you ... and they want to get rid of you because they can't ... they will give you an S35 which basically you've got to get out of town like ASAP... that means basically if you don't move now you are committing a crime because you've got an S35, which is like basically it bans you from the whole of the city centre of Woodcastle for 48 hours where you are not even allowed to walk through or you can get arrested.

Interviewer: So, for instance, you've got to go and get your methadone?

Julian: It doesn't matter, obviously you've got to apply for that, so basically when they're giving me the S35 I would have to say to them look, I've got to pick my methadone up and they will say right, what time have you got to pick that up? They will write that on the slip and so when I'm walking through, if I do get stopped by an officer, I can show them.

Interviewer: Does it happen often, that S35?

Julian: Shitloads, yeah.

Receiving a Section 35 resulted in Samuel facing barriers to receiving support as it stopped him from being able to access food at day centres:

Samuel: They have never mentioned the reasons why they're moving me on. It's just like I don't tend to argue things. It just makes things worse, or they will ban you from town for 48 hours, which means there is no way of getting food or nothing.

Interviewer: That's an S35 [direction to leave], isn't it?

Samuel: I'm not too sure of the legal name. They just basically tell you look, you've got to be out of the town and if you're not out of the town they will follow you... until you leave the town border. As long as you're out of the city they don't care about you.

The quote from Samuel indicates a strongly held belief that Dispersal Order powers were being used to displace people experiencing street homelessness from the city centre. This was echoed by Theo who was issued with a Section 35 when he was experiencing a mental health crisis:

Interviewer: So have you ever been given a section 35?

Theo: Yeah, but not for begging. I got a section 35 once upon a time. I suffer from mental health and I was having a rant to myself, walking through the city centre and I was being a bit loud and a bit – I don't know, swearing, you know what I mean? The coppers came and served me a 35 for being loud and using abusive language.

The suggestion that the police issued a Section 35 to a member of the public who is suffering from poor mental health, rather than seeking support and guidance from the local community mental health teams is extremely concerning.

Figure 4.3: The researcher's experience of Section 35s in Woodcastle

Excerpt from fieldnotes ...

During fieldwork, two Police Officers approached an interviewee and the researcher before removing a 'Dispersal Order Ticket Book' from their breast pocket, suggesting that they were going to issue a Section 35. The researcher interjected and informed the Officer of their job and reason for being there. The researcher was informed that he and the interviewee were 'placed in a position to beg' by being sat on the pavement. It cannot be confidently determined whether a Section 35 was going to be issued, but the Officer having a 'Dispersal Order Ticket Book' would tentatively indicate that these powers are being used on a regular basis in Woodcastle. The researcher was able to acquire a copy of the Section 35 paperwork which contained a map of the Dispersal area, which does not vary significantly from the PSPO area.

Quote from Austin's interview which took place before the above incident ...

Austin: They would probably even try and give you one [a Section 35].

Interviewer: Wow.

Austin: And even if you told them what you were doing, they would more likely want to give you a 35. Just so that they could put the brakes on what you're doing, do you know what I mean?

Because you're trying to stop what they're doing. Yeah, so-

Interviewer: That would be interesting.

Austin: Yeah, so for future reference, if you're ever trying to do an interview try and sit on a bench, just so that you don't put yourself in that position, do you know what I mean?

In sum, participants' narratives from Woodcastle were laced with an inevitability about the policing, and a feeling that the police did not care about their circumstances and simply wanted them gone. The Section 35 notices appeared to be the vehicle through which the clearing of the city centre space was achieved. Figure 4.3 details the time in Woodcastle where the researcher collecting data for this study was almost issued with a Section 35 while conducting an interview. At the time of writing and despite informal enquiries and two Freedom of Information (FOI) requests, we are yet to ascertain whether the appropriate Section 34 authorisation for the Dispersal Order was in place on that specific day. We will continue to pursue our latest FOI request to determine the policing practices being undertaken in Woodcastle.

Section 35s in other areas

Participants in two other case study areas, Moorhurst and Eastholt, were commonly issued with Section 35 directions to leave, although less aggressively and less frequently than Woodcastle. These areas also demonstrated a layering of ASB powers because the Section 35s they issued were for behaviours already prohibited by their respective PSPOs, namely begging in Eastholt and street drinking in Moorhurst.

The participants' accounts highlighted how different police forces were utilising these powers, with a range of anecdotes providing an insight into operational practices. In Moorhurst, Jake explained how he had never received a fixed penalty notice for breaching the PSPO, but instead received multiple Section 35s. In one instance where he was going to be fined, he negotiated with the police officer to receive a Section 35 instead:

Interviewer: Have they ever mentioned anything to you about being fined £100 or?

Jake: Yeah, you can get fines but I've told them to fuck off, I went, 'here, give me a dispersal instead'

Interviewer: Oh, really?

Jake: Aye.

Interviewer: So a copper came up to you, you said -

Jake: ... fuck off, give us a disposal, or lock us up...

Interviewer: ... I'm just really surprised by that. So the copper came over to you, he said, 'right, we could fine you' and you said no, give me a dispersal order instead?

Jake: Yeah.

This was unusual. It undermines the PSPO if individuals can 'pick and choose' which sanction they wish to receive to bypass the powers. However, this negotiation reflects the types of relationships that some people experiencing street homelessness had with the policing bodies. It may have been the case that the police officer in question was happy for Jake to simply leave the area and be out of the way.

A further example of the relationship between people experiencing street homelessness and some police officers applies to 'Dispersal Days', which our participants in Moorhurst explained as being infrequent enforcement-focused days. Frank explains how local PCSOs 'tipped off' the street sleeping homeless population whenever these were due to take place:

Frank: Yeah. Sometimes they have dispersal days. It's on certain days. Drinking, begging, that's it, bang, straight in with a dispersal. They're not very often.

Interviewer: Is that pretty random? It's not like every other Monday or?

Frank: No, no. It's just random but like I say, the PCSOs on the bike that are sound know one, maybe two days in advance and say look lads, on Friday it's going to be dispersal day so make sure - box clever. Try and make sure you don't get caught.

Further detailed discussions about the relationships between people experiencing street homelessness and the policing bodies are detailed in Section 4.5.

A fourth case study area, Winterton, had participants that spoke occasionally about Dispersal Orders. What marked Winterton out from being different to the other three areas was that the

behaviours targeted by their Dispersal Orders were not prohibited by the PSPO, suggesting that these powers were used in a manner more in keeping with the spirit of the legislation.

The Vagrancy Act

Key findings

- The Vagrancy Act (1824) was chiefly used as a mechanism to move on our participants, rather than prosecute them.
- Where formal action was taken, participants reported that they were arrested and held in custody before being released with a caution or without charge.

The Vagrancy Act (1824) included provisions to prosecute individuals who engage in begging and/or sleeping rough. The Police, Crime, Sentencing and Courts Act (2022) repealed the Vagrancy Act, but it was still in place when the fieldwork was undertaken for this component of the project between August 2021 and January 2022.

Due to our participants not always knowing the specifics of the legislation, it was difficult to grasp the extent to which their experiences and interactions with the policing bodies reflected the threat of being sanctioned by the Vagrancy Act. However, we can infer from the interviews and the situations they described that most participants threatened with arrest or 'locked up' were done so under the auspices of the Vagrancy Act in relation to begging. In such circumstances, an arrest could be avoided by moving on and leaving the area.

As mentioned in Section 4.2 which solely discusses begging, participants from Lightford and Nortown spoke explicitly about their experiences of being sanctioned through the Vagrancy Act. In both areas, our participants were arrested. Alfie from Nortown reported that he was cautioned. Jermaine and Olivia from Lightford detailed how they were taken into custody but released without charge. Olivia's experience of this process is detailed in her own words in Figure 4.4. She explained how her physical disability was not dealt with sensitively by the police officers, which reflects some of the negative interactions which are described in greater detail in Section 4.5.

Figure 4.4: Olivia's experience of begging enforcement

Interviewer: So, you're sat there and they [police] come up to you and they start talking at you and they say you're begging, you can't do that.

Olivia: Yeah, get up, move. And I'm like look, I'm disabled, I can't get up on my own.

Interviewer: What do they say to that?

Olivia: Do you know what? They didn't believe me. They don't believe me, 'Well you're going to have to move anyway', so when they said they were going to take me in to the station and I said look, I can't move without my scooter, I can't move more than 10ft or whatever, they said that's too bad, you can leave the scooter here, we're not taking it with us. They're nasty...

Interviewer: So when they tell you to move on what do they say? Do they tell you where to go?

Olivia: No, no, no, it's basically that you've got to get up, you've got to move, you're begging. Do you know what I mean? And outside Tesco and Sainsbury's as you go into town, that is where a lot of the beggars are. But they [police] are very aggressive and very proactive, I suppose would be the phrase.

Interviewer: Proactive, okay.

Olivia: They don't give you a chance to explain, they don't give you a chance to say anything. It's just like right, we know what you're doing, get up or we'll arrest you. And they will stand there until you've got all your shit together and watch you and they will be constantly snapping at you.

The Vagrancy Act was utilised in Lightford and Nortown, even when the PSPOs in both locations contained prohibitions against begging. This provides a further example of how the tools and powers that target the behaviours associated with people experiencing street homelessness were duplicated and layered within the case study areas we examined.

Individual civil preventive powers

Key findings

- Individual civil preventive powers were rare within our sample.

Two participants were subject to additional individual sanctions. For example in Moorhurst, Adam was the recipient of a Community Protection Notice that prohibited him from begging, and more specifically asking members of the public for cigarettes and drinking alcohol in public. Again, begging and drinking alcohol were already prohibited by the PSPO in Moorhurst which further highlights the duplication and layering of the powers. Dylan in Winterton also appeared to be subject to either a Civil injunction or a Criminal Behaviour Order with an exclusion condition he was unable to specify.

However, he talked about being arrested for breach. Overall, individual sanctions were very rare within our sample.

4.5 Relationships with the policing bodies

Key findings

- Our participants had regular, often daily, interactions with the policing bodies.
- The nature of the interactions varied between the case study areas, with half of the areas (Eastholt, Lightford, Moorhurst, Winterton, and Woodcastle) characterised by more formal, punitive-type interactions compared to the other half (Bridgecliffe, Marsh Vale, Nortown, Roseden, and South Oak). These interactions did not necessarily reflect the prevalence of formal enforcement action, but indicated the approach towards people experiencing homelessness.
- The quality of the interactions varied dramatically both within and between case study areas; some participants spoke of good natured, supportive relationships, while others provided accounts of a lack of respect, physical and verbal abuse, or simply frustration at a lack of understanding or care.
- Police officers and PCSOs were the policing bodies most frequently interacted with and they were also those with whom incidents of disrespect, verbal and physical abuse were most common.
- In all case study areas, it appeared to be one or two (mainly) police officers known by name that were responsible for unpleasant interactions.
- Many participants talked about being known to the policing bodies which led them to be policed in a specific way. They felt they had reputations that could not be undone.
- Most participants perceived their behaviours were constantly under the microscope and they felt continually harassed by the policing bodies.

The data presented thus far has demonstrated the regularity with which people experiencing street homelessness interact with the policing bodies, either formally or informally. This section examines the *nature* of those interactions from the perspective of our participants. We appreciate that some people experiencing street homelessness may not like to engage with the policing bodies so might hold predetermined negative perceptions of them. We set out to assess how people experiencing street homelessness were impacted by being policed, rather than narrowly looking at their attitudes towards the policing bodies. We examined the nature of the interactions by paying attention to how they were described and the purpose for which the interactions were premised.

More so than any of the findings from this study, the interactions between our participants and the policing bodies were characterised by variation. These differences were apparent within and between *all* the case study areas, and between the different policing bodies.

Varying approaches to interactions

The explanations and descriptions we analysed varied greatly, but across the ten case study areas we were able to determine how the interactions in some areas were based upon a more punitive approach than others, with there being a 50:50 split between the areas. For example, in Eastholt, Lightford, Moorhurst, Winterton, and Woodcastle the nature of the interactions with the policing bodies can be described as punitive and enforcement focused. This is based on the number of participants who detailed formal enforcement-related interactions, as well as the types of interactions that were detailed. In these five areas, participants explained interactions that were characterised by antagonism and the threat of formal sanction if compliance with a request was not forthcoming. In contrast, Bridgecliffe, Marsh Vale, Nortown, Roseden, and South Oak were characterised by a more informal manner of interactions. There were still threats of formal enforcement, but the way in which these dialogues were explained was less antagonistic or punishment focused as in the other areas.

Positive interactions

There were some accounts of positive and helpful interactions between our participants and the policing bodies, with narratives of care, support, and signposting towards relevant services. For example, in Roseden there were many positive comments about how the community wardens did their best to support street sleepers and conducted welfare checks every evening. There were also reports of police officers buying our participants hot drinks and/or food, and Austin in Woodcastle explained how police officers paid for a hotel room for him on Christmas Eve. Furthermore, there were specific mentions of 'good ones' in Moorhurst, where officers were known by name and credited for 'giving a heads up' about 'Dispersal Days' or for simply being friendly and approachable.

Poor quality interactions

The most frequent comment by far about the relationships with the policing bodies referred to the police, which is epitomised by the quote from Scott who said that '*90% of them ain't too bad, but then you do get the arseholes*'. Concerningly, there were numerous accounts from a range of case study areas that detailed unpleasant behaviour towards our participants.

There was a consensus that a lot of officers from the policing bodies did not treat our street sleeping homeless participants with respect when interactions took place. This was consistently explained as feeling like officers 'looked down' on them for being homeless, as characterised by the quotes from Alfie and Gwyneth:

Interviewer: So would you say that they [police] treated you respectfully, or?

Alfie: No, I don't think so, no. They make sure that they make you feel inferior, definitely, just the way that he was with me, like he was a snotty little person.

Interviewer: How would they [police] talk to you? Would they talk to you with respect?

Gwyneth: No. No. Quite rude, right.

Interviewer: Would they [police] say insulting things to you or was it just kind of their- Did they say bad words to you or?

Gwyneth: No, but like the way that they would say it, like sarcastically and obviously they know I'm a drug user, so like look down at me, kind of thing.

The perceived lack of respect was also reflected in physical interactions, which Scott details. He explained how his coat was ripped through the course of an altercation, but how he felt powerless to do anything about it because of the power imbalance between him and the policing bodies.

Interviewer: No, sorry, are the police and the council [wardens], are they usually quite respectful?

Scott: Nah, they're ignorant fuckers mate.

Interviewer: What kind of things have they said to you in the past if you don't mind me asking?

Scott: They just don't care. I mean I've had a fucking nice jacket; they've picked me up and ripped my coat and all that, what can I do about it?

Interviewer: Why did they do that?

Scott: Because, come on, get up, move off the street and they pick you up, you've got your coat ripped, what are you supposed to do about it? When they hurt you what are you meant to do? What you say, who's going to believe you?

Verbal abuse and intimidation

We received accounts of verbal abuse directed towards our participants in eight case study areas: Bridgecliffe, Eastholt, Marsh Vale, Moorhurst, Nortown, Roseden, South Oak, and Woodcastle. It is important to stress that this was not experienced by all participants in each of the areas, nor were all members of the policing bodies cited as the culprits. However, the policing body that featured most in the descriptions was the police. The verbal abuse took varied forms, but generally involved the policing bodies calling our participants derogatory names and swearing at them. We were told of frequent abuse and how participants felt powerless to do anything about it because they did not think anyone would believe them. This led some participants to feel intimidated by the police, with a feeling that the police could do whatever they wanted without any repercussions. James' story captures these issues in Figure 4.5.

Figure 4.5: James' story of verbal abuse and intimidation

Interviewer: What do they call you?

James: Fucking dirty junkie, fucking homeless tramp, all sorts. They call you all sorts. They're horrible bastards, man.

Interviewer: How often does that happen?

James: I've seen it – I don't know, it happens maybe a fucking good - out of a week, maybe four times out of the week I've seen that happening to people. They're all literally horrible cunts mate, even security. They're all like it.

Interviewer: Has that happened to you then?

James: They've been calling me names before like you dirty junkie bastard, get a fucking job, get out of town, what are you doing here, how come you're still not in prison, I thought you were locked up, you know what I mean? Horrible cunts mate they are. You don't get to see that though; do you know what I mean.

Interviewer: No. That's it. If you're going through town as a civvy -

James: You don't see that but obviously when you're in circles you do. There's nothing you can do about it. What can you do? You say, oh, he's calling me - who's going to believe you? You're a junkie, I'm a copper. You're going to listen to the police aren't you.

Interviewer: Yeah.

James: All they'll say is he's fucking making it up. Bullshit. That's how it is, man.

He continues...

James: I feel intimidated by the police sometimes, yeah. Not on edge but - because if you come back, you're getting fucked up but, yeah, I feel intimidated by them because, come on, they can do anything they want can't they.

And then explains...

James: They're sick mate, police are. Horrible bastards. They're just a gang in uniform. They do what they want when they want and change the rules as they go along. They just change it to their own fucking state of things, do you know what I mean? Bullshit mate.

Interviewer: Gang in uniform?

James: That's exactly what they are, a gang in uniform. Standard. Getting away with it though. They get away with it all the fucking time. You start complaining about the police, they won't do owt about it. They're not going to listen to us are they. They're going to listen to the fucking police. Bullshit man. It's all corrupt. Everything. It's all corrupt. Horrible.

Physical abuse

Concerningly, we also heard stories of physical abuse towards our participants in four case study areas: Marsh Vale, Roseden, South Oak, and Woodcastle. These encounters primarily related to being woken up in order to be moved on and only ever involved the police. Brady and Harry provide their accounts:

Interviewer: So, they [police] kick you in the ribs quite often?

Brady: In the side – they have loads of times.

Interviewer: How often does that happen? Is it pretty ranged?

Brady: It varies what kind of mood they're in, like I said.

Harry: PCSOs are all right. When the PCSOs come round they tap you like that, you know what I mean? On your foot. But when a police officer comes round, he goes bang, bang, bang, and I'm like what the fuck's going on here mate, you kick me again like that and I'll get up and give you my left hook and right hook, you know what I mean?

The way the participants spoke about this behaviour relatively nonchalantly suggested to us that it had become normalised to them.

Lack of understanding and care

In addition to the deliberate inappropriate verbal and physical behaviours, participants also spoke about the lack of understanding and care shown towards them by some police officers during the interactions. Jose provides a detailed explanation that exemplifies the perceived nature of the poor relationships between our participants and the policing bodies:

Jose: The police, they're not willing to take on board what is actually happening on the streets. Rather than face the problem and deal with it and help find a solution they just think chuck them in the cells, no light, food is just a Pot Noodle if anything, it's just no way to help you. I've been in times where I've been out of my head, I've taken some tablets, Xanax or whatever and I've been drinking alcohol and I've completely lost my mind and I've been done for criminal damage and all they've done is just pick me up, chuck me in the back of the van, chuck me in the cells and be miles away and not knowing where I am or how to get back or anything, you know. They just don't care. They just see you as a nuisance and that's but there's more to it than that, you know what I mean? People should care more.

We also learned about behaviours that demonstrated a lack of care but were more vindictive. For example, we were told accounts of police officers purposely making alcoholics pour their drinks away to upset them, knowing that they would not have the money to purchase a replacement.

Known individual officers

We have illustrated throughout this section that not all individuals representing the policing bodies were involved in the types of inappropriate conduct we have outlined. Our participants were aware of this too and could often name specific officers in their local areas that were, in their words, 'arseholes'. Julian speaks of an officer in Woodcastle that we've called 'Steve':

Interviewer: What is the deal with 'Steve'?

Julian: Oh mate, if I ever get arrested, I wouldn't like him to be in front of me when I'm going to jail, put it that way. He's the one that goes out of his way to punish us, you know what I mean? Like there have been times where he's had someone, he's stopping and searching them and he's left them to his colleague and ran across because he's seen me. You know what I mean?

[Redacted for anonymisation purposes]

Julian: ... As soon as [Steve] comes about and starts sniffing about everyone either gets up and scarpers, literally, you just see people dashing towards doorways, as soon as they walk down to the market. You will have other people warning other people, '[Steve's] about, be careful'.

Olivia from Lightford and Jake from Moorhurst also spoke about specific, well-known officers in their areas:

Olivia: ... his attitude is that he makes you feel dirty, he makes you feel like you're low, the way that he speaks to you, and he is like that with every homeless person. Even if you're not homeless. If you are known around town, he has just got that- People have complained about him.

Jake: Yeah, them two's the worst but the council women as well, she's on every corner, I swear down. People are proper scared.

Knowing that a particular individual is on patrol feeds into a broader narrative of our participants moving on if they saw the policing bodies approaching them in the street. They often pre-empted an interaction and moved on independently to avoid conflict. This relates to our participants reporting feeling 'on edge', which is discussed in detail in Section 4.6.

Being 'known', bullying and harassment

The frequency and often unpleasant nature of the interactions with the policing bodies resulted in many participants articulating how they felt bullied and harassed by the police. Alfie and Frank both spoke about the relentless nature of their policing experiences:

Interviewer: Yeah, so in the past you've said they arrested you but I'm trying to understand like how many times they've kind of approached you or cautioned you.

Alfie: Loads of times, loads. Loads. It's been a few years so yeah, I've had a few run-ins with them, but only through this. Like I say, I'm not a thief. It just feels like they bully us a little bit. That's the feeling, and if you ask the other lads and that they will probably agree with me.

Interviewer: Tell me about it. So what do the police do?

Frank: They harass you for being homeless.

Interviewer: What kind of things would they -?

Frank: They just move you on all the time so you can't sit here, you can't sit there, you can't sit there. What am I supposed to do?

Interviewer: How often does this happen? Is this literally all day, every day?

Frank: Every day. Every day.

Their accounts reflect the feeling of constantly being picked on, which was common among our sample. Thus, in combination, the lack of respect, verbal and physical abuse, poor understanding of street sleeping, and the reputation of a few officers perceived to be punishment-heavy adds up to a profound feeling of harassment. Coupled with this, some participants mentioned that their own reputations preceded them, explaining how they were well-known to the policing bodies, and this affected the interactions that took place. There was a suggestion that once your face was known, it could not be unknown, which then shaped their policing experience.

The extent of variation

Overall, the nature of the interactions (in the sense of whether they were particularly punitive or not) did not necessarily reflect the number of tools and powers used, or the number of formal sanctions issued. To a large extent, it appeared the variation was the result of individual officer's behaviour, rather than the behaviour of a policing body itself. Consequently, it paints a messy picture of the types of interactions that occur between people experiencing street homelessness and the policing bodies. For example, both Lightford and Winterton could be described as case study areas where the interactions have a punitive focus. However, there were no reports in either of these areas about verbal or physical abuse from the policing bodies.

4.6 Personal impacts of being policed

Key findings

- Participants from each of the ten case study areas reported a range of emotional impacts of being frequently policed and considered as anti-social.
- Many expressed a feeling of being on edge and not being able to relax due to the expectation of being told to move on, often pre-empting this by moving before being asked.
- Some participants felt resigned to the policing experience, but that it was ultimately futile given the necessities of the street sleeping population such as addictions that outweighed any deterrence.
- Participants expressed a sense of injustice at perceived unfair treatment, being policed for behaviours such as drinking where other non-homeless people were not. Their perception was

that alcohol and other behaviours were used as a proxy for the management of homeless populations.

- Many expressed anger at policing bodies and their perceived treatment, including name calling. Antagonistic relationships between the participants and policing bodies often resulted in more ASB as a reaction or form of resistance, generating a counterproductive spiral of behaviour and response.
- These emotional impacts created a barrier to establishing positive relationships that may lead to otherwise meaningful outcomes for people experiencing street homelessness.

As has been shown through our analysis so far, many participants came into contact with policing bodies on a regular, often daily, basis and were subjected to a range of tools and powers. Evidence has shown that criminalisation is most likely to push people away from services and accessing help (Johnsen et al., 2016), reinforcing ongoing challenges that people experiencing street homelessness face and creating additional barriers. Establishing positive relationships is key to positive outcomes (Williams, 2021). Our participants reported a range of emotional impacts as a consequence of the policing they experienced. Irrespective of the varied types of policing within each area (see Section 4.4), participants from across each of the ten case study areas reported a range of emotional impacts of being policed from anger, resignation, indignation, and unease, to characterise the most predominant. In addition, participants described engaging in ASB as a form of resistance or response to the types of policing that they were subject to and the policing relationships that they had established. This suggests a cyclical process of behaviour and response that appeared counterproductive to reducing ASB.

Being on edge

Due to the nature of the experience of being policed and especially of being moved on, participants described a feeling of unease or of being on edge. This added to the experience of transience that came through the interview narratives; the continual sense of movement and being unsettled in one place, as characterised by Youvraj from Marsh Vale below. For him, this feeling was the equivalent of being harassed and detrimentally impacted his ability to sleep or rest:

Youvraj: It's bad enough trying to get to sleep in the first place. It's like you're constantly in fear, you know. You know you're going to get moved, be on edge. You can't fully sleep; you can't fully relax. I never had a proper night's sleep. You can't. You can't. You're going to get

moved, you're going to get harassed, you will get into trouble so I don't know. It's so worrying.

During an interview with one participant, Samuel, was conscious of policing bodies approaching him, keeping an eye out and ready to move before they do. This was observed during the interview when Samuel became on edge at the sight of an officer. Most often, Samuel described moving on to pre-empt the interaction:

Interviewer: do the police make you feel on edge then?

Samuel: When they're coming towards you, yeah, you don't know if you're going to be moved or not.

Interviewer: I noticed when that one came.

Samuel: ...you can tell, sometimes it's just someone in hi-vis and it's like 'Oh, thank god' but then like when you can tell it's a PC or a fed coming, I don't know what to do to be honest, I just sit there and wait and if they say something I will just pack my stuff up and I'll go. Nine times out of ten I will move before they even get to me...

This pre-emption echoed the experiences of those from earlier in the 'moving on' section of the report (Section 4.1). Whilst we are unable to quantify how often people experiencing street homelessness engaged in pre-emptively moving on, it does suggest a challenge to building positive relationships and opening up channels of support. It also suggests the participants are apprehensive at the sight of policing bodies, as described by Gwyneth. For Gwyneth, her experience of policing is mixed, believing that 'some of them are alright, but like some of them are dickheads'. At times she will pre-emptively move on, other times she will wait to be asked, and in some instances, she will be left alone with no policing intervention:

Gwyneth: Yeah, obviously we get up and move on or they get us up to move on. But like some of them walk past and they say good morning...

However, even though some of her policing experiences are polite and uneventful, she is still left feeling on edge at the unpredictable nature of the varied policing she experiences, not knowing which of the interactions she can expect:

Gwyneth: No, I'm quite on edge, I don't know if you can tell – when I see the police I wonder if they are going to stop me or pull me over for anything.

This variance in policing practice across an area, some of which are more positive than others, raises questions about individual policing responses and its impact on building positive relationships. If some individuals take a more supportive approach, this may be undermined by others who take a more enforcement heavy approach. This reinforces the need for partnership working and a consistent approach across all partners within an area.

For Wayne, the continual and recurring interactions with policing authorities was draining, not only physically but mentally. The cat and mouse style back and forth of the daily relationship created a strain on him:

Wayne: Do you know what I mean? everything they do. Everything I do ... is hard work all the time. It's not physically, well, it is on my leg but mentally it's draining me, do you know what I mean? I'm in pain all the time. I can't do it no more. It's doing my head in.

Resigned to the experience

Several participants expressed their experience of policing as futile. They were resigned to the fact that it would happen but also acknowledged that the behaviours being policed, like street sleeping or alcohol consumption, were necessary parts of their lives that would not be stopped by policing alone. As Toby explains, addictions are not something that can be deterred with a policing presence:

Toby: What it is, it's trying to scare us to move us on or trying to scare us to stop us doing something but you won't stop people from doing what they're doing if they've got addictions. People with addictions need more help.

Similarly, Augustus was cognisant of his needs which may contrast with the law. He was clear however, that this was not going to prevent him from doing what he perceived he needed to do whilst recognising that help would be of more use:

Augustus: To be honest it doesn't affect me in a way. It doesn't bother me at all. They can put laws against it, they can put prison sentences against it. Self-preservation is a big instinct for any human being and if I have to do anything to survive, I'm going to do it, whether they tell

me I can't or not. Do you know what I mean? I've always learnt how to self-preserve myself. It don't bother me, in a way they can do what they want, so long as I'm looking after myself you've got to do what you've got to do in life. You can't have it all handed it. If you're struggling, you're struggling but the way it makes me feel is help your fellow man, help your fellow human because one day you might need it.

James was also resigned to the policing experience because he didn't feel like he could get away from the situation. When asked if because of the difficulties being policed in that space he ever thought of going somewhere else he replied:

James: I have but then what do I do? I don't know nobody else anywhere else. I've got a little bit of family round here so when I've got nowhere to go or anything to eat, they do help me out with bits and bobs but if I went to, say, [nearby city] I'd be fucked. I wouldn't know what to do. I'd probably end up killing myself. Serious.

Perceptions of unjust treatment

For numerous participants, the policing response created a sense of indignation. They were frustrated by the perceived injustice at the treatment they received in comparison to the treatment they would receive for engaging in the same behaviours if they were not homeless, a point echoed earlier around the consumption of alcohol. Similarly, Toby expressed frustration at being considered anti-social for drinking in public in a manner that he distinguishes from being anti-social. For Toby, simply drinking was not something he sees as anti-social, it is the behaviour that may result from the alcohol that he considers anti-social:

Toby: Yeah, they do because they look at us as being anti-social. You get four people sitting on the grass, sitting on the grass, not running around, not dancing around, not falling over because they're pissed, sitting on the grass with cans of beer. You get neighbours that ring up, they're ringing up these security parks, whatever you call them, they're ringing them up to grass people up, oh, they're sitting on the hill again, they're drinking, hold on, sorry, can you say - This is one thing they don't ask; are they sitting on the hill drinking or are they anti-socially misbehaving on the grass whilst drinking?

Youvraj's frustrations came at the inability to use vacant spaces as somewhere to sleep, for example car parks. Several participants described using and subsequently being moved on from car parks. For

Youvraj, if the space was unused then he perceived it as unreasonable that he could not use it for something as vital as sleep:

Youvraj: I'm not causing an issue, I'm clearing up after myself when I go, it's not like I'm making loads - I haven't got a radio on or anything, I'm just sitting in a corner going to sleep, pull blankets over myself but people just don't like you there because as far as they're concerned, you're bringing the area down. It makes you feel like scum, you know. I did feel like scum. It makes you feel worthless. You can't even stay under a bloody car park, you know what I mean? No one is using it, the car spaces are all vacant, you know. I slept in-between cars last time and nearly got stood on by the people coming to their cars in the morning! It's safe where I'm not seen.

Both Toby and Youvraj describe feeling that their visible presence as a homeless person was the underlying reason for them being policed, rather than the actual behaviours they engaged in. This sentiment was echoed across a number of participants, including Owen who suspected that the drinking of alcohol was not something that really caused distress to others, and it was perhaps a proxy for the management of street sleeping homeless populations:

Owen: Yeah, people drink in beer gardens all the time outside in public in front of kids and families, if that's really their concern. But I don't think it is. I think that they're just like 'Oh, dirty, dirty' but you know.

Anger and resistance

For many participants, the policing experience made them angry, and they questioned the value of the policing bodies policing homeless people. As Frank states:

Frank: It just feels like you're being harassed. I've been in [area] since 2018 and there was far more important crimes to fucking solve than going around and moving homeless people on. I understand the job satisfaction ... they've been at work today, ah, well, they only give six dispersals out, I've locked up three people for being pissed or have addiction issues. I don't understand how you can have job satisfaction from that, but I suppose some of them do.

This anger was stated to feed back into the anti-social behaviours that were being policed as a cyclical spiral. This demonstrates the challenge to establish a positive relationship with policing bodies, as Samuel explains:

Samuel: It's causing it [ASB], more than anything. Because the people that are getting moved on are getting wound up and feeling like they're being targeted so they're going out and doing stuff to make it feel worth being out here and getting moved on all the time, and so that is when they start to ask and stuff like that. It's a downward spiral from there, I've seen it happen.

For Toby, he expressed that his behaviour can be anti-social when he is angry and that the policing function can be a direct cause of this anger:

Toby: My behaviour can be anti-social sometimes if you piss me off and I'll tell you who pisses me off, the council, the police, and these fucking fines they keep dishing out.

This antagonistic relationship between the participants like Toby and policing bodies is a barrier to not only developing a supportive relationship, but also to reducing potential anti-social behaviours that may be a consequence of these negative feelings. Roughly half of the participants described acting in a deliberately challenging way to purposely annoy or resist the policing bodies. This ranged from refusing to move, swearing, finding 'loopholes' in the rules, throwing things, vandalism, urinating outside police stations and generally 'winding up' officers. Often this was a consequence of a hostile relationship between a participant and a specific policing individual, for example in Olivia's case:

Interviewer: Is he [PCSO] notorious then?

Olivia: Yeah, yeah. I will tell you his first name. His first name is [name of PCSO] and that is all you need to say to any of the homeless and they will know exactly who I mean.

Interviewer: [name of PCSO], okay.

Olivia: He's a PCSO I like winding him up. I wind him up for fun.

Interviewer: What do you do to wind him up?

Olivia: Just little things. Just silly little things. Do you know what I mean? Just little things.

There is fuck all he can do me for when I'm doing things like that, because it's just like 'Me?!,' with big eyes.

Charlie and his friends responded to the defensive architecture designed to keep him off the street furniture by physically dismantling it:

Charlie: Yeah, there's a little alcove here, before the [location] you go in through the double doors, you know. You go in to [location], on there, there's a little seating area, well, it's not a seating area, they've put spikes on it to stop you drinking there.

Interviewer: Really?

Charlie: They've knocked the spikes off now so you can do it again, that's what me and my mate were doing last night!

...

Charlie: Yeah. Well, they all did. They're fucking sick of it. The little metal spikes were screwed in to the fucking - the spiteful bastards ain't they. But what they've done recently to stop you sitting there is leave all the fucking bird shit there. You know the pigeons? They don't clean it off so you can't sit down because it's hygiene innit. Fucking selfish bastards!

Charlie's interpretation of defensive architecture as 'spiteful' reinforces a hostile and negative relationship between himself and the policing bodies. His deliberate acts of vandalism were reflective of these types of behaviours that both prompt and respond to the ongoing policing, neither behaviour resulting in a useful or productive outcome. Similarly, Harry engaged in this game of cat and mouse by moving back to where he was moved from with the intention of annoying the policing team:

Interviewer: Ah, okay. So basically, if they hassle you there you move to a park for the night and then will you go back the next day?

Harry: Go back to exactly the same spot.

Interviewer: Okay.

Harry: Just to piss them off!

These emotive reactions to their interactions with policing bodies highlighted a strained relationship and an unproductive way forward for both the participants and the policing bodies, creating additional work and additional sources of tension. Adam captured this sentiment in the below quote. He is both angry and resigned. He is frustrated by the policing that he experiences but believes that he is the cause of this interaction, highlighting the complexity of this relationship:

Adam: It pisses us off but then... for a reason, you know, so it's my fault, not theirs. ...

Interviewer: So you understand, you can understand why they're doing it?

Adam: Yeah.

Figure 4.6: Lucas' response to not being allowed to sleep in the police station

Interviewer: Okay. So, when you're in the town centre, you know, like down in the market -

Lucas: You want to know where I cause trouble?

Interviewer: Well, yeah, that's a good way of putting it. Yeah.

Lucas: Fucking right there love.

Interviewer: So, would you drink outside the police station?

Lucas: Oh god, yeah. I'll have a piss outside the police station if need be.

Interviewer: Have you pissed outside of the police station?

Lucas: Manytimes.

Interviewer: Have you ever got in trouble for that?

Lucas: No. Work that out. I can get in trouble - right, hold on a minute. There's a bus stop. Right, police station's there, there's a bus stop somewhere, it's pretty much that way to the police station, yeah?

Interviewer: Okay, so round there.

Lucas: Roughly. Right? I've been in trouble for falling asleep in bus station, but I've never been in trouble for pissing up the police station door. Work that out. I'm not just on about this time of being homeless, I'm on about the last time as well because I really - well, last time if you remember [redacted], I were proper cold, well, obviously I was - the last time when I were really cold, I actually pissed up the police station door, no, we're done. I was literally stood - in fact let me give you a rendition. It were one of them moments where you go - So it were a proper - I were posing for them [participant demonstrates his position for the interviewer].

Being perceived as anti-social

In addition to the emotional responses to policing in general, participants spoke of the experience of being perceived to be anti-social. ASB is a subjective and contested concept that has been the subject of much research, and blurs perceptions of morality, reasonableness, class, and taste. Policing ASB is difficult because these acts are not deemed to have broken a criminal law, but instead rely on the perceptions of others. Unsurprisingly, being considered anti-social, especially when you do not agree with that judgement, can be a source of tension. This tension may be particularly heightened for people who feel that their behaviours are necessary for their daily

functioning or behaviours that would not be anti-social if done in a private dwelling. For Alfie, being thought of as anti-social as a form of kicking someone when they are down:

Interviewer: How does it make you feel when they consider you to be anti-social?

Alfie: It's horrible. I think that they are just being lazy. As soon as you pick on the guy, do you know what I mean? Kick the man that's down. There are people – they know who the shoplifters are and all that shit, but yeah, they let them go and steal and do whatever and they will just bother us. It's easy, isn't it.

Similarly, Owen reflected on the already 'dehumanising' impact of being in a position of having to beg, only to then be judged as anti-social for it. This was considered a double source of injustice:

Owen: So begging for cigarettes, it was really dehumanising. Imagine getting fined for it?! It would just probably send me on a rampage to be honest, especially when you're withdrawing from nicotine which is...

Some of the participants internalised being considered to be anti-social and policed as such. These judgements go beyond the behaviours in question and are taken on by the individual to mean they themselves are anti-social. For Olivia and Roy, this is a means of exclusion, a way of telling you that you are not socially accepted. This speaks back to Youvraj and Owen's perceptions from above that it is not the behaviours but the individuals that are being policed:

Olivia: It keeps you in a certain place in your head and how you ...you're constantly being told what you do isn't right then you're going to think that and feel that, even if what you're doing is ... to you, it is not socially acceptable. Do you know what I mean? I'm not socially acceptable, so it doesin a certain place in your head.

Roy: You get excluded and then you're made to feel that you're the problem. All this kind of nonsense, and that is what

On the other hand, a small number of participants were not concerned about being labelled as anti-social for the behaviours that they engaged in. They expressed that it did not bother them and that they would be unlikely to change their behaviours because of it. For example, Scott made it clear

that he considered himself to be anti-social and that he would not be amenable to being told not to behave in an anti-social manner:

Scott: The more you tell me not to do it the more I'm going to do it. I've always been anti-social; do you know what I mean? You can't sit there and do that. Why not? Who the fuck do you think you are telling me I can't do that; I'm going to fucking sit there and do it. You tell me I can't, I'm going to do it, just because you told me I can't. You know what I mean? Fuck off, I'm not having that. That's the way I am.

In addition, Austin replied succinctly to whether being considered anti-social for any of his behaviours had any effect on him:

Interviewer: Does it bother you that people consider what you're doing to be anti-social?
Austin: Doesn't bother me at all.

4.7 Conclusions

This chapter has provided detailed analyses of our participants' experiences of being policed within a PSPO area, focusing on being moved on, begging, removing belongings, formal powers, relationships with the policing bodies, and the personal impacts of being policed.

It is clear that informal enforcement measures, particularly moving people on, is the primary method used to control the perceived anti-social behaviours of people experiencing street homelessness, even when a PSPO is in place. In most cases, moving people on involved no signposting towards support services, which resulted in lost opportunities for meaningful engagement. However the personal impact of this type of policing cannot be underestimated, with emotive accounts of disruption to sleep, being constantly 'on edge', and feeling resigned to that experience.

Where formal measures were used, there was a heavy reliance on dispersal powers, be they through the legislative Section 35 directions to leave or hybrid PSPO-dispersal requirements contained within a PSPO. This approach essentially formalises the practice of moving on.

The quality of interactions with the policing bodies was extremely varied, to the extent that there were stark differences both between and within case study areas. It appears that an individual officers' manner of interacting with people experiencing street homelessness had a substantial

impact on their experiences of being policed. Disturbingly, many participants detailed physically and/or verbally abusive interactions.

In sum, the experiences detailed in the data have provided a unique insight into how people experiencing street homelessness perceive the way they are policed in areas where there is a PSPO in place. The next chapter explores the perspectives of key informants from frontline practice.

Chapter 5 - Key informants' perspectives of Public Spaces Protection Orders

This chapter provides a detailed account of the main findings from the semi-structured interviews conducted with key informants as established in the research methods chapter. It also includes an account of the main findings from the online questionnaire which was designed to further explore the main themes identified in the interviews. Findings from the interviews are presented first in section 5.1 and the findings from the questionnaire presented in section 5.2, in line with the sequential mixed methods design.

5.1 Interviews with key informants

There were 16 interviews conducted with key informants that explored their role, the local environment they worked in, questions about the PSPO and ASB, enforcement action, and the impact policing had on their service users. The main themes generated via the analysis of the interviews are presented within two key areas:

- Local context, ASB and key issues
- PSPOs and policing

Local context, ASB and key issues

Key findings

- Informants discussed their perception of why a PSPO was introduced in their area. Some put this down to managing issues of ASB. Others highlighted the perceptions of the public and their calls for a response to street homelessness and associated ASB. Others referred to regeneration efforts that were attempting to clear signs of disorder and improve feelings of safety.
- The majority of interviewees identified begging, alcohol and drug use, and erecting tents and shelters as the main ASB issues being tackled in their area. Informants also, however, had a mixed view about what behaviours should or should not be policed as anti-social (i.e. is street drinking alone anti-social or just the behaviours that may arise from street drinking?).
- Informants queried the differing types of begging, exploring definitions of what, if any, types of begging are acceptable and where (implied, aggressive etc).
- Several informants raised the issue of people begging who were not 'genuinely' homeless and the impact that this may have on public perceptions and policing.
- Identified in a small number of areas was an issue of individuals who had no recourse to public funds and thus could not be offered support and would avoid contact with services.

Types and perspectives of ASB

Informants were asked what types of ASB associated with street homelessness occurred within their PSPO areas. The main behaviours highlighted were begging and the use of drugs and alcohol. There were also discussions around the erecting of tents and shelters and blocking shop doorways. These behaviours were discussed in relation to the effects that they had on members of the public and there were differing perspectives between whether the behaviours themselves were anti-social (e.g. street drinking) or whether it is the outcome of these behaviours that is anti-social. In the example below, the informant considers the outcome as anti-social:

We understand that people will drink, we understand that people will use drugs and that is all of their choices because they're adults, you know, but actually it's about what they then do and their behaviours after they have done that and if they behave in an anti-social way and are frightening people then that's no different to meeting anybody who's drunk, they can be middle-class and actually somebody's who's an aggressive drunk is not nice is it? So I think in that respect they're treated in the same way as everybody else which I think is actually a good thing because they are like everybody else, they just don't have a home." (Mary, Lightford)

Where the action itself was concerned, such as street drinking, some informants queried whether this could be seen as a 'right' of people experiencing street homelessness given their housing status and lack of alternative options:

It's probably more about street drinking and it's an interesting one about whether street drinking is a right that rough sleepers should be able to do, or whether it is something which is not sociable. I'm not sure where I sit on that, to be honest. (Mark, Nortown)

Others recognised that because of addictions they often 'have got no choice' (Azhar, Roseden) but to engage in behaviours related to drinking and drug use. These debates echo those expressed by the participants experiencing street homelessness in the previous chapter and highlight a general theme across ASB literature that questions what exactly is anti-social and how it should be defined (Millie, 2009). This point was raised as a recommendation from one informant when discussing PSPO legislation and guidance:

I suppose if I was to give one recommendation it would be there needs to be a tighter definition of what ASB is and obviously to have a tighter definition of what ASB is then you can actually start to implement legislation and policy as a result. I think if you look at their actual policy design processes that they've gone through with this they haven't defined the problem. That's the issue. It seems to be the policy maker doesn't know what the problem is. (Patrick, Bright Bank)

Begging

A key issue raised across the key informants was around begging. Most highlighted begging as the main form of ASB in their area. As with the previous chapter, there were distinctions made between different types of begging; passive or aggressive. One informant described pushing back against a condition in a PSPO that prohibited 'implied' begging, questioning why this was anti-social and how it would be enforced, which is reminiscent of the 'position to beg' in the previous chapter:

...so basically I don't even begin to make the long and short of what that could possibly mean. Yeah, if you're impliedly requesting something then how is that going to be enforceable or clear? (Rob, Bright Bank)

Another informant described their PSPO as a response to specific begging locations, such as next to banks, due to the intimidating effect this has on members of the public:

we've had people who have been doing this sort of stuff by cash machines and old people daren't go to the cash machine because there's a beggar right next to it. (John, Morwold)

However, the most prominent theme was in relation to those who beg but are not perceived to be 'genuine' street homeless people. Several informants raised concerns that begging was used as a form of income for some people who are housed and that this is influencing public perception of people experiencing street homelessness. Interestingly, two informants shared a relatively similar story to capture those they referred to:

But we have had people pull up in nice decent cars. I think there was one with a really nice brand-new BMW, got out and sat down and begged outside Which was almost laughable, but you hear these stories across the country and begging has become ...lifestyle for some people, it's become an opportunity for some people, and that is taking away from those that

really are in those really, really tough situations where that is their only – well one of their main forms of income. (Ben, Bridgecliffe)

This mention of the BMW echoes this other informant's experience:

Erm, yeah. The situation is that there is a lot of begging, don't get me wrong, but we know obviously who are genuine and who aren't. There is a big group of Romanian beggars coming into the city and they're like a gang. Obviously, I work with certain agencies in Winterton and obviously we monitor who is in Winterton and we know the people aren't genuine, they're getting out of a BMW mate. They're getting out of the BMW and parking up. Obviously walking around the city and begging. (Pete, Winterton)

These perspectives complicate the policing of begging within these spaces and the impact that it has on people experiencing street homelessness. However, aside from the descriptions above, it may not be as straightforward to determine if someone is begging due to 'genuine' homelessness or otherwise. The below quote highlights the challenges of accurately assessing homelessness and the limitations of this data:

Interviewer: How do you know that person's not homeless, just out of interest? Is that through local intelligence?

Dan: Yes. If we're saying someone's not homeless, our outreach team have never seen them bedded down. So, we cannot categorically say that that person isn't homeless, unless we have a name and we can say, 'Oh actually, look, they've got a tenancy over here.' We have got quite a lot of data available to us, but normally it would be the absence of having seen someone bedded down. Also, their approach to people like [homeless charity]. They're very reluctant to engage with them at all about anything. People who are homeless who are rejecting the service offers from [homeless charity] will normally engage to some extent. We can't be categorically certain, but it appears very unlikely that the person is homeless. (Dan, Lightford)

These quotes highlight a complex picture when trying to understand what types of begging are, or should be considered, anti-social, much in the same way that the previous chapter identified. Evidently, more work needs to be done to unpack the narratives around those who are and who are

not 'genuine' in their presentation of homelessness in order to beg and to understand what exactly is occurring within local areas and how this can be managed.

No Recourse to Public Funds

The issue of individuals having no recourse to public funds was raised by several of our informants, though this did appear to be area specific and came out most strongly in three areas, with these areas having a greater number of non-UK nationals than others. This was described as creating a problem for people experiencing street homelessness who could not be supported by services and therefore could not be supported out of street sleeping, as described below:

I think for us here we have an issue with no recourse funding which is difficult ... so as I said to you there is some European guys who haven't got status and there is rest of the world nationals who have failed in their status claims so that issue is a risk without a shadow of a doubt (Marcus, Marsh Vale)

These practitioners described working with individuals to obtain settled status, but where this has not been done or failed to materialise, they expressed that there is a lack of support available, particularly for longer term solutions:

There is no one that we say a complete no to, but if there is no recourse to public funds then your options are definitely reduced for those individuals. We will take them off of the streets for a few nights with the RSI thing, give them a bit of respite and try and get some of the chaos out, try and work with them and help them with the situations but equally that is not a long-term solution because there is no funding for it, so that is hard. (Ben, Bridgecliffe)

This problem is further compounded by the changes to the immigration rules that make rough sleeping a ground for refusing, or cancelling permission, to remain in the UK if the individual has refused support or engaged in persistent ASB. Evidence of persistent ASB can include a breach of a PSPO.

Reasons for PSPO

Informants discussed their perceptions of why a PSPO had been introduced in their areas. The reasons given often included reducing reports of ASB, making people feel safer and managing public

perceptions of the local area. It was acknowledged however that people's perceptions of subjective issues such as ASB can be complex:

Yeah. Well, I think overall it would probably be trying to achieve a perception at the very least of a safer, friendlier, less intimidating high street and I think that's dangerous in some regards because you feel intimidated even if somebody isn't being intimidated, it's a bit like taking offence rather than giving offence, you know, you can take offence at something rather than give offence potentially and, you know... (Marcus, Marsh Vale)

Other informants highlighted that the PSPO was issued in parallel with regeneration initiatives or other highly publicised mega events in that area in order to promote the space. One homelessness housing provider described being asked to open properties in another location so that they are not 'adding to the problem':

So we are providing properties with intensive support for people that need it, and we are being told no, you need to put them further out of the borough. So I feel like we're being pushed out. it's a hidden problem and they don't want it to be visible. (Briony, Marsh Vale)

The findings from this section highlight some consistencies across the areas, particularly in relation to the types of ASB described as a problem, such as begging, street drinking, drugs, and tents. Though there is still some discussion about what the actual behaviours are that are a problem and how we can define and police them, which echoed discussions in the previous chapter. This was also raised regarding begging, as was the issue of whether those who beg are people experiencing street homelessness or not. These key areas require greater consideration and exploration. There were some differences across the areas in terms of the issue of no recourse to public funds, with this being raised as a concern in three of the areas covered. The reasons provided for the introduction of a PSPO also differed, ranging from tackling ASB to regeneration and public perception.

PSPO and policing

Key findings

- Several informants were involved in the consultation stage of the PSPO and were able to challenge conditions and offer suggestions. Though some queried the inclusivity of the consultation process in not engaging with relevant homelessness charities.
- Many informants described the PSPO as a framework for working with people experiencing street homelessness, describing a staged approach that prioritised engagement and offers of support before moving to enforcement as a last resort.
- However, several interviewees felt that this framework would ultimately target people experiencing street homelessness in practice. Others felt it was an unnecessary additional power when existing legislation would address all relevant issues.
- Interviewees highlighted that much enforcement was informal and involved asking people to move on. There was a disjuncture between this practice and the staged approaches previously mentioned.
- It was identified that policing bodies were mixed in terms of offering support or being more enforcement driven. Some highlighted an antagonistic relationship between the police and local people experiencing street homelessness due to prior experiences and the continual use of powers.
- Some informants felt that PSPOs could be effective if they used the staged process of engagement before enforcement, but that this worked best when all partners worked together. Others highlighted issues of displacement and argued that the ASB had not been resolved, just moved around.

Consultation

Informants were asked if they were consulted on the PSPO in their local area. Several of those who had been involved in the consultation felt that it was a fair process and that their concerns were acknowledged and addressed, even if they were still uncertain about the end result:

Yeah, it was decent and I think it aimed to be fair and I think it doesn't stop you worrying until you see it implemented because it's one thing to say, yes, we'll understand that the support services need to be involved and that we need to work with people and judge it on an individual basis rather than being hard-line but, yeah, the process felt like it was heading that way at least, as reassured as we could be with what was about to be implemented.
(Alys, Eastholt)

One informant worked with the local council to establish conditions that would promote support over enforcement:

With the Public Space Protection Order I know the council did consult us. They did have conversations with us. I think they even asked for our support and I think we were a little reticent, but we did offer support with the proviso that it wasn't just people who were going to be slapped with PSPOs willy nilly, but that people were going to be worked with first (John, Morwold)

However, some informants were slightly more sceptical about the consultation process. There were several discussions about the inability of commissioned services to push back against local council decisions for fear of jeopardising their income streams. Others felt that the consultation process would 'cherry pick' those involved to be in support of the PSPO:

I think if the council goes and arranges the consultation in the way that they want to, you know, they can arrange it so that the people that they speak to and that the consultation reaches is mostly people who are likely to agree with them... So for instance it was very interesting that [homeless charity] wasn't invited to that meeting who had historically been big objectors to the council trying to implement PSPOs into the area. That's very interesting from our perspective. (Patrick, Bright Bank)

Perceived fairness of PSPO

Most informants described the PSPO as a staged process that allowed for initial contact to encourage support and engagement before moving to more formal enforcement as a final stage where individuals were not engaging with help:

So, for argument's sake, if somebody is a rough sleeper and they're there begging, they will be informed by the outreach team, they'll be informed by the community policing team that if they're aggressively begging it's going to become a problem and the end result could be a Public Space Protection Order, whereas there's a journey for that person to go on. It's not three strikes and you're out, but it's something similar to that. They're going to be warned. They're going to be talked to. (John, Morwold)

As highlighted in the above quote, most informants see the enforcement as a final stage after other forms of engagement. One informant described their staged approach which includes informal measures such as warnings and being moved on until they are elevated to a partnership meeting that provides tailored support, and then if unsuccessful would result in enforcement through other ASB tools and powers such as Community Protection Notices or Criminal Behaviour Orders (Joanne, Nortown). Within this framework the staged approach to enforcement was presented as fair and drew on a rational choice perspective that focused on the agency of the street sleeping individual:

The support teams and outreach teams will offer as much as they can, we will try and get engagement, we will try and do that through the enforcement route. We should obviously build on education first of all, but inevitably it comes to the people that aren't helping themselves or their behaviour is impacting others and we have to go down the enforcement route. (Ben, Bridgecliffe)

However, other informants questioned the fairness of these powers and saw them as targeting homeless groups or opening pathways with which to manage and move homeless individuals:

I said in the meeting that it's very clear that this has been angled for the street community and they said, well, no, no, no, the last thing we want to do is target begging, we just don't want to do that. How's that actually going to manifest once it ends up on the ground? You know that the same people are going to be reached and the same people are going to be engaged and moved on. (Patrick, Bright Bank)

Several informants also questioned the need for additional powers to manage behaviours that are already managed via other legislation, for example one informant identified the Vagrancy Act that already covered issues of begging and vagrancy (Rob, Bright Bank). Another felt that the PSPO was an 'extra layer' of power that was not necessary:

I also think that where there is genuine anti-social behaviour, the police have powers already to deal with that. There are things in law that can be done. If somebody is, even more so after yesterday. Don't get me started on that. If somebody's having a crazy, wild party in the middle of a high street, disturbing the peace and threatening people, you don't need a PSPO to deal with that. There's already legislation in place to deal with that. I've never quite understood why this extra layer is needed. (Gemma, Redby)

This links to discussions in the previous chapter around the layering of powers and the way in which this may create an extra set of restrictions that only apply to specific groups. These responses, however, demonstrate a mixed view in terms of the fairness of these powers and the impact that they can have.

PSPO enforcement

Informants were asked about the enforcement of PSPOs in their areas. Echoing the responses of participants experiencing street homelessness, most key informants said enforcement was informal and involved moving people on and tipping away alcohol:

Interviewer: So say for instance someone was sat drinking, say by one of the statues in town or something.

Azhar: They would take their drink off them, tip the drink away, and ask them to move on.

Interviewer: So would they tell them where to go?

Azhar: No, they can't.

Interviewer: Just go anywhere.

Azhar: Just move on. Keep moving. (Rosedon)

In contrast to earlier statements that outlined a staged response beginning with support and escalating to enforcement, the assertion here is that individuals are asked to move with little corresponding statements around support services or where to go for support. Similarly, informants stated that most individuals will comply with policing requests, in the below instance to stop drinking, or will move before the interaction can take place, highlighting a slight disjuncture between the process expectations and how it occurs in practice:

Interviewer: Okay. It's interesting that they hardly ever issue any fixed penalty notices.

Mark: Because it's failure to stop, most people just stop.

...

Mark: Yes, and then you don't get a fine for it if you stop. It's a failure to stop, which is pretty unlikely. You'd have to just stay there drinking in front of them. What normally happens is the person just gets up and walks away as soon as they see anyone coming near them, so it doesn't get anywhere close to it. (Nortown)

One theme that emerged and connected with the responses of our participants experiencing street homelessness was that there can be variance within individual policing bodies in how enforcement is conducted and the manner in which it is done. As the below informant states in relation to the police, some are very supportive, and others find the experience more frustrating:

Yeah, I think there's a bit of both sides and I think it very much depends on who the police are, there are particular police who know our client group very well who are very supportive and will phone up support services and say, 'I'm really concerned about this person, can you get someone out to see them?' Other times I think there's a bit of frustration where perhaps they have moved people on several times and they're still causing difficulties in a certain area, can be a little bit more strict with people but I think probably as a whole we tend to see more of the supportive side, so, again, quite fortunate in that sense. (Alys, Eastholt)

It was also acknowledged that those policing agents who work in partnership with homeless services may be more experienced in managing the issue, whereas others may be less experienced or empathetic:

So, yeah, the reason I'm careful is I can't - I deal with a side of the police who are very keen to help rough sleepers and homeless people because that is part of their job. What I can't answer for is are the rest of the police like that? (Mary, Lightford)

One informant highlighted how the general experience of policing homeless communities through the tools used can lead to difficult relationships between policing bodies and people experiencing street homelessness:

Yeah, some of them can get on with them and some of them can't and I would say that the biggest majority of them can't because of the way that they're being treated, as in being moved on and things like that and getting like the red/yellow card system for ... 72 hour bans from the city centre, which removes them from all the services that are available in the city centre, which I think is wrong. Nobody should be removed from ... (Pete, Winterton)

Negative relationships between the police and people experiencing street homelessness were seen to lead to antagonistic encounters. For one informant, the police in their area were less tolerant of

behaviours associated with street homelessness that would come into conflict with pre-existing negative attitudes towards the police, resulting in more volatile outcomes:

Yes, the police seem to have a very different approach. I think that they have just not got a lot of tolerance for it. But the difference is – so the clients as well are aware of the authority and so when they see the police they react differently as well. So you can get some people that are very abusive when they see the police and that doesn't go in their favour obviously, but they don't act like that when they see the [outreach] team. (Joanne, Nortown)

What can be seen here is the complexity of the policing relationships, supported by the responses in the previous chapter, that will in practice make a staged enforcement approach, beginning with offers of support, more difficult. It is also unclear how often an individual may be asked to move on without signposting to support, before these processes kick in.

Effectiveness of PSPOs

Informants were asked if the PSPO had addressed the homelessness related ASB that they had identified as prominent in their areas. Again, those with an escalation approach that the PSPO allows thought that it was a good system and allows the individual to engage with services:

I do think the approach works though because first, second, third engagement are all around trying to support people either to come inside, or just to get the support that they appear to need and to not criminalise people for being homeless, but there comes a point where enforcement is required. I think it's a good approach and I think it's one that-, I was going to say it works. What's the definition of something working or not? It's a hard one. So, I'm maybe not going to say that, but I feel very positive. I feel it's certainly more useful than taking a stricter enforcement approach. (Dan, Lightford)

However, as above, ensuring those first set of engagements are support focused may be more challenging in practice. This was reiterated by one informant who stressed the necessity of the partnership approach and a required commitment to a shared goal:

It can work really well, providing all the key stakeholder groups are working together. If it's not, I could see it would just be tension everywhere. (John, Morwold)

One informant highlighted that the PSPO caused a displacement effect in the first instance, pushing people out to sleep in housing estates or other less safe places. Here the displacement may be viewed as a success in reducing ASB within the original area but created other issues, reiterating the quote above about how we can determine what ‘works’:

So, the local authority and the local people would probably have said, ‘Yes. It works,’ but all it did was it shifted people further out. There’s a particular housing estate on the edge of the PSPO area and I know they got a lot of people shifting out more towards there. I think a lot of people moved over to [area 2] who were previously rough sleeping in [area 1] and this cat and mouse game started up, as I mentioned. People also did put themselves at more risk. I had a statement from one guy who was sleeping in a tent in a wood where before he’d been sleeping in a car park, which was a lot safer. (Gemma, Redby)

For several informants the PSPOs have not worked to reduce the problem. Several queried the underlying evidence that supports the requirements of the PSPO in the first instance and the effectiveness of the PSPO in the second. For others, it merely moved the problem around. This reiterates the perspectives from the previous chapter that the behaviours continue regardless of the enforcement approach:

Interviewer: So, does it work at all in terms of street drinking?

Mark: No.

Interviewer: What about in terms of begging?

Mark: Not really. What it does do is it makes begging more difficult and more awkward because, obviously you’re going to get forced to move from place to place to place and after a while it’s going to be something where you’re potentially going to wonder whether it’s worth it. Whether it reduces it or eliminates it I don’t think it’s been a big impact on it. I don’t know. It might have reduced it slightly because it’s been more uncomfortable and more of a hassle. (Nortown)

The findings in this section demonstrate a mixed approach to enforcing PSPOs in the different areas, with a number of informants outlining a staged approach with engagement and support to begin and enforcement as a last resort. This was supported across the key informant interviews who mostly felt that informal enforcement was the main form of policing. Though, echoing the previous chapter, many of the informal interactions were to ask individuals to move on. This raises the

question of how the engagement and support stages of the staged approach are working in practice, with individuals not always being offered support or signposted to services.

5.2 Online Questionnaire

The online questionnaire was developed to attain a broader insight into the themes generated by the semi-structured interviews and to test whether the themes were evident on a larger scale.

The results are presented under the following sections:

- Local contexts
- PSPOs and policing

Due to the voluntary nature of the questionnaire, some respondents chose not to respond to certain questions. Therefore the numbers and percentages presented in this analysis reflect the response rate to each question rather than the overall number of respondents to the questionnaire. As highlighted in Chapter 2, the overall response rate was relatively low, thus the findings cannot be generalised.

Local contexts

Key findings

- 85.1% (n=74) of respondents were located in areas that had received regeneration funding within the past five years.
- Most respondents, 40.9% (n=88), said that street homelessness had increased in their local area in the past 12 months.
- The demand for our respondent's service had increased 'a lot' for 54.2% (n=58).
- The types of ASB committed by people experiencing street homelessness that were considered to be causing a problem most often were: drug use (86.9%, n=93), begging (75%, n=81), and street drinking (72.2%, n=78).
- There was vast variation in perceptions of the proportion of 'non-genuine' homeless people in local areas (range = 1-96%).

The purpose of this block of questions was to explore issues raised by the interviewees about the local nature of their concerns and to assess whether any commonalities existed about the context in which PSPOs with homelessness related prohibitions were implemented and justified.

When asked where their service was based, 46.3% (n=50) responded 'a city', 33.3% (n=36) 'a town', and 20.4% (n=22) selected 'across multiple locations'. Then when questioned where their organisation was mainly located, 87% (n=94) responded in a 'town/city centre', and 12% (n=13) answered on the 'outskirts of a town/city centre', thus most respondents were based in urban locations.

We were interested to see whether these areas had received capital investment, so asked: *in the last five years, has your town or city undergone urban regeneration initiatives? (e.g. the investment of public or private finance to improve the local area)*. The vast majority, 85.1%, n=74, responded 'yes', compared to 14.9% (n=13) that answered 'no'. This echoed the interviews with key informants, several of whom raised regeneration initiatives as the reason for the introduction of the PSPO.

A question was then posed about the extent of homelessness in their local area and whether it had changed in the past 12 months. Most respondents, 40.9% (n=88) indicated that it had increased, compared to 37.1% (n=39) who said it had stayed the same, and 21.9% (n=23) who thought it had decreased. We do not know if this was prompted by the end of the 'Everyone In' policy, which was employed during the coronavirus (COVID-19) pandemic. When examining regeneration and perceptions of homelessness together, 47.9% (n=35) of respondents in regeneration areas thought that homelessness had increased, compared to 33.3% (n=4) who thought it had increased in areas that had not received regeneration investment. Similarly when considering reports of a decrease, a greater proportion reported a decrease in non-regeneration areas 33.4% (n=4), compared to 20.5% (n=15) who said there was a decrease in regeneration areas. This suggests that regeneration areas had witnessed a greater increase in homelessness than non-regeneration areas.

The perceived increase in street homelessness was also reflected when questioned about their service provision, with 54.2% (n=58) of respondents indicating that demand for their service had increased 'a lot'. Respondents indicated that their service was linked into a multi-agency approach in their local area, with most 88.9% (n=88) reporting that they were an active member of a partnership.

Due to the often-politicised nature of ASB, we asked: *which political party is in charge of your local authority?* For the two main parties, the responses were almost identical with 43% (n=43) indicating Labour and 42% (n=42) answering Conservative. The political party in power did not make any substantial difference to perceptions about changes to the street sleeping population.

Respondents were questioned about the extent of problems in their local area caused by a range of behaviours associated with people experiencing street homelessness. A four-point Likert scale response captured whether the behaviour in question was perceived to be ‘a very big problem’, ‘a fairly big problem’, ‘not really a problem’, or ‘not a problem at all’. Table 5.1 reports the type of behaviour, the majority response, and the percentage that perceived the behaviour in question to be a problem.

Table 5.1: Respondents’ perceptions of anti-social behaviour problems in the local area

| Type of ASB | Majority response | Proportion that perceives the behaviour to be a problem |
|--|--|--|
| Rough sleeping | Fairly big problem, 50.9%, n=55 | 67.6%, n=73 |
| Street drinking | Fairly big problem, 40.7%, n=44 | 72.2%, n=78 |
| Begging (all types) | Fairly big problem, 50%, n=54 | 75%, n=81 |
| Pitching tents/shelters | Not really a problem, 51.9%, n=56 | 38.9%, n=42 |
| Drug use amongst street sleeping homeless people | Very big problem, 46.7%, n=50 | 86.9%, n=93 |
| Groups congregating | = Big and fairly big problem, both 33.3%, n=36 | 66.6%, n=72 |
| Belongings left on the street | Not really a problem, 44.4%, n=48 | 47.2%, n=51 |
| Blocking doorways | Not really a problem, 42.1%, n=45 | 46.7%, n=50 |
| Public defecation | Not really a problem, 53.7%, n=58 | 33.4%, n=36 |
| Bin raking | Not really a problem, 56.1%, n=60 | 24.3%, n=26 |
| Pets of street sleeping homeless people | Not really a problem, 53.7%, n=58 | 21.3%, n=23 |
| Street trading/peddling | Not really a problem, 55.6%, n=60 | 19.4%, n=21 |

Table 5.1 demonstrates that to some extent, all the behaviours listed were causing a problem in respondents’ local areas. The main issues were drug use, begging, and street drinking, which reflects what our participants experiencing street homelessness told us about their own behaviours.

Throughout the interviews with key informants, there was much conversation about the types of people accessing local services. The next set of questions examined perceptions of the proportion of different types of people experiencing street homelessness in the local area. Respondents were asked: *there is a debate that some people presenting as homeless to beg are not ‘genuinely’ homeless. In your opinion, what proportion of those begging in your area are not ‘genuinely’ homeless?* The responses were extremely varied ranging from 1% to 96%. The mean average was

54.2% (n=105, std dev=30.14). This issue was elaborated upon by one respondent in the associated free text question who explained: *'It is rare that anyone is genuinely homeless in [location] for any length of time, although people do sometimes sleep outside to purport to be homeless to assist in their begging gains potential. I would like more stringent PSPO conditions to be enforced by the council, not to target the homeless, but to deal with the genuine thieves who are taking advantage of the public's good will and often giving genuine homeless people a bad name'*. This was a finding in the interviews with key informants, some of whom also felt that a number of people begging were not 'genuinely' homeless. It could reflect the conflation of street homelessness and other forms of homelessness. However, as previously mentioned, this is difficult to determine.

The final three questions considered; the perceived proportion of people experiencing street homelessness that were not UK nationals, the proportion encountered that had no recourse to public funds, and the type of support available for those with no recourse to public funds. The perceived proportion of non-UK nationals varied greatly, from 1% to 85%, with a mean average of 25.9% (n=101, std dev=22.36). Similar figures were reported for the perceived proportion with no recourse to public funds, ranging from 1% to 92% with a mean average of 23.7% (n=97, std dev=21.33). When it came to supporting service users with no recourse to public funds, 27.8% (n=30) of organisations were able to provide the 'same support as UK nationals', 27.8% (n=30) could offer 'some support', although the highest proportion reported was 'limited support' 31.5% (n=34), and 13% (n=14) who could not provide any support. This follows the same pattern as the key informant interviews as this issue was significant in a few of the areas. In those areas support was limited for those individuals and was seen to contribute to ongoing homelessness.

The free text question at the end of this section asked: *is there anything else you think we should know about the homelessness issues in your local area?* There were 68 responses that were thematically analysed, which led to the generation of three main themes:

- Many respondents reported poor service provision in their areas, specifically housing, mental health, and drugs/alcohol services. Cuts to services were also reported, for example to outreach provision. One respondent stated: *"Our primary local authority does a good job generally working with people to help them off the street. The availability of other services after this relating to Mental Health, Drug and Alcohol services, and access to good quality affordable housing is severely lacking though"*. This epitomised many responses related to this theme.

- Trauma and addiction were commonly mentioned as the driving force behind street homelessness by respondents. One respondent provided a very detailed insight into the problems faced: *“It's often repeat homelessness and also often associated with traumatic childhoods, lack of family support or good people all their lives (and most likely as a direct result of these traumas and difficulties) so they turn to drug use to cope, primarily heroin. Also the difficulties of navigating the benefit system keep and make people homeless. For example, people can't get or maintain benefits including the Housing Element into payment due to illiteracy, learning difficulties, technological illiteracy, digital exclusion, chaotic lifestyles with no calendar, watch, alarm or phone to know when to do things to conform to a claim, no ID to make a claim and no money to purchase ID documentation, being beaten up or harassed on the street so being too afraid to sleep and don't end up making it to appointments, drug use making it difficult to function and to meet demands as could be said of mental health problems, no phone or computer to keep in touch and no internet, drug use means that. We have poor mental health services in our area that lack progress, empathy, insight, and funding. The same applies to services that could help people get off drugs they turn to such as heroin that need enormous ongoing support to get people off and keep people off.”* This overview reflects the complexities of the issues faced by people experiencing street homelessness without even taking ASB and the policing of it into account.
- There were wide variations in the amount and quality of support provision available for people experiencing street homelessness. Some respondents spoke positively about multi-agency partnerships and being ‘on top of’ the homelessness problem locally. For example: *“We have a good multi-agency set up that assists people off the streets within two weeks maximum”*. In contrast, many highlighted issues: *“The current provision which is a continuation of the 'Everyone In' initiative is sidestepping the duties under the Housing Act 1996 - people who report that they are rough sleeping are told to go and rough sleep to be picked up by the outreach team, rather than being recognised as triggering s.184 of the Housing Act. People who may be vulnerable are effectively left homeless when there is a duty under s.188 to accommodate them and are then herded through a system which denies them access to the assistance available under the Housing Act, meaning they are often told they must move into exempt supported accommodation rather than having access to the Housing Register. This means they have less choice and ultimately end up in worse accommodation than they would be if they were treated lawfully. Additionally it is commonplace for special category personal data to be shared without any lawful basis (often citing 'public interest' when it can't apply in the circumstances - meaning people who sleep rough*

are routinely denied the protection they are owed under various legal frameworks (including the Equality Act and Care Act as well)."

The questionnaire data reflect well-established local nuances associated with both homelessness service provision and problems with ASB. However, there was consensus over several aspects. For example, most respondents were delivering a service in an area which had received regeneration funding within the past five years. Street homelessness was generally considered to be increasing and the main problems caused by homelessness related ASB were drug use, begging and street drinking. Opinions about 'genuine' homelessness and the perceived proportion of local people experiencing street homelessness not being from the UK varied hugely. In most cases, services could only provide limited support to individuals with no recourse to public funds.

PSPOs and policing

Key findings

- 13% (n=14) had not heard of PSPOs before undertaking the questionnaire.
- The majority of respondents, 63.2% (n=36), reported being involved in the consultation process if there was a PSPO in their area
- Almost a quarter of respondents (23.6%, n=25) were concerned that their organisation's future funding from the local council could be affected if they 'pushed back' against a planned PSPO.
- Of respondents with a PSPO in their area, 83.1% (n=54), indicated that it contained prohibitions related to street homelessness.
- Most types of PSPO enforcement action were considered 'not useful at all' by the majority of respondents (see Table 5.3).
- The police and PCSOs were considered to be the most enforcement active policing body by 70% (n=42) of respondents.
- For respondents located where a PSPO was in place, the majority thought that it was 'not effective at all' at solving the ASB problems 32.8% (n=22).
- Where respondents were based in a PSPO area, most respondents 45.6% (n=31) agreed that PSPOs discriminate against people experiencing street homelessness.

This block of questions considered respondents' knowledge, understanding and perceptions of PSPOs and street homelessness in their local area. It began with two screener questions. The aim was to ascertain how many people had heard of PSPOs; 87% (n=94) had, compared to 13% (n=14) who had not. We then asked whether a PSPO was in place in the area served by the respondent's

organisation, 63% (n=68) responded 'yes', 12% (n=13) said 'no', and 25% (n=27) said they did not know. The questionnaire then branched: those who responded 'yes' were posed a slightly different set of questions to those who answered 'no' or 'don't know', with the responses reported below by theme.

Consultation

Local councils have a statutory duty to consult with the police prior to implementing a PSPO and they must also consult community representatives that they deem appropriate. Home Office guidance (2022a: 65) states: 'the council should also ensure that specific groups likely to have a particular interest are consulted'. Consequently if the council is considering a PSPO with prohibitions likely to affect people experiencing street homelessness, they should be consulting the frontline homelessness practitioner respondents recruited to complete this questionnaire.

Respondents who indicated that there was not a PSPO in place locally were asked whether a PSPO had ever been proposed. In total 69.2% (n=9) said yes. These respondents, along with those who did have a local PSPO were asked a range of questions about their experience of the consultation process.

Most individuals, 63.2% (n=36), reported being involved in the consultation process if there was a PSPO in their area, compared to 36.8% (n=21) who were not involved. Where there was not a PSPO in place, 25% (n=9) respondents were involved in a consultation process. Regardless of whether the proposed PSPO was implemented or not, the majority of all respondents were supportive of the proposed PSPO itself. This was 93.3% (n=42) of respondents in areas with a PSPO and 90% (n=9) in areas without. The main concern for all respondents was shared, with this being how fixed penalty notices could be issued to people experiencing street homelessness. The proportion of respondents suggesting this was a concern was roughly equal across the two groups, specifically 42.1% (n=8) with a PSPO and 42.9% (n=3) without. The primary reason for not being involved in the consultation was a lack of awareness of the process, which was the same for both those with and without a PSPO, 52.6% (n=10) and 75% (n=18) respectively.

Push-back on funding

The interviews with key informants highlighted how representatives from some organisations felt they could not 'push-back' against local council plans for a PSPO because their funding, and thus their existence, depended upon being funded by them. We asked all respondents: '*if your service is*

commissioned by the local council, are you concerned you can't 'push-back' against their policies (e.g. proposal for a PSPO) in case you are denied future funding? In most cases, this question was not applicable (40.6%, n=43). Where it was applicable, 35.8% (n=38) were not concerned or had never considered this before, compared to 23.6% (n=25) that were concerned. These findings enhance the theme generated by the interviews, with almost a quarter of respondents reporting being concerned about losing future funding if they 'push-back'.

Enforcement (PSPO areas only)

A range of enforcement specific questions were posed to those respondents who had a PSPO in their area. Prior to assessing this, we asked if the local PSPO included prohibitions relating to street homelessness, 83.1% (n=54) said 'yes', compared to 16.9% who said 'no'.

We then asked respondents how they thought the PSPO was enforced and how frequently that type of enforcement occurred, using a five-point Likert scale: 'frequently', 'fairly often', 'sometimes', 'rarely', 'never'. Table 5.2 shows the type of enforcement and the most common response about the frequency it took place.

Table 5.2: Type and frequency of PSPO enforcement

| Type of Enforcement | Most Common Response | Percentage/n |
|----------------------------|-----------------------------|---------------------|
| Tipping away alcohol | Frequently | 36%, n=18 |
| Dispersing groups | Sometimes | 33.9%, n=21 |
| Removal of possessions | Sometimes | 31.5%, n=17 |
| Moving people on | Fairly often | 32.8%, n=20 |
| Written warnings | Fairly often | 33.3%, n=18 |
| Fixed penalty notices | Rarely | 34.6%, n=18 |
| Conviction for breach | Sometimes | 28%, n=14 |

As expected, Table 5.2 reflects the behaviours considered to cause a problem that feature in Table 5.1. It also mirrors the reliance on informal enforcement measures, such as tipping away alcohol and moving people on, which was articulated by our participants experiencing street homelessness in their interviews.

We also asked how useful respondents perceived the enforcement measures to be at solving the problem, again using a five-point Likert scale: 'extremely useful', 'very useful', 'moderately useful',

‘slightly useful’, ‘not at all useful’. Table 5.3 displays the type of enforcement and the most common perception of its usefulness.

Table 5.3: Perceived usefulness of PSPO enforcement by type

| Type of Enforcement | Most Common Response | Percentage/n |
|------------------------|----------------------|--------------|
| Tipping away alcohol | Not at all useful | 28.4%, n=19 |
| Dispersing groups | Moderately useful | 27.7%, n=18 |
| Removal of possessions | Not at all useful | 37.5%, n=24 |
| Moving people on | Not at all useful | 30.8%, n=20 |
| Written warnings | Not at all useful | 34.3%, n=23 |
| Fixed penalty notices | Not at all useful | 48.5%, n=32 |
| Conviction for breach | Not at all useful | 33.8%, n=22 |

The results in Table 5.3 are particularly interesting because despite respondents being generally supportive of the PSPO, they do not think any of the enforcement measures taken are especially useful when it comes to solving the problem.

This study has explored how people experiencing street homelessness are policed within the context of a PSPO. We have discussed the punitiveness (or not) of different policing bodies in Chapter 3, with specific reference to the nature of the interactions between people experiencing street homelessness and the policing bodies in Chapter 4. We were also interested to see how key informants assessed frontline enforcement practices, therefore we asked: *which authority is the most enforcement active in your PSPO area?* The most common response was the police and PCSOs, 70% (n=42), compared to local council enforcement officers 26.7% (n=16). Furthermore, we were keen to assess how strict the enforcement activity was perceived to be. The responses showed that individuals were perceived to get the opportunity to comply before enforcement action was taken, with 33.9% (n=20) indicating that ‘people are given lots of chances before enforcement’, and a further 49.2% (n=29) said ‘people are given a few chances before enforcement’. This echoes the views of most of our participants experiencing street homelessness too, although some case study areas were more enforcement heavy (for example, Winterton and Woodcastle).

The final questions about enforcement were linked to signposting and their organisation’s services. In contrast to our participants experiencing street homelessness, questionnaire respondents were much more positive about the existence of signposting towards support, with 47.1% (n=32)

indicating that enforcement was accompanied by signposting, compared to only 13.2% (n=9) that said it was not. It appeared the signposting did not have a substantial impact on the organisations, with more respondents answering that the demand for their services stayed about the same (64.6%, n=42), although around a third said it had increased (32.3%, n=21).

Individual officers' behaviour

Both sets of qualitative interviews highlighted how specific, often named, officers were considered to target people experiencing street homelessness and/or be unduly punitive. We asked this question to all respondents, and it received a mixed reaction. Respondents were asked if one or two officers were responsible for targeting the behaviours of people experiencing street homelessness more intensely than others in their area. In both PSPO and non-PSPO areas, most said 'yes' (55.8%, n=29 with a PSPO and 56.5%, n=13 without a PSPO), compared to those who said 'no' (44.2%, n=23 with a PSPO and 43.5%, n=10 without a PSPO). The answers differed when respondents were asked about the authority that the officer(s) represents. For those with a PSPO, 62.1% (n=18) said the police, compared to those without a PSPO where 38.5% (n=5) said it was more than one agency. This suggests that individual police officers are perceived to target homeless people more specifically when there is a PSPO in place, although caution is advised with these findings due to the very small numbers involved.

Effectiveness

As a formal evaluation of PSPOs has not yet been undertaken, practitioners' perceived effectiveness currently provides the best understanding of their efficacy. We asked all respondents: *do you think that the PSPO is effective at reducing street sleeping homeless related ASB?* For respondents located where a PSPO was in place, the majority response was 'not effective at all', 32.8% (n=22), while 28.4% (n=19) said they were 'slightly effective', only a small difference in proportions. Similarly, the views of respondents without a local PSPO were also polarised, with an equal proportion of 39.5% (n=15) stating it 'moderately effective' as well as 'not effective at all'. This suggests there is a split between those who think the measure is effective and those that do not. Further research is required to unpack what drives those perceptions.

Discrimination

Much has been written about the potential for PSPOs to discriminate against people experiencing street homelessness (see Liberty, 2016; Brown, 2017: 2020; Heap and Dickinson, 2018; Moss and Moss, 2019), therefore we asked our respondents if they thought this was the case. All respondents

were posed the question: *Do you think that PSPOs discriminate against street sleeping homeless people?* A five-point Likert scale response was provided, ranging from 'strongly agree' to 'strongly disagree'. There was a slight difference in opinion between those with and without a PSPO in their local areas. The majority, 62.5% (n=25), of those in an area without a PSPO agreed that it did discriminate, compared to 12.5% (n=5) who disagreed. Of those in an area with a PSPO, there was a less stark difference of opinion. Most, 45.6% (n=31) agreed that it did, compared to 33.8% (n=23) who disagreed. Overall, this shows some consensus that PSPOs are perceived by frontline practitioners to be discriminatory. Again, factors fuelling these perceptions require further exploration.

The free text question at the end of this section asked: *if it was up to you, what would you do to address the ASB attributed to street sleeping homeless people in your area?* There were 63 responses, which were thematically analysed to produce three main themes.

- By far the most common response was to provide affordable housing and/or to end rough sleeping. This response neatly sums up the views: *"provide sustainable, affordable housing for everyone."*
- Many respondents also stated that multi-agency working was required to tackle both the cause and the symptoms of the ASB. For example, one respondent said they would: *"increase partnership work and funded project between police and support services, increase signposting to relevant support and link rough sleepers into them through relational means"*
- Greater funding and the availability of support was mentioned by respondents who suggested this was required for a range of services e.g. mental health, drug/alcohol services, and places for people experiencing street homelessness to go during the day/night. For instance: *"ensure that drug and alcohol abuse help was available more easily, ensure that those with mental health issues don't get thrown off waiting lists/ help and support for "failure to engage" especially where their mental health makes keeping appointments difficult, more input and support from mental health teams; social care and DAAT [Drug and Alcohol Action Team] to support people away from habits that mean they become or remain street homeless."*

The findings from this section of the questionnaire show that whilst in most cases there was support for a local PSPO at the consultation stage, the perceptions of its usefulness suggest that it was not effective at solving the ASB in question.

5.3 Conclusions

This chapter has provided detailed analyses of the key informant's responses to both qualitative interviews and an online questionnaire. The themes generated in the interviews informed the design of the questionnaire and further explored these themes across a wider range of respondents. This chapter primarily focuses on; types of ASB, the local context of an area and its associated issues, consultation, and perceived fairness of the PSPO and its effectiveness.

It is clear from the data that begging, street drinking and drug use are the most significant issues raised in relation to people experiencing street homelessness. However, the majority of respondents did not feel that the PSPO resolved this issue. Many also queried the use of fixed penalty notices for people experiencing street homelessness. This supports additional points raised across the sample that PSPOs are likely to create displacement and are considered discriminatory against this group.

The perception that people begging are not genuinely homeless was raised consistently across both data sets. Whilst the responses indicated that the scale of the problem varies and is perhaps unknown, it will have an impact on perceptions and was argued to also have an impact on policing. This is an issue that requires greater exploration to understand the true extent of the problem and to ascertain how and in what ways it shapes responses.

As with the previous chapter, that main type of enforcement action taken by policing bodies was to informally ask individuals to move on rather than use formal enforcement methods. Again, this was not perceived to be useful for addressing the problems.

Many informants within PSPO areas described partnership arrangements between stakeholders that prioritised a method of supportive interactions with people experiencing street homelessness to move them in to services before escalating to more formal forms of enforcement as a last resort. This was however, seen to be contingent on partnership working and all bodies approaching the issue in the same way. It is also unclear how this works in practice given the frequency with which people are moved on with little signposting to services.

Echoing the experiences from the previous chapter, findings support that policing interactions vary across and within policing bodies. Some officers were identified as being more experienced at working with homeless groups and front-line services than others. In addition, certain officers were perceived to be more enforcement heavy or punitive than others. This raises the requirement to have a consistent and informed approach to working with street sleeping homeless individuals to develop positive and productive relationships.

In conclusion, informants requested a closer assessment of what the ASB attributed to people experiencing street homelessness is in practice, and which behaviours are or are not anti-social. There were also calls for better partnership working, an increase in support services and a better response to those who are perceived to be not engaging with services to more effectively address the issues raised.

Chapter 6 - Conclusions and policy recommendations

This chapter draws together the main conclusions of the study, addressing the research aim which was to critically assess how people experiencing street homelessness are impacted by anti-social behaviour tools and powers within a Public Spaces Protection Order area. The conclusions are presented below and are followed by a set of recommendations that could be undertaken to improve the experiences of people experiencing street homelessness when they are policed within a PSPO context.

6.1 Conclusions

- The types of behaviours associated with people experiencing street homelessness that were being policed in PSPO areas reflect variations in local perceptions of what is considered anti-social. There was evidence in some areas of behaviours being sanctioned that in and of themselves could not be considered anti-social. For example, in Woodcastle, Section 35 directions to leave were issued to individuals for being 'in a position to beg', i.e. simply sitting on the pavement. Behaviours were also policed where a detrimental effect was extremely unlikely, such as sleeping at night. This reflects a shift in threshold of what is defined as anti-social, with a wider range of behaviours subject to enforcement.
- People experiencing street homelessness said they felt constantly policed within a PSPO area. The PSPO can be considered a mechanism for controlling the street sleeping population. Many of our participants felt harassed by the nature of the policing, feeling continually on edge. This was fuelled by the high volume of informal interactions with the policing bodies where they were repeatedly told to move on.
- Participants described varied experiences of being policed within PSPOs. However, reports from our case study areas reflected two distinctly different approaches to this policing. Half of the sample (5) could be described as having punitive PSPOs, with the other half performative. Punitive PSPOs were where there was a proactive focus to seek out people experiencing street homelessness to threaten and/or conduct formal enforcement action. For example, issuing Section 35 direction to leave notices. In contrast, performative PSPOs had a chiefly informal and reactive approach to managing the street sleeping population. ASB was generally ignored unless it was causing a significant problem, for instance the policing bodies would 'turn a blind eye' to individuals consuming alcohol even if it breached the PSPO. Individuals were also warned when

'days of action' were to take place to avoid the formal enforcement measures. Thus the PSPOs were performative in the sense that they appeared to have been created with powers held in reserve for use if necessary. Ultimately this meant that despite people experiencing street homelessness living under similarly worded PSPO prohibitions and requirements, their experiences differed vastly due to the policing approach.

- Different formal powers were often layered within PSPO areas. In some instances this was built-in to the PSPO itself by prohibiting behaviour that is already illegal, such as drug use. In three areas (Eastholt, Moorhurst, and Woodcastle) Dispersal Orders operated in the same area as the PSPO which sanctioned the same behaviours prohibited by the PSPO. Furthermore, the threat of being arrested under the Vagrancy Act was commonplace if requests to move on were not heeded. The mixture of powers created a volatile space for people experiencing street homelessness where their behaviour could result in formal enforcement by any one of a number of different powers, each with a different sanction. In many cases our participants did not know or understand the legislation being used. This made them vulnerable to criminalisation and inhibited their ability to question authorities.
- Dispersal and displacement were central to the experiences of being policed in a PSPO area. Dispersal occurred through a range of means, most commonly through being asked informally to move on. Formal measures include being issued a Section 35 direction to leave where the dispersal area overlapped the PSPO or being asked to leave the PSPO area because the order had been breached due to a specific dispersal requirement. Displacement away from the PSPO area was problematic for our participants experiencing street homelessness because it often meant that they could no longer access food or necessary medication. Consequently, people experiencing street homelessness returned to the PSPO area as soon as they were able, and the cycle of policing and dispersal/displacement would recur. Ultimately, dispersal and displacement tactics did not stop or deter the behaviours of people experiencing street homelessness.
- Dispersing and displacing people experiencing street homelessness away from the PSPO area, which often covered the main part of the town/city also resulted in a missed opportunity for meaningful engagement. In most instances our participants said that they were not signposted to support through their interactions with the policing bodies and when they were it was to services that they already knew about, such as the local day centre.

- Key informant participants were often supportive of the PSPO, justifying its implementation as a framework to engage and support people experiencing street homelessness. Failure to engage provided a rationale for enhanced policing and formal enforcement measures. However, there was consensus amongst our participants that the way the PSPO was policed, such as moving people on and tipping away alcohol, did not solve the underlying ASB problems. This view was supported by the participants experiencing street homelessness who confirmed that the PSPO did not change their behaviour, but instead made their lives more difficult and unpleasant. It was also clear from these participants that the PSPO was not often used to engage and support.
- People experiencing street homelessness reported wide variations in the manner of policing they experienced within PSPOs. For some, the policing bodies were supportive, but for many the interactions were defined by verbal and physical abuse which was chiefly committed by the police. Most participants were able to name one or two officers that they would actively avoid for that reason. There were wide-ranging impacts that resulted from this style of policing, specifically mental and emotional distress, as well as anger and resentment which in some cases fuelled tensions, worsened relations further, and resulted in more ASB.
- Key informant participants highlighted pockets of good practice, but the quality of partnership working appeared patchy. Many also stated the need for better and more accessible support resources and greater tolerance for those who fail to engage.

At this juncture it is worth reflecting on the timing of this study. Our fieldwork was conducted between March 2021 and May 2022. During this time, the Vagrancy Act (1824) was repealed through the Police, Crime, Sentencing and Courts Act (2022). This removed begging and rough sleeping as criminal offences, with the government committing to 'deliver a bold, new rough sleeping strategy' (Home Office, 2022b). The repeal occurred after our data collection with people experiencing street homelessness had taken place. A consultation on an effective replacement for the Vagrancy Act was conducted by the Department for Levelling Up, Housing and Communities (GOV.UK, 2022b) in spring 2022, the results of which have not been released at the time of writing. Nevertheless, our examination of the tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014) suggest that existing legislation already disproportionately impacts upon people experiencing street homelessness in a detrimental fashion. We therefore hope our research evidence provides a platform for engaging differently with people experiencing street homelessness.

6.2 Recommendations

Based on the evidence produced by this study, there are a range of actions that could be undertaken to improve the experiences of people experiencing street homelessness when they are policed within a PSPO context.

Updating the statutory guidance for frontline practitioners

There should be greater clarity about how the tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014) are used. When they were conceived, the policies were deliberately loose to enable frontline practitioners to best address local issues. However, as our data suggest, this has resulted in the policing bodies stretching the powers beyond their original intention in a manner that is not in keeping with the spirit of the legislation. We have shown how this approach also negates existing procedural safeguards, such as how dispersal powers have been co-opted into PSPO requirements.

We have created a guidance document for how the tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014) should be used with people experiencing street homelessness. We co-produced the guidance with ASB Help, ASB Consultant Janine Green, and Crisis which can be accessed separately [here](#).

We offer a range of suggestions for how PSPOs, Dispersal Orders and Community Protection Notices could be better constructed when working with people experiencing street homelessness. The purpose of this guidance is two-fold. First, to ensure that powers from the Anti-Social Behaviour, Crime and Policing Act (2014) are not used disproportionately against people experiencing street homelessness. Second, to encourage cross partner agreement on the most productive and least harmful approach to responding to ASB associated with people experiencing street homelessness. To those ends, our guidance demonstrates how the tools and powers can be tailored to a street homelessness situation. Furthermore, we advocate for people experiencing street homelessness to be policed differently due to their vulnerability, which is evidenced throughout our suggestions.

Our co-produced guidance on the formal powers is as follows:

Public Spaces Protection Orders

- Prior to the consultation, local authorities should undertake an equality impact assessment as a standard safeguarding procedure.

- Local authorities must make greater efforts to engage frontline homelessness practitioners and people experiencing street homelessness with the consultation stage of a PSPO if it is likely to impact their lives.
- PSPOs should not contain prohibitions that criminalise rough sleeping.
- PSPOs should not contain requirements to ‘disperse from an area if...’. The Section 34 authorisation required by a police inspector to sanction a Dispersal Order is a procedural safeguard because restricting an individual’s freedom of movement is a serious matter. It must not be circumvented by a PSPO.
- The prohibitions/requirements within PSPOs must be made explicit to everyone using the area, especially people experiencing street homelessness who should be informed of the consequences for non-compliance. This could be achieved by improving the quality and quantity of signage (dependent on the geographic area in question) and having an easy-read leaflet available for distribution by the policing bodies that outlines the powers and potential sanctions.
- PSPO prohibitions should not inadvertently exclude street sleeping homeless people from accessing support (e.g. food or prescribed medication).
- Fixed penalty notices should not be issued to people experiencing street homelessness in a similar way to other policy parallels that mark them out as a vulnerable group. For example, Ministry of Justice (2014) guidance details how Penalty Notices for Disorder are not appropriate for people sleeping rough. Instead, individuals should be signposted towards local support services. During the process of issuing a fixed penalty notice, the issuing officer should clarify any doubts about whether someone is experiencing homelessness, and if they do not have a home, then this guidance is clear that the fixed penalty notice should not be issued.

Dispersal Orders

- Must only be used in conjunction with a valid Section 34 authorisation for a period of 48 hours.
- Section 34 authorisations should be recorded in writing and stored in an accessible electronic format.
- Prior to a Section 34 authorisation, consideration should be given to an equally intensive alternative to a Dispersal Order delivered by partners. For example, 48 hours targeted outreach and/or multi-agency meetings where individual support plans can be developed.
- Dispersal Orders should not be used repeatedly in the same area as a long-term tactic to disperse or manage the behaviours associated with people experiencing street homelessness.

- Being in a 'position to beg', which is commonly understood as just being sat on the ground, does not constitute a reason to issue a Section 35 direction to leave notice because sitting down is not in itself, anti-social behaviour.
- When a Section 35 direction to leave notice is issued, the protection of vulnerable recipients must be considered, specifically:
 - The defined dispersal area should not prevent people experiencing street homelessness from accessing food, support organisations, prescribed medications, or overnight accommodation.
 - The risk of displacement must be assessed with reference to the above.
- Section 35 direction to leave notices should only be issued if accompanying support can be offered to mitigate the risk of the individual's vulnerability and displacement. For example, provision of food/shelter outside of the defined area.
- The appeals process for Section 35 direction to leave notices should be made more accessible for people experiencing street homelessness. The grounds for appeal should be made clear (and accessible) on the paperwork issued, including contact information.

Community Protection Warnings/Notices

- Greater clarity is required about the detrimental effect test if CPWs and CPNs are considered the correct tool to prevent anti-social begging. There must be *evidence* that the begging in question is having a detrimental effect on the quality of life of those in the community and should not be used to target begging *per se*.
- When writing a CPW or CPN for an individual, consideration should be given to the impact of the CPW/CPN on the recipient specifically in relation to the availability of local services to support the individual. Conditions should not inadvertently exclude people experiencing street homelessness from accessing support. Ideally, the process of consideration should involve the relevant support agencies.
- CPWs and CPNs should be signed-off by a senior officer within the issuing body as a means of quality control to ensure due process has been followed, the requirements are proportionate to the behaviour in question, and all procedural safeguards (such as equality and/or safeguarding assessments) have been applied.
- CPWs and CPNs should be recorded in writing and stored in an accessible electronic format.

As well as the formal tools and powers we also provide some suggestions on how informal interactions between the policing bodies and people experiencing street homelessness could be improved:

Informal policing interactions

- Every local area is different. The guidance contained in this section offers a range of suggestions to improve frontline practice where the policing bodies interact with people experiencing street homelessness. We define 'informal policing interactions' as those that do not involve a legal sanction.
- Our suggestions can be adapted to suit local arrangements regarding funding, resources, and personnel. The central tenet is to promote engagement and signposting, over displacement and enforcement.
- Each local area should have a named individual that 'owns' or 'leads' the strategic approach towards informal policing interactions with people experiencing street homelessness. The purpose of this role is to understand and co-ordinate the way that informal policing interactions are undertaken locally, to drive the quality and consistency of engagements with local people experiencing street homelessness.
- The individual undertaking this role could be from the police or local authority. Preferably, they will already be engaged within a multi-agency partnership setting. The title of the role is not important, and it can be tailored to reflect local personnel and priorities.
- The nature and scope of the role could be modelled on other local specialist roles, for example those that tackle drug use or domestic violence.
- It is important that the 'owner' or 'leader' of the informal approach locally should:
 - Have knowledge of the local street homelessness landscape
 - Know names and understand the stories of people experiencing street homelessness
 - Have time allocated in their role for this work
 - Work on the frontline
 - Be contactable to give advice to others as part of a local partnership arrangement

- Be responsible for updating, disseminating, and promoting a set of local signposting resources to frontline officers that consider language and literacy requirements relevant to the local area.
- Have training in trauma informed practice
- Be passionate about making a difference in this role

In addition to the above individual role, the following approaches should be undertaken:

- Where possible, informal interactions with people experiencing street homelessness should not be led by the police. Homelessness teams or specialist outreach services should lead the response (Williams, 2021).
- If it is not appropriate for an individual to be in a particular area and they must be moved on informally, it should be explained to them *why* they are being asked to move on with reference to the specific legislation and they should be signposted towards *where* they should move to.
- Specialist homelessness training for frontline officers should be provided, which reflects the local context. This training should be trauma informed.
- There are multiple examples of good practice available. The National Police Chiefs Council and Crisis (Williams, 2021) have provided a range of case studies that can be adapted in this document: [From enforcement to ending homelessness: How police forces, local authorities and the voluntary sector can best work together](#). On pages 16, 17 and 18 it includes details of over thirty 'positive interventions' related to:
 1. Police and local authority enforcement officers paired with outreach teams to identify and engage rough sleepers into support
 2. Rough sleepers referred to support workers and housing options for a comprehensive assessment of needs
 3. Immediate access to housing, and support for mental health and drug or alcohol-related addictions, alongside employment and training services.

4. Permanent accommodation with ongoing holistic support to maintain a tenancy.

We suggest our co-produced guidance is incorporated into the Home Office statutory guidance for frontline professionals at the earliest possible opportunity.

Changing the mindset and narrative of the policing bodies and ASB sector

One of our criticisms of the tools and powers from the Anti-Social Behaviour, Crime and Policing Act (2014) is that the policies are designed in such a way that their flexibility can be detrimental to proportionality and procedural safeguards if stretched too far. There are examples of good practice being undertaken, which have been observed in this study and in our other research (see Heap et al., 2022 and Heap et al., forthcoming), but the poor practice we've seen is the result of *how* the tools and powers are applied by frontline practitioners. Therefore we recommend that the ASB sector as a whole reflects on their use of the legislation and refreshes their mindset towards good practice and away from the culture of finding loopholes, developing 'innovative uses', and pushing the flexibility of the powers to the extreme. We accept this may be challenging for some and meet resistance, but officers in the ASB sector need to do more to elevate examples of good work and call out poor methods. This will involve having difficult conversations and challenging each other's practice. As a starting point for these conversations, we have based our co-produced guidance on the concept of legal literacy (Braye and Preston-Shoot, 2016) which promotes:

1. Doing things right and in the spirit of the law
2. Doing the right things in terms of professional ethics
3. Rights thinking, which respect human rights and social justice

We suggest the concept of legal literacy should be the baseline for all frontline ASB decision-making, particularly when working with people experiencing street homelessness. Adopting this approach will ensure that: supporting and signposting people experiencing street homelessness are prioritised over enforcement; due process is followed; there is proportionality in any enforcement taken; procedural safeguards are in place and utilised; and data on enforcement is collected for monitoring purposes.

Improving training for frontline officers

- Specialist homelessness training for frontline officers should be provided, which reflects the local context. This training should be trauma informed.

- This training should focus on improving the quality of engagement through face-to-face contact and focus on the types of interactions between frontline officers and people experiencing street homelessness.
- Information should be provided to frontline officers on how to better support/signpost people experiencing street homelessness into available services.
- Raise the awareness of ASB tools and powers within the homelessness sector to enable key stakeholders to better advocate for homeless people who find themselves subject to the tools and powers.

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