
The Homelessness Reduction Bill

St Mungo's briefing for MPs

July 2016



St Mungo's is calling on MPs to support the Homelessness Reduction Bill.

This briefing makes the case for supporting the bill and explains the key legislative changes that we are calling for.

St Mungo's is a homelessness charity and a housing association. We are here to end homelessness and rebuild lives. Every night we provide a bed and support to more than 2,500 people who are either homeless or at risk of homelessness. Every year we support thousands of people who are sleeping rough, helping them to move off the streets as quickly as possible.

Our Stop the Scandal campaign calls for a new national rough sleeping strategy, including improvements to the homelessness legislation to prevent more people from sleeping rough.

Why do we need new legislation?

Rough sleeping is dangerous, expensive and on the rise

- On any one night 3,569 people are sleeping rough in England according to the latest statistics from the Department of Communities and Local Government (DCLG). This is a 30 per cent increase compared to the number recorded in 2014 and more than double the number recorded in 2010. ¹
- Rough sleeping is dangerous and ultimately costs lives. The average age of death for men who are homeless is 47, for women it's just 43. Four in ten people sleeping rough have a mental health problem. ²
- In addition to the devastating impact on individuals, rough sleeping also creates significant costs for public services including the police and the NHS. ³

People are not currently getting the help that they need to avoid sleeping rough

"I was actually really appalled at how bad the council was. I was expecting them to help but it just doesn't work. It's horrible, it's demoralising and you already feel like less of a person."

St Mungo's Client who slept rough after asking a local authority for help

- It is unacceptable that so many people are left to sleep rough. Intervening earlier would prevent individual suffering as well as costs to public services.

Current legislation means that people who do not fit into restrictive 'priority need' categories, or who are found to have made themselves 'intentionally' homeless, receive little, if any, meaningful help from local authorities to avoid sleeping rough.

In 2015/16, 114,790 people applied to a local authority for help under the current homelessness legislation. Only half of those (50.3%) were considered to be in priority need and unintentionally homeless. ⁴

- The percentage of people sleeping rough for the first time in London who have asked a local authority for help, but still ended up on the streets is increasing. In 2015/16, one third of people sleeping rough for the first time in London who were helped by St Mungo's No Second Night Out service had sought help for homelessness from a council in the previous 12 months. ⁵

The government has committed to consider legislation to prevent more people from becoming homeless, but has not included any homelessness legislation in its programme for 2016/17. And while the funding announced in the 2016 Budget to support rough sleepers off the streets is welcome, it is not sufficient to deliver the long term changes needed to reduce rough sleeping across England.

What changes are we calling for?

Homelessness legislation needs to put prevention first

The Homelessness Reduction Bill will draw on the changes proposed by an expert panel who recently reviewed the current homelessness legislation in England. St Mungo's took part in the review which was convened by Crisis. Representatives from other charities, local authorities, academics and legal experts also sat on the panel.

The focus of the panel's recommendations, and therefore the bill, is on steps councils can take to prevent homelessness and rough sleeping in the first place.

Many of the changes suggested draw on the Welsh Government's 2014 Housing Act. Early evidence from Wales suggests the changes have led to a reduction in homelessness and will generate significant savings for the public sector in Wales.

The most significant changes we hope to see included in the Homelessness Reduction Bill are set out below.

A stronger advice and information duty

Legislation should more clearly set out the types of housing advice and information local authorities must provide to people before they become homeless or are threatened with homelessness. Services that deliver this should be designed to be able to meet the needs of people who are at particular risk of homelessness through working with local public and voluntary organisations.

A prevention duty for all eligible households

This new duty should be owed to all eligible households who are threatened with homelessness, regardless of priority need and intentionality. Local authorities would have to demonstrate that they are taking reasonable steps to prevent homelessness. Examples of these steps, including mediation with landlords, support in managing

debt or an offer of alternative accommodation would be included in the legislation. Local authorities would also be empowered to intervene much earlier, for example almost as soon as an eviction notice is served. People would be considered as 'threatened with homelessness' if they are at risk of losing their accommodation within 56 days, rather than within 28 days, as is currently the case.

A relief duty for all eligible homeless people who have a local connection

If a local authority is unable to prevent an applicant's homelessness, they should have a duty to take reasonable steps to help secure accommodation regardless of priority need and intentionality. Local authorities could help to secure accommodation in a number of ways, including offering accommodation in social housing, providing a grant or loan, or advice and advocacy to help secure a tenancy in the private rented sector. The relief duty should last for a period of 56 days. When the relief duty has ended, an applicant would be assessed to see if they were eligible for the main homelessness duty. People who are unintentionally homeless and in the priority need groups set out in current legislation would continue to be offered settled accommodation.

The prevention and the relief duties would only apply if applicants cooperated with local authorities' efforts to help.

A duty to provide emergency accommodation for people who are homeless and have nowhere safe to stay

St Mungo's believes that no one should have to sleep rough. If someone has nowhere safe to stay they should be entitled to emergency interim accommodation. Local authorities would have a duty to secure this accommodation. Applicants would only be able to access emergency interim accommodation under this duty for a maximum of 56 days and on no more than one occasion every six months. A robust assessment would ensure the duty was only applied to people without anywhere safe to stay.

CASE STUDY – Mary

Mary is 48 and last had a home in the south of England. She is especially at risk of harm when sleeping rough as she has a serious health condition and is traumatised after experiencing long term domestic abuse.

Mary became homeless in January 2016. She asked the council for help, but was sent away and had no option but to sleep rough and sofa surf. The council told her to gather medical evidence to support her claim that she was vulnerable because of her health conditions.

Her GP refused to give her the medical evidence she needed, claiming that the council should have requested it through directly contacting the practice.

St Mungo's street outreach services started working with Mary when we found her rough sleeping in May. She was visibly in pain from a health condition, her health and mobility has deteriorated in the five months since she first asked for help.

St Mungo's got in touch with the council and argued that Mary should be offered interim accommodation while we support her application for support under the current homelessness legislation. The council refused to offer Mary accommodation.

Mary continued sleeping rough. Her GP eventually printed her medical records, but there is a gap in them from 2012 which means that they are not being accepted as evidence by the council. Mary re-registered with a homeless GP practice who supplied a supporting letter. This letter was refused by the council. They will not accept any evidence from the GP until she has been registered with them for six months.

Mary feels her application is not being taken seriously by the council and feels dehumanised by her experience of trying to get help. She has now been housed by St Mungo's in temporary accommodation without any help from the council.

How you can help

Please support the Homelessness Reduction Bill

The Homelessness Reduction Bill is an opportunity to secure the changes needed to better tackle homelessness and stop people needlessly suffering on our streets.

- ➔ Please support the bill during the second reading debate on Friday 28 October.
- ➔ Please write to the Secretary of State for Communities and Local Government to ask the government to back the bill.

To join our Stop the Scandal campaign, please visit www.mungos.org/stopthescandal

Follow news about the campaign on Twitter [@StMungos](https://twitter.com/StMungos) and Facebook



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St Mungo's
Ending homelessness
Rebuilding lives

¹ DCLG (2016) Rough sleeping in England: autumn 2015 <https://www.gov.uk/government/statistics/rough-sleeping-in-england-autumn-2015>

² St Mungo's (2016) Stop the Scandal: an investigation into mental health and rough sleeping <http://www.mungos.org/documents/7021/7021.pdf>

³ DCLG (2012) Evidence review of the costs of homelessness https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7596/2200485.pdf

⁴ DCLG (2016) Table 784: local authorities' action under the homelessness provisions of the Housing Acts, financial years 2004-05 to 2015-16 <https://www.gov.uk/government/statistical-data-sets/live-tables-on-homelessness>

⁵ St Mungo's (2016) No Second Night Out – the long view (not currently published)

⁶ Crisis (2016) The homelessness legislation: an independent review of the legal duties owed to homeless people <http://www.mungos.org/documents/7113/7113.pdf>