



## **Emergency Exits:**

Achieving the right balance between support and enforcement to reduce street-based anti-social behaviour in Exeter.



## Introduction

Exeter has had a history of city centre rough sleeping and street-attached populations for at least the past 20 years.

More recently, as public services (and particularly those that support people with multiple and complex needs) have faced falling funding and accommodation in the city has become more expensive relative to average incomes, the numbers of people who are street homeless, caught in cycles of street homelessness, or vulnerably housed in accommodation that might not adequately meet their needs has risen.

Attempts to establish precise figures are always the subject of some debate however general indicators show a common upward trend in recent years.

- The official rough sleeper count in November 2014 identified 34 people rough sleeping on the night – which marked an increase of 48% on the previous year, and gave Exeter the unenviable status of having the highest per capita rate of rough sleeping outside of London.
- The official rough sleeper count for 2015 showed a slight fall to 27 – however, both the City Council and local services cautioned that this was a “snapshot”, and not necessarily evidence of a sustained fall.
- St Petrocks (a leading Exeter homelessness charity) has reported a 26% rise in the use of their services in the past 3 years,<sup>1</sup> and a recent “hotspot” outreach in January 2016 identified 28 rough sleepers in addition to 22 that were accommodated under the city’s Sleep Safe scheme – suggesting there are currently at least 50 active rough sleepers.
- The future picture looks similarly challenging, and in January 2016 Exeter Citizens Advice Bureau reported a 38% increase in enquiries about housing, with 30% of those being for the reason of threatened homelessness.<sup>2</sup>

The visibility of street-based rough sleeping, and the emotive debate that it provokes, means that media coverage and public concern of street-activity is often focused almost solely on homelessness – but the wider issues are more complex and interdependent than that.

This discussion document seeks to bring many of these strands of social concern together, and to explore ways that an over-arching evidence-based strategy to tackle street-based activity and its associated challenges around homelessness, community safety and (re)offending, public health and health inequalities, and social justice.

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<sup>1</sup> <http://www.exeterexpressandecho.co.uk/Exeter-s-St-Petrock-s-reports-increase/story-28486536-detail/story.html>

<sup>2</sup> <http://www.theexeterdaily.co.uk/news/business-daily-local-news/exeter-cab-reports-huge-rise-people-seeking-advice>

## Terms

It is important that we are clear about language. This document uses the following terms:

**Ambulant begging** - The practice of walking up to people to ask for money, as opposed to static begging. Can be an unintended consequence of enforcement action taken against the more visible practice of static begging.

**Anti-social behaviour (ASB)** - is defined as “Behaviour by a person which causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the person”. (Antisocial Behaviour Act 2003 & Police Reform and Social Responsibility Act 2011)

**Assertive outreach** - A way of engaging clients and organising and delivering care via a specialised team to provide intensive, highly-coordinated assessment, referral and flexible support. Characterised by a persistent, long-term presence and approach to building relationships.

**Begging** – Asking people for money, and in this context includes behaviours which include poor-quality busking, crafts etc.

**Designing-out** – Adapting, changing and designing the built environment to deter behaviours that are deemed undesirable or anti-social. (E.g. removing benches in areas frequented by street drinkers, gating shop doorways to prevent rough sleeping etc.)

**Enforcement** – Assertive and potentially punitive actions under legislative powers designed to deter, prevent, disrupt or punish crime and anti-social behaviour.

**Exit offer** – A comprehensive and accessible range of responsive, flexible social support – delivered within a multi-agency framework – designed to meet an individual’s multiple and complex needs *at the same time*, in order to achieve a sustainable exit from street-attached lifestyles.

**High-yield [begging] sites** – Locations with a built environment that are sites of repeat begging activity because they are perceived to be particularly lucrative. Examples include ATMs, night-time economy venues, and outside shops of a particularly high footfall.

**Homeless** – “You should be considered homeless if you have no home in the UK or anywhere else in the world available for you to occupy. You don't have to be sleeping on the streets to be considered homeless.” (Shelter.) People may still be considered homeless who are living in squats, in temporary arrangements with friends / family with no long-term prospect of settled accommodation, etc.

**Multiple and complex needs** – The experience of several problems at the same time, such as mental ill-health, homelessness, drug and alcohol misuse, offending,

and family breakdown. People with multiple and complex needs may have ineffective contact with services that are designed to deal with one problem at a time, and are often trapped living chaotic lives.

**New Psychoactive Substances (NPS)** – also called “legal highs”, NPS are defined by the present government as, “*Psychoactive drugs, newly available in the UK, which are not prohibited by the United Nations Drug Conventions but which may pose a public health threat comparable to that posed by substances listed in these conventions.*’ They are currently legally available in retail shops and through online distributors, but are the subject of draft legislation. (Psychoactive Substances Bill, 2015-16)

**Public Spaces Protection Order (PSPO)** - A public spaces protection order is an order that identifies a specific public place and gives powers to the local authority to prohibit specified behaviours in the restricted area and/or requires specified things to be done by persons carrying on specified activities in that area. The order may not have effect for more than 3 years and the Local Authority must consult with the chief officer of the police and the local policing body before issuing the order. Failure to comply with a public spaces protection order is an offence. Exeter City Council is currently consulting about imposing a PSPO in the city centre.<sup>3</sup>

**Rough sleeping** – Also called “street homelessness”, a type of homelessness where an individual quite literally is reduced to living and sleeping in open, public spaces – whether through circumstances or choice. Many people who sleep rough will suffer from multiple health conditions, such as mental health problems and drug misuse, and they are also in greater danger of violence, suicide and premature death than the general population.

**Sex work** – The exchange of sexual services for material compensation – and this can include cash, accommodation, and drugs / alcohol. Sex work is usually grouped as indoor (escorting, massage parlours, brothels) or on-street (outdoor), with the latter being considered far more risky, and associated with more chaotic lifestyles. Exeter has little or no on-street sex industry.

**Shoplifting** – An acquisitive crime that occurs when someone steals merchandise offered for sale in a retail store. Repeat and prolific shoplifting behaviour can be associated with class A drug use, and some police forces are reporting increases in shoplifting caused by destitution.

**Street activity** – A broad, generic term for a range of street-based anti-social behaviour, including rough sleeping, begging, street drinking etc.

**Street-attachment** – A term that recognises the “pull” that street-based lifestyles and peer relationships may have on individuals – including those that are now housed. “Street-attached” individuals may still spent significant periods of time on the

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<sup>3</sup> <http://exeter.gov.uk/pspo/>

street, remain part of street communities, and engage in street-based anti-social behaviour.

**Street community / street population** – A broad term for groups of people who are street-attached, and engage in street-based anti-social behaviour.

**Street drinking** – Consumption of (often high-strength) alcohol in a public setting outside of licensed premises. Street drinking can be associated with increased anti-social behaviour, litter, and aggression.

**Vulnerably housed** – A term for people who are technically housed, but where their accommodation is sub-standard, not sustainable or otherwise not assured, or where it is not suitable to their needs or possibly even detrimental to their health and wellbeing.

## Current overview

The issues of street homelessness and broader street activity have become recent “hot topics” both politically and in the media (including social media) recently. The increase in rough sleeping in Exeter over recent years has received significant publicity<sup>4</sup>, exacerbated by parallel potentially negative stories about both enforcement action<sup>56</sup>, as well as perceived inaction<sup>78</sup>

The Integrated Care Exeter (ICE) programme has a specific homelessness strand of its project plan to reduce health inequalities, and in an early mapping of services working with this cohort, over 20 organisations were identified as working with rough sleepers in the city – however, it was felt that these services are somewhat fragmented, as the commissioning and funding frameworks that underpin them are fragmented.

Part of the problem then (and one which initiatives like ICE are trying to address) is that the street community display multiple and complex needs, bringing them into contact with a range of services, commissioned by a range of authorities, across a range of public policy streams. An individual may present with concurrent offending, mental health, substance misuse and housing needs – and will have to access each service individually to address each need – with each service having different referral

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<sup>4</sup> <http://www.exeterexpressandecho.co.uk/Concern-number-rough-sleepers-doubles-Exeter/story-25901908-detail/story.html>

<sup>5</sup> <http://www.bbc.co.uk/news/uk-england-devon-35153934>

<sup>6</sup> <http://www.exeterexpressandecho.co.uk/Councillor-defends-order-Exeter-s-homeless/story-28361998-detail/story.html>

<sup>7</sup> <http://www.exeterexpressandecho.co.uk/Council-shut-blamed-leaving-parts-Exeter-looking/story-28434638-detail/story.html>

<sup>8</sup> <http://www.exeterexpressandecho.co.uk/Drug-users-throwing-used-needles-residents/story-26582590-detail/story.html>

pathways, assessment protocols, eligibility criteria, accessibility (including wait times) and expectations of client engagement and compliance.

There are multiple approaches, priorities and strategies which each – in silo – address one aspect of the problems facing or presented by the street community. There are reoffending prevention strategies, public health strategies, substance misuse and mental health strategies – and most recently Exeter City Council has reviewed and published its new draft Homelessness Strategy<sup>9</sup>.

At the same time, public perceptions and fears, together with legitimate concerns from the city centre business community can lead to a pressure to increase enforcement action – but resources available mean that this can often only be short-term, and has been criticised as simply displacing the problem.

Most recently, Exeter City Council has applied for a Public Spaces Protection Order (PSPO) and is currently engaged in a public consultation<sup>10</sup> on the issue which closes at the end of February. However, to date over 11,500 people have signed a petition<sup>11</sup> against the introduction of the order via the Change.org website. Although not in this scale, similar earlier attempts at specific enforcement action also met with some criticism<sup>12</sup>, with opponents of action (in this case against begging) often claiming that enforcement action merely temporarily displaces the problem.

The challenge for Exeter City Council, Devon & Cornwall Police and other stakeholders then is in how to firstly ensure that services commissioned and designed to meet various complex needs are as accessible and joined-up as possible; and then – on the other side of the equation – to agree a proportionate and reasonable scale of enforcement action that has the effect at each stage of highlighting the offer from support services.

### **The role of enforcement**

Enforcement action against people that are simultaneously seen as both problematic and vulnerable is a very difficult balance to get, and the debate can easily become emotive and polarised.

The issue is also not helped by the fact that – at present – there is little conclusive evidence to either support or oppose an enforcement approach, and the reasons why enforcement interventions for some street-attached individuals work, when for

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<sup>9</sup> <http://committees.exeter.gov.uk/documents/b10196/Homelessness%20Strategy%2019th-Jan-2016%2017.30%20Scrutiny%20Committee%20-%20Community.pdf?T=9>

<sup>10</sup> <http://exeter.gov.uk/council-and-democracy/consultations-and-petitions/public-spaces-protection-order-consultation/>

<sup>11</sup> <https://www.change.org/p/exeter-city-council-don-t-criminalise-exeter-s-rough-sleepers-or-destroy-their-belongings>

<sup>12</sup> <http://brianhuman.co.uk/wp-bh/official-graffiti/>



others they do not is currently poorly understood (Johnsen & Fitzpatrick, 2007<sup>13</sup>.) There is a five-year research study currently underway, Welfare Conditionality: Sanctions, Support, and Behaviour Change (running 2013-2018) which will inform future policy and practice through a comprehensive evidence base on the efficacy and ethicality of conditionality across a range of social policy fields, and diverse service user groups. Exeter's partnership might wish to consider contacting the Project Manager, Fleur Hughes, to discuss participating in the study.

Despite a lack of conclusive empirical evidence, early evidence suggests that enforcement action *can* play a role in helping *some* people exit street lifestyles in *some* circumstances. However, in other circumstances enforcement action has been seen to undermine efforts to achieve lasting positive outcomes for some clients – and at worst potentially drives them away from the very services they need.

What is known is that enforcement action only demonstrably contributes to positive outcomes when it is accompanied by comprehensive and appropriate support. Without that support, efforts tend to merely temporarily displace people (and therefore “the problem”) either by pushing them geographically, or by criminalising them, and therefore temporarily removing them through custodial pathways. (Johnsen & Fitzpatrick, 2007.)

That said, it must be recognised that dispersal and displacement can in itself yield other positive outcomes – though not necessarily for the individuals concerned. Dispersal can both improve public perception and reduce the public's fear of crime; and the reduced visibility of a street community can also reduce the “gravitational pull” that the street community can have on other marginalised and vulnerable people, including young people in or on the edge of care.

The research project also looked at evidence from the United States and Europe (Doherty *et al*, 2008) and found that street populations were often “squeezed” out of public spaces, with little or no compensatory support offered, or pushed into inadequate and substandard sheltered accommodation with harsh disciplinary regimes, and where a fear of assault, theft and harassment are common. Such approaches, perhaps not surprisingly, offer poor outcomes. Exeter's partnership might want to consider reviewing current emergency provision (e.g. Gabriel House, Sleep Safe accommodation etc.) from an ethnographic perspective to consider to what extent these environments are adequate, and promote engagement and recovery.

The drivers for enforcement action in the UK are seen as different. Staff within enforcement agencies that were interviewed for the study demonstrated support for enforcement approaches on the basis that they believed enforcement action would lead to better outcomes for the individual – and this consideration was placed above the needs of businesses, tourism or the wider public. Interestingly, while the top

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<sup>13</sup> <http://feantsaresearch.org/IMG/pdf/evaluation-2.pdf>

priority for members of the public interviewed was to see a reduction in the impact of street activity on their day-to-day lives, they were overwhelmingly most in favour of interventions where enforcement also incorporated substantial supportive interventions.

The research team too is starting from the premise that involvement in street activity is problematic because of the strong evidence that it is highly damaging to those involved. Aside from the well-evidenced risks associated with rough sleeping<sup>14</sup> (Crisis, 2011,) begging and street-based drinking / drug use also present high risks as proceeds from begging are most likely to be spent on alcohol and / or drugs, and there is a strong correlation between yield from begging and consumption, so higher “earnings” lead to higher use / consumption of drugs and alcohol<sup>15</sup>. (Fitzpatrick & Kennedy, 2000)

The study has looked at evidence from across five sites (Birmingham, Leeds, Brighton, Westminster, and Southwark) and has started to deliver a number of early messages:

- “Harder” forms of enforcement tended to be accompanied by more comprehensive and intensive support packages than “softer” approaches, and tended to be directed at those whose street activity was most persistent and / or aggressive, having the greatest detrimental impact on the wider community.
- However, street-attached individuals least likely to respond positively to enforcement were those that the longest histories of street activity and homelessness, and / or substance misuse; and who had untreated / undiagnosed mental health problems.
- Those who responded most positively included those that had some previous experience of stability in life, and had either some aspiration or goal which they saw as a motivation (for example reunion with estranged children), or had recently reached a “crisis point” which prompted them to consider change (for example bereavement, custody, or a “near-miss” event.)
- All that said, precise responses to enforcement (particularly in “harder” forms) were unpredictable.
- There is emerging evidence that enforcement can benefit *some* street users in *some* circumstances. It is most likely to be effective when integrated with a comprehensive package of support – where the offer of support is as assertive and persistent as the enforcement.

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<sup>14</sup> <http://www.crisis.org.uk/data/files/publications/Homelessness%20-%20a%20silent%20killer.pdf>

<sup>15</sup> <http://usj.sagepub.com/content/38/11/2001.abstract>



- There is a place for “harder” enforcement as a last resort when all offers of support have been refused and an individual poses a genuine risk / threat to other people (including other members of the street community) and / or to themselves.
- There is a need to where possible recognise the unintended consequences of some enforcement action. For instance, enforcement action taken against static begging can lead to ambulant begging which is less visible, but which the public may experience as more intimidating than static begging. Both support services and enforcement services need to appreciate that this is a relatively new area of social policy research, and that all efforts need to be evaluated to identify efficacy, but also to identify potential perverse incentives, or unintended consequences.

## Conclusion

Addressing street activity in all its forms (and meeting the complex and multiple needs that underpin it) is a growing priority across multiple strategic commissioning strands – housing & homelessness, substance misuse, preventing (re)offending, mental health, community safety, and public health. However, many services remain fragmented, because commissioning and subsequent service design is fragmented. The street community in Exeter has grown in recent years, and indicators are that – without action – it will continue to do so.

Some recent developments at strategic, tactical and service delivery level have sought to address this fragmentation, and to recognise that an effective community response will need to be collaborative, flexible, and integrated – with a preventative focus for those at risk of slipping into street-attachment, and with an assertive and persistent approach for those already street-attached. As resources within each commissioning strand become more squeezed, this type of co-design, co-production, and co-delivery of support will become more important.

Exeter has at times seen different attempts at enforcement action and “nudge” messages around street activity. Evidence increasingly suggests that without a simultaneous and comprehensive integrated package of multi-agency support, such actions are unlikely to achieve any lasting change within the lives of individuals, or in addressing the wider issue and trends.

The need for balance between establishing a comprehensive, integrated package of support – a so-called “exit offer” – with robust yet compassionate enforcement was the subject of recent discussion at Exeter’s Community Safety Partnership.

At that meeting it was resolved that the Chair of the CSP, Supt. Sam de Reya, would write to the lead of the Integrated Care Exeter (ICE) Homelessness project strand, ECC’s Bindu Arjoon, to request that a mapping of Exeter’s “exit offer” becomes an urgent piece of work within that strand. Once that offer is mapped, and the capacity, responsiveness and quality of the component parts of that offer is measured, the Community Safety Partnership, City Centre Issues Group, and Devon & Cornwall Police can then co-design (with representatives of the support services) a strategy of appropriate, proportionate and escalating enforcement – with assertive support interventions to present the “exit offer” again to individuals at each stage of the enforcement process.

### Recommendations

1. That the task of mapping the “exit offer” of support to enable and encourage people to leave street-based lifestyles and to engage with recovery is commissioned quickly. As the wellbeing hub currently hosts many of the services involved, as well as both the MEAM and Early Help Coordinators, and as Exeter CVS is not a direct provider of services to the street community, we would be interested in carrying out that piece of work.
2. That the baseline mapping of the “exit offer” establishes, as a minimum:
  - What the service is, what it does, its current key outcomes as defined by its contract, service level agreement or funding agreement, and current contract length.
  - The service’s referral pathways, eligibility criteria, and assessment processes.
  - The *possible* pathways that *could* be available for prioritised client groups – e.g. accelerated interventions with no wait times, out-of-hours interventions etc.
  - The current capacity of the service, with any current wait times, long-terms blocks / pressures / staffing challenges. It is very important that services that staff are honest and realistic at this stage, as any positive pledges (e.g. “we can house someone within one week”; “we can prescribe an opiate substitute within 72 hours”) will form the basis of future performance measures.

- Links, co-working and partnerships with other component services within the “exit offer” – recognising that information sharing and collaboration will be key to developing a coordinated, responsive city-wide “exit offer”.
3. That a shared statement is agreed that sets out tackling street-attachment as a key strategic objective for the city. Signatories (from strategic commissioners, support providers, and enforcement services) agree to prioritise this cohort, to behave compassionately, but to support both engagement and enforcement action – and not to deliver services in a way which either undermines trust and engagement, or which sustains street activity.
  4. That the “exit offer” (emerging from the mapping exercise) is pulled together, and points of access, pathways, eligibility criteria, information-sharing protocols, and shared outcomes are agreed. (The criteria for identifying which individuals would meet the definition of a priority for the purposes of rapid access to services is agreed at this stage.) We would see this as an extension of the work already partly undertaken through the MEAM approach, and would not need a “reinventing of the wheel”. Once agreed, the targeted, assertive, and case-conferencing approach of MEAM would continue to ensure oversight and effective coordination of support interventions.
  5. That the Exeter Community Safety Partnership, City Centre Issues Group, and enforcement services (ECC and Devon & Cornwall Police) is then tasked with defining a process of enforcement, with escalating interventions that are co-delivered with support interventions. (E.g. joint street-outreach, collaborative enforcement actions\*, custody in-reach and court liaison services etc.)

\*In some areas, for instance, substance misuse workers go into so-called “crack-house closures” behind police in order to engage with drug-users caught-up in the raid who are not necessarily the key targets of the operation, but nonetheless are entrenched users, and require support.

6. That the membership of what is currently the Exeter MEAM Executive and Operational Boards is reviewed, and that these bodies become the governance for this new shared approach to both support and enforcement strategies – and report in to the Community Safety Partnership, the ICE Board, and the Exeter Health & Wellbeing Board.
7. That these bodies regularly receive management information and performance monitoring data based on the agreed shared outcomes, and takes a reflective, learning approach to scrutinising this data – with a view to

using an evidence-based process to refine both the “exit offer” and enforcement tactics.

8. That the partnership considers linking with the University of York, De Montfort University, and others engaged in the *Welfare Conditionality: Sanctions, Support, and Behaviour Change* research project, and allowing Exeter to become a subject for future research to establish what works.

End.

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