

# Surviving Homelessness

by James Mandeville

## **The new lepers are the homeless**

From the outset, I would like to make it clear that not all homeless people are homeless because they choose to live that way. A few people do choose that way of life but many have homelessness thrust upon them. Each person's story is different and everyone's needs also differ. It is also true that not all homeless people are rough sleepers, there are many people who live in B&B's or in hostels. What classifies them as homeless is a lack of security of tenure, they are not guaranteed a roof over their heads for a minimum of six months, and hostel dwellers may not be certain they can return to the hostel the next night. They are by definition poor and cannot afford to rent a property in the private market place even if they have a job or a pension. Many have to live with live family or friends and become, what is not known as 'sofa surfers.' Under the UK definition of the term sofa surfers are also classed as homeless. There are no accurate statistics for this group, which means the true number of homeless people is likely to be far greater than the propaganda figures issued by central and local government.

**Despite attempts by the authorities and TV documentaries to depict homeless people as disease-ridden, as petty criminals, alcoholics, drug addicts, social misfits and people suffering from mental health issues, this is not always the case. Mori public polling for The Salvation Army found that people view the main reasons for homelessness as individual choices and circumstances. Reasons given included addiction to drugs and alcohol, or personal debt. Negative stereotyping prevails, the public have no sympathy for the homeless because they have 'done it to themselves.' People who experience homelessness or other hardships have simply failed to work hard and seize opportunities. This is a common held view and also was the view of Theresa May, the last Prime Minister.**

There are many homeless people who are not alcoholics, who do not take drugs, who are not criminals, who are not anti-social, who do not have mental health issues and are generally well adjusted and responsible people who have become homeless, destitute or both, through no real fault of their own. But society chooses to treat them without empathy, preferring to ignore them, or to regard them as human vermin. A massive 72% of the UK population believe that homeless people could get themselves off the streets if they wanted to and they hold this view without any understanding of the problems faced by the poor and homeless. Those with a social conscience can drop a tin of baked beans into a food bank collection box at the local supermarket. Homelessness and poverty is always someone else's problem isn't it? Well, actually it is officially the problem of the Parliamentary Under Secretary of State (Minister for Housing and Homelessness) until 25 July 2019 this was Heather Wheeler MP, currently the post is vacant.

**In March 2018, following her promotion to a Government position with responsibility for homelessness, Heather Wheeler told the Guardian newspaper that she did not know why the number of rough sleepers had increased in recent years. Wheeler rejected the suggestion that welfare reforms and council cuts relating to her Government had contributed to the**

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**rise. Earlier in the same month, Wheeler promised to resign if the number of people rough sleeping got worse while she was in office.**

Heather Wheeler was still in office on 25 July 2019, despite a significant rise in rough sleepers. Of course, the government statistics for the number of rough sleepers in no way truly represents the actual number of people sleeping rough in the UK, a fact upon which all charities helping the homeless agree. Wheeler's qualification for her position as the minister of state responsible for the homeless was ten years working for Lloyds Insurance before she became a career politician. It is significant that she remained in office after the election of Boris Johnson as Prime Minister until 25 July 2019, despite her having been spectacularly ineffective in her job. The fact that no one has replaced her as Parliamentary Under Secretary of State (Minister for Housing and Homelessness) could reflect on the new Prime Minister's attitude towards the homeless problem. Time will tell, so to speak.

Hannah Richardson, BBC 22 August 2019: **'More than 210,000 children are estimated to be homeless, with some being temporarily housed in converted shipping containers, a report (by Victoria Derbyshire) says.**

**The Children's Commissioner for England says that as well as the 124,000 children officially homeless, a further 90,000 are estimated to be "sofa-surfing". Victoria Derbyshire's programme tells of families housed in repurposed shipping containers and office blocks, and whole families living in tiny spaces.**

A spokesman for the Department for Communities and Local Government said, 'Anyone who feels they have been placed in unsuitable accommodation should request a review.' Thus totally missing the point that it was the councils who placed the families in unsuitable accommodation in the first place, the same councils who said they had no choice because of the growing number of homeless and the absolute lack of social housing (a legacy of Margaret Thatcher's government). The initial stage of the Review Process is handled by the same council officials who decided the accommodation was 'suitable' in the first place and if that cannot be resolved (which it won't be!) the second stage is an evaluation of the case by a council lawyer (who will reject the Review) and after that the only course of redress is the Ombudsman who can only recommend a solution, not overturn a decision made by the council. In other words, the Review Process under Section 7 of the Housing Act is a load of bollocks.

In November 2018 Shelter reported that 320,000 people in Britain have been swept up by the housing crisis and now have no place to call home. There are no up-to-date stats for 2019 (ignoring government spin on homeless figures) but it is likely that this figure of 320,000 now has dramatically increased. In 2018, more than 50,000 homeless people were living in B&Bs across UK – almost 10 times the official figure of 5,870 recorded by government, according to homeless charity Justlife. A third had been there for more than six weeks – despite this being unlawful.

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## **Britain, the greatest country on earth.**

Boris Johnson's first speech to parliament as UK Prime Minister 26 July 2019 contained the immortal rhetoric: '**...re-energizing our great United Kingdom and making this country the greatest place on earth.**' Way to go, Boris!

We are led by an elitist government who are as remote from the grass-roots problems of society as they could possibly be, despite all their protests to the contrary. We have a Shadow Government who are about as inspiring and as flat as a pint of southern beer. We have an elitist society and a great imbalance in the standards of living.

**The Institute for Public Policy Research (IPPR) commission on economic justice ranks the UK as the fifth most unequal country in Europe. Housing costs in Britain are disproportionate to income and over a fifth of the population live on incomes below the poverty line after housing costs are taken into account.** It isn't difficult to see that such a precarious housing situation can easily lead to more homeless, all it takes is for a few of the cards to tumble and there but for the Grace of God!

**Nearly one in three children live in poverty and the use of food banks is rising.**

**The top twenty percent of Britain's households earn six times more than the bottom twenty percent. Forty-four percent of Britain's wealth is held by ten percent of the population.**

The social values I knew as a child growing up in post-war Britain have seemingly now mostly evaporated. This was a culture more orientated to sharing and caring. In 2019, we live in a hedonistic society. In my experience today, Britons are a non-caring race, hypocritical, self-centred, cold, judgmental, unsympathetic and quite often unfair, down-right nasty and often violent to those in need, especially the homeless. OK, there are a few good, kind and helpful people around, but one rarely encounters them when one needs them most.

**'Several clients said that they or people they had known who were sleeping rough had their sleeping bags set on fire or had been urinated on while they slept. Children threw rocks and bottles at a client while he slept; on another occasion a man asked him if he was okay before striking him in the face and breaking his jaw.'** *source: St Mungo's article on the dangers of sleeping rough.*

It is not in the British mentality to care about the weak, sick and aged, these are groups of people that are viewed by government and the general public at large as a burden on society – a waste of space. Britons look down on those less well off than themselves, regard poverty and homelessness as being the individual's own fault that they are in the state they are in. The scene is set from the top:

## **Theresa May speaking in Parliament on Wed 3 Apr 2019:**

"No one wants to see poverty rising and we take this very seriously indeed but the

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only way to tackle poverty is a strong economy and a welfare system that helps people into work..."

Arbeit macht frei, Theresa? We have rising poverty, homelessness and soaring food bank use and Britain is the fifth biggest economy on Earth. Perhaps Theresa May and her government could have learned from the Nazi Party, the National Socialists solved the problem of homelessness relatively quickly:

Instead of destroying poverty, it was considered cheaper and more efficient to destroy the poor.

So Theresa May and her government saw full employment as the key to ending poverty and homelessness in Britain. Many homeless people actually have jobs or pensions but their income isn't sufficient to allow them to rent property in the private property market or to feed their families. Polly Neate, the chief executive of housing charity Shelter, told delegates at the housing summit in Sept 2018 that unless welfare reform and the benefits cap were reversed, the country would see "absolutely unacceptable levels of destitution". One could argue, Polly, that we already have absolutely unacceptable levels of destitution now!

## Zero Tolerance

Britons are naturally Serfs, it is in their genes, and the poor and less educated habitually look up to their "betters" because that is how people have been brainwashed from childhood. This brainwashing being reinforced by schooling and tradition. Consequently, parliamentary representatives who come from highly affluent and privileged backgrounds are elected by the masses. Our current Prime Minister Boris Johnson was educated at the European School, Brussels, Ashdown House, and Eton College. He read Classics at Balliol College, Oxford.

Not surprisingly, the privileged classes have no concept of what it is like to be poor and have no sympathy and zero tolerance for those less well off than themselves. Those engaged in politics are mostly self-seeking power people who promise all sorts of social reform to get elected but have no interest at all in doing anything to sort out Britain's growing levels of poverty. Keeping people poor is a means of suppressing the population. Maintaining vast inequalities in wealth and in the education system favours the rich middle classes. Educating the poor creates a real and dangerous threat to the privileged classes. If education and employment were based on merit rather than on privileged background many incompetent idiots in Britain's top jobs would fade into anonymity. But this is just a dream, it will never be allowed to happen despite Boris Johnson's promises to create a meritocracy in Britain where all will get an equal chance. Such promises are candyfloss.

## Children are the future...

**Government figures showed over four million children in the UK were living in relative poverty in 2018. That's one in three. As Universal Credit takes hold, more families will be pushed into poverty.**

Truly, a national statistic we can all be proud of. Again we could forcibly sterilize the

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poor as the Nazis did to thousands of their own people working on the principle that poor people cannot afford children as these would just become a future burden on the State. In Britain we may not go that route but one can never be sure of anything. We are led to believe Britain cannot afford to end homelessness and child poverty because the poor old tax payer just cannot afford to foot the bill, however:

**CND has calculated that replacing Trident, Britain's nuclear weapons system, will end up costing at least £205 billion, and that's before taking into account that Ministry of Defence projects typically go well over budget.**

**The cost of Brexit to the British economy is running at £40bn a year according to Gertjan Vlieghe, a member of the Bank of England's monetary policy committee.**

Theresa May also famously stated that homelessness was a greater problem in many other EU countries than in Britain. Well, that's no excuse but she could learn again from the Germans, this time the current ones:

New measures in Frankfurt now requires those who sleep in public places to pay an on-the-spot fine of €40. Homelessness in Germany has risen dramatically in recent years, with hundreds of thousands sleeping rough nationwide.

**09/05/17 Six young men charged with the attempted murder of a homeless man in a Berlin station have appeared in court. The attack, which sparked national outrage, was likely a "spontaneous act of boredom," prosecutors said.**

But that's Germany.

**Sun Newspaper, 16 May 2019: Laughing youths set fire to a homeless man's tent while he was still INSIDE and threw rocks at him. The heartless kids ran away laughing as the tent went up in flames in Dublin.**

**And in the UK?:**

**07/10/2017 Daily Mail: Two teenage girls set light to a homeless man's possessions in Portsmouth. CCTV recorded Nicola King urinating on the victim's bedding. She then provided a lighter to Jerely Evans so that she could set fire to the bedding, destroying the few possessions the homeless man had leaving him without any bedding or a blanket. The court heard the statement of the victim who stated after the incident that "he was gutted and could not believe that all his possessions had gone". The girls were given a four month's prison sentence.**

And currently? Has the way the Crown Prosecution Service dealt with King and Evans been a deterrent to others? Decide for yourself:

**13/07/2019: Scotland Yard said it is investigating after one or more people set light to homeless people sleeping rough in Croydon. Two people were**

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**treated for minor burns after their sleeping bag or other property was set alight, police said. The incidents were reported in the area of George Street and Surrey Street in the early hours of Monday. "Detectives believe others may have been targeted," a police spokesman said as an appeal was launched for any further victims or witnesses to come forward.**

These are not isolated incidents. Violent acts against the homeless are commonplace in Britain. Mostly, the perpetrators are young people who are under the influence of alcohol or drugs. The government do not see any of this as a priority and plan to end homelessness by 2029. Homeless people are not likely to be casting a vote at the next elections and are therefore of no interest whatsoever to politicians.

**Things the homeless need to know in order to survive:**

**It's not your fault:**

Experience of a homeless 26 year old girl:

**'Homelessness is something you never think will happen to you, until it happens to you. Never in my wildest dreams did I think I'd be sleeping rough and the experience made me realize that it could happen to anyone who doesn't have great financial means. It opened up a world that I'd been oblivious to. One of the biggest misconceptions is that all homeless people are junkies. Or that they're homeless because of a character flaw in the person and that they're dangerous and shouldn't be trusted. Vulnerable people are not dangerous.'**

If you are living in poverty, are homeless or are about to become homeless, this is what you face:

**Rule one** is to learn that no one in Government, Local Government, the churches, or those living in your immediate community could care less about you as a person or your situation; local council officers go by paragraphs of law and they have no in-built flexibility. If they seem to show an initial interest in your case and try to build a rapport with you, this a deliberate ploy to get you to trust them, so don't be fooled by them. They use this tactic to draw out sensitive information from you and to cross check what you have told them as they always work from the start point that you are misleading them.

**If the council offers you accommodation take it, even if it is not suitable. If you do not accept the first offer the council make they will declare you intentionally homeless or obstructive and not help you further. So, as rubbish as the accommodation may seem, take it and then fight your case once you are in (Citizen's Advice, Shelter Legal, etc.).**

You are now regarded as a burden and an embarrassment to society and quite often to your family and friends as well (these will very quickly desert you or turn against you unless you are very fortunate). You offend those better off than you with your

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very presence. You are an unpleasant statistic. You need to forget pride, shame and embarrassment and grow a thick skin because you will certainly need it. You are one of the new lepers about to find out what it feels like to be marginalized.

**Rule two:** When you ask the council for homeless help you are treated like a beggar. Beggars can't be choosers! And Beggars better accept that they will get kicked around, conned and abused by local councils. It is best to quickly realize that no one in government, and certainly not in local government, really cares about the homeless; it is all political rhetoric.

August 2019:

**Alison Morton, Housing Options Team Leader with Northallerton D.C. refused to listen to a 72 year old woman with a medical diagnosis that required treatment and aftercare. The council forced the woman and her 70 year old husband to move out to a village with no facilities and only two buses a day, making continuity of medical treatment very difficult if not impossible, at the same time, refusing to consider that the move left the couple isolated and deprived of their social network. Alison Morton decided under Section 7 of the Housing Act that the property on offer was suitable and issued a final offer letter, at the same time completely ignoring the definition of what constituted "suitability" under Section 7 of the Housing Act. Under threat of withdrawing financial help and any further assistance from the Council unless the property was accepted, the couple were forced into a property in a remote village with no amenities and restricted access to medical care, without amenities necessary for continued well-being and depriving them of any chance of finding work to improve their poor financial situation.**

This is not an isolated story, many experience inflexibility and insensitive treatment by housing options, especially the elderly. The attitude of most housing options officers is that they are doing you a favour and that you messed up saying, "You came to us for help," making it sound like you are the biggest nuisance on the planet and they are benevolently helping you at great personal expense.

**Inside Housing 01/08/18: An anonymous housing officer told reporter Kate Belgrave: 'Homeless households are viewed as "scrounging."'**

Certainly, that is the attitude of Hambleton D.C.'s housing options team.

The homelessness code of guidance for local authorities published by the Ministry of Housing, Communities & Local Government (22 February 2018) sets out a number of guidelines designed to help local councils deal with the embarrassment of having homeless people living in their area but it is all window dressing. Theresa May's government claimed they will end homelessness by 2029, by which time most people currently sleeping rough will be dead, ergo, problem reduced.

**Rule three:** Know what you are entitled to and be prepared to fight hard to get it or you will end up with very little or nothing at all. **Local Government housing officers, housing options teams and all those employed by councils to deal with homelessness in their area, are well trained to try everything they can**

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**to offer you the very least possible assistance they can get away with, preferably none, as this is the least expensive option for any Local Council.**

Under current homelessness legislation it is common for local authorities to offer extremely limited support to people who do not meet priority need criteria, even if they are at immediate risk of sleeping rough.

**Guardian 11 June 2016 Housing Options Officer: 'Homelessness options continues to be an expensive way to choose who deserves to have a roof over their head – a strange concept in the 21st century. But there's a lack of political motivation to change the system. So consultants, solicitors, my colleagues and I will continue to make a living out of playing Russian roulette with the lives of vulnerable and destitute people.'**

Even if you do meet current priority need criteria, housing officers will do everything in their power to offer you as little help as possible. If they do offer help, and you accept it, you are entering into a draconian regime who will hound you, bully you and threaten you. You will have the right to make decisions taken away from you, you have no right to express a need or opinion. You have to do what the housing options officer tells you to do or they will withdraw all help and support.

This seems to be the norm as this extract from St. Mungo's Community Housing Association on ending homelessness ([Nowhere\\_safe\\_to\\_stay.pdf](#)) illustrates. This article is some years old now but things have got worse not better since it was written:

'Most clients we interviewed told us that they felt worse when leaving a housing options service than they did when they arrived. This was often because they had not received the assistance to find accommodation that they had been hoping for... Several clients told us that they had also been upset by the way council advisors had talked to them and their lack of sensitivity.'

A lack of sensitivity pales in comparison to the rigid rule-obsessed approach by some local council officers:

**An elderly couple were unable to move from a B&B into a Temporary Housing Unit in Northallerton because the woman was deemed too ill to be moved by her doctor. Alison Morton, The Housing Options Team Leader at Hambleton D.C. insisted they move and said in her opinion the woman would be better off in the housing unit and she made no attempt to talk to the woman's doctor. The woman had recently suffered Type 2 Respiratory failure but Alison Morton was completely uninterested in how ill the woman was, the fact was there was a housing unit available and she insisted that under the Housing Act the couple had to move in to it. The couple had no alternative but to withdraw their homeless claim and go it alone, which led to great financial, medical and psychological hardship.**

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You need to know two things before approaching any local authority for homeless help:

1. How to deal with local council officers (LGO's);
2. Exactly what you are entitled to and how to get it out of the council

You also need to understand that some LGO's revel in their bureaucratic power and there is just no way of locating just one ounce of compassion in them.

## **Dealing with LGO's**

### **What makes them tick**

Central government, or Parliament, is the policy maker in the UK while local government carries out the policies of central government and ensures their implementation. Local government is the lowest tier in the country's administration system, the link at street level. Local government employees are mainly called Local Government Officers (LGO's). A LGO is a low level bureaucrat. The role of the LGO is to carry out the policies of the Council. In housing options LGO's nearly always see themselves as enforcers of the rules. In doing so, they almost inevitably predestine how to act in advance of their encounter with particular homeless cases.

There is some discretion and flexibility built into the Housing Act legislation for dealing with the homeless but most LGO's do not exercise this flexibility because they are frightened of their superiors and definitely frightened of being seen to make a mistake. The easiest way to avoid being accused of being too soft, or of making a mistake, is to slavishly follow the letter of the law and this is what happens. Other reasons they slavishly follow the rules is lack of experience and that they are not particularly intelligent, entry into the job being an academic qualification of GCSEs at O and A or following a vocational route taking the Level 2 Certificate in Housing Practice.

It takes a level of flair and intelligence to apply the rule of law, a police officer will do this using caution or warning rather than arresting every wrong doer. A housing options officer does not exhibit the same degree of finesse and intelligent application in interpreting the housing act because they are intellectually and often emotionally insecure so they put up defences, one of their defence mechanisms being rigidity, which also accounts for their often hostile attitude. This rigid interpretation of the law can also be because the housing officer doesn't really understand the law and is certainly incapable of interpreting the spirit of the law. The housing options team are also very influenced by the attitude of line management and the local councillors. Senior management in the local council are in turn influenced by the attitude of the current government towards homelessness, which accounts for the current lack of help for homeless people and those in poverty. Prevalent is the attitude that the homeless are scroungers and losers who should be given the bare minimum help and support and that poor people are work shy and lazy. What is important to government is that the homeless statistics for the local councils reduces annually so this is reflected in government statistics making it look as if Parliament has a working

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solution to poverty and homelessness.

To become a line manager in a housing options team is a matter of repeating the same work experience day in and day out over a number of years until length of service and a vacancy leads to promotion. So LGO's are not particularly well qualified for the job of interacting with people who are vulnerable. There are no set requirements for the job of LGO, but some local authorities ask for at least 4 GCSEs or equivalent. For some roles a LGO needs a degree or specific qualifications like town planning, urban design or historic building conservation, unfortunately LGO's in housing options are not required to have any further education, which means you are dealing with someone who is at the same cognitive level as the average school leaver who hasn't excelled at school and who knows little of the world.

LGO's can have other job titles, such as, Housing Options Advisor, Housing Officer, Benefits Officer, etc., which more closely defines their role. LGO's all see themselves as authority figures. The authority of LGO's working in the Housing Options Team comes from a set of rules, a mandate given to them by central government. These are the laws passed in Parliament dealing with homelessness that outline the duty of care by local government.

When a homeless person approaches a council's housing option team for help they become part of a process designed to intimidate and demoralize. The housing option team typically do not care if you are traumatized, unwell or embarrassed by your situation, they will quickly see any of these states of mind as a weakness in you that they can exploit.

Seeking help is not met with understanding and kindness, it is met with officialdom and bureaucracy at its worst. You are now part of the "system" and the system can do what it likes with you. You now have to do as you are told and if you object, refuse or even question the housing options officer you are likely to leave the council building not only with no help, but with the threat of all further help being withdrawn. LGO's take control of you by using the threat of withdrawing all help if you do not comply with everything they instruct you to do. You will hear this threat used often throughout your dealings with the local council's housing option team.

## **Darkness at Noon**

Housing officers also control you by not communicating what they are doing and explaining what happens next at each stage of your homeless application. By keeping you guessing they instil in you a state of worry and uncertainty, they are seemingly trained to do this because such behaviour does not come naturally unless dealing with a sociopath, and it is a cynical use of assumed power and a crude but effective way of exerting control over you. Another ploy they use is to talk over you and not give you a chance to say anything; they do not listen to what you are saying anyway, as in their world anything you have to say is automatically irrelevant.

Why do the LGO's act this way? It is all a game of power and control, their success is measured by not spending their budget and suppressing the truth about the number of poor and homeless in their area. These actions reduce the homeless statistics in

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the local authority's area. These are the statistics passed up the chain to central government; there is no independent evaluation of this data and thus central government can place whatever spin they like on the figures.

By making out a homeless person is intentionally homeless the person is taken off the homeless register, which makes the stats look even better. It doesn't matter if rough sleepers are denied help for whatever reason and the local council returns them to the streets because no one is counting them anyway, so no one is checking if the number of homeless is going up, staying the same, or going down. The local council will always work the figure to make it look as if they have an effective policy for assisting the homeless. If a council overspends on the homeless budget or if the number of homeless is proven to have increased, the elected councillors running the local authority are seen to be failing. You have just become a political pawn in a game run by local self-important people. Those who are elected by the general public have an Achilles heel, those employed in the council are less vulnerable but can still be dealt with, more about that later.

Is a Labour Council more likely to help the homeless than a Conservative Council? In a word, no. It doesn't matter what political leaning the local council has, the attitude towards homelessness remains the same.

## **Power base of LGO's**

An authority figure can only expect to have their orders obeyed if they have the means to enforce them. Housing officers use the Homelessness Code of Guidance for Local Authorities published by the Ministry of Housing, Communities & Local Government. In this code is a paragraph called: Intentional homelessness. Under this clause, a local government officer can refuse to offer any help. It is a draconian sting in the tail of what otherwise passed as good parliamentary legislation and was introduced by a Parliament whose members were not interested in helping the homeless despite their loud claims to the contrary. This clause was added because the law makers saw the homeless as a trouble making bunch of down and outs who needed to be treated harshly to get them to do anything to improve their own situation.

If you are homeless and have nothing, it is harsh to be told that you have to accept whatever is offered and do as a housing officer tells you, in their timing not yours, without questioning their decisions made on your behalf, and if you don't, you are making yourself deliberately homeless, thus yourself ending the local authority's duty of care towards you. The local authority has the duty to find you suitable and affordable housing and to make a plan with you to help you to move forward. All housing officers try hard to avoid this full duty as it is costly to the local authority. They work for the local authority, not for you. This paragraph is the let-out clause for local councils and they use it in two ways;

1. Ideally, to refuse any help and save money.
2. As a threat to make sure homeless applicants do as they are told and accept sub-standard housing, a subject I will be returning to later in this article.

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## **Standing up to authority**

Being able to stand up to authority doesn't hinge on bravery or courage, confidence or stubbornness. The processes and regions of the brain essential for rejecting ideas from authority figures are areas that are only just being studied. Some people can easily stand up to authority and others just can't at any cost. But everyone can learn and better their chances. If like me you find it easy to stand up to authority you are quite likely to be labelled as difficult. The skill is knowing when to stand up to authority and how to do it, rather than being tempted to stand up to authority just because you don't appreciate being bossed around by a total stranger who is pissing you off. It helps if you have respect for the person in authority. I would have much more respect for a Police Officer than I would for a Local Council Officer and there lies the rub! I admire the police for the work they do and respect them for their professionalism. I don't feel the same way about local council employees. If you choose to stand up to a LGO you need to evaluate if the effort is worth it, what it is you are fighting for and if it is achievable. You also need to know how are you going to achieve it. You must weigh up the risk and the reward.

## **Knowing when to stand up to authority**

This is all a matter of choosing your timing well. First of all hear them out, listen carefully to what they have to say. Never interrupt to make your point, wait for a natural pause in a conversation and then have your say. It is a good rule of thumb not to stand up for yourself until well into the meeting, try to move the mood of the meeting away from an authority figure lecturing you and get it round to being more of a dialogue, a discussion between equals.

Use sentences like:

"I see your point, however..."

"That's true, but seen from my side..."

Try to elicit opinion:

"Don't you think...?"

"What would you do in my position?"

## **Knowing how to stand up to authority.**

Never try to get sympathy, this will fall on deaf ears and be seen as a sign of weakness. However, it is good practice that you try to build up a good rapport with the authority figure, even though they will try to resist this. Give positive reinforcement. Do this by demonstrating your understanding of what they are saying, agree with them when you can and disagree only when you have to. Being honest about what you are feeling is the best policy, but do not criticize. Do not raise your voice, however angry you feel. Never be rude or insulting and under no circumstances appear threatening however provoked you may feel. All Council staff are nervous of becoming the victims of violence from disgruntled clients, especially those working in "welfare," and they will call the police if they feel even slightly at

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risk. Again, it is a matter of good judgment but there may come a time when you have to be forceful in expressing yourself, "Are you telling me that this is the **best** you can do for me?" Try empathizing before asking for something, "I realize that it is limited what you can do for me, but perhaps you know of a private landlord who may consider renting to me?"

## **Power-base and empowerment**

You need to develop a power base of your own so you can make legitimate challenges to the LGO's treatment of you. Knowledge is power and if you are to succeed in a request for homeless help from the local authority or to get State financial assistance you need to know your rights. What you are entitled to and why. You need to know what documents a housing officer will demand to see and you must have everything necessary with you. You need to be able to counter every argument against your case. If you get good at this the LGO's will try new ploys that are difficult for you to argue against, such as declaring that they do not have the budget to help you. This is a common ploy used by housing options and you need to be prepared to counter it. At all times you have to remain ice cold and rational, do not let emotions run away with you however desperate you are because this is what you are dealing with:

**A client was physically removed from a housing options office by the police after throwing himself on the floor and begging for help.** (source St Mungos.)

You need to clearly understand what legal duty a local authority has to help you if you are homeless. This legal duty depends upon an assessment of your situation.

## **Duty of care owed by a local authority**

In England, local authorities have legal duties to homeless people under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002. There are five hurdles which a homeless person must overcome in order to qualify as statutory homeless. If an applicant only meets the first three of these tests Councils still have a duty to provide interim accommodation. However an applicant must satisfy all five for a Council to have to give an applicant "reasonable preference" on the social housing register. Even if a person passes these five tests councils have the ability to use the private rented sector to end their duty to a homeless person. Most councils these days do not have social housing, they pass homeless people on to private landlords, however, the council is expected to assist in finding long term accommodation that is both suitable and affordable. The council's definition of suitable and affordable may differ from yours.

## **The five tests are:**

1. Is the applicant homeless or threatened with homelessness?
2. Is the applicant eligible for assistance?
3. Is the applicant priority need?
4. Is the applicant intentionally homeless?
5. Does the applicant have a local connection? (If you don't have a local connection anywhere the council you apply to must help.)

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People who pass these tests are regarded as "Statutory Homeless." Statutory homelessness is where local authorities have defined a household as homeless within the terms of the homelessness legislation. Where they are found to be in priority need and not intentionally homeless then local authorities will have a duty to offer accommodation. This can include families with dependent children, pregnant women, the elderly and adults who are assessed as vulnerable.

Given the costs of providing temporary accommodation, which is usually in low cost B&B's, and the limited amount of social housing in the United Kingdom, some Councils have been criticized for attempting to circumvent their duties under the law, a process which has been termed "gatekeeping". The term "Non-statutory homelessness" covers people who are considered by the local authority to be not eligible for assistance, not in priority need or "intentionally homeless". Non-statutory (sometimes inaccurately called 'single') homelessness is either where households or individuals are not found to be eligible, do not fall within the definition of priority need or who are deemed to be 'intentionally homeless' or have not gone through the legal application for housing.

Individuals and families who fall outside of the definition of statutory homelessness include:

- Single people and couples who have no dependent children and do not fall into the statutory definition of vulnerable;
- families with older children who are no longer dependent.

Many people living on the street, in hostels and other forms of temporary accommodation will fall into the category of non-statutory homeless. Consequently, many agencies in the voluntary sector tend to support those who are non statutory or single homeless. However, the division between the two groups is becoming increasingly blurred.

## **Statutory Homelessness Tests**

All local authorities in England have a legal duty to provide 24-hour advice to homeless people, or those who are at risk of becoming homeless within 28 days.

A local authority must accept an application for assistance from a person seeking homelessness assistance if they have reason to believe that the person may be homeless or threatened with homelessness. They are then duty bound to make inquiries into that person's circumstances in order to decide whether a legal duty to provide accommodation and assistance is owed. "Interim accommodation" must be provided to those that may be eligible for permanent assistance pending a final decision. If the local authority decides that a person is homeless but does not fall into a priority need category, then a lesser duty shall be owed which does not extend to the provision of temporary accommodation.

If the authority decides that a person is homeless and fits priority need but became homeless intentionally then the authority must ensure that accommodation is

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available for such a period as will give the person reasonable time to find long term accommodation, which can extend to provision of temporary accommodation. **A ploy used by some Councils is to inform applicants that because they are ruled as being intentionally homeless, then the Council does not have a duty of care to the person and does not have to help them. Understanding one's rights under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002 can mean the difference between leaving a meeting with a housing advisory service with help and leaving with nothing.** If nothing else, the local authority is, in all the above cases, lawfully obliged to offer advice and assistance.

## Intentional homelessness

Under 191(1) and 196(1) of the Housing Act 1996, "a person becomes homeless intentionally or threatened with homelessness intentionally, if:

1. A person becomes homeless intentionally if he deliberately does or fails to do anything in consequence of which he ceases to occupy accommodation which is available for his occupation and which it would have been reasonable for him to continue to occupy
2. For the purposes of subsection (1) an act or omission in good faith on the part of a person who was unaware of any relevant fact shall not be treated as deliberate.
3. A person shall be treated as becoming homeless intentionally if— (a) he enters into an arrangement under which he is required to cease to occupy accommodation which it would have been reasonable for him to continue to occupy, and (b) the purpose of the arrangement is to enable him to become entitled to assistance under this Part, and there is no other good reason why he is homeless.
4. A person who is given advice or assistance under section 197 (duty where other suitable alternative accommodation available), but fails to secure suitable accommodation in circumstances in which it was reasonably to be expected that he would do so, shall, if he makes a further application under this Part, be treated as having become homeless intentionally.

An act or omission made in good faith by someone who was unaware of any relevant fact must not be treated as deliberate.

If the applicant qualifies under the five criteria (that they are not ineligible for housing, such as a person subject to immigration control; that the applicant is statutorily homeless or threatened with homelessness; that they are of 'priority need'; that the applicant is not intentionally homeless; and that the applicant has a local connection) then the local authority has a legal duty to provide accommodation for the applicant, those living with them, and any other person who it is reasonable to reside with them. However, if the applicant does not have a local connection with the district of the authority then they may be referred to another local authority with which they have a local connection (unless it is likely that the applicant would suffer violence or threats of violence in that other area). **If a person does not have any**

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**local connection then the first Council they apply to for help must offer assistance. But without a local connection there is no chance of social housing only help renting in the private housing sector.**

## **How a Local Authority Defines Homelessness**

A person does not have to be roofless to qualify legally as being homeless. They may be in possession of accommodation which is not reasonably tenable for a person to occupy by virtue of its affordability, condition, location, if it is not available to all members of the household, or because an occupant is at risk of violence or threats of violence which are likely to be carried out.

## **Eligibility**

Certain categories of persons from abroad (including British citizens who have lived abroad for some time) may be ineligible for assistance under the legislation.

**One of the main issues here is possession of a national insurance number, without which a council may refuse to help or if they do assess a homeless application they will request the applicant to reimburse the council fully for all costs involved in their application if they cannot claim the money back from the housing benefits department. If you are a British citizen who has lived abroad for some time and need help it is advisable to first seek help from the local Citizen's Advice Bureau or get help from a lawyer through one of the homeless charities like Shelter.**

British Citizens who have lived abroad may have to pass the Habitual Residence Test before they can qualify for Council help in securing accommodation for the homeless. Each case is considered individually. In some cases British Citizens will become habitually resident immediately on their return, but in others it could be longer. In determining how long, the relevant authority will consider facts such as:

- Where the person lives or has been living since returning;
- Where they have family or friends;
- The reasons why they have come to live in the area;
- Where they intend to live in future
- Whether they own a property in the UK;
- If their possessions mostly in the UK;
- If they are registered with a GP and dentist and have set up a bank account;

However this list is not exhaustive and the authority may consider other facts to be relevant. To contest a habitual residence test decision, you should firstly ask for a 'mandatory reconsideration' which can then be escalated on to a formal appeal if required. Your local Citizens Advice Bureau may be able to assist you with this process.

## **Priority need**

People have a priority need for being provided with temporary housing (and given a 'reasonable preference' for permanent accommodation on the Council's Housing Register) if any of the following apply:

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- They are pregnant;
- they have dependent children;
- they are homeless because of an emergency such as a flood or a fire;
- they are aged 16 or 17 (except certain care leavers [orphans, etc.] who remain the responsibility of social services);
- they are care leavers aged 18–20 (if looked after, accommodated or fostered while aged 16–17)

They are vulnerable due to:

- Old age;
- a physical or mental illness;
- a handicap or physical disability;
- other special reason (such as a person at risk of exploitation);
- 

They are vulnerable as a result of:

- having been in care (regardless of age);
- fleeing violence or threats of violence;
- service in one of the armed forces;
- having served a custodial sentence or having been remanded in custody.

## Local connection

Someone may have a local connection with a local council area if they fulfil any of the following:

1. They live in the area now or have done in the recent past,
2. they work in the area, or
3. they have close family in the area.

(It is possible to have a local connection with more than one area.)

## The private rental sector

Because of the lack of social housing most councils in the UK pass the homeless on to private landlords. Most councils have the ability to use the private rented sector to end their duty to a homeless person. The council has a duty to ensure that any private rented accommodation they place a homeless person in is fit for purpose and affordable. The housing officer is not obliged to inform the homeless candidate of this duty. If one does not know about this duty by the council it is most likely that the housing offered will be the first available, suitable and affordable or not. In fact, these two duties are often neglected and are open to wide interpretation by the housing officer in charge.

Affordability often means the person taking the rental accommodation is forced to live in real poverty, all the emphasis by the housing department being on paying the rent, council tax and all the outgoings. The tenancy has to be sustainable, which means the tenant can afford to meet all the expenses of the home for the duration of the

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tenancy. There may be little or nothing left over for food and subsistence but the housing officer will not care about that because the housing department is measured by providing accommodation not on whether or not the homeless person has an acceptable lifestyle. Fit for purpose can be very loosely defined as being a building that is watertight and in a reasonable state of repair. Basically you are being offered a roof over your head but the accommodation is likely to be an unfurnished empty shell with no kitchen white goods but there has to be a means of providing heating (often just a simple electric fire is regarded as being sufficient) and there has to be a toilet and a means of washing.

Many private landlords buy cheap property at auction, do some minor repairs only, and then put the property up for rental at the highest rate the local market can bear. Quite frankly the homeless person is being moved into a slum, which is an investment property for the private landlord and you are paying off the landlord's mortgage. The landlord can give you notice and within one month you can be out on the street again. There is no security of tenure for the tenant, although the current government promises to look at improving tenant rights, (don't hold your breath for it to happen).

As the homeless by definition do not have much money if any, being placed in an unfurnished empty shell of a building is quite a shock. To my knowledge, housing officers are likely to tell the person they can sleep on the floor or on an air bed and buy furniture and kitchen equipment from secondhand and charity shops. It escapes the council's attention that a homeless person often cannot afford to buy even from charity shops. It also does not matter what age the homeless person is, even a 70 year old with health problems will be placed in such accommodation and the council then sees it has done its duty to the homeless. For the elderly it can be a very daunting task setting up a home from scratch, especially one from which you can be moved out of at a month's notice. There are some charities who can help but this depends on the area in which you live and you must fall into some tightly defined categories before help is forthcoming and it will be limited.

The lack of social housing came about because Margaret Thatcher the Conservative Prime Minister in the 80's passed an Housing Act allowing council house tenants to buy their homes, thus creating the current lack of social housing. This situation was exacerbated by David Cameron's government controversially extending the right to buy to housing association tenants.

## **Accepting an offer if you think the home is unsuitable**

If you're homeless or in temporary accommodation it's best not to refuse an offer of a council home. If you think the local council has offered you housing that is unsuitable or unaffordable it might be better for you to accept the home you've been offered because it could be your only chance to get one. Refusing could also make your situation worse, for example if your local council reduces your points or removes you from their priority list. Even if you're offered another property later on it may be no better than the one you've refused. Get help from your nearest Citizens Advice if you're not sure whether to accept an offer if you think the home is unsuitable. Complain once you have accepted the tenancy and moved in, your case will be stronger.

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## **Housing stock in the Private Housing Sector**

The standard of private rented accommodation in the United Kingdom is generally of a very low standard. Many private landlords do not want tenants who are receiving housing benefits purely because benefits are paid in arrears and private landlords want payment in advance. There is also considerable social stigma in Britain against people receiving housing benefits. Private landlords who will accept tenant on benefits usually operate at the very bottom end of the housing market. These properties are usually bought at auction, are run down and in socially deprived areas and the landlords may do absolutely nothing to improve the properties because they cannot recoup any investment as the rental rate gives a very low profit margin. These landlords buy under the buy-to-let mortgage schemes that are favourable to the landlord and they usually aim to rent out the property at a monthly rental that gives them a profit of around 8% return on investment. These private landlords are not philanthropists, they are solely in the property market as an investment and they do not care at all about their tenants, all they want is the monthly rent to be paid regularly and on time. They usually will not repair or improve a property in any way and the tenant is left with bearing the expense of maintaining the landlord's property or living in a damp, cold slum.

**A BBC Panorama investigation has uncovered the extent to which unethical landlords are taking advantage of nationwide housing shortages and the fact that local councils have little power to penalize them for shoddy accommodation. Rogue landlords are charging monthly rent of hundreds of pounds per resident; it's estimated that around £3 billion per year is being handed over to landlords for substandard accommodation.**

There is a general acknowledgement amongst private landlords that standards do not have to be high, the expression, 'It's good enough as a rental,' is quite common when assessing the condition of a property.

## **Are you better off sleeping rough?**

My view is you could well be better off. My view may be interpreted as being radical, but it is based on experience of both sleeping rough for an extended period and having tried getting help from Hambleton District Council, an escapade that wasn't worth the mental strain and anguish.

Independent Newspaper: May Bulman Social Affairs Correspondent 14 August 2019: **A homeless person dies every 19 hours in UK, figures show at least 235 people affected by homelessness have died over the last six months, ranging from the ages of 16 to 104 years old. Not all of them were sleeping rough some died in sheltered accommodation. There has been a surge in rough sleeping in England, with government figures showing the number of people sleeping on the streets has increased by 165 per cent in the past eight years.**

There is no doubt that sleeping rough has dangers. The danger most homeless charities cite is health issues resulting from exposure to cold and damp, this combined with the difficulties of maintaining personal hygiene. These are very real dangers but it doesn't end there.

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**The greatest danger of sleeping rough is violence by members of the public, mainly from people who are drunk or on drugs, or just downright nasty, bigoted people, of which this country of ours excels in producing. There is the risk of aggression from other homeless people who may see you as trespassing on their territory.**

The situation varies depending upon where you are located in the country but the police can be as much of a problem as the general public.

**It is often the case that the police regard rough sleepers with suspicion and do not want them on their patch. Remember the police are controlled by the local authority, or at least are influenced by the local council leaders.**

You should also be aware of the Vagrancy Act of 1824 which is still on the Statute Books. The Vagrancy Act states:

**Persons committing certain offences to be deemed rogues and vagabonds.**

*'Every person committing any of the offences herein-before mentioned, after having been convicted as an idle and disorderly person; ...every person wandering abroad and lodging in any barn or outhouse, or in any deserted or unoccupied building, or in the open air, or under a tent, or in any cart or wagon, [F5 not having any visible means of subsistence ] and not giving a good account of himself or herself...' '...it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by the confession of such offender, or by the evidence on oath of one or more credible witness or witnesses,) to the house of correction for any time not exceeding three calendar months.'*

**Between 2017 and 2018 there were 1,127 arrests for vagrancy by police forces in England and Wales.**

SO, to sleep rough you risk:

- Exposure to the elements and associated health risks;
- Acts of violence and aggression from members of the public;
- Being arrested under the archaic Vagrancy Act of 1824, being declared a rogue or vagabond and fined or sent to prison for up to three months.
- 

If this is the case, why would I advocate sleeping rough as an option? The reason is the alternative, which is the sheer ignominy of being processed as a "case" by a local council, the inadequacy of council help in finding accommodation and being forced into an unscrupulous private rental market that is expensive and that gives no medium to long term security.

**If you are a person who can live life simply and be prudent with money and if have any sort of small income you may be better off sleeping rough and saving your money rather than wasting it on temporary accommodation or putting it in the hands of unscrupulous private landlords. It's a way of saving**

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## **up so you can move on in life.**

However, you need a plan and you need to know what you are doing if you decide to go it alone and turn your back on the scant help offered by your local council.

### **Choosing your site**

If you take the jump and decide to live rough it is important to make a reconnaissance of your area. There is very little land in the United Kingdom that is not either in private ownership or is State owned. There is a steady privatization of public space. Streets and open spaces are being defined as private land after redevelopment. This means you could be prosecuted for trespass for sleeping in certain streets or parks because they are in private ownership. In addition to the criminal measure referred to above, a range of other less formal measures may be used by businesses, security companies and local councils to deter rough sleeping, including:

- Defensive architecture: Street furniture and the urban environment may include features such as spikes; curved, downward sloping or segregated benches and seats in streets, parks and bus shelters; and gated doorways closing off alleyways, to deter rough sleeping;
- Wetting down: Spraying and hosing down doorways/alleyways with water or cleaning products to stop rough sleepers using the space;
- Noise pollution: Sounds, such as loud music, are projected through speakers to deter rough sleepers;
- Moving-on: Security guards/enforcement agencies tell rough sleepers to move out of an area and use force or threats of prosecution under the Vagrancy Act to make them move.

A rapid recce of a town or village will quickly determine if these deterrents are in use by private firms and local planners. If they are in evidence it is a very clear indication that the local population, local council and local police are actively discouraging rough sleepers rather than helping them and are using these defensive measure to further marginalize and drive away the poor and homeless. You should try another location rather than run the gauntlet.

**Monday 25 March 2019; A group of homeless people were kicked out of public tunnels next to the Houses of Parliament. One man claimed he was told by a police officer that an MP had complained about their presence.**

**Two of the men who had been sleeping in the tunnels to keep warm told The Independent Newspaper that Metropolitan Police officers ejecting them had cited section four of the Vagrancy Act 1824. 'The police told me to get up and leave.' One of them said, 'We're moving everyone from the tunnels so the MPs can get to work.'**

Sleeping in view of the general public carries with it risk and reward. You certainly risk being targeted by the police and outraged locals who don't want you in their

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area. On the other hand, you have some protection from aggression and are less likely to be picked on by a member of the public who doesn't want others to see him or her kicking your head or setting light to you as punishment for being less fortunate than he or she is. There is a possibility that you may be contacted by a charity's outreach team who will try to help you (they can't force you off the street but may give you food and warm bedding.) You may also find companionship with others sleeping rough but be warned that a group sleeping rough is more likely to attract a public complaint and receive police action than a single rough sleeper.

Be aware that the police actively encourage members of the public to report the whereabouts of people sleeping rough so they can get rid of them. (The public are often led to believe they are doing a good thing and helping but they have no idea that the police just want rough sleepers off their patch, there is no compassion in this scenario.) Do not stay in one location for more than a day or so. It is best to have several locations that you can move between. If one area becomes unattractive you always have some options to turn to and it is best to move right out of one area to another even if you plan to return at a later date.

Take careful note of CCTV, avoid sleeping near jewellers shops, banks, bus or rail stations etc., as these are all monitored 24/7.

## **Sleeping in a vehicle**

How you behave as a rough sleeper also is defined by your circumstances. If you are sleeping in a car it is best to find a public car park that is not policed at night. Always read the notices at the entrance to the car park and heed any warning about not being allowed to overnight, find somewhere else. If you have to pay a small overnight fee, always do that if you can to stay within the law, and move off well before the morning time limit to avoid being noticed by traffic wardens who may bring you to the attention of the police or local council.

Technically, it is not illegal to sleep in a car because when the Vagrancy Act of 1824 was passed through parliament there were no cars and a car cannot be classified as a cart or wagon because a cart or wagon has to be pulled by horses or by hand and a modern motor car has its own means of propulsion and thereby is not defined in the Vagrancy Act. So, if you are not violating any road traffic conditions no policeman can insist you move on or arrest you for sleeping in a car, lorry or van under the Vagrancy Act. However under the Vagrancy Act the police can ask you to give a good account of yourself, for this reason have your plausible cover story ready (on holiday, got tired and stopped for a rest, seeking work and accommodation in the area, etc. Know where you came from and where you are headed. Do not lie to a police officer as this is an offence.) Although you are not committing an offence by sleeping rough in a vehicle you still should keep below the radar and try not to draw too much attention to yourself. This is a standard policy for all sleeping rough however you set about it.

If there are no suitable car parks, find a quiet side road out of view of house windows and move off early morning before the residents are active. Do not repeatedly return to the same place as this will quickly be noticed. It is better not to sleep in areas that advertise Neighbourhood Watch schemes, if you do and are challenged by residents,

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be aware that if it is not a private street or lane they cannot object to your presence but it will cause aggravation and they may call the police who will check you out and treat you with suspicion. Keep low in a car so you are not obvious through the windows; if you can, swap your car for a light van, you are going to be much safer sleeping in the back if no one knows you are inside it. It is obvious I guess, but make sure all your doors and windows are secured whatever the outside temperature. There have been numerous reports of members of the public urinating through car windows of people sleeping rough even if they have children with them. There is no end to generosity of the milk of human kindness.

Sleeping rough successfully in a car is a clandestine existence but considerably easier than being on foot and using public transport. As with all rough sleepers do not outstay your welcome in any one particular area, especially in a rural one where everyone knows everybody else's business very quickly. Make sure you have a good cover story if challenged by the public or the police.

## **On foot or using public transport.**

If you are on foot as a rough sleeper you are obviously more noticeable because you have to carry everything you own with you at all times. Try to blend in by looking as normal as possible, for example, do not use a rucksack obviously kitted out for "camping" in an urban area use a carrier that doesn't look out of place like a sports bag or similar to carry a tent, sleeping bag and cooking gear. In a rural area things are easier in some ways because you can look like a walker and camper.

If you can afford it use buses to travel long journeys especially inter city night buses where you can get a safe night's sleep in relative comfort of a bus seat. Most of these buses have a loo and a wash basin. If you have a pensioners bus pass these are not valid on national express buses but you can find long bus journeys on regular routes where you can get a couple of hours sleep in safety. Keep hopping buses as long as you can, it works but takes a bit of planning.

Finding a safe and sheltered place to sleep is always going to be a challenge if you are on foot. There are homeless out there who are not nice characters and you run the risk of being robbed or beaten up if you try to befriend them and move in on what they regard as their "patch." If someone is too kind or friendly be wary as they are probably weighing up their chances of robbing you. Be equally wary of any member of the public who offers to help you, be sure of their motives before trusting them. A good rule is to stay in the proximity of others but far enough away from them to allow you to beat a hasty retreat if necessary. Make sure you are never trapped, for example, in a dead end alleyway or in an underpass which can be blocked off at both ends.

When you are living rough on the streets think like a soldier using escape and evasion tactics. Sometimes it is prudent to hide in amongst others, like buying a coffee and sleeping in an all night McDonald's or similar place. Do not sleep in bus stations, rail stations or airport lounges as these are all constantly monitored by CCTV and you will be thrown out or arrested. It is increasingly difficult to find a roof over your head, even churches are locked up at night but you may be lucky enough to find a rural church that is open. "Knock and the door shall be opened onto you" doesn't apply to

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modern day Christianity, God currently only operates on a Sunday between 11am–12am and 4–5pm, but the local vicar, pastor or priest may allow you to spend a night sleeping on the church floor – no reason not to ask for help, but don't be too hopeful.

Hospitals are also useful places for the occasional night's sleep. Walk around as if you know what you are doing and seek out family rooms or rest areas. Just settle down and sleep in a chair, making sure that your belongings are not easily stolen as this also happens in hospitals as sneak thieves target hospitals regarding the sick as easy pickings. Hospitals have maps of the building in most corridors so you can easily find where family rooms are and it is worth looking if there is a 24 hr. chapel because this will rarely be used – just get out of it before 7 am is a good rule and as tempting as it may be, don't sleep on the floor, sleep on a chair so you will be less noticeable if anyone enters the chapel as they will think you are praying or grieving and are likely to leave you alone. In some hospitals family rooms also have a kettle and tea making facilities but do not over extend your stay as the nurses will eventually notice you, so have a good cover story ready if challenged, and if you are challenged make a discreet exit. Do not tell them you are homeless as this will not be met with sympathy it will be met with ignominious eviction from the hospital premises. Remember that hospitals also have CCTV in most corridors and you should sort out where you are going at evening visiting time so you are less likely to be singled out for attention by hospital security. You are more likely to get away with sleeping in a big regional hospital than in a small cottage hospital.

**The Express and Star ran an article about homeless people pictured sleeping in Wolverhampton Library (Dec 17, 2018). 'A public library is for everyone regardless of their position in society,' a council spokesman said.** Public libraries have long provided shelter for the homeless although some councils are attempting to ban the use of libraries as places of shelter for the homeless in an attempt to drive them off the streets using the council logic that if you provide any comfort for rough sleepers you are in fact encouraging them and not driving them back into gainful employment. Some libraries have the policy of waking up sleepers and telling them the library is not a de-facto day shelter. The homeless traditionally use libraries, especially in the winter, to keep warm and dry and to charge cell phones and laptops, but even this practice is being stopped in some public buildings with the installation of locked electrical outlets. Anything to make life for homeless people harder and more unpleasant. If you are tired and need shelter, need to recharge your phone and buy a cheap cup of coffee your local library is worth investigating. You can also read newspapers, magazines and books there!

You may have to get creative to find shelter because everything is designed in modern society to marginalize you, defensive architecture and the like. Try sleeping in the daytime when you are less vulnerable, during the daytime there is significantly less risk of being attacked or arrested, so try sleeping in the local parks or on the beach or anywhere you can find that gives shelter from the elements.

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## Looking after yourself / keeping safe / minimizing personal risk

As a marginalized, despised and rejected member of Britain's caring society you have to be smarter than the average bear if you plan to sleep rough even for a short period. Keep your possessions down to the bear minimum and travel as light as possible, be prepared to move at a moment's notice.

## Looking after yourself

### Personal hygiene

It is not smart to draw attention to yourself. One of the musts is to keep up your personal appearance, this means keeping washed and your clothes clean. Both these are very difficult to do when living rough. If you can manage to look neat, tidy and clean, then people will react better to you despite your bad fortune and you will have easier access to places where there are toilet and wash room facilities, such as department stores, libraries, colleges and public buildings. Personal hygiene is important also for your own health's sake and to keep up your self-confidence and to make you feel as good as possible about yourself. So how to set about it?

Looking well groomed aids self-esteem. There is a charity of hairdressers who will cut the hair of homeless people free of charge, if you are lucky enough to have a member in your area give it a go. Details can be found on <https://www.haircuts4homeless.com>. If they don't operate in your area visit the library and look up how to cut your own hair (beard) on the Internet using scissors. A sharp pair of hairdressing shears are expensive £12.00 upwards but they are a good investment. You need a good comb and a mirror, you're set to go. If you have a friend who can help you it makes things easier if you trust them.

Washing can be a problem and you need to make use of public toilets. Recce the best facilities in your area, choose one with liquid soap and paper towels, hotels are good for this, as are the local library, council offices, etc. Find a time when there are few people around then quickly wash face and under the arms. Baking soda is very cheap. Pat baking soda onto your underarms to neutralize body odor. Use a wet towel for lower parts and try to clean essential areas every day. You can also wash your hair in public facilities but for this you will need a cup to rinse the soap off.

Washing clothes in a public convenience requires some nerve but just go for it. Take a plastic bag with you, wash one garment at a time and take it away wet to dry later. Simple soaps like shower gel work best for this, they clean the clothes very well and are quickly rinsed away. Drying clothes in winter is difficult and a good way to do this is to go to the library, chose a seat near a radiator and hang a single garment over the back of your chair as near to the radiator as possible. It may take two or three visits to dry one pair of trousers or a T-shirt.

Looking after your teeth is important. On the NHS you can get free dental treatment; talk to your local Citizen's Advice to help you with this. Most dentists will give away a free toothbrush and you can use baking soda as a replacement for toothpaste if you can't afford toothpaste.

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## Keeping warm

Only carry the bare essentials as you have to carry everything you own with you. Work on the three layers of clothing principle: an inner layer to wick away sweat, a warm middle layer and a wind and waterproof outer layer. Duplicate clothes should be limited to a spare inner layer to wear when the other one is being washed, spare socks and underwear. You can limit clothes washing to inner garments and socks only for quite a long time. If you are in a cold climate, you have to have a hat, scarf and gloves to keep extremities warm. Try to source clothing and shoes from charity shops and do not be shy about haggling over the prices, they want to shift the goods but these shops are increasingly raising their prices as people who do have money think it fun to find secondhand and retro items of clothing and this demand has hiked up prices. Tell the shop person you don't have a lot of money but be prepared to have to pay something as there is no charity in the charity shops. If you can get hold of them, buy a long heavy duty cycle cape and waterproof leggings as this will keep you dry even if you have to sleep under a tree or in a shop doorway.

## Keeping safe

Although sleeping rough leaves you vulnerable it is better not to be tempted to carry an offensive weapon like a knife. Unless you have military training it is more than likely assailants may take the knife from you and use it against you, don't give anyone the means to make an attack on you worse. Of course, it is illegal to carry a knife in most countries and you will be in serious trouble if you are caught with a knife in your possession or if you injure someone with a knife. But you are allowed to defend yourself if attacked and to this end get hold of a golfing umbrella, find a good secondhand one, as this will be stronger than a cheap new one. A large umbrella is an efficient way of sheltering from heavy rain, it makes a good weapon to fend off unwelcome attention from humans and dogs, and it is not regarded as a dangerous weapon (unless you deliberately stab someone in the eye with it, in which case, you will be in serious trouble). Fighting off an attacker with an umbrella uses the same skills cane fighting. Look this up on the Internet and practice the moves. If you have the possibility, join a club and learn self-defence techniques, sometimes membership of these clubs is free. The best way to stay safe is to be careful of your location and stay vigilant. If possible always try to walk away from trouble rather than being confrontational, there is no shame in avoiding trouble, even elite soldiers are taught to avoid unnecessary conflict.

## Sleeping

Bedding needs careful thought if you are genuinely sleeping rough; if you are sleeping in hostels and shelters your needs are different. If you are using a lightweight tent or if you are sleeping under a tree it is essential to get as far off the ground as possible and to this end use a lightweight plastic foam sheet, the thicker the better. A folding camp bed is a worthwhile investment if your load carrying capability permits an additional 3.5 kilos of cargo. A tent is, of course, preferable to sleeping out in the open and if you plan to get a tent, choose one with a built in groundsheet, such as, the Wild Country Tents Zephyros 2 EP Tent that weighs just 1.85 kilos and costs under £200. This reduces the risk of flooding and attack by insects such as ticks and lice.

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If you are sleeping outside always sleep fully dressed and tuck trousers into your socks, try to protect your neck and face. If you can afford it use an insecticide cream and do not have bare arms and legs or you will certainly get bitten. Tick bites in particular can be dangerous as some ticks can infect you with Lyme's Disease. To keep warm you have the choice of using a sleeping bag or a couple of lightweight wool blankets. Each has its advantages and disadvantages. In a sleeping bag you are vulnerable to attack and it is not easy to escape from a bag if someone sets light to it or to your tent, whereas, blankets do not so easily catch light and can be thrown off, leaving you better able to protect yourself. On the downside, wet wool blankets are very heavy and difficult to dry. Fleece blankets are cheaper, lighter, warmer and dry faster.

## **Sleeping indoors – squatting.**

In winter months it is wise to seek shelter indoors in a hostel or look for an empty building, outhouse, or barn (if you want to run the gauntlet of the Vagrancy Act). If you move into premises owned by someone without permission you are squatting. If you decide to squat you need to know the law. In September 2012 section 144 of the LASPO (Legal Aid, Sentencing and Punishment of Offenders Act) in the UK made it a criminal offence to trespass (squat) in residential properties with the intention of living there. The definitions in the law are open to some discussion, but if a building or part of it was designed for people to live in before you moved into it, it is defined as residential. [If you live outside the UK you should carefully research the trespass laws in your own country as these vary greatly from place to place.] If you do trespass in a residential property with the intention of living in it, the owners or their agents cannot remove you or they will be committing an offence by forcing entry to a building which is occupied, and this includes squats. Only the police force can legally force entry and evict you, and they will do so, and arrest you.

The new September 2012 law does not apply to commercial property, only residential. Squatting in commercial properties is a civil matter, not a criminal offence and the police cannot force entry or evict you. For that matter, neither can the legal owners of the property, they have to go to a civil court to get you evicted and this takes time. If you are taken to court you do not have to attend and the court has to give you notice of the eviction date. It is a good idea to leave before the court bailiffs arrive to enforce your eviction. You even have the legal right to phone the court to ask for the eviction date. An Ordinary Court Possession Order takes time but if the owners have applied for an Interim Possession Order (IPO) and succeeded, you will have 24 hours (from when the court order is served) to move out, or you could be arrested. The above information on squatting was taken from the Advisory Service for Squatters (ASS), Angel Alley, 84b Whitechapel High St, London, E1 7QX. They are open Monday to Friday 2-6pm. Tel: 0203 216 0099 Fax: 0203 216 0098. Email: [advice@squatter.org.uk](mailto:advice@squatter.org.uk). Website: [www.squatter.org.uk](http://www.squatter.org.uk). If you need advice or run into legal trouble or are being harassed by the police or the rightful owners of a property you should call the ASS for help and advice immediately.

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## **Sleeping indoors – hostels and shelters**

Hostels should be regarded as a last resort. They are relatively expensive per night and rely on housing benefits.

**There's 18 people packed in one big room. It's chaotic, and there's a lot of drugs and alcohol going on, which I really want to keep away from. I never really felt comfortable there at all.** Reported Paul, a homeless man in Bristol.

Some shelters will only take in people who are entitled to housing benefits and turn away homeless who aren't able to pay their quite high daily rate. In other local authorities shelters are having to close because councils claim that a shelter doesn't constitute a dwelling because the claimant has to leave in the morning, taking his or her belongings, and has no automatic right of return. How councils interpret the ruling on what constitutes a dwelling is a "local decision" but this is all about the local council saving money, not about helping the homeless. It can sometimes be difficult to get into an emergency hostel or night shelter. Some have waiting lists or some will only take people who have been sent there by advice agencies, the local council or outreach teams. A few hostels and night shelters will accept people at the door. These are sometimes called 'direct access' hostels but are often restricted to young people, people with health or addiction problems, people from a particular culture or people who have been sleeping rough for a long time.

The problems with homeless shelters and hostels is they were conceived for the wrong purpose. They try perhaps, to fulfil too many roles. The rise in numbers of people with serious mental health issues, alcohol and substance abuse is a marker of the poverty and helplessness of our times. Wealthy people also have mental health issues, take drugs and drink to excess because of other ills in society but they are not as noticeable as the poor. Many hostels do not simply provide a roof for the night, they offer assistance to people with real issues. While there is obviously a need for this sort of care it is not certain that the homeless hostels and shelters are the right venue for this if it is done at the expense of those who merely want a safe night's sleep for little money. I am not seeking to offer answers to these questions, this article is advice for the homeless or those facing homelessness and I would like to warn people that they must take care and find out as much about a particular homeless shelter or hostel as they can before making use of it.

Volker Busch-Geertsema and Ingrid Sahlin, Department of Social Work, Göteborg University, Sweden looking at the role of hostels and temporary accommodation concluded:... **an organized provision of mainstream housing, let with security of tenure and coupled with support when requested by the residents is the only working solution to homelessness and would also minimize the need for homeless hostels.**

At best, hostels satisfy emergency needs for a bed, a roof and a place to stay and may be used by local councils as temporary accommodation while assessing a homeless claim. At worse, low quality hostels and night shelters make up an appalling alternative to other kinds of accommodation, and are used by local councils to serve a function as punishment and deterrence with view to coercing homeless

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people to try and remain in other types of housing, for example sofa surfing or staying with family to reduce the load on homeless options. Some councils see hostel living as preparation for future regular housing, especially for the young, however, learning how to survive in an institution does not facilitate independent living, conversely, it might entail opposite results: institutionalization, secondary adaptation and stigmatization.

## **Why do people end up in hostels and shelters?**

According to "The hidden truth about homelessness" by The Centre for Regional Economic and Social Research, Kesia Reeve, concluded:

**Evidence emerged that single homeless people who may be entitled to accommodation are deterred from applying, many are misinformed about their entitlements, not all are given the opportunity to make a homelessness application, local authorities do not always fulfil their duty to 'advise and assist' homeless people, and that when advice or signposting is offered it is of little or no use.**

Because single homeless people do not usually qualify for priority need when means tested by council homeless options teams they do not get the help they need and become a hidden homeless statistic. This means that homelessness in Britain is a much greater problem than Central and Local Government care to admit.

## **If you are offered housing**

If you are offered housing by your local council, either in council managed accommodation (very rare) or in the private housing market, your problems are not over yet. If you are of pension age and have been offered priority housing the next problem in your personal struggle with homelessness is setting up your new home. Housing provided by both private landlords and housing associations are just empty shells in the UK. It is most often the case that the kitchen will have no white goods, there will be no floor covering or curtains. You will need to source everything you need from a cooker to a sweeping brush and setting up even a small home is expensive. If you are a pensioner and have been receiving pension credit guarantee payments you can apply for help in the form of loans and grants. All the charities that help homeless senior citizens, such as the Salvation Army, Age UK, etc., have this rule and if you do not receive pension credit guarantees they will not help you even if your need is greater than people receiving these means-benefit credits. Basically, if you do not qualify for pension credit no one will help you with funds for furniture and white goods.

This also means that there is very little help for younger people needing this sort of financial help. The local council housing options team are supposed to help you with advice and contacts but they most likely won't help you at all. Once you are off their homeless register they have no duty of care to you and although they should at least help with advice if nothing else, don't hold your breath. Prepare to sleep on bare floorboards, live on sandwiches and sacrifice your privacy. You will have to pay rent, council tax, water rates, meter charges and fuel charges in return for having a roof over your head. If you default on your payments and get thrown out of your home

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the local council probably won't help you a second time so you will end up sleeping rough again. Be warned that if you do not pay your council tax you could be sent to prison, so if you are struggling to pay the outgoings on your new home give council tax a priority over all else.

## Case Study:

**An elderly couple who applied to Hambleton District Council for homeless help ended up living in a remote village south of Middlesbrough that only had one bus route and a bus twice a day with no possibility of accessing a railway station and returning home the same day. This lack of transport meant they could not travel to Durham, Darlington, Leeds or Newcastle without an overnight stay, which was financially impossible for them. This made it impossible to attend meetings with the Dept. of Works and Pensions, a passport office, other government offices or obtain essential health care. The lack of public transport made it impossible to maintain contact with their social network in the Northallerton area and to make matters worse, the local bus service is likely to be axed, leaving them entirely isolated. To exacerbate the couple's misery living in the place, when they moved in it was completely empty, and they had to sleep on the floor and had no cooker, fridge or washing machine. They could not even afford a sweeping brush to sweep the floor. Travel to the shops for food necessitated a whole day's outing, access to food banks in the area wasn't possible. Every penny they had was needed to pay the outgoings of the one bedroom bungalow. How could the local council's homeless team allow this situation to happen? Here's how:**

Hambleton DC housing options team leader decided the bungalow was "suitable" and issued a final part 6 offer notice to the couple under the current Homelessness Code of Guidance, which was introduced on 3 April 2018. The Code recommends that applicants are allowed a 'reasonable period' (the length depending on the circumstances of the applicant) to decide whether or not to accept. It goes on to say that applicants should be given the opportunity to view properties before being asked to accept, and where this is not possible being given information about the property including, for example, photographs and the opportunity to speak to the landlord or agent. Ideally, they should be given the opportunity to consider more than one property.

In the case of our couple they were not permitted to consider more than one property they were told if they did not accept the property on offer no further help would be given.

Under Part 7 of the Housing Act 1996 in assessing "suitability" the local authority must take into account:

- The significance of any disruption to employment, caring responsibilities or education of the applicant and her/his household;
- the proximity and accessibility of medical facilities and other support which are currently being provided and are essential to well-being;

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- proximity and accessibility of local services, amenities and transport.

At a meeting with the couple the housing options team said that they had decided the property was suitable despite protests that the bus service being the couple's only means of transport was so limited that current medical support could not be readily accessed and any chances of obtaining employment to subsidize the couple's income was impossible because of the remote location and lack of transport. It was impossible to get help from any food banks because of the timing of the buses. The housing options team didn't care.

## **Final say.**

As is often the case with help by local authorities for the homeless, there is no consideration for the homeless person, everything is just a matter of strict interpretation of the Housing Act and there is no real caring, help or compassion. Local Government Officers just do not care about the people they are supposed to be helping, it is a cynical operation and this handling of the vulnerable is evidenced over and over again. The elderly couple mentioned above were housed by the council in a B&B before the move. The B&B was scheduled for demolition, had asbestos in the walls and ceilings, was in a bad state of repair and decoration and had no facilities for making food or storing it. A family housed in the same B&B were told by the council they had to move into a single bedroomed property, which had to suffice for two adults and two young children.

Homeless prevention in North Yorkshire, especially in Hambleton district, is especially badly run and operated. This is based on my personal experience of them. It would appear that many other councils are just as bad. The staff do not even pretend to care, they are rude, surly, disrespectful, offhand and uber-bureaucratic. The homeless prevention team is run by a team leader who would have been better employed in an 18th Century house of correction and her style of management influences those who work for her. Unfortunately, homeless prevention in North Yorkshire is apparently quite typical of the way other local authority housing options teams operate, as is evidenced in the many complaints received by homeless outreach organizations and organizations trying to help the homeless.

For all their faults and ills, the way local councils handle homeless help is only the sharp end of the problem, the responsibility for the nation's homeless and poor rests with Parliament. Having said that, it can no longer be an excuse that councils do not have council houses to rent out. The councils were all quick enough to sell them off under the Thatcher regime and they did nothing to even attempt to replace them with more modern social housing. Homelessness and poverty has always been a slight on society, it is not a new phenomenon. The truth is that homelessness and poverty are low priority for central government and for local government who are left dealing with the problem. Neither government institution tries to solve the problem of poverty and homelessness – instead, they merely stick a plaster on the wound hoping it will somehow go away. It is a complex social problem and the local government officers handling it are just not intelligent enough, qualified enough or even caring enough to get anywhere close to finding a long term solution. In fact, they do not see this as their remit, they merely apply the letter of the law being the

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Housing Act. The Housing Act is designed to control the homeless population, not to find a long term solution to the problem. Parliamentarians do not seem to be anymore caring or capable of solving this social problem than does their local government lackeys.

Homelessness and poverty, either singularly or in unison, can drive people into a state of despair. The so called mental health issues of the poor and homeless often go hand-in-hand with problems of depression, hopelessness, anger and despair. Nine times out of ten these factors are related to poverty and financial problems that seem, to the victim, to be insolvable. Having it rammed down their throats that bad decisions and mistakes may have led to financial difficulty doesn't help someone in financial difficulty pull out of the void and sort their lives out. People suffering from anxiety and depression do not respond well to negative criticism and more pressure. This is one of the reasons there is a high mortality rate among the homeless. People simply just give up on life, ergo death can seem a very attractive option when times are as bad as can be and everyone who is allegedly helping is being harsh and authoritarian. This applies to the law courts as well as the councils and institutions who are supposed to be helping the vulnerable.

These emotional lows experienced by the vulnerable are often coupled with alcohol and drug use as mechanisms to escape the fear and pain of the situation. Not everyone who experiences poverty and or homelessness turns to drink and drugs but the media would have us think otherwise. Marginalization, stigmatization and ignorance fuelled by TV documentaries that sensationalize poverty and homelessness have definitely been instrumental in turning public opinion away from sympathy for the under privileged to contempt for them. This contempt seems now to be entrenched in the psyche of the nation and also its political leaders. For example: Growing numbers of vulnerable homeless people are being fined, given criminal convictions and even imprisoned for begging and rough sleeping, the Guardian Newspaper revealed:

**Despite updated Home Office guidance at the start of the year (2018), which instructed councils not to target people for being homeless and sleeping rough, the Guardian found over 50 local authorities with public space protection orders (PSPOs) in place meaning homeless people were being banned from town centres, routinely fined hundreds of pounds and sent to prison if caught repeatedly asking for money. Cases included a man jailed for four months for breaching a criminal behaviour order (CBO) in Gloucester for begging – about which the judge admitted "I will be sending a man to prison for asking for food when he was hungry" – and a man in Carlisle was fined £105 after a child dropped £2 in his sleeping bag.**

The Homelessness Reduction Act, introduced in 2018 and described at the time by ministers as the "most ambitious legislation in decades", places a duty on councils to support anyone who is homeless, or who is at risk of becoming homeless, within 56 days. This led to more people being placed in temporary and emergency accommodation as a result of the act. B&B owners do not want the responsibility of taking homeless cases in, leaving councils struggling to accommodate them amid a

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lack of affordable housing. Charities and politicians warned last year that as well as failing to provide councils with enough money to deliver on their new obligations, the Act failed to address the root causes, and was in some cases leaving vulnerable people without help. So, the government is passing the problem on to councils, many of which are gate keeping, trying to prevent people going through the system, because the councils can't pay for temporary accommodation. They have no social housing to offer the needy because over the past decades local councils did not lobby Parliament for funds to invest in social housing stock. They didn't invest because local councils had the attitude they were well rid of the problem of managing council housing.

Clearly, solving homelessness is ultimately the responsibility of central government. The government must increase the supply of social housing and at the same time improve the welfare system so it covers the real cost of renting. There needs to be a redistribution of housing stock with ownership of second and third homes being banned and for government to take over and control housing stock owned by landlords profiteering under the ridiculous buy-to-let mortgage schemes. The government needs to appropriate all empty residential dwellings bought for investment, often by speculative foreign buyers. In short, the housing situation in Britain is a national disgrace, the way central and local government handles poverty and homelessness is a national scandal and the treatment of the poor and homeless by the great British public is a severe indictment of the depths of hedonism, cynicism and lack of caring to which the nation has sunk.