

HOMELESS BILL OF RIGHTS

In accordance with international human rights treaties and in line with domestic law and the democratic and humanist values that underpin it, we, Brighton and Hove City Council (“the Council”) declare:

It is the constant concern of the Council to respect and uphold the rights of people who are experiencing homelessness, in particular their right to housing. While working towards that goal we are determined not to contribute in any way to the harsh and inhuman conditions too often experienced by people who do not have a place to live.

We believe that it is the responsibility of all individuals, businesses and organisations, and of all local authorities, including ourselves, to commit themselves to improving the living conditions of people who are homeless and to lessen the negative effects of homelessness.

To help achieve this, and in common with other cities throughout Europe, we believe that it is important to re-state that every person who is experiencing homelessness is entitled to the same treatment as any other resident in the city area. No one should be denied rights because they are homeless.

In particular we commit ourselves to making effective the following rights:

1. The Right to Housing

The most important right a homeless person has is to exit homelessness. Services supporting access to appropriate housing must be accessible to all homeless people. In partnership with other competent public authorities, the Council shall work to ensure that there are sufficient routes into housing to meet need.

2. The Right to Shelter

Where housing cannot be immediately provided, there must be access to decent emergency accommodation for all homeless people. The Council is committed to ensuring that there is sufficient emergency accommodation available to all, so that no one is forced to sleep rough for want of a bed.

3. The Right to Use Public Space

People who are homeless should have the same right to use public space and to move freely within it, and to rest in it, as anyone else. This includes, but is not limited to, access to pavements, parks, public transport and public buildings on the same terms as any other member of the public.

4. The Right to Equal Treatment

The Council is committed to ensuring that their staff and services uphold the right to equal treatment for all, without discriminating against the homeless.

5. The Right to a Postal Address

The Council shall secure that homeless people who need one have an effective postal address of last resort.

6. The Right to Sanitary Facilities

The Council commits to providing access for all homeless people to basic sanitary facilities – running water (drinking fountains), showers and toilets sufficient to allow for the level of hygiene appropriate to maintaining human dignity.

7. The Right to Emergency Services

The right to emergency services – social services, health services, the police and the fire service – on equal terms with any other member of the public, without being discriminated against because of their housing situation or their physical appearance.

8. The Right to Vote

The right to vote, to be included on the electoral register and to be given the necessary documents to prove their identity when voting in elections, without being discriminated against because of their housing situation.

9. The Right to Data Protection

People who are homeless have the right to data protection, with their data only being shared by public and other services with their consent and only for the purposes of providing services and solutions to them. Homeless people have the same right as everyone else to exercise control over their personal details, particularly their health information, their criminal record if they have one, their housing and their private life and family history.

10. The Right to Privacy

The right to privacy must be respected and protected to the fullest extent possible in all types of accommodation, including communal accommodation structures and informal accommodation lived in by homeless people. The Council is committed to working to ensure that all emergency accommodation provided can deliver on this right.

11. The Right to Survival Practices

The right to carry out practices necessary to survival within the law. While the Council strives for a city in which such practices are not necessary, we recognize that where people have no other option they will seek support from other people through begging or foraging for discarded food to survive. Such survival practices should not be criminalized as such, or banned, or arbitrarily confined to specific areas.

12. The Right to Respect for Personal Property

People who are homeless should have their belongings, including tents and sleeping bags, respected by everyone including public servants. They should never be damaged or thrown away or be removed without compelling need, and if they are removed they should be made available for collection without charge.

13. The Right to Life

The right to life requires public authorities to take measures to preserve life. When people who are homeless (including people in emergency accommodation) die, the Council is committed to ensuring that their deaths are recorded as such, and that in each case there is a reasonably public investigation in order to understand the causes of death and what might have prevented it.