

Special Interest Group: accommodation for people in contact with the criminal justice system
27th September 2017

Present

Andrew Lerigo, *Langly House Trust*
Laura McIvor, *St Petrocks*
Gladys Nkrumah, *Advance Minerva*
Paula Reid, *Homeless Link*
Ruth Jacob, *Crisis*
Helen Berresford, *Nacro*

Neil Baird, *Changing Lives*
Shelly Carter, *De Paul*
Vanessa Dixon, *Shelter*
Nathan Dick, *Clinks*
Nicola Drinkwater, *Clinks*
Graham Mackenzie, *Ministry of Justice*

1. Welcome and introductions

- 1.1. Nathan Dick welcomed the group. Apologies were received from Erika Jenkins, *Housing 4 Women*; Bev Williams, *Stonham Home Group*; Sally Clarke, *Giroscope* and Imogen Johnson, *St John's Approved Premises*
- 1.2. This special interest group (SIG) into accommodation for people in contact with the criminal justice system will feed directly into the work of the Reducing Reoffending Third Sector Advisory Group (RR3). It is sponsored by RR3 representative Beverly Williams, Director of Criminal Justice Services at Stonham Home Group.
- 1.3. The SIG has a standing membership and will meet bi-monthly for 6 months. It will also be important to engage with people with lived experience and the group will explore the most effective way this can take place. The group also recognised that there are some gaps in the expertise of the members in relation to the specific needs of groups with unique needs, including those with protected characteristics.

Action: the SIG to consider how best to engage people with lived experience

2. Update and steer from the Ministry of Justice

- 2.1. Ministers recognise that suitable accommodation is important to support people on their desistance process and reduce reoffending.
- 2.2. A different legislative landscape exists impacting accommodation outcomes for people in contact with the CJS across England and Wales; Supporting people funding, for example, still exists in Wales. It would be useful for the group to consider and reflect these differences in any outputs it produces.
- 2.3. It would be useful for the special interest group to draw out some of the barriers to accessing accommodation, as well as some of the suggested solutions to them. International comparisons would also be useful. The department would welcome the special interest group being innovative and bold in its approach.
- 2.4. Following the update, the Group raised the following issues, which were their initial thoughts:

- **Responsibility:** it was highlighted that the challenge with accommodation and the criminal justice system is that there is no one department nationally or statutory organisation locally responsible for this, so people can fall through the gaps.
- **Probation providers:** Organisations highlighted challenges with the payment metric that has been passed down by probation providers as they are often prohibitive to achieving positive accommodation outcomes for people. They also questioned whether payment by results has encouraged organisations to undertake 'tick box' behaviour, rather than providing the accommodation support people need.
- **Supported housing:** Organisations highlighted the issue of the proposals announced by the Government for the future funding of supported housing and the potential implications this could have for people who have offended.
- **Homelessness Reduction Act:** The duty to refer is a key part of the Act that could have positive implications for people in contact with the criminal justice system. The Ministry of Justice confirmed that both public and private prisons, probation providers and youth offending teams will all have a duty to refer under the Act, which was welcomed by the group.
- **Welfare reform:** Organisations highlighted the impact of welfare reform and the challenges associated with the roll out of universal credit

[Note: Graham Mackenzie (Ministry of Justice) left the meeting after this item]

3. Timeline of recent developments

- 3.1. Clinks gave a presentation outlining some of the recent developments and research in relation to accommodation outcomes for people in contact with the criminal justice system.
- 3.2. Clinks, in partnership with Homeless Link [published a scoping exercise in February 2017](#) which explored the impact Transforming Rehabilitation has had on accommodation outcomes. The work involved interviews with key stakeholders including those in the voluntary and statutory sector across both England and Wales. The findings highlighted that worsening accommodation outcomes were taking place due to many factors including pressures on housing supply and reductions in Local Authority Budgets which are leading to fewer housing options for people. However, Transforming Rehabilitation has caused disruption and confusion for many. Clinks and Homeless Link recommended the development of an accommodation strategy to address these challenges.
- 3.3. The recent recommendation report [published by Crisis for the All Party Parliamentary Group for Ending Homelessness found:](#) there was a lack of understanding of who was responsible for meeting the housing needs of prison leavers; prison leavers were often unaware of what would happen to them on release; and instances where prisoners could not make appointments with Housing Options services or the Job Centre Plus whilst in custody.
- 3.4. There have been a series of inspection reports, including a joint thematic inspection report on through the gate services for [short sentenced prisoners](#) and [an inspection of through the gate resettlement services for prisoners serving 12 months or more](#), that have catalogued instances where people were released from prison with no stable accommodation and highlighted that more could be done to address the accommodation needs of people leaving prison.
- 3.5. There have also been many changes to the welfare system which has implications for this agenda. This includes Local Housing Allowance reductions, the 1% rent reduction for the

social rented sector, the roll out of Universal Credit and the future funding of supported housing.

4. Early Intervention and Prevention- opportunities, challenges and good practice

- 4.1. Given the context of the previous presentations, the group discussed the opportunities and challenges for addressing the accommodation needs of people in contact with the criminal justice system. The discussion focused on three areas- early intervention and prevention; prison and probation; and joining up outside of the criminal justice system.
- 4.2. The Ministry of Justice are aware of the link between homelessness and contact with the criminal justice system, which organisations felt was positive. Organisations highlighted that supporting someone with Mortgage and Rent arrears can be important to prevent someone offending in the first instance.
- 4.3. Organisations didn't feel there was a lot of work taking place at early stages in the criminal justice system, including by the police or in court to identify and address accommodation needs for people.
- 4.4. One organisation said they did provide accommodation advice in police cells but the funding was prohibitive and the service had to stop.
- 4.5. Organisations asked whether Liaison and Diversion services routinely ask about accommodation issues, and if they did, if issues were acted upon. Organisations identified this as a possible opportunity for improving practice.

Action: Clinks to explore whether Liaison and Diversion services routinely ask about accommodation issues

- 4.6. As the National Probation Service complete Pre-Sentence Reports they also have an opportunity to identify whether someone has an accommodation need. Again, it is unclear how often these issues are identified and acted upon.
- 4.7. The Homelessness Reduction Act (2017) and its focus on early identification and prevention was seen as positive by the group. They questioned how it would translate into practice when the act comes into force in April 2018 and what public bodies in the criminal justice system would be responsible for. It could be an opportunity for better partnership working between Local Authorities and criminal justice agencies. There is currently a code of guidance being developed about the Act that organisations felt would be useful to influence. Further to this, there will be a public consultation on the guidance in November.

Action: Shelter to feedback any opportunities for the SIG to inform the guidance being developed

Action: the SIG to consider making representation to the consultation on the Homelessness Reduction Act guidance due in November

- 4.8. Making every contact count was highlighted as an area of good practice that organisations felt could be built on and adapted for encouraging people in contact with the criminal justice system to disclose information about their accommodation. It is key that voluntary organisations are able to engage in this.
- 4.9. One area of good practice was highlighted at HMP Low Newton as people on remand are asked about their accommodation needs.

Action: SIG members to provide Clinks with information about the good practice taking place in HMP Low Newton

5. Prison and probation - opportunities, challenges and good practice

- 5.1. Organisations felt there needs to be more education and leadership about what homelessness is, especially 'invisible' manifestations of homelessness. One organisation said they had seen a deterioration in practice as people are released from prison to go to unsafe, unstable accommodation but this is increasingly recorded as a positive accommodation outcome.

Action: SIG members to provide Clinks with information about where people are released from prison to unstable accommodation but this is recorded as a positive outcome.

- 5.2. **Data:** There is no reliable data collected about accommodation outcomes for people serving a community penalty and on release from prison, which was highlighted as a challenge.
- 5.3. **Women's experiences:** One organisation said they were finding it particularly challenging to address the accommodation needs of the women they were supporting, who were serving a community penalty. This was due to experiencing the following barriers: women not being in priority need for housing; their needs being too high for supported housing providers and being defined as intentionally homeless. The needs of the women, including experiences of domestic abuse, sex working and drug use also create barriers for them to access accommodation.
- 5.4. **Recall:** Organisations said that when someone is breached it can cause challenges for their tenancies and they questioned whether this is taken into account by probation providers. The group were concerned that there is a perverse incentive for probation to breach people due to the way they are contracted. One organisation gave an example of where Community Rehabilitation Companies are breaching women who are street homeless due to concerns about their safety.
- 5.5. The Basic Custody Screening Tool 2 was highlighted as a positive tool for identifying and salvaging existing tenancies.
- 5.6. **Short-term sentences:** serving a short term prison sentence can make it challenging for someone to maintain their tenancy and organisations raised concern that in some cases these issues are not identified or responded to.
- 5.7. **Through the gate:** some organisations felt that the work is to, rather than through the gate, which caused challenges for someone's resettlement. In one area an organisation said they deliver both advice and support in prison and resettlement work in the community, which they felt worked well and was a good example of true through the gate provision. Prior to the implementation of Transforming Rehabilitation, another organisation provided a specialist through the gate service in their local prison but this service is now provided by a national organisation. Due to a lack of resource, this service consists primarily of signposting. The organisation went on to say that they have seen an increase in people being released from prison with no fixed abode.

Action: SIG members to provide Clinks with information about their effective through the gate provision

- 5.8. One organisation said they had moved away from providing housing advice commissioned by the new probation provider as they didn't feel there were enough safeguards put in place. Another said that before the transforming rehabilitation reforms they had three workers providing accommodation support in prison. Now they only have one and their caseload is around 80-90 people at any one time. This led organisations to question the right level of resources by probation providers. They highlighted that the recommissioning

of services could be an opportunity to ensure there is adequate resources for organisations to deliver accommodation support.

- 5.9. One organisation highlighted the challenge of short term contracts for voluntary organisations, especially smaller organisations as they can create financial instability. They therefore stressed the need for future recommissioning of services to include long-term funding.
- 5.10. **Prison:** Due to the conditions in prisons, organisations were finding it increasingly challenging to engage with people before they were released. This was having an impact on their ability to put resettlement plans in place and meet someone's accommodation needs. They also highlighted that the prison population is ageing and older people will have specific accommodation needs on release.
- 5.11. **Housing first:** Organisations highlighted that HMP Styal had developed funding for a housing first project.

Action: SIG members to provide Clinks with information about the housing first project funded by HMP Styal

6. Joining up outside of CJS- opportunities, challenges and good practice

- 6.1. For the accommodation needs of people in contact with the criminal justice system to be met, organisations stressed that the MoJ and criminal justice agencies need to join up with other government departments nationally and with local government. If the Ministry of Justice develop an accommodation strategy, this needs to be cross-departmental. They highlighted the need for a 'whole systems approach' to address this issue, whereas currently policy decisions are being made in isolation to each other and people are working in silos.
- 6.2. **Local connection:** Organisations said that some Local Authorities could be territorial and having to prove a local connection before being housed was a barrier for many. This was especially the case for people who were high risk and young people involved in gangs, as going back to the area they were from would make it challenging for them to achieve desistance.
- 6.3. When speaking specifically about London, one organisation said that there can be areas in the city where there is an empty space in a hostel but if it is out of the borough where that person has a local connection, they will be unable to access it. They said the '[No Nights Sleeping Rough](#)' taskforce in London was an example of good practice that could be learnt from. The scheme had introduced a pan-London 'hostels clearing house' pilot, designed to help those willing to move into a hostel and fill empty beds across the capital.
- 6.4. **People who are high risk:** Move on for people who are deemed high risk was highlighted as a particular issue.
- 6.5. **Prolific and persistent offending:** People who are under Multi Agency Public Protection Arrangements can also find it challenging to access accommodation. One organisation ran a project where they are based in probation offices and work to support people subject to MAPPA arrangements into accommodation. It was partly funded by the local authority, who manage two houses and was supplemented by the organisations wider charitable income. The success of the project rested on the close relationship the organisation had with a wide range of community partners, including local private rented landlords, housing providers, the police, probation providers and the local authority. It also had access to a wide range of housing options, including with social and private rented landlords, and supported accommodation. The project ran from 2007, but closed in early 2017 due to an inability to

secure longer-term funding and stability, as well as reduction in the housing options available for the beneficiaries.

Action: SIG members to provide Clinks with information about the project working with MAPPA clients

- 6.6. **Priority need:** Under the Supporting People programme, people in contact with the criminal justices system were a priority group but that is no longer the case. This can create a barrier preventing people from being able to access suitable accommodation.
- 6.7. **Mental health needs:** Organisations said their clients were experiencing more complex mental health problems and are seeing more people fall between the gap between forensic mental health settings and the criminal justice system.
- 6.8. **Universal credit:** The introduction of Universal Credit has been very challenging, and many people have experienced delays in their payments which has had a detrimental impact on their ability to access accommodation. Homeless Link, in partnership with other organisations have published a recommendations paper for addressing some of the challenges to Universal Credit for homeless people.

Action: Homeless Link to share briefing about Universal Credit with Clinks

Action: SIG members to share information about the challenges their clients have been facing in relation to universal credit

- 6.9. **Private rented sector:** Organisations highlighted there are challenges with people accessing accommodation in the private rented sector that were not suitable for their needs but addressing some of the challenges with the PRS was a government priority. This could be an opportunity for influence. Further to this, many organisations had schemes that engaged with the private rented sector. One organisation ran a rent deposit scheme which was funded by the PCC alongside the Local Authority; another had developed help to rent projects with private landlords; and another organisation had developed a tenancy deposit scheme and training courses for people that the Local Authority can refer people into. This project also had a rapid response service and offered move on accommodation.
- 6.10. The government will bring forward a green paper on social housing soon, which might be an opportunity for the group to engage in.

7. Next steps

- 7.1. The group will consider how best to engage with service users in the development of this work.
- 7.2. It is preferable for the group to publish an output from these meetings and they will need to consider the best form that this should take.
- 7.3. The next meeting will take place on 15th November in London. The following meeting will be on 21st February and organisations are invited to host.