

April 2016



RESPONSE

Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

Clinks is the national infrastructure organisation supporting voluntary sector organisations working with offenders and their families. Our aim is to ensure the sector and those with whom it works are informed and engaged in order to transform the lives of offenders and their communities. We do this by providing specialist information and support, with a particular focus on smaller voluntary sector organisations, to inform them about changes in policy and commissioning, to help them build effective partnerships and provide innovative services that respond directly to the needs of their users.

We are a membership organisation with over 600 members including the voluntary sector's largest providers as well as its smallest, and our wider national network reaches 4,000 voluntary sector contacts. Overall, through our weekly e-bulletin Light Lunch and our social media activity, we have a network of over 15,000 contacts, which include individuals and agencies with an interest in the Criminal Justice System (CJS) and the role of the voluntary sector in the resettlement and rehabilitation of offenders.

Homeless Link is the national membership charity for organisations working directly with people who experience homelessness in England and we currently have 569 members. Our vision is a country free of homelessness where everyone has a place to call home. We support front line homelessness organisations to improve the way they work with people experiencing homelessness. We campaign to change perceptions of homelessness and the people it affects. We also seek to improve government policies that will ultimately end homelessness in England.

With stable accommodation key to the prevention of re-offending, many of our members work with people with experience of the CJS. According to Homeless Link's latest annual review, 22% of those using accommodation services have been, or currently, in contact with the CJS.¹ This figure clearly demonstrates the role that the homelessness sector plays in providing stable accommodation to those with experience of the CJS, which, in turn, contributes to reduced rates of recidivism.

This inquiry, therefore, offers a vital opportunity to continue highlighting the inextricable links between homelessness and offending, as well as the collective work of the homelessness and criminal justice sectors in supporting people to desist from crime.



homeless link

CLINKS

supporting voluntary organisations that
work with offenders and their families

www.clinks.org



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

Executive summary

Clinks and Homeless Link welcome the opportunity to engage with this important inquiry. Unfortunately, due to the short timescale for submitting evidence, we have been unable to hold consultation events with our respective members to gain their views and experiences. We have been able to have direct conversations with some of our members and also base our response on research that we have conducted with delivery organisations. We have both circulated information about the inquiry through our weekly e-bulletins and have encouraged our members to engage with the inquiry.

Throughout this submission we have made a series of recommendations, which we have highlighted in bold. These recommendations are summarised below. These recommendations should also be taken as our response to the inquiry question: What recommendations should be made to improve support for ex-offenders?

- Community Rehabilitation Companies (CRCs) and the National Probation Service (NPS) should publish full details of their supply chains, ideally on a quarterly basis, including the names and company/charity numbers of tier two and tier three providers, the amount of funding passed down to sub-contractors and, where appropriate, the contribution that these organisations have made to Key Performance Indicators.
- To support the desistance process and rehabilitation, resettlement services, including employment and accommodation support, should be offered to prisoners at the earliest opportunity and not just delivered in resettlement prisons
- Educational programmes in Young Offenders Institutes (YOIs) should be delivered along with additional therapeutic support to ensure that the needs of all young people can be addressed
- The Government must give serious consideration to how best to ensure that people with experience of the CJS are assessed consistently and correctly when applying to local authorities as homeless, in accordance with their legal entitlements
- The Government must ensure there is consistent funding for supported housing to ensure they are able to continue to accommodate people with complex levels of need.
- A full and strategic review of all relevant legislation should be undertaken to prevent people with experience of the CJS being unfairly excluded from access to social and other appropriate housing
- The Government should take urgent steps to increase the supply and quality of low cost rental housing. This should involve a full consideration of the kinds of tenure required at a local level in order to meet the needs of all local residents, including those with experience of the CJS.

We also recommend that the inquiry team engage with the Taylor Review of the Youth Justice System, the review of prison education led by Dame Sally Coates and the National Offender Management Service's (NOMS) review of the Release on Temporary Licence (ROTL) policy.



homeless link



www.clinks.org



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

Response

Inquiry question: How are prisoners helped to find employment; is support available both pre and post-release?

For many people in contact with the CJS, gaining employment is an important factor supporting their journey to desistance; the process through which someone may offend or reoffend before they stop altogether.² Indeed, data published by the Ministry of Justice (MoJ) found that 68% of prisoners thought that 'having a job' was important in stopping reoffending³ and people who got P45 employment during the year after release were less likely to reoffend, with rates 9% lower for those with sentences under a year and 6% lower for those with longer sentences.⁴

Impact of Transforming Rehabilitation

Due to the Transforming Rehabilitation reforms, Community Rehabilitation Companies (CRCs) are now responsible for providing resettlement services to prisoners in the last three months of their sentence. According to the Target Operating Model published by the MoJ, resettlement services "must include providing direct support in custody in helping offenders find accommodation, providing assistance with retaining employment held pre-custody and gaining employment or training opportunities post-release."⁵ CRCs can also choose to deliver additional resettlement services in pursuance of payment by results. However, the extent to which they are choosing to do this is currently unclear. It is also unclear as to whether these additional services include any education, training or employment support.

There are eight CRC-owners that operate over 21 Contract Package Areas (CPAs) in England and Wales, making it unlikely that there will be consistency in terms of the employment support prisoners receive, as different services are likely to be commissioned by the different CRCs in each CPA.

Currently, the Skills Funding Agency (SFA), which is jointly funded by NOMS and the Department for Business Innovation and Skills, manages the Offenders' Learning and Skills Service (OLASS), enabling people in prison to receive education and training. The SFA have contracted four organisations to provide learning and skills for prisoners across 10 areas in England, which pre-date the Transforming Rehabilitation reforms.

Clinks, in partnership with the National Council for Voluntary Organisations (NCVO) and Third Sector Research Centre (TSRC), are monitoring the voluntary sector's involvement in Transforming Rehabilitation. Our first report, published in August 2015, demonstrates that the pace of change has been slower than many in the voluntary sector anticipated, leaving many organisations in a state of limbo, waiting to see how or if they will be involved in service delivery.⁶ This is not only challenging for organisations in terms of strategic planning and staff retention, it could also result in a gap in service provision, including employment support for prisoners.

Clinks' forthcoming second report on the subject highlights a lack of transparency in terms of the work that supply chain partners are delivering and how they are being resourced to deliver it. This makes it difficult to determine what employment support prisoners across England and Wales are currently receiving before and after release. **We therefore recommend that CRCs and the National Probation Service (NPS) publish, on a quarterly basis, full details of their supply chains, including the names and company/charity numbers of tier two and tier three providers, the amount of funding passed down to sub-contractors and, where appropriate, the contribution that these organisations have made to Key Performance Indicators (KPIs).**



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

It is important to note that “those prisons that are not designed as resettlement prisons will not have resettlement services.”⁷ Non-resettlement prisons are where long-term sentenced prisoners serve the majority of their sentence. As mentioned earlier, some prisoners will encounter significant barriers to accessing employment on release, which in some cases can take more than 12 weeks to address. To support the desistance process and rehabilitation, **we recommend that training and employment support is offered to prisoners at the earliest opportunity and is not just delivered in resettlement prisons.**

The role of the voluntary sector

Voluntary sector organisations provide essential employment support to people in contact with the CJS, with 433 of the 922 (or 47%) voluntary sector organisations listed on Clinks’ Directory of Offender Services reporting that one of their fields of work is employment.⁸ Further to this, 156 organisations on the directory outline that they work with women and provide employment support.

People leaving prison can experience significant challenges when seeking jobs that require them to provide identification. Common examples of challenges include opening a bank account through which they can be paid, and getting Disclosure and Barring Service (DBS) checks. In some cases people leaving prison may not have access to the right documentation as they have previously led chaotic lives, or perhaps been homeless. The possibility of being asked to undergo a DBS check can also sometimes be enough to deter a person from applying for a job.⁹

Women in contact with the CJS experience additional barriers to the labour market, including “chronic lack of self-esteem and a sense of disempowerment; limited awareness of how to access support, information and advice, particularly in the internet age; and, most importantly, the negative perceptions of employers.”¹⁰ Women are also disproportionately likely to have caring responsibilities for dependents. Consequently, it is essential that any training and employment opportunities, as well as support to find employment on release, take these additional needs into account. Social enterprises and other voluntary sector organisations providing specialist employment support, including those designed to meet the needs of those with “protected characteristics”,¹¹ often assist prisoners to overcome these barriers increasing the likelihood of prisoners engaging with employment opportunities on release.

When exploring the role of social enterprises in enabling both adult and young offenders to access training and employment opportunities, Clinks found that interventions providing employment support to people in contact with the CJS are far more likely to be effective in helping people achieve employment where they take a holistic approach and are linked to tangible opportunities.¹²

Working Chance, an organisation that provides specialist support to women who have been in contact with the CJS, which states that potential employers and the women themselves need additional support to get employment and stay in the job. Working Chance say “we take the time to get to know all of our candidates personally. We also lead by example, having recruited three ex-offenders to our own team. These team members add value to our services because they empathise with candidates and, through their dealings with potential employers; they overcome fears that may exist regarding employing ex-offenders.”¹³



homeless link

CLINKS
www.clinks.org



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

Release on temporary licence

Release on temporary licence (ROTL) is an important part of the resettlement process and can help prisoners to gain training and work experience, enabling them to build up their skills and, in some cases, secure stable employment on release. Many voluntary and private sector organisations provide valuable opportunities for volunteering, training and employment for people on ROTL. A recent survey conducted by Clinks and the Prison Reform Trust found that 62% of respondents provide/d volunteering placements, 74% provide/d work placements and 47% provide/d training placements.¹⁴

Respondents were confident that ROTL provides benefits both to people in prison and to the organisations that provide placements, with one organisation saying it gives prisoners “job ready skills, in-house training, a chance to give something back to the community, self-confidence, self-esteem, a reference, supportive team working environment, non-judgemental environment, [and] paid work opportunities.”¹⁵ However, the survey revealed that the recent changes to ROTL policy (Prison Service Instruction 13/2015) introduced in March 2015 have resulted in a significant reduction in the numbers of prisoners accessing ROTL, with 68% of prisoners reporting difficulties in getting applications for ROTL approved. **We recommend an explicit objective to reverse the decline in the use of ROTL for resettlement and rehabilitation, so that the manifest willingness of employers and other organisations to help is not squandered.**

We are pleased that NOMS is reviewing current ROTL policy and would recommend that the inquiry team are presented with the full details of this process.

Inquiry question: What benefit payments are available on discharge from prison and how long does it take to access those benefits?

As the Prison Reform Trust and Unlock highlight in their report *Time is Money*, “the first few weeks after release from custody are critical, and personal finances can be both stretched and a cause of anxiety.”¹⁶ This makes it essential that people leaving prison are able to access the financial support they need swiftly.

Discharge grants are available to prisoners over 18 who have served a custodial sentence of more than 14 days in prison and do not have savings of over £16,000. This grant is available immediately on release and is £46 in England and Wales. As well as this, an additional grant or discretionary payment of £50 can be paid to an accommodation provider to help a prisoner secure a release address. Upon release, all prisoners should receive a travel warrant, or payment of their fares to their destination.¹⁷

In 2013, just over a quarter (27%) of people had a job on release from prison, indicating that for many prisoners benefits provide an essential form of short-term financial support.¹⁸ On release, prisoners are able to access (where they are eligible) benefits including Jobseeker’s Allowance, Employment and Support Allowance or, in the areas that it is in operation, Universal Credit. Many prisoners also require accommodation support, with 15% of newly sentenced prisoners reporting being homeless before custody and 12% of prisoners depending on Housing Benefit to help with their rent before custody.¹⁹ However, entitlement to Housing Benefit ends for all prisoners expected to be in prison for more than 13 weeks, which means that a significant percentage of people are unable to hold on to their tenancy whilst they are in custody, often resulting in the loss of this accommodation.



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

Unlock has comprehensive information on their website about the benefits prisoners are entitled to receive upon release, which we would refer the committee to.²⁰

To support prisoners make a claim for Jobseeker's Allowance as soon as possible on release, there should be a 'Freshstart' team in every prison who work to arrange an appointment with the prisoner and Jobcentre Plus. This appointment should take place within a day or two of their discharge. As the meeting at Jobcentre Plus does not take place until the person has left prison, they will not receive any of the benefits they are entitled to immediately on release, but will need to wait until the claims are processed. The time this will take differs depending on the type of benefit claimed and how easy the claim is to process.²¹

Local authorities should process Housing Benefit and Council Tax Support claims within 14 days but in reality this often takes longer, with the statistics for October to December 2014/15 showing that on average claims took 22 days to process.²² The Department for Work and Pensions aim to process claims for Jobseeker's Allowance in 10-14 days and Employment Support Allowance in 10 working days. Waiting up to 14 days for their benefit claims to be processed can lead many prisoners to experience a 'finance gap', which according to the Prison Reform Trust and Unlock can "contribute to the high risk of reoffending immediately post-release." **We support their recommendation that the 'finance gap' is bridged with "all prison employment and benefits advisors required by the Department of Work and Pensions (DWP) and the MoJ to initiate core benefit applications at least three weeks prior to a prisoner's nominated release date."**²³ It is essential that housing support providers are also involved in this process to ensure that people leaving prison are able to secure appropriate accommodation on release.

To make any benefit claim, prisoners will need their release documentation, their National Insurance number and, in most cases, a bank account for those payments to be made into. As highlighted earlier, many prisoners will have led chaotic personal lives before being sent to prison, making it unlikely that they will have access to all of the paperwork they need. Although resettlement services delivered by the CRCs should support prisoners to access this information before they leave prison, this could take more than 3 months. **We therefore reiterate our earlier recommendation that resettlement services are delivered as early as possible to prisoners, especially those serving short-term prison sentences of less than 12 months.**

Inquiry question: Do the employment and education programs available in prisons prepare prisoners for formal employment?

As highlighted earlier, current education contracts in England pre-date the Transforming Rehabilitation reforms and the new frameworks that they have introduced. As highlighted in the Prisoner Learning Alliance briefing The Future of Prison Education Contracts, OLASS contracts do not incentivise partnership working with local organisations in order to ensure educational progress through-the-gate.²⁴

It remains unclear how resettlement services and plans will be coordinated with other education and learning activity overall and in terms of aligning outcomes for prisoners: this represents a significant missed opportunity.



homeless link

CLINKS
www.clinks.org



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

Educational need

The prison population is not homogenous, with individuals demonstrating a range of characteristics likely to have a significant impact on their educational needs and interests:

- 47% of prisoners report having no qualifications;
- 42% of prisoners have been permanently excluded from school;
- Around 5% of prisoners are educated to a level higher than A Levels, with approximately 3% having university degrees; while
- 20–30% of people in prison are estimated to have learning disabilities or difficulties.²⁵

Membership of a protected group or other minority or equality group (for instance, having English as a second language) may also have an impact on educational need. Many individuals from these groups face barriers to learning and/or have lower educational attainment than the general population which will also apply within the prison population. However, it should not be assumed that membership of an equality group will automatically lead to lower educational attainment as often the picture is more complex, requiring a more nuanced approach.

For instance, a Prison Education Trust survey found that Black, Asian and minority ethnic (BAME) prisoners were more likely to have some qualifications prior to prison (only 13% had no qualifications compared to 20% of non-BAME respondents). However, they were less likely to have A Levels (17% compared to 20% of non-BAME); degrees (5% compared to 11% of non-BAME) and less likely to have professional qualifications (5% compared with 22% of non-BAME). There were also differences between different groups within the BAME population. For example, those who identified themselves as Black Africans, Pakistani, Asian other and mixed were more likely to have A Levels than other BAME groups.²⁶

Older prisoners, the fastest growing group in the prison population, are also likely to have specific needs, relating less to vocational qualifications and employment outcomes. In addition, there are a significant number within the prison population who are adequately or well qualified vocationally and academically and it is vital that their needs are also catered for. It is also important to offer opportunities to longer term serving prisoners who may need to progress beyond level 1 and 2 qualifications during their time in custody. This can also contribute to their overall wellbeing.

This diversity in educational attainment, need and interest points to the requirement of a wide-ranging and varied curriculum. Engaging in education, whether 'informal' or 'vocational' can not only lead to someone acquiring knowledge directly relevant to gaining employment, but can also help a prisoner develop other skills including resilience, self-confidence, communication and team work; all of which are essential for gaining and sustaining formal employment. Learning needs to be holistic as although people need to develop basic literacy, maths and I.T. skills along with recognisable qualifications to meet labour market demands to find employment upon release, they also need transferable, social and communication skill so employment can be sustained in the long-term. The Koestler Trust deliver arts mentoring opportunities for prisoners upon release and have built links with other arts organisations such as the Southbank Centre in London, who have provided learning and employment opportunities for people who have had contact with the CJS.

However, it is worth noting that more than half (53%) of prisons inspected by Ofsted in 2013–14 were judged as requiring improvement or offering inadequate support for learning and the development of skills. In these prisons, education and training had little impact on supporting



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

prisoners' progression to sustained employment or training on release.²⁷ Their annual report for 2014-15 demonstrated the same picture: "of the 50 prisons with inspection reports published this year, fewer than a third (28%) were judged good or outstanding for their learning and skills and work activities. Standards were markedly worse compared with last year." The report goes on to highlight that "learning and skills and work in prisons have been the worst performing elements of the FE [further education] and skills sector for some time."²⁸

Positively, the Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2014/15 highlights that three out of the four women's prisons that were inspected by Ofsted in 2015 report some good practice; learning and work was particularly successful when it was linked to employment goals on release.²⁹ The report gives a few examples of good practice including from HMP & YOI Askham Grange where all the women had an individually tailored timetable, allowing them to combine work and study which supported their progress towards their chosen career.

Educational programmes that utilise more creative approaches to learning, such as through the arts or sport, can support prisoners to develop the necessary skills to acquire employment. As many prisoners have experienced challenges in the past, such as engaging with formal education, these interventions can provide individuals with a stepping stone into more formal education routes, and also compliment more traditional forms of learning.

The Government are currently reviewing prison education led by Dame Sally Coates, which we encourage the Committee to engage with. For further details you can access Clinks' consultation response [here](#).

It remains unclear how resettlement services and plans will be coordinated with other education and learning activity both overall and in terms of aligning outcomes for prisoners. **We recommend that CRCs provide greater transparency about the resettlement services that they have commissioned and detail how these will support and/or be coordinated with other education activity taking place in prisons.**

Children and young people

The interim report from Charlie Taylor's Ministry of Justice sponsored review into the Youth Justice System outlines that children and young people in Young Offender Institutions (YOIs) only receive around 17 hours of education a week, even though these institutions are contracted to 30 hours. As well as this, some young people were found to have to "sacrifice time spent associating with their peers if they are to attend classes."³⁰ The report highlights the review team's ambition for smaller custodial establishments to be created as secure schools in England. These will "be inspected under the education framework and held to the same standards as other alternative provision schools, while ensuring proper scrutiny of the safeguarding, security and rehabilitation services. Rather than seeking to import education into youth prisons, we should create schools for young offenders in which we overlay the necessary security arrangements."³¹

Creating smaller establishments for children and young people in custody will help to ensure that they are located closer to home and their families; both of which are important for facilitating the process of desistance from crime.

Due to the high levels of need demonstrated by children in YOIs, we recommend that educational programmes are delivered along with additional therapeutic support to ensure



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

that all the children's needs are addressed. As many children are likely to have had negative experience of engaging with formal education in the past, it is important that arts interventions, which can provide a hook into more formal education routes, but can also support people to develop skills necessary for future employment, are delivered in YOIs or any future secure establishments for children.

We would recommend that the inquiry team engage with the Taylor Review team.

Inquiry question: What support do offenders receive to help them find suitable accommodation on leaving prison?

At present, a significant percentage of those released from prison are at risk of homelessness. According to the report *Accommodation, homelessness and reoffending of prisoners: Results from the Surveying Prisoner Crime Reduction (SPCR) survey*, "Nearly two in five prisoners (37%) stated that they would need help finding a place to live when they were released. Of these, 84% reported needing a lot of help."³²

Finding suitable accommodation on release from prison is essential for supporting the desistance process. A recent inspectorate report for HMP Wormwood Scrubs found that the proportion of prisoners who had accommodation on release had fallen from 95% to 60% since the new CRC had taken over resettlement services. The prison was unable to explain this fall.³³ As well as this, the number of women leaving HMP and YOI Bronzefield with settled accommodation dropped from 95.5% in 2014 to 83.7% in 2015 according to the most recent report from the HM Inspectorate of Prisons. 103 women had left with no fixed address in the six months prior to the inspection and the prison had issued tents to two women who were released without anywhere to go to, with the chaplaincy reporting that they often gave out sleeping bags.³⁴

Data from the Combined Homelessness and Information Network indicates that between October and December 2015, 33% of all rough sleepers recorded in London had some experience of prison.³⁵ This data is backed up by the statistics quoted earlier in this response from Homeless Link's Annual Review, which suggest that over a fifth of people in residential homelessness services have experience of the CJS.

The role of family support

Maintaining positive relationships with family and friends is key to supporting someone on their journey to desistance. This is supported by a Criminal Justice Joint Inspection report which highlighted that "an offender's family are the most effective resettlement agency. More than half the offenders in our cohort returned home or moved in with family and friends on release, even if this was only a temporary measure. The few who had a job on release had mainly arranged this with the help of previous employers, family or friends."³⁶

It is therefore essential that, where appropriate, people in prison are supported to maintain or restore relationships with their family and friends to support them on their journey to desistance. There are many specialist voluntary sector organisations that can help facilitate this whose details can be found on Clinks' Directory of Offender Services.³⁷

We support the report's recommendation that a national strategy should be developed to better help offenders maintain and repair relationships with their families and, where appropriate, involve the family and friends of offenders in the rehabilitation process.



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

Services delivered by CRCs and the NPS

As already highlighted, resettlement services provided by CRCs must include the provision of “direct support in custody in helping offenders find accommodation.”³⁸ The NPS, who are responsible for the management of high risk offenders, are required to purchase services through the ‘rate card’ produced by CRCs. This means that they can only access services listed by individual CRCs, including services that CRC staff run themselves as well as services delivered by sub-contracted providers from the voluntary sector. As CRCs are responsible for the management of those who are assessed as posing a low to medium risk, the services on their ‘rate card’ are unlikely to be tailored to meet the needs of those assessed as being high risk.

Clinks’ forthcoming report into the experience of the voluntary sector’s engagement in Transforming Rehabilitation found that organisations were being commissioned by CRCs to provide housing advice. Although housing advice is important, we are concerned that no organisations report that they are being commissioned to deliver more ‘hands on’ housing support to prisoners or providing actual accommodation on release. Further to this, the interim results from a new scoping exercise, commissioned by Clinks and Homeless Link, also show that specialist housing support is patchy. The scoping exercise is exploring accommodation pathways for people under the supervision of CRCs and the NPS. The work is ongoing but we could be happy to share the final results with the Committee.

The MoJ funded Bail Accommodation Support Service (BASS) is a national pool of accommodation and support throughout England and Wales for people who would normally be living in the community on bail or Home Detention Curfew (HDC) but do not otherwise have a suitable address to be released to, or they need some extra support during the period of their bail or HDC license. Currently, only Magistrates and prisons are able to refer into the service. It is essential that this service is integrated into the new arrangements under Transforming Rehabilitation to ensure greater consistency in the referrals process.

Clinks and Homeless Links’ scoping exercise is also finding that there is a lack of strong strategic or operational links between local authority housing options departments and CRCs. One notable exception to this is in Wales due to the implementation of ‘the pathway’, which is designed to support local authorities, Youth Offending Teams and the Wales Community Rehabilitation Company to carry out their new responsibilities, providing services to people due to leave the secure estate. The pathway aims to bridge the gap between the Housing (Wales) Act 2014 and the Offender Rehabilitation Act 2015, supporting prisoners to access appropriate accommodation on release.³⁹

Early consideration of housing need

The CRCs undertake a Basic Custody Screening Tool (BCST) assessment within five days of the prison conducting the part one assessment. Interviewees that took part in our scoping exercise generally viewed this favourably as it provides an early opportunity to explore housing issues, rescue tenancies for those on short sentences and ensure that any the ending of tenancies is well managed, avoiding things like the unnecessary build-up of arrears. This early assessment was previously not a consistent service offer, but depended on the services offered locally in individual prisons. However, there was concern raised by respondents in our scoping exercise about how thorough the assessments are in terms of specialist areas of housing.

As highlighted earlier, there is no statutory obligation for CRCs or the NPS to deliver resettlement





Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

support to prisoners until three months before their release. This is problematic, as the process of obtaining new accommodation regularly takes longer than 12 weeks, whilst securing or correctly surrendering existing tenancies can be an issue at any point during an individual's sentence.⁴⁰

Clinks and Homeless Link recommend that housing support is delivered at the earliest opportunity. Indeed, the Welsh Local Government Association highlight that court is the ideal place to start planning for someone's accommodation needs.⁴¹

We would, however, draw the inquiry team's attention to an issue facing many CRCs and through-the-gate services: many accommodation providers and local authorities are unwilling to consider cases much before (if at all before) a prisoner's release date, as this could be subject to change. Understandably, not knowing if, and where, accommodation will be provided can be a serious source of stress and anxiety for prisoners and can also impact on other services' planning arrangements.

Approved Premises

Overall our scoping exercise is showing that the accommodation provision for people who are assessed as demonstrating high to medium risk is often easier to secure, as those who will not have stable accommodation on release are generally accommodated in Approved Premises. These individuals will be managed by the NPS. However, there is concern that when there are no places in Approved Premises, individuals are sometimes placed in temporary accommodation, which is unsuitable for their level of risk. As women often serve their custodial sentences considerable distances from where they are from, it is often more challenging for them to access suitable Approved Premises.

Accessing accommodation in the community

In 2002, the homelessness legislation was amended to extend the categories of people to whom local authorities are required to offer a full housing duty by virtue of 'priority need' to include 'vulnerable' ex-offenders.⁴² In theory, this amendment should make it easier for people with experience of the CJS to receive support to alleviate their homelessness.⁴³ However, a range of evidence exists to suggest that the tests used by local authorities to identify applicants who are in 'priority need' are not always applied consistently or correctly,⁴⁴ including cases involving "vulnerable prisoners with severe depression, autism, mental illness and significant learning disabilities".⁴⁵

Landlords in both the social and private sector often have concerns about individuals' ability manage a tenancy when they have a criminal record due to issues such as a lack of address history/ references and past evictions. People may have also been involved in anti-social behaviour. These concerns can, in some cases, unfairly prejudice people's applications for housing. One way to address this is by delivering training to support people to develop and demonstrate that they have the skills necessary to maintain a tenancy.

At a time when all forms of homelessness are on the rise,⁴⁶ the Government must give serious consideration to how best to ensure that people with experience of the CJS are assessed consistently and correctly when applying to local authorities for statutory homeless assistance, in accordance with their legal entitlements.

Supported housing can often offer a viable route into accommodation for people with experience of the CJS. As part of Homeless Link's latest Annual Review, it was reported that around 22% of



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

tenants in residential homelessness services had previously been, or were currently, in contact with the CJS.⁴⁷ Yet, the review also highlighted the increasing number of prospective tenants who had been refused access to supported housing because their needs were either too high or too complex;⁴⁸ needs, which can often relate to current or previous contact with the CJS.⁴⁹ The experience of Homeless Link's members tells us that substantial reductions to staffing hours and levels of specialist staffing, brought about as a result of overall funding cuts to services, have played a considerable part in the emergence of this trend.⁵⁰

Outside of supported housing, the accommodation options available to people with experience of the CJS are coming under increasing pressure from wider structural factors. The Localism Act 2011 has greatly enhanced the ability of local authorities to exercise greater discretion in excluding certain applicants from their housing registers, especially those with histories of anti-social behaviour or criminal convictions.⁵¹ A longitudinal study conducted by Shelter into the housing situations of formerly homeless people, including those with experience of the CJS, accommodated in the private rented sector, found that participants were frequently "moved into very cramped, unsuitable accommodation." The poor quality of people's accommodation was also recorded as having a detrimental effect on their wellbeing which, in turn, posed a risk to their ability to sustain the accommodation.⁵²

Given these difficulties, Clinks and Homeless Link recommend that the Government adopts a strategic approach to delivering a full range of housing options, involving:

- **Consistent funding for supported housing to ensure they are able to continue to accommodate people with complex levels of needs.**
- **A full and strategic review of all relevant legislation to prevent people with experience of the CJS being unfairly excluded from social and other appropriate housing.**
- **Taking urgent steps to increase the supply and quality of low cost rental housing. This should involve a full consideration of the kinds of tenure required at a local level in order to meet the needs of all local residents, including those with experience of the CJS.**

Inquiry question: What are the impacts of factors such as homelessness and unemployment on the propensity to re-offend?

We have listed some statistics below that demonstrate the relationship between experiencing homelessness and unemployment and reoffending:⁵³

- People reporting they would be homeless or living in temporary accommodation had a higher chance of reoffending. Two-thirds went on to reoffend, compared with around half (51%) who were not;
- 60% of people said that having a place to live would help them stop reoffending;
- people who had been in their accommodation for less than a year were also more likely to be reconvicted than those who had been in their accommodation longer—52% compared to 43% in the first year and 67% compared to 57% in the second year after release;
- a lack of accommodation can severely hinder former prisoners' chances of finding employment. Almost a quarter of employers would not consider employing a homeless person;
- getting people into stable housing can act as a gateway to effective resettlement. People who have accommodation arranged on release are four times more likely to have employment, education or training arranged than those who don't;
- people who reported being employed at some point in the year before custody were less



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

likely to be reconvicted in the year after release than those who weren't (40% compared with 65%).

NOMS have identified nine pathways that if in place can support someone released from prison to reintegrate back into society. Two of these pathways are 'education, training and employment' and 'accommodation.' Academics have also highlighted the importance of gaining employment to support the desistance process as it can give individuals a sense of achievement and purpose.

Inquiry question: How does benefit and employment support integrate with other services for ex-offenders?

Many people in contact with the CJS experience 'multiple needs', where they experience more than one issue concurrently including poor mental health, drug and alcohol misuse and homelessness. It is therefore essential that services are fully integrated to ensure these individuals receive the coordinated support they require.

As resettlement services are commissioned by CRCs, there is an opportunity for benefit and employment support to be integrated. The extent to which this is taking place for people being released from prison remains unclear.

Inquiry question: Is there specific support for different groups such as young offenders and female offenders?

Throughout our response we have highlighted the needs of those with 'protected characteristics' in contact with the CJS and whether those needs are met by employment, benefits and accommodation support currently available. We would like to stress that those in contact with the CJS are diverse and, therefore, require a diverse range of specialist services and programmes to meet their needs.

A summary of the specific support they require is as follows:

- Women: women in contact with the CJS experience additional barriers to the labour market, including "chronic lack of self-esteem and a sense of disempowerment; limited awareness of how to access support, information and advice, particularly in the internet age; and, most importantly, the negative perceptions of employers."⁵⁴ Additionally, women are disproportionately likely to have caring responsibilities for dependents. It is therefore essential that any training and employment opportunities and support to find employment on release takes these additional needs into account.
- Children and young people: due to the high levels of need demonstrated by children in YOIs, we recommend that educational programmes are delivered along with additional therapeutic support to ensure that all the children's needs are addressed. As many children are likely to have had negative experience of engaging with formal education in the past, it is important that arts interventions, which can provide a hook into more formal education routes, but can also support people to develop skills necessary for future employment, are delivered in YOIs or any future secure establishments for children.
- Older prisoners: are also likely to have specific needs, relating less to vocational qualifications and employment outcomes. In addition, there are a significant number within the prison population who are adequately or well qualified vocationally and academically and it is vital that their needs are also catered for; along with longer term serving prisoners who may need opportunities to progress beyond level 1 and 2 qualifications during their time in custody.



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

- People from BAME communities: as highlighted by the Young Review, people from BAME communities are over-represented at every stage of the CJS.⁵⁵ The challenges demonstrated in this submission of evidence will therefore be disproportionately felt by these groups, who also have unique needs to support their rehabilitation and resettlement. **These challenges are demonstrated by the Young Review,⁵⁶ which we refer the Committee to. We also recommend that they engage with the Lammy Review; an independent review of the treatment of, and outcomes for BAME individuals in the CJS.⁵⁷**

Authors: Nicola Drinkwater, Clinks and Jonathon Graham, Homeless Link



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

Endnotes

1. Homeless Link (2015), Support for single homeless people in England: Annual Review 2015, p. 18: <http://www.homeless.org.uk/sites/default/files/site-attachments/Full%20report%20-%20Single%20homelessness%20support%20in%20England%202015.pdf>
2. Clinks (2013) Introducing desistance: a guide for voluntary, community and social enterprise (VCSE) sector organisations, Online: <http://www.clinks.org/resources-dij-desistance> (last accessed 13.04.2016)
3. Ministry of Justice (2010) Compendium of reoffending statistics, London: Ministry of Justice
4. Ministry of Justice (2013) Analysis of the impact of employment on re-offending following release from custody, using propensity score matching, London: Ministry of Justice
5. Ministry of Justice (2014) Target Operating Model: Version 3- Rehabilitation Programme, Online: <https://www.gov.uk/government/publications/rehabilitation-programme-target-operating-model> (last accessed 13.04.2016)
6. Clinks, NCVO and TSRC (2015) Early doors: the voluntary sector's role in Transforming Rehabilitation, Online: <http://www.clinks.org/resources-reports/early-doors-voluntary-sector%E2%80%99s-role-transforming-rehabilitation> (last accessed 13.04.2016)
7. Ministry of Justice (2014) Target Operating Model: Version 3- Rehabilitation Programme, Online: <https://www.gov.uk/government/publications/rehabilitation-programme-target-operating-model> (last accessed 13.04.2016)
8. Clinks' Directory of Offender Services can be accessed here: <http://www.clinks.org/directory>
9. Clinks, Social Firms UK and the Home Office (2014) Providing employment and training opportunities for offenders, Online: <http://www.clinks.org/resources-case-studies/providing-employment-and-training-opportunities-offenders#summary> (last accessed 13.04.2016)
10. Clinks, Social Firms UK and the Home Office (2014) Working chance, Online: <http://www.clinks.org/resources-case-studies/providing-employment-and-training-opportunities-offenders#summary> (last accessed 19.04.2016)
11. Protected characteristics as defined by the Equality Act 2010 include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
12. Clinks, Social Firms UK and the Home Office (2014) Providing employment and training opportunities for offenders, Online: <http://www.clinks.org/resources-case-studies/providing-employment-and-training-opportunities-offenders#summary> (last accessed 13.04.2016)
13. Clinks, Social Firms UK and the Home Office (2014) Working chance, Online: <http://www.clinks.org/resources-case-studies/providing-employment-and-training-opportunities-offenders#summary> (last accessed 19.04.2016)
14. Clinks and Prison Reform Trust (2016) Inside out: the role of the voluntary and private sector in providing opportunities for rehabilitation for people in temporary release, Online: <http://www.clinks.org/briefings> (last accessed 13.04.2016)
15. *ibid*
16. Prison Reform Trust and Unlock (2010) Time is money, Online: <http://www.prisonreformtrust.org.uk/ProjectsResearch/Resettlement/TimeisMoney> (last accessed, 11.04.2016)
17. Ministry of Justice (2016) Prison Service Instructions, Online: <https://www.justice.gov.uk/offenders/psis/prison-service-instructions-2011> (last accessed 11.04.2016)
18. Table 8, Ministry of Justice (2015) National Offender Management Service annual report 2014/15: Management Information Addendum, London: Ministry of Justice
19. Prison Reform Trust (2015) Bromley Briefings prison factfile, Online: <http://www.prisonreformtrust.org.uk/Publications/Factfile> (last accessed 13.04.2016)
20. Unlock (2016) Benefits, Online: <http://hub.unlock.org.uk/knowledgebase/benefits/#Discharge%20grants> (last accessed, 11.04.2016)
21. Turn2Uas (2016) Claiming benefits- how long does it take to process a claim?, Online: <https://www.turn2us.org.uk/Benefit-guides/Beginner-s-Guide-to-Benefits/How-long-does-it-take-to-process-a-claim#guide-content> (last accessed 11.06.2016)
22. *ibid*
23. Prison Reform Trust and Unlock (2010) Time is Money, Online: <http://www.prisonreformtrust.org.uk/ProjectsResearch/Resettlement/TimeisMoney> (last accessed 11.04.2016)
24. Prisoner Learning Alliance (2015) The future of prison education contracts: delivering better outcomes, Online: <http://www.prisonerseducation.org.uk/resources/the-future-of-prison-education-contracts-delivering-better-outcomes> (last accessed 20.04.2016)
25. Clinks (2015) Clinks submission to the review of prison education, Online: <http://www.clinks.org/responses> (last accessed 13.04.2016)
26. Prisoners Education Trust (2013) Brain Cells, Online: <http://www.prisonerseducation.org.uk/resources/brain-cells-listening-to-prisoner-learners-third-edition> (last accessed 13.04.2016)
27. Ofsted (2014) The report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2013/14 Further education and skills, Online: <https://www.gov.uk/government/collections/ofsted-annual-report-201314> (last accessed, 11.04.2016)
28. Ofsted (2015) The annual report of Her Majesty's Chief Inspector of Education, Children's Service and Skills 2014/15, Online: <https://www.gov.uk/government/publications/ofsted-annual-report-201415-education-and-skills> (last accessed 20.04.2016)
29. *ibid*
30. Ministry of Justice (2016) Youth Justice Review, Online: <https://www.gov.uk/government/publications/review-of-the-youth-justice-system> (last accessed 13.04.2016)
31. *ibid*
32. Ministry of Justice (2012) Accommodation, homelessness and reoffending of prisoners: results from the surveying prisoner crime reduction (SPCR) survey, Online: <https://www.gov.uk/government/publications/accommodation-homelessness-and-reoffending-of-prisoners> (21.04.2016)
33. HM Inspectorate of Prisons (2016) HMP Wormwood Scrubs, Online: <https://www.justiceinspectors.gov.uk/hmiprisoners/inspections/hmp-wormwood-scrubs-2/> (last accessed 20.04.2016)
34. HM Inspector of Prisons (2016) HMP and YOI Bronzefield, Online: <https://www.justiceinspectors.gov.uk/>



homeless link





Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016

- hmpirisons/inspections/hmp-yoi-bronze/field/ (last accessed 20.04.2016)
35. Rough Sleeping in London (CHAIN reports): <http://data.london.gov.uk/dataset/chain-reports>
 36. HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofstead (2014) Resettlement provision for Adult Offenders: Accommodation, Education, Training and Employment, Online: <https://www.justiceinspectorates.gov.uk/hmiprobation/resettlement-provision-for-adult-offenders-accommodation-education-training-and-employment/> (last accessed 21.04.2016)
 37. Clinks Directory of Offender Services can be accessed here: <http://www.clinks.org/directory>
 38. Ministry of Justice (2014) Target Operating Model: Version 3- Rehabilitation Programme, Online: <https://www.gov.uk/government/publications/rehabilitation-programme-target-operating-model> (last accessed 13.04.2016)
 39. Welsh Government (2015) National pathway for homelessness services to children, young people and adults in the secure estate, Online: <http://gov.wales/topics/housing-and-regeneration/services-and-support/homelessness/national-pathway/?skip=1&lang=en> (last accessed 13.04.2016)
 40. In certain instances, people serving custodial sentences can be assisted to continue claiming Housing Benefit whilst they are in prison. This will usually be for a period of around 13 weeks and will only be granted if someone is likely to be in prison for less than 13 weeks. People on remand can continue to claim for up to 52 weeks whilst they are awaiting trial. In all other cases, people will need support to help end their tenancy correctly if they are currently paying rent at an address to avoid amassing unnecessary arrears.
 41. Welsh Local Government Association (2015) Scoping and mapping study to improve the resettlement of prisoners coming out of custody, Online: <http://www.wlga.gov.uk/housing-e/scoping-and-mapping-study-to-improve-the-resettlement-of-prisoners-coming-out-of-custody/> (last accessed 13.04.2016)
 42. [The Homelessness \(Priority Need for Accommodation\) \(England\) Order 2002 \(SI 2002/2051\)](#)
 43. The legislation no longer applies in Wales, where automatic priority need for vulnerable ex-offenders was removed from the legislation by an amendment contained within the Housing (Wales) Act 2014.
 44. There have been a number of recent legal cases that highlight how local authorities have incorrectly interpreted existing legislation around the assessment of priority need. These include: Kanu v. Southwark, Hotak v. Southwark and Johnson v. Solihull
 45. [Nacro's response to the proposal to amend the duty of a local authority to accommodate a former prisoner as a result of their priority need status](#), Nacro (2013), p. 6
 46. [The Homelessness Monitor: England 2016](#), Crisis (2016)
 47. [Support for single homeless people in England: Annual Review 2015](#), Homeless Link (2015), p. 18
 48. 76% of services reported refusing access to a prospective tenant because their needs were too high, whilst 55% reported doing so because their needs were too complex.
 49. The latest figures produced by the [Combined Homelessness and Information Network](#) (CHAIN) (Oct-Dec 2015) record that 33% of all rough sleepers in London had some experience of prison, indicating an additional level of complexity, which may have led to their rough sleeping.
 50. [Support for single homeless people in England: Annual Review 2015](#), Homeless Link (2015), p. 52
 51. <http://www.bbc.co.uk/news/uk-england-essex-21408021>
 52. [A Roof Over My Head: The final report of the Sustain project](#), Shelter (2013), pp. 6-8
 53. Prison Reform Trust (2015) Bromley Briefings prison factfile, Online: <http://www.prisonreformtrust.org.uk/Publications/Factfile> (last accessed 13.04.2016)
 54. Clinks, Social Firms UK and the Home Office (2014) Working chance, Online: <http://www.clinks.org/resources-case-studies/providing-employment-and-training-opportunities-offenders#summary> (last accessed 19.04.2016)
 55. The Young Review can be accessed here: <http://www.youngreview.org.uk/>
 56. *ibid*
 57. More details about the Lammy Review can be accessed here: <https://www.gov.uk/government/organisations/lammy-review>



Clinks and Homeless Link response to the Work and Pensions Committee inquiry into support for ex-offenders

April 2016



Clinks supports, represents and campaigns for the voluntary sector working with offenders. Clinks aims to ensure the sector and all those with whom they work, are informed and engaged in order to transform the lives of offenders.

Clinks is a registered charity no. 1074546 and a company limited by guarantee, registered in England and Wales no. 3562176.

Tavis House
1-6 Tavistock Square
London WC1H 9NA
020 7383 0966

info@clinks.org

[@Clinks_Tweets](https://twitter.com/Clinks_Tweets)

www.clinks.org/policy



homeless link

Homeless Link is the national membership charity for organisations working directly with people who become homeless in England.

Homeless Link is a charitable company limited by guarantee. Registered in England and Wales. Charity Registration no: 1089173, Company Registration no: 4313

Gateway House,
Milverton St, London
SE11 4AP
020 7840 4430
info@homelesslink.org
uk

[@homelesslink](https://twitter.com/homelesslink)

www.homeless.org.