

scottish justice matters

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POVERTY, INEQUALITY AND JUSTICE



Take Five

Scottish Justice Matters asks our politicians to respond to questions about crime and justice. We asked:

A recent report from Shelter Scotland made the link between reoffending and homelessness. What steps would you take to tackle the problem?

Michael Matheson MSP, Cabinet Secretary for Justice, Scottish National Party



THE SCOTTISH GOVERNMENT

recognises that access to stable accommodation is a key factor in successful reintegration and we know a permanent address is crucial to gaining employment, access to health care and rebuilding family ties. That is why we are

committed to working with partners and

stakeholders, including Shelter Scotland, to continue to do all we can to support those leaving prison to become active and responsible contributors to their communities.

We have already made good progress in this area. The reconviction rate in Scotland is now at its lowest level for 16 years and recorded crime is at a 41 year low. However, we are clear that there can be no let-up in our co-ordinated and concerted efforts to further reduce reoffending, promote rehabilitation and make our communities safer and that is why discussion on the importance of housing, as a factor in preventing reoffending, is so vital.

One of the issues Shelter Scotland highlighted in their report is the link between short sentences and homelessness. We already know that short sentences don't work and the evidence shows they do little to rehabilitate the offender which is why we believe a more effective approach is replacing short custodial sentences with community sentences which address the underlying issues fuelling crime. Last month, I announced that we are seeking views on new proposals to extend the current presumption against three month sentences even further and I look forward to seeing the responses.

I also recently published a report by the Ministerial Group on Offender Reintegration which introduced a series of actions this Government will deliver in order to improve support for people leaving prison and help reduce re-offending including new legislation to make prison release dates more flexible.

We hope that the range of measures introduced by the Scottish Government will help break the cycle of reoffending. However, we will not be complacent and there will be no let-up in our efforts.

John Finnie MSP, Scottish Green Party



THE SHELTER REPORT *Preventing Homelessness and Reducing Reoffending*

was a stark reminder of the long established link between prisoners with no accommodation on their release and levels of reoffending.

In 2014/2015, 6% of all statutory

homeless applications to our local

authorities were from those leaving prison and a startling 30% of those released from prison will be unsure of where they will stay following their release.

I welcome the Scottish Government's intention to end short sentencing as, by focusing on community disposals, we can help to prevent the loss of a home and housing through imprisonment.

It would be easy to underestimate the importance of not only housing, but having and keeping a home, in forming a part of a former prisoner's physical and emotional well-being and the potential for their social inclusion. A house is an anchor and would be security for those leaving prison.

It is clear that the use of hostels and B&Bs are not appropriate to tackle homelessness for anyone. Nor do those leaving prison have any confidence in such 'solutions'. The Scottish Green Party recognises the importance of having a secure home, and multi-agency support to keep it, and opposes the use of short-term accommodation such as hostels and B&Bs.

To fully tackle reoffending we need to see greater collaboration of all agencies, including health boards and local authorities. Justice Committee Members examining reoffending, were concerned that 'throughcare' was not compulsory for those serving less than four years. This denial of automatic access to the services and the continuing support they need on release fails former prisoners. I would like to see a move to ensure that all those leaving prison receive the same level of support and everyone is ready to work together to help former prisoners from day one of their release.

Margaret Mitchell MSP, Scottish Conservatives



THERE IS undoubtedly a link between re-offending and homelessness. This was confirmed during a visit to Polmont Young

Offenders Institution last year, when a prison staff member stated that if there was one thing politicians should fix to prevent reoffending, this should be ensuring adequate housing is available for prisoners on release.

However, all too often, in practice when released, young offenders and adult prisoners often have to rely on a roof over their head being provided by their friends, whose influence in many cases resulted in them committing crimes in the first place. In these circumstances, despite their best of intentions when in prison, it becomes much more difficult for these young offenders and other prisoners to resist returning to the offending behaviour which led to their imprisonment.

Confirmation of this was reaffirmed a few months later when I visited the excellent charity Circle Scotland, which as part of its work in Lanarkshire supports offenders, and their families, after release. The charity highlighted the cross-council border problems associated with housing. For example, HMP Addiewell, which is located in West Lothian local authority area has a huge number of inmates who live in South Lanarkshire. Consequently when these prisoners are released, West Lothian local authority has no obligation to rehouse them. Furthermore the two different local authorities don't appear to communicate or share information.

This is something that MSPs and local councillors, working together, can and should address.

More generally it is a depressing fact that despite the need for throughcare in general, and housing in particular, being recognised as a priority since the inception of the Parliament, under first the Lib Dem/ Labour coalition and now the majority SNP government, this still is not happening. Quite simply, until dedicated resources are committed to ensure that throughcare housing issues are dealt with effectively, the situation is unlikely to improve.

Alison McInnes MSP, Scottish Liberal Democrats



MOST OF US are fortunate enough not to have to worry about being homeless. Nevertheless, even just thinking about the possibility makes us very anxious indeed.

And that's because we all know that the loss of our home means more than the loss of a roof over our head. Homelessness brings dislocation - physical and emotional; homelessness steals from us our place of safety; homelessness can lead to hopelessness.

It's no wonder, therefore, that being homeless increases the likelihood of someone re-offending. And yet last year roughly a third of those released from prison did not know where they were going to live on their liberation.

Despite statutory through care services for long term offenders, housing support is patchier than it should be. And currently too many people serving short term sentences or those on remand lose their tenancies unnecessarily. If we are to make strides in reducing re-offending, we have to recognise the pivotal role that housing plays in helping those liberated resettle back into the community with a renewed sense of self-worth.

Prison staff should have a working knowledge of housing issues, and prisoners should have access to independent housing and debt advisors.

Housing and debt advice needs to carry on after liberation.

Remand should be used much more sparingly.

Housing providers must pay heed to the Shelter report's findings on the particular risks of relying on temporary accommodation and hostels. It is important to recognise offenders' fear of being drawn into difficult environments where alcohol and drugs are prevalent.

I consider that moving to a presumption against short term prison sentences of one year or less would transform re-offending figures. If those who have offended stay in their community to make reparations, the stability that would provide would lead to more resilient people who are less likely to re-offend.

Graeme Pearson MSP, Scottish Labour Party



THE PROBLEMS faced by offenders in relation to homelessness are

exacerbated by a period of imprisonment. Therefore imprisonment should be reserved for those who demonstrate they are incapable of diversion.

At the conclusion of a sentence the loss of tenancy, of family connections and sometimes employment create real difficulty. At my last visit to a prison I was informed that a liberated man could be given a voucher to guarantee three nights in a sleeping bag often on the floor of a homeless persons hostel. Little wonder reoffending is perennial challenge!

To deal with this issue I suggest we must identify in those cases involving short sentence the means by which the prisoner can maintain residency rights in preparation for release. In other cases prison authorities must improve communication with local authorities and housing association to provide accommodation for the day of release. In addition the Scottish Government must initiate a house building programme particularly aimed at constructing smaller flats and houses to take the pressure off of communities across Scotland in regard to accommodation. Finally, there needs to be an effective skills programme developed within prisons aimed at building industry requirements. Not enough effort is made to prepare prisoners for work.

There is more about homelessness and re-offending in the article by Emma Dore of Shelter Scotland on page 23 of this issue.



CRIME, JUSTICE AND SOCIETY IN SCOTLAND

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