

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



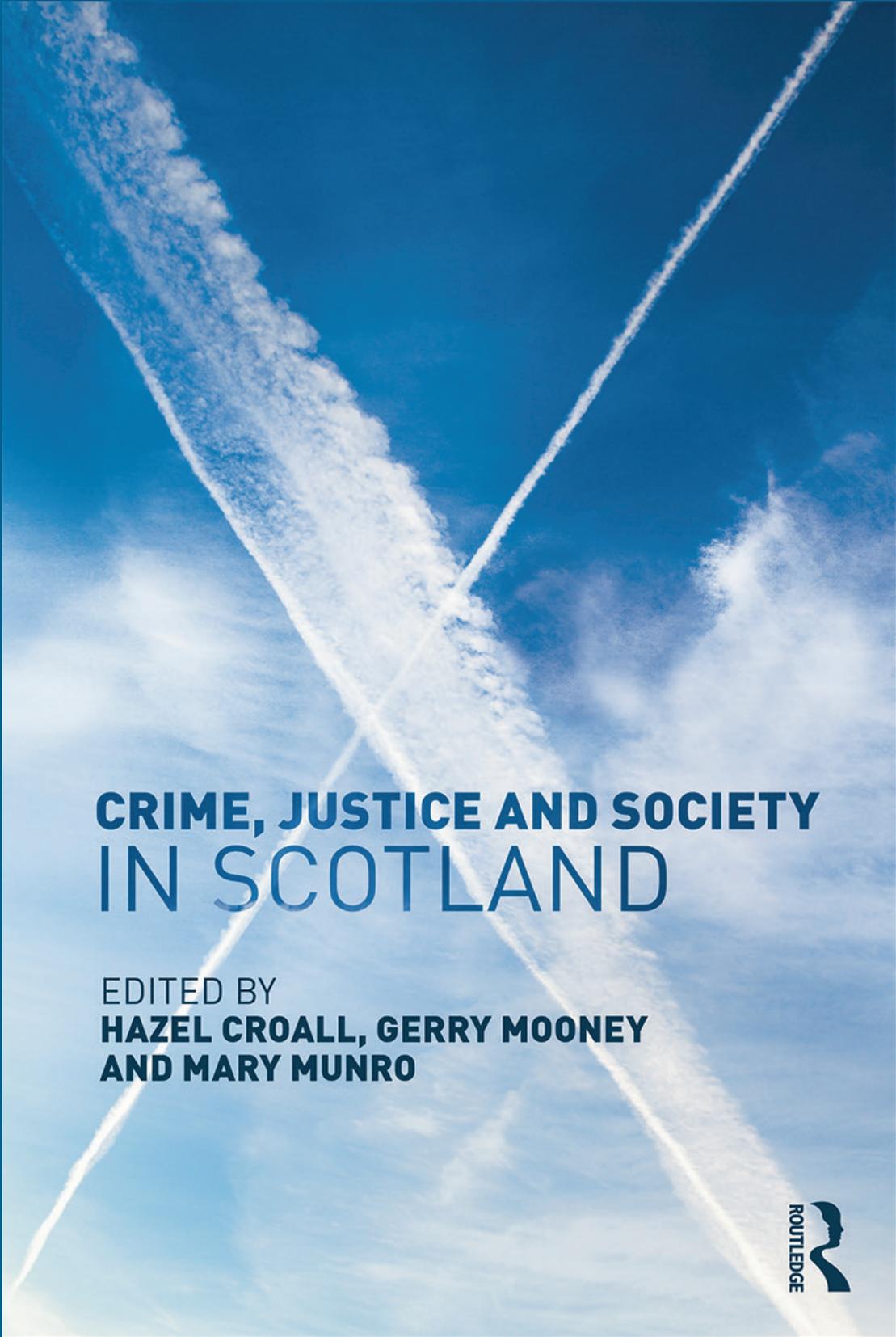
**THE
PROBLEMS**
faced by
offenders in
relation to
homelessness
are

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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