

LGA's Homelessness Report – relevance to the work of the Board

Purpose

For discussion and direction.

Summary

The Environment Economy, Housing and Transport (EEHT) Board of the LGA commissioned a report to help inform the LGA's position on homelessness. The EEHT Board will be considering how to use the findings of the report going forward. A key strand of the report covers the issue of ex-offender homelessness and makes a number of recommendations in relation to this issue. This paper sets out the key findings and recommendations that cross over with the remit of the Safer and Stronger Communities Board.

Recommendations

That the board:

1. Note the Homelessness report commissioned by the EEHT Board;
2. Discuss and comment on the recommendations in the report of relevance to the Safer and Stronger Communities Board; and
3. Note that the EEHT Board will be leading the LGA's work in response to the Homelessness report and agree that the discussions at the Board are used to inform the LGA's cross-cutting work on homelessness.

Action

Officers to action as appropriate.

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Background

1. In April 2016 the LGA's Environment Economy, Housing and Transport (EEHT) Board commissioned a report entitled *Homelessness policy and support options* to help inform the LGA's position on homelessness, and to provide evidence-based recommendations for policy work going forward. The report looked at the relationship between homelessness and health, justice, children and young people, welfare reform, employment and finance amongst a range of issues. The EEHT Board will be considering how to use the findings of the report going forward to inform the LGA's internal discussions ahead of agreeing a position on how to respond to homelessness.
2. It is intended to publish a version of the report to explore the complexities of homelessness and the challenge for councils in addressing it; to use it as a basis for discussion with the Department of Communities and Local Government (DCLG) on the potential for a new improvement offer for councils; and to inform the LGA's lobbying around potential homelessness legislation.
3. The report makes a number of recommendations relevant to the remit of the Safer and Stronger Communities Board.

Summary of the Report

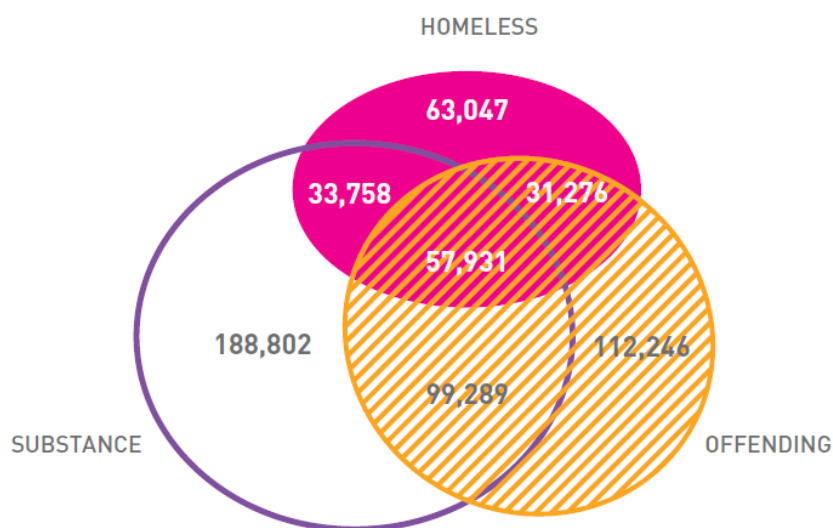
4. The report examines all those groups experiencing homelessness, which local authorities have to consider in making homelessness strategies under the Homelessness Act 2002, not just those who may be entitled to assistance.
5. Official data indicates that homelessness has increased since a low point in 2009/10, and argues that the downward trend in total homelessness responses since 2013/14 cannot be taken as an indication that homelessness is reducing, due to shortcomings in the data. In particular, the decline may reflect councils' reduced success in tackling homelessness – only successful interventions appear in the data.
6. Homelessness has a different profile across the country, and within local authority areas. It related to a number of structural factors (poverty, inequality, housing supply and affordability, unemployment, welfare and income policies) and individual factors (poor physical health, mental health problems, alcohol and drugs issues, bereavement, violence and abuse, offending, experience of care and/or prison). Local authority capacity to respond to homelessness, as reported in official statistics, also varies.
7. Homelessness cannot simply be resolved through housing supply. A more detailed understanding of who is at risk of, or actually homeless, why these circumstances have arisen, and what means are available locally to prevent and respond to homelessness are needed.

Homelessness and those with experience of the criminal justice system

8. The aspect of the report of particular relevance to the Board is its identification of people with experience of the criminal justice system as one of the groups at particular risk of homelessness due to individual factors. The report also points out homelessness affects other groups such as those with mental health problems, those experiencing threatening behaviour, abuse or violence, those with substance misuse problems and those with multiple and complex needs. The report's sections on the impact of homelessness on offending and re-offending are reproduced below.
9. Homelessness can be a contributory factor in offending behaviour, or can result from offending. Research suggests:
 - 9.1. 12% of offenders released from custody in 2012/13 had no settled accommodation;
 - 9.2. 15% of the prison population reported being homeless before custody, including 9% sleeping rough, compared to 3.5% of the general population reporting ever having been homelessⁱ;
 - 9.3. 44% of prisoners reported being in their accommodation prior to custody for less than a year; 28% reported living in their accommodation for less than six monthsⁱⁱ;
 - 9.4. 79% of offenders who had been homeless prior to custody are likely to be reconvicted within a year, compared with 47% of those who had accommodationⁱⁱⁱ;
 - 9.5. prisoners say that meeting their accommodation needs is a key factor in helping them to not reoffend^{iv}, with recent research suggesting this is the case for 60% of prisoners^v;
 - 9.6. housing provision could reduce reoffending by 20%^{vi}.
10. It may be surprising then that this population is almost invisible in official data: only 410 people were found to be statutory homeless in 2015/16 as a consequence of leaving prison, a decrease of 5% since 2012/13 (oldest available data^{vii}), yet the prison population is over 85,000 people^{viii}.
11. Rough sleeping data for London in 2015/16 provides some insight: 1,779 had experience of serving time in prison (compared to 1,641 in 2014/15), including 79 people rough sleeping for the first time who said their homelessness was because they had left prison.
12. Offender health is considerably worse than that of the general population, and there are health inequalities within the offender population^{ix}:
 - 12.1. Offending lifestyles are more likely to put people at risk of ill health; a marginalised lifestyle is likely to lead to little or no regular contact with health services;

- 12.2. 9% of the UK prisoner population experience severe and enduring mental illness;
 - 12.3. female prisoners tend to have more mental health problems than the male prison population;
 - 12.4. 90% of prisoners have substance misuse problems, mental health problems or both^x;
 - 12.5. There are higher incidences of drug misuse among female prisoners;
 - 12.6. increased risk of blood borne diseases e.g. tuberculosis is a common factor;
 - 12.7. whilst existing health problems are particularly exacerbated for offenders serving custodial sentences they also exist for those in the community; the health of offenders may actually worsen on release due to a less disciplined life style and easier access to (stronger) drugs and alcohol^{xi};
 - 12.8. offenders within the community are socially excluded, and experience difficulty in accessing services to meet their needs.
13. Recent research highlights the overlap between people who come into contact with the homelessness, criminal justice and substance use sectors, and concludes that those who experience all three have poorer outcomes from services^{xii}.

Figure 1: Overlap of SMD disadvantage domains, England, 2010/11



14. For those offenders receiving treatment in prison for drug and/or alcohol problems, tuberculosis or other communicable diseases, homelessness or unstable accommodation on release can mean that treatment is not completed. Not only does this have consequences for the individual's health and wellbeing, in the case of a communicable disease there are consequences for the public, and the cost of treatment in prison is wasted particularly if homelessness follows release.
15. The cycle of poor health, offending, incarceration, homelessness and poor health will be perpetuated unless effective action is taken on reception into prison, throughout the sentence and, perhaps most importantly, on release. Poor quality housing and neighbourhoods, precarious housing circumstances and homelessness are arguably more detrimental to offenders, yet it is common knowledge amongst those working in this field that it is exactly these circumstances that most offenders live in whilst in the community.
16. Offenders who have accommodation arranged on release from prison are four times more likely to have employment, education or training arranged than those who do not have accommodation^{xiii}. Having nowhere to live severely hinders offenders chances of finding employment, in addition to the attitude of employers to offenders: in 2010 only 12% of employers surveyed said that they had employed somebody with a criminal record in the past three years and around one in five employers said they did exclude or were likely to exclude ex-offenders from the recruitment process^{xiv}.
17. People who come into contact with the criminal justice system are amongst the most marginalised and excluded members in society. A common issue underpinning their exclusion is a lack of stable accommodation, alongside poor health and wellbeing and limited opportunities to gain employment.
18. Official homelessness data does not present a true picture of the scale of the problem, suggesting a decrease of 5% between 2012/13 and 2015/16 in statutory homeless households whose main reason for homelessness was due to leaving prison or on remand (410 households), yet the prison population has increased, now at around 85,000 people, and research suggests homelessness is a significant factor for people in the criminal justice system. There is no data available from within the criminal justice system. This is significant in the context of Transforming Rehabilitation: a number of reform measures could have reasonably been expected to reduce homelessness amongst people leaving prison but, without available data, it is not possible to understand if this is the case or indeed, if a problem remains.
19. The challenge of meeting housing needs for this population is not new, and prior to Transforming Rehabilitation the five-year strategy to reduce reoffending published by the government in 2006^{xv} contained a commitment to work with partners at the local and regional level to help prisoners keep their accommodation while they are in prison and to develop and roll out a standard prisoner housing form and encourage landlords to use it. In practice there was little evidence to suggest that either of these commitments had been kept; a 2014 national report^{xvi} from HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted found that *'Despite accommodation needs being assessed on an offender's arrival in custody, little was done until close to their release.'*

20. Transforming Rehabilitation, the government's reform of the criminal justice system, was expected to contribute to a reduction in homelessness and reoffending as a consequence of:

- 20.1. Offenders serving sentences of less than one year becoming subject to statutory supervision, for the first time;
- 20.2. Support and supervision of low and medium-risk offenders being passed from the Probation Service to Community Rehabilitation Companies (CRC), who in turn deliver services or commission voluntary and private sector providers;
- 20.3. Higher-risk offenders being supervised by a new National Probation Service (NPS);
- 20.4. Offenders serving short sentences and those with less than three months to serve being held in 'resettlement prisons', in or linked to the area in which they will be released;
- 20.5. Resettlement services being organised on a 'through the gate' basis, making greater use of mentors than at present and with providers paid in part according to the outcomes they achieve in reducing reoffending.

21. A recent headline suggests that released prisoners have been ['given tents to live in'](#).

22. The challenges to accessing affordable, safe and suitable housing have already been outlined for the general homeless population: these are significantly worse for people who have been in contact with the criminal justice system:

- 22.1. Research suggests that commissioners and providers across the criminal justice system and in the community are not working together to achieve the outcome of a settled home, and there is no shared definition of what this looks like;
- 22.2. it is impossible to understand the scale and nature of the housing problems faced by offenders – intelligence is not collected or shared (the National Offender Management Service was approached in the course of this commission in an attempt to gather current data about the number of people leaving prison who do not have settled and suitable accommodation: this information is not publically available);
- 22.3. action is not taken early enough in prison to prevent homelessness on release, for example rent arrears can build up while in custody if a tenancy is not ended;
- 22.4. challenges in accessing employment mean that people will be in receipt of Housing Benefit and access to accommodation will be restricted by Local Housing Allowance rates – this is particularly problematic for under 35's as sharing accommodation may pose a risk to either the person leaving prison or others in the home. Also it limits the geographic location of the home, and it may be desirable for the person to move away from previous associations in certain neighbourhoods;

- 22.5. the nature of the offence, and/or history of anti-social behaviour, and/or housing history means they are more likely to be excluded in social housing allocations, lettings policies and practice;
- 22.6. their needs may be multiple and complex to address, yet access to accommodation and services is reducing as funding is reduced – Homeless Link's 2015 survey of provision reported that 41% of single homeless accommodation projects had received a reduction in funding;
23. A number of national partners are committed to improving outcomes for people in contact with the criminal justice system and who are experiencing homelessness for example, [CLINKs](#), have looked building on effective practice in England; Homeless Link who published 'Better Together' in 2011, which examined the evidence around effective joint working arrangements and clients' experiences of being supported by staff in the criminal justice and homelessness sector^{xvii}; and Shelter Cymru, who published a report in May 2015^{xviii} looking at effective housing pathways for prison leavers. The [Making Every Adult Matter \(MEAM\)](#) coalition is also a source of learning, particularly for those with multiple needs.

Ministerial interest

24. In addition to the points made in the report, the CLG Select Committee's report on Homelessness published in July drew attention to the link between homelessness and offending and expressed concern that ex-offenders do not always receive the support they need' and expressed concern at the 'extremely worrying' lack of coordination between the Ministry of Justice and the Department for Communities and Local Government.¹
25. In June the LGA attended a Ministry of Justice roundtable on ex-offender housing, the main emphasis of which was on identifying effective enablers for assisting ex-offenders into accommodation (the then Minister was considering producing a strategy on this). The key points raised at this meeting were:
- 25.1. Why some councils consider people to have made themselves intentionally homeless by being imprisoned, but others do not;
- 25.2. some participants wanted councils 'incentivised' to house offenders, some called for a statutory duty (however the Minister appeared sympathetic to the argument that the issue was not one of incentives or duties but of resources);
- 25.3. Police and Crime Commissioners might help by using their budgets to support ex-offender housing as part of a crime reduction/rehabilitation strategy;
- 25.4. The Local Housing Allowance cap is a challenge for charities trying to help offenders into accommodation;

¹ <http://www.publications.parliament.uk/pa/cm201617/cmselect/cmcomloc/40/4002.htm>, p.30.

- 25.5. the lack of a national strategy on offender rehousing and the contrast with the Welsh National Model Pathway (which will soon be evaluated);
 - 25.6. the confusion among Community Rehabilitation Companies (CRCs) over the division of responsibilities between them and councils. Some CRCs feel they are discharging their role merely by referring offenders to council housing services, who then cannot house them. Some CRCs may be experiencing difficulty commissioning work on housing. The contractual requirements may have been defined too loosely but there is a dearth of hard evidence on the problem and its possible solutions. LGA sought an opportunity to discuss this with Ministry of Justice (MoJ) and DCLG with a view to developing an agreement on how responsibilities could be clarified and establishing what other barriers exist.
26. Following the change of Minister it is unclear whether the MoJ will pursue the issue further.

Homelessness Reduction Bill

27. Bob Blackman MP (Conservative, Harrow East) has introduced this private members bill. It had its second reading on Friday 28 October 2016 and Marcus Jones, Local Government Minister said he would be "looking carefully" at it with a view to possibly supporting it. The Bill seeks to impose new duties on councils, including providing emergency interim accommodation for up to 56 days for households not in priority need. The LGA opposes the Bill, which would divert resources away from other essential homelessness work leaving councils less able to support vulnerable people. The proposals do not appear to be fully considered, funded or deliverable.

Recommendations

- 28. The LGA's report makes many recommendations, of which the following are relevant to the issue of ex-offender housing:
- 29. Embed homelessness in existing LGA opportunities to work with national partners to improve outcomes through relevant systems eg, health and social care, criminal justice etc.
- 30. Publish a series of homelessness prevention and response commissioning and practice guides incorporating examples of 'what works' and evidence of return on investment for a number of themes and audiences including Community safety – for community safety partnerships, incorporating domestic abuse and offending.
- 31. Work with partners, and relevant government departments, to tackle homelessness as experienced by people who have had contact with the criminal justice system as a means to reduce re-offending.
- 32. Commission or lobby for research/analysis to understand how accommodation needs are being met under Transforming Rehabilitation.
- 33. Produce a practice guide for local strategic partnerships eg, the Community Safety Partnership, Health and Wellbeing Board, Local Enterprise Partnership to enable them to

take a systems and outcomes-based approach to enabling the right home environment for rehabilitation, and to hold each other's actions to account.

34. Ensure that the experiences of this population are considered in other LGA policy work eg, responses to government policy in relation to welfare reform and supported housing – these have significant implications for this population.
35. Take the lead in providing support to local government to enable them to take a systems leadership and integrated approach to commissioning homelessness prevention and response.
36. Incorporate homelessness within existing support options to local government including leadership support, regional support (corporate and health) and peer challenges.

Next steps

37. The Homelessness report makes a wide ranging set of recommendations for the LGA, with implications for the work of a number of LGA Board's, with consequent finance and resource implications. The EEHT Board will be leading the LGA response to the report, so it is proposed that officers liaise with colleagues supporting the EEHT Board around the development of future work programmes. Members' views on the report will be used to inform those discussions with EEHT colleagues. Members are therefore asked to:
 - 37.1 Note the Homelessness report commissioned by the EEHT Board;
 - 37.2 discuss and comment on the recommendations in the report of relevance to the Safer and Stronger Communities Board and;
 - 37.3 note that the EEHT Board will be leading the LGA's work in response to the Homelessness report and agree that the discussions at the Board are used to inform the LGA's cross-cutting work on homelessness.

Financial Implications

38. Acting on and delivering the full set of recommendations in the report would have resource implications for the Board's wider work programme, and the ability to commission reports and guidance is dependent on funding being available within the LGA.

i Accommodation, homelessness and reoffending of prisoners (2012) MOJ, <https://www.gov.uk/government/publications/accommodation-homelessness-and-reoffending-of-prisoners>

ii Ibid

iii Prison Reform Trust (2011): Bromley Briefings Prison Factfile London: PRT

iv Ministry of Justice (2012) Research Summary 3/12. Accommodation, homelessness and reoffending of prisoners: Results from the Surveying Prisoner Crime Reduction (SPCR) survey

v Figures compiled in and quoted from Prison Reform Trust (2014), Bromley briefing prison factfile, www.prisonreformtrust.org.uk/Publications/Factfile

vi Social Exclusion Unit (2002) Reducing Reoffending by Ex-Prisoners. London: Social Exclusion Unit

vii DCLG official homelessness statistics, local authority level tables 2012/13 and 2015/16

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- viii International Centre for Prison Studies (2016) Accessed 20 June 2016
http://www.prisonstudies.org/highest-to-lowest/prison-population-total?field_region_taxonomy_tid=14
- ix Prisons and Health World Health Organisation (2014)
http://www.euro.who.int/__data/assets/pdf_file/0005/249188/Prisons-and-Health.pdf?ua=1
- x Homeless Link www.homeless.org.uk/criminal-justice-project
- xi Homelessness in Liverpool City Region. A Health Needs Assessment (2014) Liverpool Public Health Observatory
- xii Bramley, G. Fitzpatrick, S. Edwards, J. Ford, D. Johnsen, S. Sosenko, F. Watkins, D (2015) Hard Edges: mapping severe and multiple disadvantage in England. Lankelly Chase Foundation with Heriott Watt University
http://www.lankellychase.org.uk/news_events/501_new_profile_of_severe_and_multiple_disadvantage_in_england
- xiii Prison Reform Trust - Briefing Paper - Projects and Research
www.prisonreformtrust.org.uk/ProjectsResearch/Resettlement
- xiv Ibid
- xv A five year strategy for protecting the public and reducing reoffending, (2006) Home Office
<https://www.gov.uk/government/publications/a-five-year-strategy-for-protecting-the-public-and-reducing-reoffending>
- xvi HM Inspectorate of Prisons, HM Inspectorate of Probation and Ofsted (2014), Resettlement provision for adult offenders: Accommodation and education, training and employment
- xvii <http://www.homeless.org.uk/facts/our-research/better-together-preventing-re-offending-and-homelessness>.
- xviii Settled: effective practice in homelessness prevention for prison leavers, 2015, Shelter Cymru