

## Briefing Paper 77

### Accommodation for ex-offenders: third sector housing advice and provision

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#### Introduction

A growing body of evidence has demonstrated a close link between homelessness, crime and imprisonment (Homeless Link, 2010; Social Exclusion Unit, 2002; Seymour, 2006). Housing has been identified as one of the key factors that can reduce re-offending rates, by as much as 20 per cent (Home Office, 2001), as it can provide the stability necessary to enable individuals to address their offending behaviour and to access a range of other services such as a GP and community mental health services and to gain employment (CASS, 2011; Crisis, 2011). The vital role that housing plays in reducing recidivism was recognised in a landmark report by the Social Exclusion Unit (SEU) in 2002 on 'Reducing re-offending by ex-prisoners'. This report led to the establishment of seven reducing re-offending pathways (one of which is housing), formulated by the 'Reducing Re-offending National Action Plan' (Home Office, 2004), to guide service provision to offenders. Since that time, various initiatives and policies have been introduced in an attempt to improve housing advice and provision to offenders, particularly those released from prison, including working in partnership with third sector organisations (TSOs) such as housing associations (HAs).

This paper draws on a qualitative interview study of the role of third sector organisations

in criminal justice and a short survey of 680 offenders to examine the role of the third sector in assisting offenders and ex-offenders to find suitable accommodation. It was conducted in eight prisons and one probation trust across England. The research explores the barriers to such assistance, including definitions and interpretations of priority need and the operation of partnership working between Local Authorities (LAs), criminal justice and third sector agencies. The effects of recent spending cuts on third sector housing services for offenders are also discussed.

#### Background

The SEU (2002) report detailed the extent and nature of housing problems among offenders and ex-offenders. It identified that:

- as many as a third of prisoners lose their housing on imprisonment
- around a third (35%) of prisoners have nowhere to stay on release
- short-term and repeat prisoners are more likely to be homeless when they leave custody

The improved offender resettlement agenda (Ministry of Justice (MoJ)/ National Offender Management Service (NOMS), 2008a) and the move towards partnership working with third sector organisations to reduce re-offending (MoJ, 2008; MoJ/NOMS, 2008a; MoJ/NOMS, 2008b) have led to a number of initiatives in the criminal justice system involving housing-related TSOs.

## Difficulties securing housing provision on release from custody

Despite the considerable involvement of the third sector in providing housing advice and support to offenders and ex-offenders, securing housing provision remains very challenging. Due to their criminal record and prison history, ex-prisoners may be automatically excluded from some private rental properties and even housing association and supported accommodation provision (Homeless Link, 2011). A large proportion of offenders are also unsuccessful in accessing public or social housing. When assessing an application by a person who claims to be homeless, local authorities must consider several key factors including their eligibility, whether they are homeless or threatened with homelessness within 28 days, are intentionally or unintentionally homeless, have a local connection with the area and are deemed to be in priority need (Homelessness Act, 2002). Based on the candidate's overall assessment score, the councils will make a 'homeless decision'. If they agree that a person is homeless and eligible for housing, the council then owes them a statutory duty to provide temporary accommodation until suitable 'settled' housing becomes available, which may be found either by the applicant or by the local authority. There are a number of reasons why ex-offenders are not judged to be eligible for a full duty of homelessness. There are further reasons why they find it hard to gain nominations and allocations for suitable housing.

## Findings

### *Access to housing advice and provision and the role of TSOs*

A small number of interviewees acknowledged that the provision of housing advice in prison has improved considerably in recent years. Some criminal justice staff were also very positive about the work of housing TSOs and the difference they make to

offenders' chances of accessing housing. Interviewees recognised that TSOs played a significant role in helping offenders to keep their accommodation by liaising with landlords, social housing providers and the Benefits Agency. However, the general consensus among interviewees was that the housing needs of offenders are still not being suitably addressed.

Some interviewees confirmed that even vulnerable and high-risk offenders are sometimes leaving prisons without suitable accommodation due to not being granted a homelessness duty and lack of provision. The research suggested that not only are some local authorities reluctant to house offenders, but this was the case even where housing was provided and paid for by an independent housing provider.

The efficacy of TSO advice and support is likely to be restricted for those who do not have 'a local connection' with the area where they are imprisoned. This is because housing advisors in prisons often only have links with the local area. This is particularly likely to be a problem for female and juvenile prisoners, who are more likely to be kept a greater distance away from their home areas due to the smaller number of establishments holding them (NOMS, 2006) and for offenders who come from rural areas, or are serving a sentence in England and requiring re-housing in Wales.

### *Limited expertise and advice*

Both probation staff and offenders on probation acknowledged that little was done to help them find housing. Although offender interviewees suggested that a list of landlords, particularly social landlords, would be useful to them, they acknowledged the need to find providers who were happy to take ex-offenders. A number of interviewees under probation supervision also raised concerns around temporary housing, as they were then unable to secure more permanent accommodation.

## ***Partnership working***

In general, criminal justice staff saw working in partnership with third sector housing advice and support organisations as a positive move which could actively improve the chances of obtaining housing for offenders on release. However, in order to secure housing for ex-offenders criminal justice agencies need to work in partnership not only with the third sector, but also with local authorities and other housing providers (NOMS, 2006). These relationships were seen as less well established and much more uncertain, affecting any impact that housing advisors in prisons could have.

Prison/TSO staff and prisoners alike identified that housing providers are often reluctant to take on offenders who may have complex needs even after the homeless decision has been reached by the LA. This problem is particularly prominent where housing providers are independent of LAs.

## ***Categories of offenders less likely to be considered a priority for housing***

Some groups of offenders are considerably less likely to receive housing provision. Prison staff interviewees noted that short-sentence prisoners and prisoners on remand are less likely to obtain housing on release, either in temporary accommodation or medium-term supported housing.

When a homeless decision is reached, offenders with high support needs are likely to be prioritised while the housing needs of offenders who are on a higher-functioning side of the spectrum are neglected. Some housing providers may be reluctant to accept ex-offenders with high support needs if support packages are unavailable (Pawson and Mullins, 2003), and the fact that such needs often remain unaddressed may also contribute to the exclusion of ex-offenders from future housing provision.

Women and young offenders were also seen as less likely to be identified as priority for

housing. This is somewhat surprising as both are likely to be especially vulnerable and, in the case of female prisoners, there may also be children involved. In the offender survey (Gojkovic et al., 2011a), young adult and juvenile respondents reported less involvement with accommodation TSOs than adult respondents.

## ***Effects of the current financial climate***

The current restrictive financial climate is likely to put an additional strain on housing provision for offenders. The number of housing projects and housing advisors had already been reduced in many prison establishments, with the expectation that this was only likely to get worse. The impacts of funding cuts on accommodation services within the criminal justice system are likely to be compounded by similar cuts to funding for housing advice and housing services, welfare benefit reductions and the increasing use of the private rented sector to house homeless people including ex-offenders.

Allocation policies for social housing are likely to grow more stringent during the wider economic downturn as the local authorities become more pressed to provide housing for a growing number of people. Moreover, there is evidence that the greater flexibility given to local authorities under the Localism Act 2012 will lead to increasing conditionality in the allocation of social housing, linking eligibility to having a job or being involved in volunteering or not being involved in anti-social behaviour.

Several recent policies to increase the use of the private rented sector may create particular barriers for ex-offenders. There are a variety of reasons why the private rental sector may not offer ideal accommodation for all ex-offenders, including the need for a substantial deposit, the poor standard of some rental accommodation and low levels of security offered by assured shorthold tenancies and the challenges of living with other tenants.

## Discussion and Conclusions

Overall there have been several positive developments since the publication of the SEU report almost a decade ago. Many prisons now have dedicated housing advisors and have formed important links with TSOs and housing providers in order to improve communication to help secure existing accommodation, and to facilitate referral processes. However, this research shows that there are still a number of barriers to effective housing advice and provision, especially securing medium- and long-term accommodation. This is largely due to a lack of available housing stock and the difficulties of partnership working, where not all partners view housing for ex-offenders with the same urgency, as well as restrictions on what kind of offenders are likely to be prioritised for housing and specific exclusion policies.

The relationship between third sector housing advice agencies and local authority and other local housing providers is paramount to effective service provision, and the success of these relationships is affected by the degree to which housing providers view offenders as suitable tenants. Difficulties in partnership working between local authorities and the third sector are compounded by the variety of arrangements that exist in different local authority areas due to different infrastructure, different structures in the local authority, different funding arrangements with the third sector and even differing historical contexts (IVR, 2010).

The research also highlights an urgent need for a more transparent housing priority

assessment system, including a push for housing providers to accept currently marginalised groups, including short-sentenced offenders, women offenders and young offenders. Further work is also needed in order to better integrate housing providers into the criminal justice system and vice versa and to provide a more joined-up approach to housing offenders around the country. One idea is to create an umbrella liaison body that would manage and address homelessness across the borders of local authorities and improve co-ordination between prison-based housing services and the 'home' local authorities of prisoners. This would particularly benefit offenders who are serving their sentence far away from home. Furthermore, it has been suggested that the relationship between those involved in the housing of offenders such as local councils and housing providers should be seamless, with each having a nominated person who deals with the prison housing advisors (Nacro, 2005). The Social Impact Bond, despite concerns about organisations failing to engage with offenders with complex needs, may also prove to represent progress on the prison level, because it engages charities with an established record in housing offenders and the whole process of providing through-the-gate services to offenders is more transparent and measurable. However, concerns remain regarding the ability to secure long-term housing in a rapidly changing financial and policy environment and to embed the learning of 'pathways' approaches to resettlement through appropriate levels of support at each stage of the resettlement process.



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