

## Briefing for Stage 1 debate of the Community Justice (Scotland) Bill on 19 November 2015

Shelter Scotland helps over half a million people every year struggling with bad housing or homelessness through our advice, support and legal services. And we campaign to make sure that, one day, no one will have to turn to us for help.

Shelter Scotland supports the broad aim of this Bill to create a new model of community justice that will deliver better outcomes for offenders and reduce re-offending<sup>1</sup>. **However, we believe that the Bill represents a significant missed opportunity to ensure that prison leavers' need for housing is addressed, along with other basic needs, which must be met to enable people to stop reoffending<sup>2</sup>.**

Without a stable home there is an increased risk of reoffending<sup>3</sup> but we know 50% of people in prison lose their homes<sup>4</sup>. During the Justice committee Stage 1 evidence sessions the importance of stable housing in the rehabilitation of offenders was repeatedly recognised, including the Convener stating, "The committee is well aware of how important housing is when a prisoner is released." We are therefore disappointed that this has not been reflected in the committee's Stage 1 report. The importance of housing has also been highlighted by the Ministerial Working Group on the Re-Integration of Offenders and the Housing and Wellbeing Commission, which was recently debated in Parliament with cross-party support.

We believe that the Bill would be considerably strengthened by including the following changes:

1. The Bill should name housing as an area that the Strategy must address
2. The definitions of 'support' and 'general services' should be broader to reflect the full breadth of services that are necessary to support people to stop reoffending.
3. There needs to be a duty for local criminal justice partnerships to engage with both voluntary sector partners and housing associations to ensure the new model is truly collaborative and effective.

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<sup>1</sup> Shelter Scotland has submitted Stage 1 [written evidence](#) to the Justice committee that details our full position on the Bill.

<sup>2</sup> Housing, employability and mental health issues are noted in the Policy Memorandum (sections 2, 64, 65, 119)

<sup>3</sup> For example, Social Exclusion Unit (2002) Reducing Offending by Ex-Prisoners

<sup>4</sup> J Carnie, R Broderick & S McCoard (2013) Scottish Prison Service 14<sup>th</sup> Series Prisoner Survey

## 1. A new section in the Bill determining outcomes the Strategy must address

The introduction to the Bill includes the purpose “introducing requirements in relation to the achievement of particular nationally and locally determined outcomes”. As it is proposed, Shelter Scotland is concerned that the Bill does not currently fulfil this role and therefore jeopardises the intended outcomes. As drafted, crucial areas, such as housing, only implicitly represented in the new model through the assumed interests and capabilities of the community justice partners.

We appreciate this is as an enabling Bill, and that the detail of community justice delivery will be defined in the national strategy. **However, we believe that the Bill should require the Strategy to address things that have been proven to reduce reoffending, such as housing.** This would leave the Strategy to fill in details but ensure a legislative grounding for issues that evidence has shown must be addressed for people to move away from crime, such as having a stable home. If they are not included in the Bill there is a risk that they will be lost in future iterations of the strategy.

*“People who haven’t got a house and are isolated, when they’re going to leave [prison] they say, like, ‘I’ll do a crime and be back next week’. In this day and age it shouldn’t be like that.”* – Shelter Scotland service user

## 2. Defining support and services to reflect need

As described above, stable, safe and appropriate housing being available is integral to someone successfully moving away from crime. It is therefore an important aspect of community justice. The Bill currently refers to supporting offenders to access and make use of general services and support (1 (1) (b), 1(2) (c) (i) and 1 (3) (c)). A range of housing options need to be available for prisoner leavers, including private tenancies, social housing and specialist supported accommodation. The term “general services” does not adequately encompass all of these options, which would be better described as resources. **We propose that the Bill is changed to include the term ‘resources’.**

## 3. Voluntary sector as vital partners

The requirement in the Bill for statutory partners to only ‘consult’ with community bodies is not strong enough to ensure effective collaboration and engagement with the voluntary sector. **It is crucial that there is, as a minimum, a duty to engage with voluntary sector partners at all stages of the planning and delivery process.** Due to the vital role that housing associations perform in providing accommodation for prison leavers and in preventing homelessness, they should also be specifically named in the Bill alongside the voluntary sector.

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