

## Justice Committee

### Community Justice (Scotland) Bill

#### Written submission from Homeless Action Scotland

Homeless Action Scotland is the national membership body for organisations and individuals tackling homelessness in Scotland. We are grateful for the opportunity to respond to the Community Justice (Scotland) Bill and feel that the majority of the Bill will bring about the improvements it seeks to achieve. Homeless Action Scotland has a long standing interest in Criminal Justice and Homelessness as there is a frustrating element of homelessness in Scotland, that many of our prison leavers are released into homelessness. Our consultation response is based on evidence we have gathered from our member organisations and the wider academic world as well as the expertise of our staff and board members.

1. We believe that the Bill represents an ideal opportunity to have homelessness recognised as a compounding issue within community justice and to recognise that housing must be part of the solution.

2. The role of the judiciary, police, courts and prison service is important in servicing justice in Scotland. However, there are some factors which we believe should be considered in implementing Community Justice. 80% of prisoners are functionally illiterate.<sup>1</sup> 33% of prison admissions tested positive for opiates and 50% for benzodiazepines.<sup>2</sup>

3. The Chairman of the Scotland Institute tells us that “80% of all prisoners in Scotland have some kind of mental disorder, 80% of women prisoners certainly, and at least 4.5% have very serious and enduring psychiatric problems. By comparison, only 1-1.5% of the general population have serious and enduring mental health problems, and around 25% have some kind of mental problem at any one time.”<sup>3</sup>

4. None of this is to excuse the criminal behaviour of those who have been incarcerated however it should give rise to considerations policy makers as to the nature of the problems faced by those who have been incarcerated. That is to say that on release from prison, having served their time, we should address the issues of prison leavers in a way which tackles their health, social and housing inequalities in order to prevent re-offending behaviour.

5. There are 4.2 million people over the age of 18 in Scotland of whom 35764 presented as homeless in 2014/2015. The last count of prison numbers in 2012 gave us a figure of 8178 and the latest homelessness statistics tell us that 2108 people told us that prison was their last place of accommodation. While 0.8% of the

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<sup>1</sup> Scottish Prison Service 2012 response to Conservative FOI request on (<http://www.bbc.co.uk/news/uk-scotland-scotland-politics-20852685> accessed 10/08/2015)

<sup>2</sup> Scottish Prison Service Addiction Prevalence Testing Stats Final 2014-15

<sup>3</sup> The Scotland Institute *Mental Health and Scotland's Prison Population 2015* p6

population presents as homeless in a year, if you have been in prison this rises to 25%. So there is a clear correlation between being in prison and becoming homeless.<sup>4</sup> This is an issue that Homeless Action Scotland would like to see tackled and we believe this Bill can make a positive change to the number of offenders who are released from prison into homelessness.

6. There has been a steady decrease in homelessness presentations in Scotland since 2009 to the extent that there were 21358 fewer presentations last year, than in 2009. For prison leavers there has been a reduction of 323, with the percentage of prison leavers presenting for the home of Scotland from 4% to 6% in Scotland.<sup>5</sup> Focus groups with prisoners have identified housing as one of the biggest problems they faced, both when they arrive and when they leave prison.<sup>6</sup> We also know that having unsuitable temporary accommodation or being released into homelessness negatively impacts on a person's rehabilitation.<sup>7</sup> Scotland has some of the best homelessness legislation in the world. We believe that this Bill could tackle the issues around community justice as well as being the next step in preventing homelessness in Scotland.

7. Housing is recognised by the Scottish Government, Local Authorities and almost any group that works with offenders as playing a key role in a person's rehabilitation. We welcome that this is recognised in the bill but recommend formal representation by having it as one of the key community justice partners. Housing is a crucial partner in effective rehabilitation of offenders. All other essential partners are included in the partnership. We believe housing must be formally represented in order to achieve an effective response to offending and therefore impact more positively on community justice.

8. We also believe that to better understand the issues relating to criminal justice that an established, national third sector organisation that works with offenders is included within the strategy group. Again, the third sector is recognised by academia, Scottish Government and in any place one seeks the views of those who work in criminal justice, as being a having a positive and unique role in engaging with offenders and finding solutions to their social problems. This should be recognised by this Bill and that recognition should include the ability to inform national strategy directed towards community justice.

9. By including a national housing organisation and a national 3<sup>rd</sup> sector criminal justice agency this Bill will ensure that all voices are heard which will in turn lead to better strategic interventions and planning. We know that organisations working in unison with one another can lead to much better outcomes for with ex-offenders

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<sup>4</sup> Institute for Research and Innovation in Social Services *Prison Leavers and Homelessness* 2015 p5

<sup>5</sup> Scottish Government Homelessness Statistics 2009-2015

<sup>6</sup> Audit Scotland *Reducing reoffending in Scotland* 2012 in do dah p26

<sup>7</sup> Poverty Alliance *Out of jail but still not free* 2015 p8

which is particularly important for those who have multiple exclusions or complex needs.<sup>8</sup>

10. Homeless Action Scotland believe that by including these changes in the Bill that housing will be a significant factor in making positive changes to community justice in Scotland. Research show that ex-offenders have a myriad of issues, some personal, some structural, some societal. If the aim is to prevent re-offending public policy must be directed towards giving offenders the best chance of making that change. By ensuring that adequate representation of housing expertise is included within the Community Justice (Scotland) Bill Homeless Action Scotland believes that Scotland will make inroads into challenging what has been a continuing problem with prison leavers and homelessness.

Robert Aldridge  
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<sup>8</sup> Institute for Research and Innovation in Social Services *Prison Leavers and Homelessness* 2015  
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