



**Lothian and Borders
Community Justice Authority**

Audit

of

Community Justice Accommodation Services

Contents

	Page
1. Background to Report	2
2. Remit of Audit	2
3. Documents Considered During Audit	2
4. Purpose of Supported Accommodation	2-3
5. Conclusion of interim report submitted July 2007	3
6. Audit of Local Authority policies relating to offender group	3-4
7. Bringing together the interim report and audit of local policies	4-5
8. Provision for sex offenders	5
9. Young Offenders	5-6
10. The way forward	6
 Appendix 1 – Current Housing Policies in Lothian & Borders	
 Appendix 2 – Progress Report July 2007	

1. Background to report

In February 2007, the Community Justice Services Division of the Justice Department initiated an audit by the Community Justice Authority (CJA) of offender accommodation services within the Lothian and Borders CJA area. The audit will be one of four work streams undertaken by the Executive designed to inform a national accommodation strategy for offenders.

2. Remit of Audit

In its letter of 27 February 2007 the (then) Executive detailed the audit requirement as being an audit “of the offender accommodation services ... as well as practices relating to the wider provision of accommodation for offenders.” It is intended that the audit will inform proposals to reshape offender accommodation services to ensure that the CJA has an adequate range and level of appropriate accommodation. This relates to the offender outcome in the National Strategy relating to the offender’s ability to access and sustain suitable accommodation. The twin purpose in addressing this offender need is reducing re-offending and protecting the public.

3. Documents considered during audit

1. Community Justice Accommodation Services – Justice Dept Community Justice Services Division – February 2007
2. Guidance on Home Leave Arrangements - Justice Dept Community Justice Services Division – February 2007
3. National Accommodation Strategy for Sex Offenders (NASSO) – Scottish Executive Development Department Social Housing Division
4. Justice 2 Sub Committee Review of Child Sex Offenders – recommendation 22

4. Purpose of Supported Accommodation

The intended purpose of Supported Accommodation is to provide an adequate availability and range of accommodation to meet the assessed needs and risks of offenders in a variety of different circumstances. These include:

1. Accused on bail pending sentence
2. Offenders subject to community based disposals – where the lack of secure accommodation is assessed as being a hindrance to programme adherence
3. Offenders on release from custody both on licence or on voluntary aftercare in order to support their rehabilitation and to develop a range of social and living skills
4. Temporary accommodation for offenders presenting exceptional high risk, in order to manage their risk in a more controlled environment until such time as more normative and risk assessed accommodation can be accessed
5. For prisoners on temporary leave from custody where their posed risk or lack of community based accommodation requires an alternative short-term provision

Supported accommodation is therefore intended to be temporary in nature, often short-term and designed to manage risk, achieve programme adherence or manage offenders who are in transition.

5. Conclusion of interim report submitted July 2007

At the mid-way point in the audit of supported accommodation it was possible to draw some provisional conclusions based on the evidence collected.

- Generally, the majority of offenders requiring support with accommodation can be best managed with relatively low cost tenancy support and it may be possible to extend the range of housing providers who are prepared to work in partnership to provide such services.
- The provision of short-term alternative accommodation for 'home leave' prisoners falls significantly short, from that required. The current provision at the CRANE may be a more intensive level of support than the prisoner requires. Discussion is necessary with Scottish Prison Service to determine its long-term needs in this area and to commence a review of the most appropriate way of meeting these needs.
- It is likely that the demand for intensive supported accommodation for those posing the highest risk will increase, although, better management of this demand will be possible due to the newly established risk management arrangements. The completed audit of supported accommodation projects forward the likely anticipated demand based upon the known prison population.
- It is difficult to see how the current provision for the 16-20 year old offender group can be sustained as demand is low and costs are high. It is time to fundamentally review how the support and accommodation needs of this group are met. This work will continue through the completion of the audit of supported accommodation.

6. Audit of Local Authority policies relating to offender group

Appendix 1 is a table describing the current housing policies pertaining to offenders from each of the five local authorities within the Lothian and Borders CJA area.

Several general themes emerge from this collation of policy information:

- (1) There are no significant policy differences between how male and female offenders are managed in relation to accommodation. As part of the Lothian & Borders CJA Area Plan 2008-11, a specialist 'Women Offenders Group' has been established to consider the broader needs of women offenders both in the community and on release from custody. This group may bring forward specific proposals relating to women's accommodation needs.

- (2) Each of the local authority housing services recognise to a greater or lesser extent the need to assess and meet the needs of offenders as part of their normal housing policy. Some regard offenders as a priority group and some have developed particular policies to meet offender need. It is clear that housing provided by local authorities and Registered Social Landlords does and will continue to provide the majority of tenancies for offenders.
- (3) Recognising that local authorities and Registered Social Landlords provide the majority of tenancies it is also clear that these same providers consider that a greater element of support is required in order to make these tenancies more sustainable for more offenders. Several authorities specify the need for support staff specifically skilled in managing the sometimes challenging behaviour of offenders. This audit establishes the need for the development of Supported Tenancy projects in partnership with Housing services.
- (4) Retention of tenancy for offenders serving a custodial sentence is a particular issue in some council areas. The thirteen week limit on housing benefit is cited as the main reason for loss of tenancy as a consequence of unpaid rent, however; one council has recognised case-law stating that *they* must have reasonable grounds to believe that the property is unoccupied and that the tenant does not intend to reoccupy the tenancy. Discussion relating to this issue considered whether it would be appropriate to use the ring-fenced Section 27 supported accommodation funding to maintain short gaps in tenancy recognising that this may avoid the considerable cost of more intensive accommodation on release from custody.
- (5) One council has recognised the need to provide a direct housing service to offenders while in custody using a Housing Options Team which has prison outreach workers, who visit the offender prior to release to advise on housing options and offer support as appropriate. This model can potentially be seen as an example of best practice and be further extended through the CJA area.

7 Bringing together the interim report and audit of local policies

The interim report (Appendix 2) focussed on the group of offenders who present high and medium risk to the community and those offenders who have a high and medium assessment of need. That report summarised demand against service provision and considered cost. Largely but not entirely the containment and support needs of these two groups are met by independent providers within the voluntary sector with the exception of the CRANE service. This specialist resource based in Edinburgh, funded from the Section 27 allocation and managed by the City of Edinburgh Council provides management and supervision of the highest risk offenders who require 24 hour, staffed residential cover with varying degrees of surveillance. Unsurprisingly, this is an extremely expensive resource, the use of which is reserved for those offenders with levels of risk recognised by MAPPA 3 and or the Parole Board.

On occasions it is necessary to support an individual whose exceptional level of risk would indicate the need for a CRANE placement but where, for a variety of reasons this option is inappropriate. In these circumstances it is necessary to purchase Intensive Support Packages which, like CRANE, are capable of providing 24 hour management and surveillance. These packages are provided by the independent sector and have an associated high cost. Since July 2007 the Scottish Government has agreed to meet on a case by case basis where the need is justified, 90% of these exceptional costs in addition to the supported accommodation allocation. The CJA is required to meet the remaining 10% by making allowance within the Section 27 allocation.

For CRANE to continue to be an available resource, throughput needs to be carefully managed. As part of this audit, every anticipated offender coming from custody in the next year, with a requirement for this high level of support has been recognised. For these needs to be met, CRANE must have the ability to move offenders on to less intensive support.

At a secondary level there is a group of offenders who present with lower risk but have high needs in supporting themselves in tenancies. This group either flow through from more intensive support or are referred to these resources directly. The independent sector provides these resources and they are distinct in their provision by the availability of support workers. Their cost is significantly less than the Intensive Support Packages but still more than ordinary rented tenancies.

8 Provision for sex offenders

Sex offenders present specific and often challenging management needs in relation to accommodation. There are however a significant number of such offenders in the Lothian & Borders area who are currently appropriately housed and regularly monitored through application of close partnership working between Local Authorities, Police, Housing, Health and other agencies. Sex offenders in this area access the full spectrum of housing provision described above, a situation that has been considerably improved since the introduction of the MAPPA arrangements and the appointment of Sex Offender Liaison Officers within police divisions, local authorities and housing.

9 Young Offenders

This offender group poses the most difficulty. Of those young offenders requiring 24 hour supported accommodation aged 16-20, a total of 1548 bed-nights were purchased in 2006-07. This equates to 17 placements in a twelve month period. SACRO caters for this relatively small group through the provision of Allelon, a residential unit situated in Edinburgh. The low level of usage of this resource, over several years, has required supplementary funding from the Scottish Government. Although it is recognised that this provision is extremely useful for the occasional difficult to manage young person the level of usage, when considered against cost brings into question the continued viability of this resource. Additionally, it is generally considered by the purchasing councils, that this hostel has relatively poor outcomes in

terms of benefits to the young offenders. Some of the purchasing Councils have already decided that continued use of this resource is no longer justified and intend to cancel their block or spot purchase agreements in 2008/09.

Councils will need to develop alternative strategies for this age group and for those up to 18 years, they will be able to consider whether the newly developed Transition Service using the resources of Includem and Venture Trust is appropriate.

10 The way forward

The provision of suitable accommodation is viewed as a critical element in protecting the public and reducing re-offending within the National Strategy and the advent of CJAs creates the potential to move this agenda forward to offer a spectrum of services for individuals within each CJA.

To this end the Lothian & Borders CJA will during the first year of the Area Plan bring forward a new, strategic offender accommodation plan. This plan will seek to recognise the breadth of provision required, the critical role of the independent sector and the importance of local housing authorities and Registered Social Landlords as key local partners. The strategy will comprise a co-ordinated tiered response to offender accommodation need, recognising:

- High level need (in terms of risk and public protection)
- Secondary level need (involving a phased reduction in support)
- Tertiary provision (normal community based tenancies with minimal or no support)

Consideration will also be given to the extent this tiered response needs to be co-ordinated through a single mechanism planned to match demand with available resources and manage the through-put of offenders to avoid bed-blocking and maximise efficient use of resources. This model would allow for close communication and co-operation between the range of agencies and providers required to meet this offender need. This role will also be required to drive up standards and keep close control over cost and total budget. As this element of offender provision and Section 27 spend is considerable, value for money will also be a required component of the strategy with thought given to testing the range of potential providers within the housing market.