

‘Not in My Back Yard’: The Challenge of Meeting the Housing Needs of Offenders*

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Selected by Liz Arthur†

In 2014, Paul Thomspon wrote about the age-old problem of how to meet the housing needs of offenders, particularly individuals who have committed sexual and violent offences, following release from custody. In “‘Not in My Back Yard”: The Challenge of Meeting the Housing Needs of Offenders”, Paul highlights the critical role of stable and sustainable accommodation for people who have offended, in preventing further offending. He outlines the challenges of engaging with the wider public and explaining the checks and balances in place within approved accommodation to help manage risk. His comment that ‘community confidence in reintegrating offenders back into the community is critical’ remains as relevant today, ten years on. He sets out the pressures of moving individuals on from hostel accommodation, a situation which unfortunately has only got worse since 2014, given the pressures on social housing and the cost-of-living crisis. What has not changed since 2014 is probation’s recognition and, in many instances, strong partnership with accommodation-providers who work alongside us to help reintegrate people back into communities and protect the public from harm.



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Summary: Evidence points to the fact that a lack of suitable housing and accommodation can increase the risk of offenders going on to commit further crimes. However, people continue to have concerns about known offenders, particularly sex offenders, living within communities. How do we attempt to meet the housing needs of offenders while at the same time providing reassurance and protection to local communities?

Keywords: Approved accommodation, probation, resettlement, community involvement, housing, homelessness, reoffending, high risk, sex offenders, Northern Ireland.

Introduction

The Probation Board for Northern Ireland (PBNI) supervises around 3,600 offenders in the community, subject to a range of court orders and licences (PBNI, 2014). The majority of these offenders will be accommodated within the community, usually with their own families and in their town of origin. However, for some offenders, returning to their families and previous homes is simply not possible. This may be because of family and relationship breakdown during a period in custody or because of restrictions in relation to accommodation being imposed on an individual. For example, civil court orders such as Sexual Offence Prevention Orders can be used to place all kinds of restrictions on the behaviour of the offender. These might include, for example, restrictions on where an offender can reside and who they can associate with.

So, if an offender is not returning to his or her home and family, how is the risk of reoffending managed? What is the role of the agencies involved in the supervision of offenders in the community and, in particular, what is the role of probation? Will communities ever embrace the idea of known offenders living in their midst?

This paper considers the housing of offenders and ex-prisoners in Northern Ireland. The discussion is situated in the context of the development and implementation of the PBNI (2012) *Accommodation Strategy*. The challenges in engaging the community on offender accommodation are addressed. In particular, the paper addresses issues relating to the provision of 'approved accommodation' (or hostels), a form of supported accommodation where offenders may be required to reside for a period in order to 'test out' or monitor behaviour in the interests of public safety.

Does accommodation really impact on reoffending?

A range of research has shown that there is a link between stable and sustainable accommodation for offenders and ex-prisoners and preventing reoffending.

A thematic inspection of offender accommodation in England and Wales by Her Majesty's Inspectorate of Probation (HMI Probation, 2005) demonstrated markedly higher rates of reconviction by offenders who had unmet accommodation needs (29.6 per cent) than those in the general probation caseload (19.6 per cent).

An offender housing survey in Avon and Somerset carried out in conjunction with Gloucestershire Probation Trust sought the views of 405 offenders and found that barriers to accessing housing and related support services were experienced at every stage, from homelessness through to permanent accommodation (Nicholas Day Associates, www.nicholasday-associates.co.uk). The survey found that the majority of offenders interviewed said that they offended when homeless and stopped when housed. Research also suggests that offenders in the community who are subject to community-based programmes are significantly more likely to complete their programme of supervision if they live in stable accommodation (Social Exclusion Unit, 2002).

There is limited recent local research on the impact of homelessness on reoffending in Northern Ireland; however, the Northern Ireland Housing Executive through its 'Supporting People' funding stream has agreed that some of its budget can be used to help conduct local research in 2014. This will be important to support the work carried out in providing for the accommodation needs of offenders. We do know, however, that in 2012–13, for the offenders on PBNi's caseload commencing supervision in the community, 'lack of stable or suitable accommodation' was identified by their supervising officers as contributing to the offending behaviour of some 26 per cent of the caseload. The figure for young offenders was significantly higher (44 per cent).

Speaking in 2012, Peter Shanks, a Lecturer in Housing at Ulster University (UU), said:

Links between homelessness and offending are well established and suitable housing has been identified as one of the key factors that can reduce re-offending. It's recognised that suitable and secure accommodation is the main pathway for the resettlement and reintegration

of ex-prisoners and ex-offenders back into the community. Despite the considerable involvement of housing advice agencies and voluntary-sector organisations – in terms of offering advice and support – gaining access to secure and stable housing remains a key challenge. (UU, 2012)

The question of why access to secure and stable housing in Northern Ireland still represents a key challenge and the role that PBNI has in addressing the accommodation needs of offenders to help provide safer communities is now explored.

PBNI accommodation strategy

PBNI is not an accommodation provider, but over the years it has worked closely with statutory and voluntary-sector partners and local community groups to identify and address the accommodation needs of those subject to supervision.

As the principal housing agency in Northern Ireland, the Housing Executive is the key partner in helping to assess and address the accommodation needs of those supervised by PBNI. The Housing Executive's statutory duty to homeless people is set out in the Housing (NI) Order, 1988. This legislation requires the Housing Executive to assess the duty owed to homelessness presenters in relation to eligibility for such services as temporary accommodation and permanent housing.

The Order also makes provision for the Housing Executive to assist voluntary sector organisations financially in providing a range of services to assist the Housing Executive in fulfilling its statutory duties. The Housing (Amendment) Act (Northern Ireland), 2010 placed a statutory duty on the Housing Executive to develop and publish a five-year homelessness strategy and to provide advice and assistance on homelessness to the broader public, free of charge.

In 2011, in consultation with partners, PBNI reviewed its Accommodation Strategy to refocus on the accommodation needs of those under supervision; to identify deficits and agency priorities; and to develop an Action Plan to maximise the opportunities for enhanced outcomes through existing partnerships and the development of new partners. Firstly, it is important to note that the strategy acknowledges that offenders in need of accommodation are not a homogeneous group. Some have more complex needs than others, particularly those who have poor emotional and physical health, women, older offenders and those from minority ethnic backgrounds.

The strategy identified a number of key objectives, including:

- Ensuring suitable moves on accommodation and providing floating support to sustain tenancies
- Addressing the needs of vulnerable groups, including the learning disabled and those with mental health issues
- Improving access to approved accommodation for high-risk offenders.

We will now look at these in more depth.

Ensuring suitable moves on accommodation and floating support

The Northern Ireland Housing Executive provides financial support to voluntary organisations for support services to help offenders move on from approved accommodation into independent accommodation within the Greater Belfast area. Approved accommodation in Northern Ireland, which is discussed further below, is managed by voluntary and community sector (VCS) organisations and is often used to test offenders' suitability to live independently in the community. The Housing Executive provides this support on an ongoing basis to those who have difficulty living independently, to help sustain them in their tenancies. Such support is available elsewhere in the province through a range of organisations, but probation managers in rural teams have identified more consistent availability of such a service as a priority.

In the past two years, PBNi area managers have developed access to new floating support providers in areas where there had previously been deficits in provision. Floating support is offered to people living in public or private housing who are having difficulty keeping their accommodation as a result of their offending behaviour. As part of the project, a project worker meets with the participant to discuss the reasons for these difficulties and help plan a way forward. The project worker gives ongoing support and practical assistance to achieve this. This may include linking up with other service-providers or those providing support in the community.

This is ongoing work and we are seeking to develop new partners across Northern Ireland to ensure the availability of floating support services to all offenders who are moving on from temporary accommodation, leaving institutions or assessed as being at risk of not sustaining their tenancies.

Addressing the needs of vulnerable groups

Accessing accommodation for offenders with mental health issues can pose a significant difficulty. Between 60 per cent and 80 per cent of prisoners in Northern Ireland are diagnosed as having psychosis, a personality disorder or a substance misuse problem (Department for Health, Social Services and Public Safety, 2010). Based on Assessment, Case Management and Evaluation (ACE) assessments conducted on 31 March 2013, around 70 per cent of offenders on PBNI's caseload have been assessed as having a drug or alcohol offending-related problem. PBNI has contributed to the NIHE Homelessness Strategy and highlighted the particular needs of learning disabled and those with mental health issues in the offender population. A strategic outline case for a personality disorder unit has been prepared with the Health Trusts and is currently with the Department for Justice for progression.

PBNI has also met with providers of supported housing and secured initial agreement to advance a partnership to develop provision for those with a learning disability and mental health needs, as well as increasing the supply of suitable move-on accommodation from approved premises.

PBNI is continuing to help address the accommodation needs of specific offender groups, including women offenders with complex needs, young people and foreign nationals.

The Corston report, *A Review of Women with Particular Vulnerabilities in the Criminal Justice System*, published in 2007, identified housing as a major concern for female offenders, in particular, because women's lives tend to be more disrupted than those of men by custodial sentences (Baroness Corston, 2007). A number of barriers were identified in relation to accommodation – the application process, a shortage of accommodation options and the issues relating to access to children. Other issues specific to women offenders include that their offending is most often associated with poverty and financial difficulties and that their financial situations are further strained by having sole responsibility for children.

As part of PBNI's strategy, working with the Inspire women's project, we have increased access to female accommodation through work with voluntary-sector partners including Women's Aid, and we are working with partner agencies to identify a solution for under-18s, who present difficulties in placing in mainstream Trust accommodation.

Foreign nationals with no access to public funds present a particular challenge to the criminal justice agencies. There are no mainstream budgets

to address this issue and it is likely that it will be a priority area of work as the number of foreign nationals entering Northern Ireland increases.

Foreign national prisoners represent an increasingly significant and vulnerable proportion of the prison estate in England and Wales, accounting for 13% of the population in custody (Prison Reform Trust, 2010). They are ever present in the Safer Custody statistics, accounting for nearly a quarter of self-harm incidents and self-inflicted deaths (HM Inspectorate of Prisons, 2009). Recent Inspectorate Reports (2006, 2007, 2010) and a handful of research studies outline the lack of support facing many foreign national prisoners, in terms of language problems, social and cultural isolation, family support, immigration uncertainties and diversity issues. (Barnoux and Wood, 2013, p. 241)

In January 2011, there were 131 foreign national prisoners in custody in Northern Ireland's prisons. In a prison population of 1,477, this was 8.9 per cent of all prisoners. It is likely that numbers will continue to increase and therefore further research is needed on how best to assist this group with accommodation.

Approved accommodation

These professionally run establishments work to probation-approved standards for offender management and are regulated by Supporting People, which is funding managed by the Housing Executive to support vulnerable people in the community. The majority of referrals to the approved premises are for offenders being released into the community from prison. They are subject to licence conditions to reside there, and these are given priority. PBNI supervises and enforces these licences until their date of expiry. Each offender is risk assessed jointly by PBNI and hostel staff and other relevant partners, including the Northern Ireland Prison Service and the agencies that compose the Public Protection Arrangements for Northern Ireland (PPANI). An individual risk-management plan is created and enforced for each offender for the duration of their stay.

In 2011, PBNI partners in the voluntary sector provided 76 beds for offenders under supervision in six hostels funded through Supporting People. This provision was primarily in Belfast and housed people who needed close monitoring due to their risk of reoffending and the need to protect the public.

Demand for AP places has increased with the introduction of the Criminal Justice (Northern Ireland) Order, 2008, which created new sentences that required statutory supervision of more released prisoners than previously. Pressure on bed spaces increased after the Northern Ireland Prison Service (NIPS) suspended its Prisoner Assessment Unit (PAU) in April 2011, as this removed around twenty beds for testing life and long-term prisoners in the community before their release.

Over the past two years and since the PBNI strategy has been in place, the number of available beds has increased by a third (from 76 to 100), with expanded availability throughout Northern Ireland, rather than just concentrated in Belfast city centre.

Thompson House, an approved premises in north Belfast, has undergone an extensive refurbishment programme, which has increased capacity and ensured that the premises are fit for purpose, including providing additional security cameras and facilities for people with disabilities. In 2013, the Simon Community became a partner for PBNI and it has taken over one hostel and provided offender-dedicated beds in the North West, with plans to expand in the coming months to release beds in four other towns.

The Simon Community hostel in Portadown is scheduled for refurbishment in 2014, which will further increase its capacity and improve its estate. While PBNI currently has access to 100 beds, by the end of March 2015, it is anticipated that there will be 120 bed spaces in 11/12 facilities, with all the new locations outside Belfast.

While enhancing the provision of approved accommodation, it has been necessary to engage with local communities and stakeholders to explain the purpose and need for this form of accommodation. This has at times been challenging, and local communities have not always been positive in their response to the development of approved accommodation in their vicinity (McGreevy, 2013). However, PBNI, with partners, has been committed to being open and transparent and engaging with communities.

Much of the work carried out by PBNI and partners in relation to approved premises, including the work in engaging communities, was endorsed by the *Criminal Justice Inspection Report*, published in 2013. Indeed, the *Criminal Justice Inspection Report on Approved Premises* stated that one of the most significant findings of this inspection had been to demonstrate tangibly that offenders reduce their risk levels while living in approved premises.

As part of the inspection, PBNI compiled data to assess residents' progress after they left the approved premises. This was done by sampling

ACE scores of 104 residents. ACE measures the risk of reoffending and was the most tangible measure of progress available. Analysis of the data shows that offenders who resettled from approved premises reduced their risk score by an average three points while living in the approved premises; their average scores had reduced by a further three points by the end of 2012. The inspection states that 'While this progress cannot be uniquely attributed to an AP placement, when considered alongside the qualitative feedback that we received, it is reasonable to surmise that the APs made some contribution' (Criminal Justice Inspection Northern Ireland (CJINI), 2013, p. 24).

The data also showed that:

- The average ACE score of unsettled leavers increased by four units by the time they left the approved premises, and it remained the same at the end of 2012;
- Those most likely to resettle after leaving an approved premises were older on arrival;
- Resettled residents had an overall average six months' stay; unsettled leavers stayed for an average of five months;
- Significant differences in average lengths of stay were effected by a small number of residents who stayed for very long periods of time.

It is clear that much headway has been made in delivering on the objectives of PBNI's Accommodation Strategy; however, one area that continues to pose a challenge is the public's concern about known offenders, particularly sex offenders, living in the local community. Indeed, PBNI is so mindful of this area of work that it has developed an engagement and communication strategy to provide reassurance to communities and explain why adequate accommodation is important in contributing to community safety.

Engaging with communities

The CJINI (2013) report found that all of the Northern Ireland approved premises were known in their local areas; some suffered adverse attention because of their role. This included damage to the property and staff cars, as well as pickets, petitions, media articles, verbal abuse and graffiti.

PBNI and partners have sought to have in place an integrated communications and engagement strategy to help support the development of the accommodation strategy. That strategy seeks to explain the key

messages around accommodation. It is clear from the evidence (CJINI, 2013) that a key message to local communities has to focus on the fact that there is a much lower rate of reconviction of offenders while they are living in approved premises (3.1 per cent) than for offenders who accessed mainstream accommodation services (36.6 per cent).

Reconviction rates for sex offenders are low – Ministry of Justice (MoJ) Quarterly Proven Reoffending Statistics show that 'Between July 2010 and June 2011, as in most previous years ... sexual (child) offences had the lowest proven reoffending rate at 8.9 per cent' (MoJ, 2013, p. 12). Previous CJ I inspections have also demonstrated that sex offenders in Northern Ireland can be effectively managed within the PPANI (CJINI, 2011).

In many cases, the issue raised by local communities centres solely on sex offenders and particularly those who pose a risk to children. Communities continue to ask about disclosure; some want a process of 'naming and shaming' and have taken to social media sites such as Facebook to try to identify sex offenders in the local area.

Agencies such as probation fully understand and appreciate the concerns of local communities about sex offenders but it is our view, and indeed the view of the Public Protection Arrangements Victim Sub Group, that the benefits of approved premises outweigh the concerns. The strategy for PBNI and others will be to continue to engage with communities in an open and upfront manner, in order to listen to concerns and show them the work we do in making communities safer.

In 2013 and 2014, PBNI, along with a number of other agencies, held a series of meetings in areas including Belfast, Down, Newry and the North West in order to explain to public representatives and interested parties the benefits of having sustainable and suitable accommodation in place. These meetings at a local level are key factors in providing local buy-in and increasing public understanding.

Conclusion

The successful reintegration of offenders into the community provides the best solution to the reduction of further offending. We know that offenders are not a homogeneous group, but have different needs, and therefore there must be different accommodation solutions.

Community confidence in reintegrating offenders back into the community is critical. PBNI, working with its statutory, voluntary and community partners,

has a proven track record in assessing and managing the risk posed by offenders in the community and reducing rates of reoffending.

Gaining community confidence and even greater community participation in the support structures for offenders is a significant challenge for the Probation Board. Providing support for socially isolated individuals is central to their sense of wellbeing and belonging to society and helps them to sustain positive lifestyles and avoid relapse into substance misuse and other negative behaviours which increase the likelihood of reoffending.

Those who have committed sexual offences cause particular concern for the community. They can, however, be effectively managed within the PPANI, of which PBNI is a core member, and reoffending rates with this particular client group are low. Community understanding of the extensive resources committed to these arrangements by probation and its criminal justice partners is important to the potential for increased tolerance of approved premises where some of these offenders may be temporarily accommodated prior to placement in approved long-term residences. Without such facilities, PBNI's capacity to protect the public would be significantly diminished.

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