We are on a journey
to end Homelessness

Homeless Connect

Kathy O'Hanlon
Clerk to the Committee for Justice
Northern Ireland Assembly
Parliament Buildings
Belfast
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Dear Kathy,

Homeless Connect Comments to the Criminal Justice (Sentencing etc.) Bill

Thank you for the opportunity to provide further comments to the Committee for Justice on the Criminal Justice (Sentencing etc.) Bill.

Homeless Connect welcomes the Bill's emphasis on rehabilitation, proportionate sentencing, and greater use of community-based responses to offending. We support a criminal justice system that promotes accountability while addressing the factors that contribute to offending behaviour and supporting individuals to make positive and sustainable changes in their lives.

Our comments focus on the provisions most closely connected to the experience of our members and the people they support: the purposes and principles of sentencing, suspended sentence orders with community requirements, accessible communication, effective rehabilitation, and the protection of people delivering services to the public. We do not offer a view on every provision in the Bill.

Offending behaviour frequently intersects with homelessness, housing insecurity, trauma, poor mental health, addiction, poverty and social exclusion. These circumstances do not remove personal responsibility or diminish the harm experienced by victims, but they can affect a person's ability to engage with services, comply with requirements and reintegrate successfully into the community. Sentencing responses that combine accountability with effective action on the factors associated with offending can reduce reoffending, prevent future victimisation and contribute to safer communities.

Purposes and Principles of Sentencing

Homeless Connect supports the inclusion of rehabilitation as a core purpose of sentencing. However, rehabilitation can only be effective where people have timely access to the services and support required to address the issues contributing to their offending behaviour.

Many individuals who come into contact with the criminal justice system experience significant barriers in accessing housing support, mental health services, addiction treatment and wider community services. In many cases, support is unavailable, subject to lengthy waiting times, or varies considerably across different geographical areas. The effectiveness of any rehabilitative sentence will therefore depend not only on legislative provisions but also on the availability and accessibility of the services required to support implementation.

We also support the principles of proportionality, fairness and transparency. To be meaningful in practice, these principles must recognise the realities faced by people experiencing homelessness and other forms of disadvantage.

Community-Based Sentencing and Rehabilitation

Homeless Connect welcomes the Bill's proposal to permit suspended sentence orders to include community requirements and supervision arrangements intended to promote rehabilitation and reduce reoffending. This approach may create opportunities to combine the deterrent effect of a custodial sentence with structured support in the community. Its success will depend on requirements being proportionate, individually appropriate and supported by services that are available in practice.

The effectiveness of these measures will depend heavily on the capacity and accessibility of the services that support rehabilitation. Housing services, homelessness support, addiction treatment, mental health provision, employability services and wider community-based interventions all contribute to an individual's ability to engage successfully with community requirements. We encourage policymakers and delivery partners to consider how service availability, accessibility and regional variation may affect engagement and outcomes. We further recommend that stable accommodation is recognised within rehabilitation pathways as a key factor supporting successful engagement with treatment, education, employment and community-based interventions.

Implementation and Cross-Departmental Delivery

While the Bill establishes an important legislative framework for sentencing and community supervision, the achievement of its rehabilitative ambitions will depend on effective implementation. Many of the factors associated with offending behaviour, including homelessness, poor health, addiction and social exclusion, sit beyond the justice system alone and require coordinated responses across housing, health, communities

and voluntary sector services. Homeless Connect recommends the development of a clear implementation framework identifying which bodies will provide housing and other support, how those services will coordinate with supervision arrangements, and what capacity and funding will be required to support individuals subject to community requirements and suspended sentence orders. Particular consideration should be given to ensuring equitable access to support services across Northern Ireland and monitoring the impact of any regional variations in service provision.

Community requirements must also be realistic and capable of being met. A person should not be treated as unwilling to comply where homelessness, inaccessible communication, long waiting lists or the absence of a suitable local service has prevented meaningful engagement. Guidance should require courts and supervising bodies to consider whether the necessary support was available and accessible before enforcement action is taken for an alleged breach.

Sustainable Funding and Community Capacity

Homeless Connect believes that effective rehabilitation requires sustained investment in the services and infrastructure that support community reintegration. Housing providers, homelessness services, treatment services and voluntary and community organisations often provide essential support to people seeking to address the factors associated with offending behaviour. We recommend that the Committee seek a clear assessment of the additional service capacity, workforce requirements and funding needed to implement the Bill, including how costs falling on statutory, voluntary and community providers will be identified and met. Investment in community infrastructure is necessary if the Bill is to improve outcomes for individuals, communities and public safety.

Accessibility and Understanding

Homeless Connect strongly supports the provisions requiring courts to explain sentences, suspended sentence orders and community requirements in ordinary language. Many people experiencing homelessness also experience literacy difficulties, learning disabilities, neurodivergence, cognitive impairment, poor mental health or trauma-related communication challenges. Clear communication is therefore essential to ensuring that individuals understand the requirements placed upon them and can engage effectively with rehabilitation opportunities.

We encourage implementation guidance and practice that promotes accessibility and recognises diverse communication needs, ensuring that individuals are supported to understand both their obligations and the support available to them.

Trauma-Informed and Needs-Led Approaches

Homeless Connect supports trauma-informed and person-centred approaches to rehabilitation and community supervision. We therefore recommend that implementation of the Bill promotes needs-led approaches which take account of individual circumstances, communication needs and barriers to engagement. Such approaches are more likely to support meaningful participation, improve outcomes and contribute to reduced reoffending and improved community safety.

Protection for People Delivering Public Services

Homeless Connect also supports effective protection for people delivering services to the public. Staff and volunteers in homelessness services can face violence and abuse while supporting people in complex and challenging circumstances. We ask the Committee to clarify whether the relevant provisions will apply consistently to workers across statutory, voluntary and community-based services, including those commissioned to deliver publicly funded services. Any new offence or aggravating factor should be accompanied by prevention, reporting and workforce-support measures and should not displace the need for trauma-informed responses to people using services.

Conclusion

Homeless Connect supports the rehabilitative intent of the Criminal Justice (Sentencing etc.) Bill and its ambition to strengthen community-based responses to offending. We believe that effective rehabilitation benefits individuals, communities and victims alike by reducing future offending and improving public safety.

However, community sentencing will only achieve its intended outcomes if the infrastructure required to support rehabilitation is in place. This includes access to stable housing, homelessness services, mental health support, addiction treatment and wider community-based interventions. Success will depend not only on the legislative framework but on the funding, partnerships, implementation arrangements and cross-departmental collaboration that sit behind it.

We would welcome continued engagement with the Committee as the Bill progresses and would be pleased to contribute further evidence from our experience of supporting people affected by homelessness and housing insecurity.

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Yours faithfully,

[redacted]

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Homeless Connect is a registered charity in Northern Ireland (Charity Number 103325)