Homeless Offenders in the Community: 
The Issues and Challenges for Probation Supervision

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Summary Research and evaluation into probation practice has traditionally focused on the effectiveness of cognitive behavioural approaches when working with offenders. However, the focus more recently has moved towards examining the extent to which offenders’ personal and social circumstances impact on probation supervision and emerging literature provides strong evidence linking improved social factors to desistance from offending. This paper is based upon a larger study of homeless individuals coming into contact with the criminal justice system in Dublin in 2003. Drawing on findings from a series of focus groups with Probation and Welfare Officers and Probation and Welfare Service records, it attempts to quantify the number of homeless individuals referred to the Probation and Welfare Service, examines the significance of the social and personal circumstances of these homeless individuals and focuses on the issues and challenges that emerge for Probation and Welfare Officers when working with such a client group. Overall, while both homeless and non-homeless offenders share many of the risk factors associated with offending, it is argued that homeless offenders present specific challenges given their marginalised existence and often chaotic lifestyles. The paper engages with the literature in questioning if the remit of probation work needs to be broadened to include a stronger focus on the community and those social factors most associated with desistance.

Keywords Homelessness, probation, offenders, community supervision, desistance

Introduction Homelessness amongst individuals in the criminal justice system has a number of direct implications for the system at all levels, from the first point of contact with the police, to arrest, prosecution and charge, through to release from prison. Indeed, it is well documented that homeless individuals tend to be over-represented in the prison population. According to Carlen (1983) this occurs for two main reasons, firstly, homeless individuals have a higher reconviction rate than domiciled offenders and secondly their housing status may be instrumental in the court’s decision to remand them in custody and sentence them to imprisonment. While a number of publications have focused on the issue of crime and homelessness (Carlen, 1996; Hagan and McCarthy 1997), the police and homelessness (Ballintyne, 1999) and ex-prisoners and homelessness (Hickey, 2002; McCann, 2003; Paylor, 1992), little attention has been given to the study of homeless offenders under probation or other supervision in the community. This is perhaps surprising, given that the issue of homelessness may have the most direct impact on the Probation and Welfare Service in the sense that they are tasked with working with such offenders in the community. Indeed, Bottoms et al. (2002:237) argue that it is difficult for probation officers to ignore ‘the social dimension of crime’ because ‘[they] are confronted with it, day in and day out, in the lives of offenders with whom they have to deal’.

Homelessness: Quantifying the Issue and Identifying the Causes Prior to investigating the issues and challenges facing Probation and Welfare Officers when working with homeless offenders in the community, it is important firstly to highlight the difficulty of identifying homeless offenders within the criminal justice system. Baldry (2001) argues that fear of stigmatisation
and/or discrimination amongst homeless offenders leads to under-reporting, while Murie (1998) suggests that homeless individuals often provide the address of their parental or family home rather than disclose their homeless status. Furthermore, it is anticipated that while some individuals may not be homeless at the time of referral to the Probation and Welfare Service, they may subsequently become homeless. Farrall (2002:142) describes the social and personal contexts of offenders’ lives as ‘fluid’, meaning that their circumstances are likely to change over the duration of their probation supervision period. Indeed, a growing body of literature on homelessness in the general population (Anderson and Tulloch, 2000; Fitzpatrick et al., 2000) identifies the notion of homelessness as a process and not as a situation. They describe it as ‘the notion that individuals and households may move between being homeless, poorly housed and adequately/well housed’ (Anderson and Tulloch, 2000:4).

The literature suggests that the key causal factors related to homelessness include family conflict (Smith et al., 1998); social isolation and poor social networks (Randall and Brown, 1996); a history of care (Anderson et al., 1993; Kelleheer et al., 2000; Third and Yanetta, 2000); a history of abuse (Randall and Brown, 1999); age of first becoming homeless (CASE, 2000); previous imprisonment (Carlisle, 1996; Paylor, 1992; Yanetta et al., 1999); mental ill health (Feeny et al., 2000; McGilloway and Donnelly, 1996) and alcohol and drug misuse (Deben and Greshof, 1997). The causal factors associated with homelessness mirror the risk factors identified in the literature as being associated with offending. This in no way suggests that all homeless people come into contact with the criminal justice system; rather it intends to demonstrate that the profile of homeless offenders is often similar to that of non-homeless offenders.

The Relationship between Crime and Homelessness

A number of studies (Banks and Fairhead, 1976; Ramsay, 1986) have noted a higher rate of reconviction amongst homeless offenders than those with more stable accommodation. In determining the relationship between crime and homelessness a key question relates to whether homelessness leads to offending or vice versa. The multiplicity and complexity of risk factors relating to crime and homelessness highlights the importance of not adopting one causation model. The most accurate assumption to be made is that crime potentially is both a cause and an effect of homelessness.

Ballintyne (1999) argues that while the rate of offending amongst homeless people, particularly rough sleepers is high, the motivation behind it tends to be need as opposed to personal gain. Similarly in her study of young homeless people, Carlen (1996) describes many of the crimes amongst young people as 'strategies of survivalism'. The notion of survivalist or necessity crime is also described by Palenski (1984). McCarthy and Hagan (1991) point out that young people are more likely to commit crime after becoming homeless as opposed to beforehand, while later research by the same authors found that living on the streets contributed to youth crime, arrest and imprisonment (Hagan and McCarthy, 1997). The evidence also suggests that the motivation for criminal behaviour is not always based on the acquisition of material goods. Indeed DiLisi (2000) outlines a number of categories of crime for which homeless people are arrested. These include crimes of violence; nuisance crimes; property crimes; traffic crimes; drug crimes and weapon offences.

Snow et al. (1989) outline a number of processes by which homeless people and rough sleepers in particular are more likely to commit an offence. These include engaging in criminal behaviour to survive on the streets; the criminalisation of street life including drinking in public; and the stigmatisation of street homelessness whereby the visibility and suspicion of rough sleepers as potential threats to community safety mean that they may be more likely to be formally processed for offences that may otherwise have been ignored. Regardless of the motivation for offending, the implication is that many homeless people
are likely to end up in the criminal justice system due to a combination of the risk factors, motivations and circumstances of their lives outlined above. Therefore, while the focus of this article is on the impact of homelessness on probation and welfare supervision, it is clear that it also impacts on all agencies of the criminal justice system.

**Homelessness and Desistance from Offending**

Whether homelessness precedes crime or occurs as a result of offending behaviour, a significant body of emerging literature suggests that accommodation difficulties are related to a higher risk of re-offending (May, 1999; Social Exclusion Unit, 2002) and a significant obstacle to desistance from offending (Burnett, 2004; Farrall, 2002). In Burnett’s (2004) study it was found that more of those who persisted with offending, than those who desisted, thought at pre-release that they might have accommodation and relationship problems. It emerged that after release, those who persisted with offending were less likely to have satisfactory accommodation and stable relationships and more likely to be using ‘hard’ drugs than those who desisted. Farrall (2002) established from a quantitative analysis in his research that stable accommodation especially when combined with stable employment was associated with desistance. Farrall (2002) also found that those probationers who were most confident of desisting from offending were least likely to describe accommodation or finances as being problematic for them at the time of the offence.

By discussing the link between homelessness and desistance from offending, it is not to suggest that this is the only relevant factor. However, as Ramsay (1986) describes, one of the most basic needs to be addressed in order to promote desistance is housing:

> Neither possession of a job nor having somewhere to live is necessarily going to rehabilitate any one, but, without either or these, a man’s chances of “going straight” are very slim indeed.

As highlighted in the previous section, the underlying reasons for homelessness and offending are often complex and inter-related. Indeed, Burnett (2004) established that a key factor amongst those who persisted with offending was ‘a combination of several other factors as potential obstacles to going straight’ (ibid, 2004:163). These findings are supported by a range of other studies (Farrall, 2002; May, 1999; Raynor, 1998) which suggest that those with more problems were more likely to be reconvicted. The desistance literature points to employment and family formation as being particularly significant indicators of desistance from offending (Burnett, 2004). This does not bode well for homeless offenders, many of whom are alienated from their families (GLARG, 2000) and have difficulty getting a job due to the unstable and often chaotic nature of their homeless existence. This is particularly significant given that homeless offenders appear to be those least likely to have family support and most likely to experience social isolation (MacNeela, 1999).

**Implications of the Desistance Literature**

Implications of the desistance literature strongly suggest that more of a focus needs to be placed on the social circumstances of offending and ‘the social environment in which offenders are taking decisions and acting upon them’ (Rex, 2002:70). Indeed, increasing recognition has been given to the neglect of such factors in probation practice. For example, Raynor and Vanstone (1997:39) reflecting on the failure of the STOP intensive probation programme to sustain its achievements into the second year, point out that ‘work on the thinking and behaviour of people who are at high risk of further offending [needs to be] complemented by attempts to assist them with the problems that they encounter in their everyday lives in the community’. Farrall (2004:201) found that the motivation of probationers and the social and personal circumstances of their lives were the most important factors in determining whether they faced and dealt with the obstacles in their lives which resulted in desistance. Furthermore, it was established from both the descriptions of officers and probationers that the social and personal context in which offenders
attempted to address their obstacles, largely determined the success or otherwise of their attempts (Farrall, 2002). This supports Rex’s assertion that ‘the social situations in which offenders find themselves seem central to their ability to deal with the personal and social problems that contribute to their offending’ (ibid, 2002:72).

**Methodology**

Probation and Welfare Service records were used to quantify the numbers of homeless cases referred to the Probation and Welfare Service. These data consisted of tracking records for those referred to the service to the point of outcome (B forms) over a six week period between May and June 2003. In total 429 B forms were examined and analysed. It emerged that almost ten per cent (9.3%) of individuals referred to the Probation and Welfare Service over a six week period in Dublin were homeless. In many respects, this figure may be an under-estimation of the true number of homeless offenders because while it includes those of no-fixed-abode, living in hostels, bed and breakfast accommodation and transitional housing it is impossible to identify the ‘hidden homeless’ (i.e. those living temporarily with family or friends because they have no where else to go) (O’Sullivan, 1996).

In total nine focus groups were undertaken with Probation and Welfare staff in Dublin between May and August 2003. A series of small focus groups were held in seven penal institutions (involving between three and seven participants). Participants consisted of the Senior Probation and Welfare Officer and the Probation and Welfare Officer(s) based in each institution. In addition, two large focus groups were held with Probation and Welfare staff based in the various communities across Dublin. The purpose of the focus groups with community based staff was to discuss the impact of homelessness on effective probation supervision as well as to identify the gaps in provision for homeless offenders in the community. Prior to these focus groups, each of the 14 court/community-based Probation and Welfare teams were invited to discuss the issues related to the supervision of homeless offenders in the community within their own teams and to send representatives to one of the two focus groups. In total, almost 50 Probation and Welfare Officers were involved in the community and prison based focus groups.

**Probation Supervision and Homelessness: The Challenges of the Social Context**

Similar to other studies of probation (Farrall, 2002; Robinson and McNeill, 2004) it was clear that Probation and Welfare Officers in this study viewed the social context of offender’s lives as highly significant. In essence, as Burnett (2004:171) describes, ‘helping ex-offenders to identify, analyse and find solutions to their problems in living is precisely what probation officers have traditionally concentrated on doing’. Reflecting similar findings from Dane (1998), Probation and Welfare Officers recognised the importance of assisting homeless offenders find accommodation and access support services:

> It is important that the solution to homelessness is seen as providing support and on-going support rather than bricks and mortar - it is about recognising that some people cannot survive alone without support.

Evidently, this is good probation practice as Raynor et al. (1994) argue that addressing need is central to effective supervision, because individual treatment aimed at challenging distorted thinking patterns is unlikely to succeed ‘if an individual has a drug dependency, little money, no job and poor accommodation’ (ibid, 1994:76). In spite of this, as the following discussion suggests, the extent to which Probation and Welfare Officers are able to translate the acknowledgement of offenders’ difficulties into practice is impeded at a number of levels. Rex (2002:72) sums up the difficulties when she argues that:

> it is one thing to identify and assess the personal and social problems that may have contributed to someone’s offending, ... [it] is quite another to identify how that individual can be helped to surmount formidable social obstacles.
The particular difficulties that emerged for Probation and Welfare Officers supervising homeless offenders in the community included: the difficulties related to tracking and engaging with homeless offenders; the limited social skills of offenders; the limited ‘social capital’ of offenders; the challenge of inter-agency work and the limited resources to meet the needs of homeless offenders.

Tracking and Engaging with Homeless Offenders

Research suggests that engaging with offenders is an important aspect of probation supervision at the early stages (O’Mahony and Seymour, 2001) but also throughout the supervision process (Chapman and Hough, 1999). However, Probation and Welfare Officers in this study described how tracking homeless offenders was problematic given their lack of a stable address. They estimated that almost half of those offenders on supervision who were of ‘no fixed abode’ would fail to turn up for initial appointments despite being offered three of them, or alternatively they would turn up on the wrong day. Further challenges related to tracking, ranged from homeless probationers going ‘missing’ for a period of time, to difficulties related to them receiving correspondence about probation appointments while staying in temporary accommodation such as hostels and B&Bs.

Probation and Welfare Officers distinguished between the ‘stable homeless’ client and the ‘chaotic homeless’ client. They identified that the former group were able ‘to manage their homelessness’ and were also more likely to keep their appointments. In contrast, if an individual’s lifestyle was chaotic and the homeless experience traumatic for them, officers thought that keeping probation appointments would not be a priority:

If a client is moving from hostel to hostel, we are way down their list of priorities ... homelessness flattens supervision.

The implication of these chaotic circumstances according to the Probation and Welfare Officers is that the focus of work is largely on crisis intervention. The significance of these findings are relevant, firstly, because previous research (Farrall, 2002:175) has linked ‘the circumstances in which the probationers lived’ and ‘the actions (or inactions) of probationers themselves’ to probation intervention having limited impact on offenders and their offending behaviour. Secondly, while the adoption of a ‘stable lifestyle’ amongst offenders has been linked to avoiding offending (Farrall, 2002), conversely, it suggests that a chaotic lifestyle is linked to persistence with offending. Overall, the failure to track and engage with offenders places them at greater risk of breach proceedings for non-compliance and as the literature on programmatic research suggests, reconviction outcomes are consistently bad for non-completers (Raynor and Vanstone, 1994; Wilkinson, 1995).

The Limited Social Skills of those on Probation Supervision

Probation and Welfare Officers identified the limited social skills or ‘human capital’ (Coleman, 1988:98 in Farrall, 2004a:57) of many homeless offenders as adversely impacting on their ability to access temporary accommodation or other support services. According to officers, the process of accessing any type of accommodation involves detailed paperwork, lengthy periods of waiting around and perseverance on the part of the client. A lack of the necessary social and coping skills to successfully negotiate the housing and other support systems potentially excluded those on probation from essential services:

Our clients often have little in the way of skills to present themselves. The frustration of sitting around and waiting day in day out is also difficult - it can often end in a brawl.

As identified above, the difficulty when supervising homeless offenders is that only limited cognitive behavioural work may be undertaken, given the often chaotic nature of their lifestyles. Despite probation intervention, the result is limited change and a continuation of the cycle of crime and exclusion. Furthermore, being excluded from services further serves to move offenders away from the path of desistance.
According to Probation and Welfare Officers, even when homeless offenders succeeded in accessing accommodation, their limited social and coping skills (human capital) had the potential to jeopardise their placement:

For drug addicted [homeless] offenders private rented accommodation rarely lasts, these offenders may be on the housing list and use private rented as a temporary gap, however, it rarely lasts because of drug addiction, it can sometimes last for a few days or up to a month but very often not much more.

Farrall (2002:216) describes how ‘poor or inadequate human capital’ makes maintaining a placement very difficult. This is of particular concern given that ‘one of the most consistent findings of the literature on the termination of criminal careers concerns the successful resolution of obstacles to reform by the would-be desister’ (Farrall, 2004:192).

**The Limited ‘Social Capital’ of those on Probation**

Hagan and McCarthy (1997:229 in Farrall, 2004a:60) describe social capital as:

[originating] in socially structured relations between individuals, in families and in aggregations of individuals in neighbourhoods, churches, schools and so on. These relations facilitate social action by generating a knowledge and sense of obligation, expectations, trustworthiness, information channels norms and sanctions.

Based on findings from the literature on homelessness, it is a reasonable assumption to make that homeless probationers are likely to have limited ‘social capital’ given that they may be alienated from their family and community (Randall and Brown, 1999) and experience social isolation and marginalisation (MacNeela, 1999). Probation and Welfare Officers have an important role to play in activating the social capital resources of the offender by acting as a link between them and their family or other agencies e.g. a housing agency (Farrall, 2004a). In essence, these actions, if successful are viewed as positive given the emerging links between desistance from offending, positive family relationships and stable employment and accommodation. Furthermore, previous studies on probation (c.f. Bailey and Ward, 1992; Rex, 1997) suggest more successful outcomes where probation officers support offenders with their goals, as opposed to using a prescriptive approach traditionally associated with the treatment model. Unfortunately, given the evidence presented above, it appears that Probation and Welfare Officers working with homeless offenders are often limited in the extent to which they can galvanise sources of social capital.

**The Challenge of Inter-agency Work**

It was clear from what Probation and Welfare Officers said that they experienced difficulties in linking offenders to relevant agencies. The challenges of inter-agency work are no where more apparent that when working with homeless offenders given their often chaotic lifestyle. One officer encapsulated the views expressed by many others in her description of the difficulties - ‘if agencies don’t know you the door is often closed - the fear amongst agencies is ... that you’ll dump the client and disappear’. Another issue experienced by officers engaged in inter-agency work was the need to balance the client’s independence with the partnership agency’s request to provide support:

It is very difficult for clients to be allowed to access services by themselves - in order to get a place for a client it is necessary to get involved and guarantee support - while this is essential in most cases it prohibits the client from being independent.

This is a particular challenge for Probation and Welfare Officers given the evidence highlighting the need to ‘engage WITH’ as opposed to ‘doing things TO and FOR people’ (emphasis included) in order to avoid undermining ‘democratic citizenship’ (Watchel and McCold, 2001:129). Despite the challenges involved, Probation and Welfare Officers strongly advocated the importance and development of more formalised links between the probation service and housing and support services suggesting the development of a des-
Ignated homeless team within their own service to build up expertise and develop inter-agency contacts and relationships.

**Limited Resources to Meet the Needs of Homeless Offenders**

Farrall (2002:219) argues that offenders on probation are likely to have limited resources, both personal (human capital) and ‘in terms of the skills and knowledge which permeate the communities in which they live (their social capital). Therefore, it is likely that they will require assistance from a variety of statutory and voluntary organisations. Numerous homeless organisations (e.g. Focus Ireland, Dublin Simon Community) have identified the lack of essential housing and support services required to meet the needs of the homeless population in Dublin. According to Probation and Welfare Officers it can be even more difficult for offenders given their criminal history and stigma linked to their association with criminal justice agencies such as the Probation and Welfare Service. The difficulty of accessing resources appears to be further exacerbated depending on the types of offences committed by the homeless person. As one Probation and Welfare Officer described ‘it is difficult to find accommodation for offenders generally and sex offenders come bottom of the pecking order’.

Probation and Welfare Officers described how limited accommodation and high rents in Dublin often meant that offenders could only avail of what they labelled as ‘sub-standard’ and/or ‘unliveable’ accommodation. The result was often that officers had great difficulty stabilising offenders in such accommodation given its poor quality. According to Probation and Welfare Officers, hostels were the only option for the majority of their homeless clients, despite them identifying such accommodation as unsatisfactory in terms of attempting to successfully work in ‘stabilising’ offenders in the community. The implications of these findings are particularly worrying in light of evidence from the desistance literature that suggests those individuals with limited stability of life circumstances and little stake in society do most badly in terms of reconviction. Based on this analysis, it would appear that the prospects for homeless offenders are bleak and the potential to address offending limited.

**What the Probation Service can offer Homeless Offenders?**

Given the challenges and difficulties outlined above, it is perhaps unsurprising to find that a previous study of probation staff and offenders found that resolving the obstacles to desistance from offending amongst all offenders often occurs separately or independently of probation intervention (Farrall, 2002). Such findings however should not lead to the conclusion that ‘nothing works’, in fact in the same study more positive findings emerged in relation to the impact of probation intervention. Farrall (2002:215) found that while the work undertaken by offenders on probation was of little direct assistance, ‘the indirect impact of probation (i.e. naturally occurring changes in employment, accommodation and personal relationships) was of greater significance’. The indirect and positive impact of probation intervention has also been noted in other studies. Raynor (1998) provides a useful insight into how programmes can assist offenders with their personal problems. In an evaluation of the STOP intensive probation programme, improvements were noted in probationers self-reported personal problems despite the programme not focusing on the problems of individual offenders. In essence, the improvements related to the way in which the programme ‘makes a systematic attempt to help people to acquire the cognitive skills and attitudes necessary for more effective problem-solving’ (Raynor, 1998:11). In addition to the indirect impact of probation supervision, Farrall (2002) also found examples where the intervention by the probation officer was a ‘significant factor in helping some probationers desist’ (ibid, 2002:176). In particular, it appeared that when officers helped offenders to address practical problems relating to employment and family, it improved the chances of success in terms of desistance. Overall, it appears that the relevance of social factors in assisting offenders to overcome the obstacles to offending cannot be under-estimated; the
challenge for the probation service is to overcome the barriers which impact on its potential to address such factors.

The Way Forward
Chapman and Hough (1999) argue that while community-based sanctions can provide ‘an opportunity’ to the offender if the content is targeted to his/her criminogenic needs, they can also result in an unsuccessful outcome for the offender and service provider if appropriate interventions to meet these needs are not provided. Clearly, it appears from the above analysis that it is not a lack of knowledge amongst Probation and Welfare Officers about the significance of the social factors related to offending, nor an unwillingness to address these factors, but rather that probation intervention of itself is ‘unable to get at the heart of the problem facing many of those on probation: low levels of social capital’ (Farrall, 2004a:71).

Based on the evidence presented to date it would appear that the development of stronger inter-agency links between the Probation and Welfare Service and housing and other support agencies are central to effectively working with homeless offenders in the community. Indeed, Chapman and Hough (1999) argue that effective probation supervision must incorporate and work in partnership with other services including housing and employment agencies to reduce the risk of re-offending amongst offenders on supervision. That said, this paper has also identified the scarce resources available to finance housing and support services for homeless people in Dublin. In many respects, while stronger inter-agency links may lead to a more efficient and effective system of referral, without the physical resources to accommodate an offender and/or address his/her criminogenic needs such appeals are of little use. Neither the Probation and Welfare Service nor the plethora of services for homeless people have the necessary resources to build the type of social capital amongst offenders that appears to be so strongly linked to desistance (Farrall, 2002). Rather what is required is the political will to re-orientate the focus of criminal justice policy from custody to the community and make the ‘strengthening of social capital ... one of the aims of social and criminal justice policy and accordingly the focus of much of the work undertaken by probation services’ (Farrall, 2004a:71).

Conclusion
The NESF Report on the Reintegration of Prisoners (2002) suggests that one of the most effective ways of promoting an offender’s reintegration is to reduce the risk of marginalisation in the first place and argues that assisting individuals to remain in the community increases their likelihood of abstaining from offending in the long-term. Underdown (2002:117) argues that ‘the ‘community’ setting of ‘community’ penalties presents both special challenges and rich opportunities’. The challenges faced in supervising such a group are clearly outlined above, leaving the question of whether such offenders can be effectively engaged with in the community given their high level of need and the lack of corresponding resources to meet those needs? The ‘rich opportunities’ to which Underdown (2002) refers are, unfortunately, less obvious to see. However, the uniqueness of probation and what differentiates it from other sentences e.g. prison, is that it enables offenders to remain in the community to address the issues related to offending.

This paper has focused largely on the social factors and contexts of offenders’ lives. This is not to lose sight of the relevance of cognitive-behavioural work, which in many respects is essential to developing an offender’s thinking and coping skills (human capital). Rather, what is being suggested is that ‘practice with identified offenders needs to be complemented by a commitment to a broader engagement with the social problems associated with crime and criminal behaviour, and with the community’s response to them’ (Raynor et al., 1994:107).
Appeals to community and to the wider social context of the community must take account of the limited resources generally available to support homeless offenders in the community. The overall conclusion is that a re-focusing of criminal justice policy is required, moving from an over-reliance on custody to an emphasis on community-based sanctions. This shift of itself however, will be insufficient without the political will to direct resources at services which have the potential to divert homeless individuals from the criminal justice system and especially the prison system. Without such change, it appears that we will continue in the crippling web of limited resources, frustrated professionals and a significant proportion of homeless individuals in the prison system that are essentially there on the basis of social need rather than seriousness of offence.

References

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Note: The study entitled ‘The Number, Profile and Progression Routes of Homeless Persons before the Court and in Custody’ was commissioned by the Probation and Welfare Service and kindly funded by the Department of Justice, Equality and Law Reform in Dublin.