

# **Making Justice Work Qualitative Evaluation**

**Final Report**

**October 2020**

**Fife Advice Partnership**

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*The authors would like to thank those who took part in the research including staff from Frontline Fife, Citizens Advice and Rights Fife (CARF), Fife Law Centre, and partner organisations, as well as the four clients who kindly shared their experiences of the project.*

# 1 Introduction

This report presents the findings of Iconic Consulting’s independent qualitative evaluation of Fife Advice Partnership’s Making Justice Work project. The service supports people at risk of eviction from private or social rented housing or mortgage repossession through a combination of advice, support and representation delivered by the Partnership - Frontline Fife, Citizens Advice and Rights Fife (CARF) and Fife Law Centre. The evaluation was commissioned by Fife Advice Partnership and had a particular focus on gathering qualitative evidence of the project’s impact on service users.

## Making Justice Work overview

The Making Justice Work partners have specific roles in supporting clients:

- Frontline Fife provide housing advice, support and lay representation to people at risk of eviction from social and private rented accommodation.
- Fife Law Centre provide legal advice, support and representation to people at risk of eviction from social and private rented accommodation and mortgage repossession.
- CARF provide money and debt advice and support to people at risk of eviction from social and private rented accommodation and mortgage repossession.

Frontline Fife and CARF are Scottish National Standards for Information and Advice Providers (SNSIAP) accredited agencies. Both are accredited to provide Type II (Casework) and Type III (Advocacy, Representation and Mediation) advice.

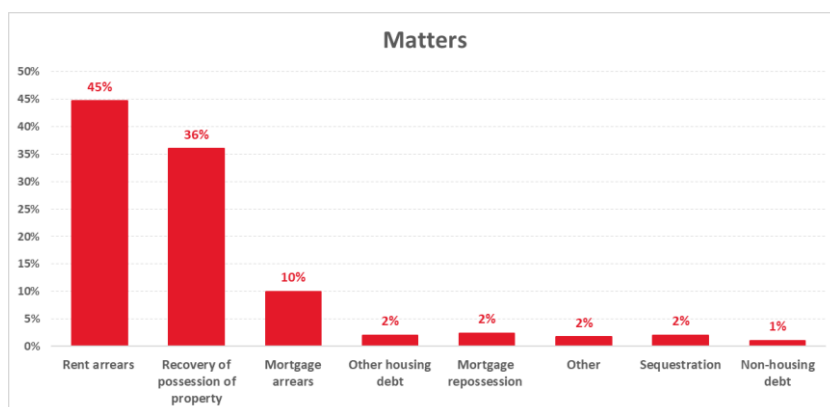
The team consists of the following positions:

- Two housing advisors at Frontline Fife (1.5 FTE).
- Two money advisors at CARF.
- A solicitor at Fife Law Centre.
- An administrator.

The staff are based in their host organisations.

The project is currently funded by the Scottish Government’s Early Resolution Advice Programme, which is managed by the Scottish Legal Aid Board (SLAB). It has benefitted for over ten years from various SLAB funding streams including the Economic Downturn Programme.

Since 2012, the project has supported approximately 250 new clients and 390 new matters per annum. The majority of clients have been social tenants (75%), with just under a quarter owner occupiers (23%). Private rented sector tenants account for only 1% of clients, with a similar proportion classified as ‘other’ (1%). As shown in the graph opposite, rent arrears (45%) and recovery of possession of property (36%) were the main matters clients were seeking support with. Mortgage arrears/repossession accounted for a tenth of all matters.



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## Evaluation

The overall aim of this evaluation was to review Making Justice Work's service delivery and assess its impact on clients, specifically the difference it makes to people's lives.

A predominantly qualitative research approach was adopted to gather evidence for this report. The research was undertaken between April and July 2020 and involved the following methods that were revised to take account of the Covid-19 lockdown:

- A preliminary discussion with senior staff at Frontline Fife to scope out the evaluation and methods. This face-to-face meeting took place in February prior to the Covid-19 pandemic.
- Depth interviews with six members of staff from Frontline Fife, CARF and Fife Law Centre responsible for delivering Making Justice Work. The interviews took place in May and were conducted via telephone to comply with Covid-19 restrictions.
- Depth interviews with six stakeholders - representatives from other organisations connected with Making Justice Work's activities. This involved individuals from Registered Social Landlords, SLAB, and Scottish Courts & Tribunals Service (following approval from The Lord President of the Court of Session and Sheriff Principal of Tayside, Central and Fife). The interviews took place in June and July and were conducted via telephone to comply with Covid-19 restrictions.
- Depth interviews with four clients who had been supported by Making Justice Work in the last 12 months and provided consent for their details to be shared with the evaluation team. The interviews took place in July and were conducted via telephone as planned as this was perceived as the most accessible way for service users to engage. We also contacted six other clients to try to gather their views. Despite a number of telephone calls and texts these clients did not engage with the research. This level of engagement is consistent with other studies with people in similar circumstances.
- A review of documents including the original SLAB application form, and an Evaluation of the Economic Downturn Programme which previously funded the project.
- A brief review of data on service users and outcomes.

At the outset of the Coronavirus pandemic, the Scottish Government announced a temporary extension to the notice period required before a landlord could apply for an eviction order. The change in the length of notice depends on the type of tenancy and the grounds for the eviction notice. The changes applied to cases where the notice was served on or after 7 April 2020 and is planned to remain in place until the end of March 2021. The evaluation covers the period prior to these changes being introduced, although they are likely to have implications for Making Justice Work in the future.

## Report structure

This report is structured as follows:

- Section 2 focuses on the benefits of the service.
- Section 3 examines Making Justice Work's impact on clients.
- Section 4 presents our conclusions and recommendations.

## 2 Benefits

In this section we examine Making Justice Work’s benefits for people in the social and private rented sectors at risk of eviction and people in mortgage arrears at risk of repossession. The key issues covered are: access to specialist support, engaging people with complex needs, independence and impartiality, the value of knowledgeable and supportive staff, and the value of partnership working.

### Access to specialist housing, money and legal support

As noted in section 1, Making Justice Work funds two housing advisors based at Frontline Fife, two money advisors based at CARF, a solicitor based at Fife Law Centre and an administrator. Service users, staff and stakeholders all highlighted the service’s main benefit as access to specialist advice and support, across the interlinked fields of housing, money and the law.

As also noted in the previous section, the majority of Making Justice Work clients are social tenants (75%) seeking support with rent arrears and eviction. The circumstances in which people can face eviction from their social (or private) rented house, and the process the landlord must follow are complex. An online [guide](#) highlights the [grounds or reasons](#) for eviction from council and housing association accommodation and the [process](#), including differences related to the type of [tenancy](#). Rent arrears is one of the 15 grounds a landlord can cite for an eviction from a Scottish Secure Tenancy (SST); see Appendix for the full list. Rent arrears is a common ground for eviction and social landlords citing it have pre-action requirements to follow before they can begin eviction proceedings. These pre-action requirements include:

- Providing clear information about the terms of the tenancy agreement and the rent arrears.
- Offering help and advice regarding Housing Benefit or other forms of financial help, and debt management.
- Trying to agree a payment plan.
- Taking into consideration steps to pay off the arrears including Housing Benefit applications and repayment plans.
- Raising awareness of support available from the local council, and other organisations (such as Fife Advice Partnership’s Making Justice Work project).

Changes introduced by the Scottish Government at the start of the Coronavirus pandemic temporarily extended the notice period landlords were required to give tenants served with an eviction notice. The changes depend on the type of tenancy and grounds. For SST and private rented tenants, the notice period for most grounds, including rent arrears, was extended from four weeks to six months to protect tenants suffering hardship during the lockdown.

Making Justice Work supports social tenants at risk of eviction throughout the process. The key stages of that process are:

1. Notification of proceedings - communication from the landlord informing all adults in the house the landlord intends to apply for an order (decree of eviction) from the Sheriff Court which identifies the grounds for the eviction notice.
2. A court summons - communication from the Sheriff Court informing the household when the case will be heard at the Court. Cases involving Fife residents are primarily heard at Dunfermline and Kirkcaldy Sheriff Courts, with a small number of cases involving residents from north Fife now heard at Dundee Sheriff Court.

3. Court case - the Sheriff will hear the case with representations made on behalf of the landlord and the tenant. The Sheriff can take one of the following actions: dismiss the case; sist or suspend the case; continue the case with another hearing in the future; or grant a decree for eviction.
4. Minute for recall - in cases where a decree was granted by the Sheriff and the tenant was not in Court or was represented by someone else, a minute for recall of decree can be lodged to hear the case again.
5. Appeal - an appeal can be lodged if a person believes the Sheriff did not follow the proper procedures or did not use the law correctly when making their decision.

Making Justice Work has taken a number of positive steps to engage people during the eviction process, as outlined below:

- Inclusion of information about the service in communications from RSLs to tenants about the proceedings.
- Building awareness with RSL staff including Revenue Officers and Housing Officers about the service so they can signpost tenants.
- Leaflets in the public areas of the Sheriff Courts providing information about the support available and contact details.
- Consistent attendance at the Sheriff Courts and proactively approaching people in the public areas to offer support to anyone unrepresented.
- Building a relationship with court officials including the Sheriff Clerks who ask those present if anyone is unrepresented and direct them to the Making Justice Work representative in attendance.
- Building awareness with the Sheriffs who can suggest unrepresented people consider seeking advice.

The above represents, in our view, a comprehensive and pro-active approach to engaging tenants at risk of eviction. RSL stakeholders confirmed they promote the service whenever appropriate through letters, phone calls, emails and in-person. Positive relationships have been established with RSL staff and the Sheriff Clerks which are beneficial in integrating the service in the process and ultimately engaging tenants. Attending the Sheriff Courts to engage unrepresented people is particularly noteworthy as it successfully engages a number of people who would otherwise have to represent themselves. There is no requirement for representation and a person can represent themselves if they wish. If they do engage with Making Justice Work, staff can provide people with a script of what to say to the Sheriff to seek a continuation of their case which provides additional time for them to seek further advice and support from the project. In some cases the Sheriff will delay a case to give the person time to seek advice from the Making Justice Work team in attendance.

When people choose to have representation from Making Justice Work, Frontline Fife staff provide lay representation and, where appropriate, Fife Law Centre provide legal representation. Service records show 300-400 matters per annum have been represented in court since 2012 and we regard this in-court action as one of the key elements of the service. The project benefits from a clear division in responsibility between the project partners and clients tend not to be supported simultaneously by Frontline Fife and Fife Law Centre. The majority of cases are dealt with by Frontline Fife's lay representation and are relatively straightforward. More complicated cases that require legal input are supported by Fife Law Centre. Examples given by the team were cases that rested on whether the social landlord had acted reasonably, followed the correct pre-action requirements, issued the notice of proceedings correctly, or where the eviction was sought by the

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landlord on grounds such as antisocial behaviour, or where domestic abuse was a factor. The availability of legal advice from Fife Law Centre is an important feature of the service which enhances its value, in our opinion; it is worth noting that similar SLAB-funded services in other parts of Scotland do not always include legal representation and Fife therefore has the benefit of an enhanced service. The presence of the team at the Court improves the efficiency of the process as unrepresented people have the support of lay or legal representation.

*“It’s definitely helpful and can streamline the process as the vast majority of people are not represented by a solicitor. They are thrown in at the deep end and don’t what to do. They don’t understand and want to tell the Sheriff the backstory which isn’t really relevant. The Sheriff is there to make a decision. The representatives can explain the process and the options to people such as seeking a continuation to get advice or agree a payment plan. It helps streamline the process”.*

*Making Justice Work stakeholder.*

Service users highlighted the value of support from staff who understood the eviction process, could help them navigate it and help them make appropriate decisions and actions. They talked about being unfamiliar with the process and not understanding it or knowing what to do. Some also spoke about feeling intimidated and fearful of the court setting which made the support all the more welcome.

*“It’s good to have somebody that’s professional and knows the ins and outs of things that a normal person like me wouldn’t know... It’s nice to talk to somebody who knows what to do as I wouldn’t have a clue... They dealt with it all including standing up in court which would have been terrifying for me to do something like that... Dealing with the court situation and knowing the law inside out. When you read the letters and stuff you’ve got no idea what it means. They explain it to you and give you peace of mind really... I would not have a clue what to say if I had to go to court myself I’ve not been in that situation so I wouldn’t know what to do about it. For somebody who’s never been to court before it’s intimidating. You see courts on telly and you think it’s going to be like that but it’s not. They are dealing with that day in day out so they know it like the back of their hand as I’ve not got a clue what’s going on, it was such a new thing for me”.*

*Making Justice Work service user.*

*“They went to court, I was never there, but they did it on my behalf and afterwards we’d discuss what was said and how we move forward. I don’t think I would have managed to get on at court. They had so much knowledge, there was so many legal aspects to it, unless you have that knowledge you wouldn’t have had a leg to stand on. Stopping things happening etc. which as a private individual you just wouldn’t have the knowledge to do that... It was not a situation I’d ever been in before and unless you have, you have no knowledge of it... It also saved me taking time off work and it would have been very stressful”.*

*Making Justice Work service user.*

The availability of money advice via CARF was also of great benefit to service users given the financial problems which tended to underlie cases. Speed of access to the money advice service (and Making Justice Work as a whole) is a key attribute and is important given the need for swift intervention when the eviction or repossession process has reached a critical stage, such as a

creditor’s petition for sequestration or minute for recall of decree. Making Justice Work service users can access the dedicated money advisors immediately if the need is urgent, or within one or two weeks, compared to CARF’s generalist money advice service which can take up to five weeks. The money advisors initially undertake a thorough financial review covering income, expenditure and debts, and talk through the options with the service user. Appropriate action will be agreed to manage debts such as payment plans with landlords and other creditors, the Debt Arrangement Scheme, or sequestration. The advisors take an active role in the process liaising with landlords, mortgage lenders, and other creditors, and drafting paperwork and application forms on the client’s behalf. In addition, the advisors also seek to increase household income, primarily through a benefits check and subsequent support to apply for additional benefits. The project recorded client financial gain of £134,931 in 2017/18 and £333,788 in 2018/19 although in our experience of working with advice services, recorded figures tend to undervalue the true extent of client financial gain. The advisors have the autonomy to manage their own diaries and caseloads which allows them to provide the appropriate level of support. Service users praised the money advisors’ in-depth knowledge, their person-centred approach and the effectiveness of their input.

As noted earlier, a small percentage of Making Justice Work’s caseload relates to the private rented sector. The support provided by the team in such cases tends to consist of advice on completing paperwork and, we understand, does not include representation at Tribunals<sup>1</sup>. Similarly, the project’s support to people in mortgage arrears tends to involve negotiation with the lender to agree a repayment plan that is acceptable to both parties.

Although caseloads are high, this does not appear to have had a detrimental impact on service delivery. The team is commended for this although we urge partners to keep this under review as demand may well increase once the impact of the Covid-19 crisis becomes clearer.

**Recommendation 1: Fife Advice Partnership closely monitor the emerging impact of the Covid-19 crisis on service use throughout the remainder of 2020 and 2021 and jointly consider how the service responds where necessary.**

### **Support for people in complex need**

Staff and stakeholders highlighted the importance of Making Justice Work supporting people in complex need, including some disadvantaged and vulnerable people. They reported that clients could be experiencing a number of complex and interlinked issues as well as housing, such as debt, unemployment, mental health problems, substance misuse, antisocial behaviour, criminality, domestic abuse, and relationship difficulties. This was also apparent from our consultation with service users.

*“This is the second time I’ve ended up in this situation (rent arrears) and [Making Justice Work] has dealt with it both times. It is to do with my job, I only work part-time, I do school stuff and when schools go off for so many weeks at a time I don’t get a wage. It’s a backlog and it builds up and builds up. I should really plan for it but saying it and doing it are two different things when you’ve got kids running about all the time and you’re a single parent”.*

*Making Justice Work service user.*

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<sup>1</sup> The First-tier Tribunal for Scotland (Housing and Property Chamber) determines rent and repair issues in private sector housing.



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*“It’s so difficult (not to get into debt) because we live in a credit society and organisations that accept people on low income tend to charge more. Also some people aren’t good at budgeting and they get things they can’t afford especially if they’ve kids asking for the expensive trainers, the computer games, phones. The first thing to go is paying the rent”.*

*Making Justice Work staff.*

*“It is great that someone will step in and address the issues behind the action – the debt, unemployment, mental health. I really like that human element of it”.*

*Making Justice Work stakeholder.*

### **Independent and impartial advice and support**

Stakeholders and staff highlighted the project’s independence and impartiality as a key attribute. They suggested independence from the RSLs taking action and the courts hearing the cases helped engage clients and ensure advice was impartial and unbiased. For example, a member of the team suggested some Council tenants may be reluctant to disclose information such as living arrangements or family situation to the Council but would share the information, confidentially, with the team.

*“Some people don’t like to engage with the Council, they’re maybe scared or apprehensive about what might happen. Frontline Fife is seen as independent and people seem happier to speak to them. If you are in arrears you just want to avoid your landlord, it’s adversarial”.*

*Making Justice Work stakeholder.*

*“Often they’ve buried their heads in the sand but when legal action starts and they realise the housing association is really pursuing them, they need to act and the independence from the association is a good thing”.*

*Making Justice Work stakeholder.*

*“It is a good service to have outwith the formal court structures, good it’s not part of the formal solutions. It is bespoke and very focused”.*

*Making Justice Work stakeholder.*

*“It provides a lifeline for people who can’t see a way out, who are maybe mistrustful of authority and the system. It allows them to have a voice that they otherwise wouldn’t”.*

*Making Justice Work staff.*

### **The value of knowledgeable and supportive staff**

Throughout the evaluation, consultees provided very positive feedback on Making Justice Work staff. Service users praised their knowledge and understanding of housing, financial issues and the law. They also praised their helpfulness and the supportive way staff assisted them, as well as the initial speed of response in taking on their cases and in ongoing communications. The case management approach and continuity of support from specific members of the team was also praised.

*“I cannot talk highly enough about [Making Justice Work], they were absolutely brilliant. Very down to earth, very organised, very well informed and very much on*

*your side. You knew they would try their best. They explained things in detail, explained timeframes, legalities etc. They put in place a payment plan, kept in touch to see if there were any changes or anything they needed to know. They were as good as it gets in my eyes”.*

*Making Justice Work service user.*

*“It has been invaluable, the help. The time that they’ve spent... It feels like somebody has got your back. When I felt I should have support and protection from the bank and didn’t have it, it feels very reassuring to have that and so uplifting that they’ll fight it to the end, so to speak. I am unbelievably grateful to them... I had a horrible couple of calls with the bank’s credit agency and I felt belittled and worthless through their manner and way of speaking to me, and one of them misinformed me that I would be responsible for any shortfalls caused by my ex-partner. [Making Justice Work] was super quick to phone them and tell them they were wrong and guide them in the paperwork so they knew what page to turn to for the information. I just can’t thank them enough for their time and the support they’ve put into this because, every step of the way, they’ve been really thorough and if they are ever not 100% sure they’ll always go to check... It was quite remarkable, they’ve been really, really helpful, and just not making me feel like I had done something wrong”.*

*Making Justice Work service user.*

*“Having with same person deal with the situation was great. There’s nothing worse than getting different people doing the same thing who don’t communicate with each other”.*

*Making Justice Work service user.*

*“The staff are all very switched on and motivated”.*

*Making Justice Work stakeholder.*

### **The value of supportive and inclusive partnership working**

The strength of partnership working was another impressive aspect of Making Justice Work to emerge during this evaluation. This was evident at two levels - between the three delivery partners and with external agencies.

The three delivery partners - Frontline Fife, Fife Law Centre and CARF - work very well together to deliver the project. FORT<sup>2</sup> tends to be used for referrals which cuts down on administration. A case management approach is adopted to provide continuity of support. Roles are clearly understood (particularly those involving Frontline Fife and Fife Law Centre where the potential for overlap is greatest) and boundaries respected. New starts tend to shadow other staff to develop an understanding of the roles. Communication is open and helpful, with regular project team meetings. Mutual appreciation of the skills and expertise across the delivery partners was high. Service users tended to be supported by either Frontline Fife or Fife Law Centre for housing matters depending on the needs of each case. Although clients tend not to be supported by Frontline Fife and Fife Law Centre at the same time, many are supported simultaneously by one of these organisations and CARF who provide expert advice and support on debt and finances.

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<sup>2</sup> Fife Online Referral Tracking (FORT) is a customer relationship management system which allows partners to share client information and to track outcomes across multiple agencies.

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*“We have a really good relationship with partners that plays to the strength of each organisation and the people in the team. We work really well and closely with each other”.*

*Making Justice Work staff.*

*“Our relationship is really good, the rest of the team are superb and we have so much confidence in them. There is nothing they don’t know”.*

*Making Justice Work staff.*

*“We are all on the same page. The other partners are outstanding and our relationship with them is wonderful. It’s really positive”.*

*Making Justice Work staff.*

Our conversations with service users demonstrated the positive links between the partners with examples of service users approaching and being supported by CARF and signposted to Frontline Fife for additional support and vice versa. One service user highlighted the benefit of the two organisations sharing a building in Kirkcaldy which made access easier for them.

The three delivery partners reported positive relationships exist with other organisations which were not only strong but also longstanding. This was the case for their relationships with Fife Council and the other RSLs in Fife and with Sheriff Court staff. Our consultation confirmed this view was shared by stakeholders. The existence of good relationships with partner agencies enables the service to support its target groups; without such relationships it is debatable whether the project would achieve the success it has. Regular meetings take place at a management level between the Making Justice Work partners and other agencies and this was highlighted as a key factor in the strength of relationships.

*“We have a really good relationship with RSLs in Fife, including Fife Council. You know, generally, you’ll get time if you can show them the client is prepared to engage in the process and take action to address their arrears. For example, if bankruptcy has been submitted or approved the RSLs will tend to cancel the eviction or at least change the tenancy to a SSST<sup>3</sup> and the go back to a SST six months later if everything’s in order”.*

*Making Justice Work staff.*

*“We deal with Revenues Officers and Housing Officers across Fife and they know we work honestly with them. They trust us. It works both ways and they are more likely to take a positive attitude to clients and give them some leeway if they engage with us. It’s the same with the Sheriff Court staff, they are generally supportive of what the service does and they know weren’t not blowing smoke at them which means the Sheriffs give our clients some leeway to allow us to help them”.*

*Making Justice Work staff.*

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<sup>3</sup> Short Scottish Secure Tenancy (SSST).

### 3 Impact

This section demonstrates that Making Justice Work has impacted positively on service users in terms of preventing evictions and potential homelessness, improving mental health and wellbeing, debt management/reduction, and increasing income. A case study is presented at the end of the section which summarises one client’s story and the positive impact the service had on their life.

#### Preventing evictions and potential homelessness

Making Justice Work has established to help prevent eviction and homelessness in Fife and the evidence shows this has been achieved. The support to social and private sector tenants and owner occupiers, described in the previous section, has prevented some Making Justice Work clients, who would otherwise have been unrepresented, from losing their homes. Both qualitative and quantitative evidence support this. Staff and stakeholders confirmed the service was delivering its aim of helping to prevent evictions and potential homelessness and highlighted the consequences associated with homelessness. In numeric terms, only 3% of outcomes recorded by the service since 2012 have been client evictions. It would be wrong to claim all Making Justice Work clients would have been evicted if they had not engaged with the service, however, it would also be wrong to claim none of them would have been evicted without their support. The actual proportion is unknown and beyond the remit of this qualitative evaluation but the conclusion is not in doubt that Making Justice Work has prevented the eviction of some tenants who would have potentially been homeless.

*“Clearing debts is the most obvious impact but the real impact is keeping people in their home, as having a home, a proper base to live your life from makes all the other issues far, far worse. A home is a safe location to tackle everything else, it provides a sense of solidity that underpins every other aspect of life... If there are slight stress fractures in the rest of their life, the threat of losing their home can break them open and lead to them losing their home and before you know it you’ve lost it all... It’s particularly worrying for families, being homeless with children”.*

*Making Justice Work staff.*

*“The service is massive. Amazing. It’s an incredible thing because many of the cases are easily solvable. There is a huge volume of people who would have otherwise represented themselves or just been evicted and been homeless”.*

*Making Justice Work staff.*

*“The bottom line, the whole point of Making Justice Work is keeping people in their house. It is a lifeline for people for people who don’t know how to deal with the situation and don’t know how to get out of it.. We have minute of recall if need be to stop evictions and homelessness and social landlords tend to be very happy to have tenants engage in that way with us”.*

*Making Justice Work staff.*

*“It’s more than just losing your house, it is losing your home. Everything that goes with that, the impact it has on your life”.*

*Making Justice Work staff.*

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*“Homelessness has lifelong consequences, especially if children are involved, and everyone is desperate to avoid it. For the social landlords, especially the Council, preventing homelessness is win-win because it becomes their problem and it’s such a costly solution if they do end up homeless”.*

*Making Justice Work staff.*

*“It really helps as it would be unfair for the Sheriff to evict someone because of ignorance of the way the system works. It is especially important to help anyone where homelessness is a possible outcome. The Sheriff is much more likely to continue a case and see it run its course where that person is willing to engage (with the project)”.*

*Making Justice Work stakeholder.*

Service users tended to focus on the immediate benefits of the support rather than the subsequent impact, although one of the service users did talk directly about the consequences and potential homelessness.

*“Obviously, I can’t say 100% I would have been evicted but I’d say 90 or 95%. And outside of going to Citizens Advice I just wouldn’t have known what to do”.*

*Making Justice Work service user.*

### **Improving mental health and wellbeing**

It was very apparent from speaking with service users that Making Justice Work has had a positive impact on their mental health and wellbeing, and this was corroborated by staff and stakeholders. The situation that many clients were in when they engaged with the service had created stress, anxiety and worry. The severity of these feelings was striking with two of the four service users we spoke with, very sadly, mentioning suicidal thoughts before they engaged with the service. It was noteworthy that service users reported improvements such as feeling happier, less stressed and sleeping better. It was particularly interesting to note some service users reported improvements in their wellbeing from their first contact with the team as they shared their problems and felt they had someone supporting them, and that their wellbeing improved further as their cases progressed towards a resolution. The following quotes illustrate quite clearly the positive impact Making Justice Work had on the service users we spoke with during this evaluation.

*“I was up to high doh about it. It is good to have somebody who knows what they are doing. [Making Justice Work] just calmed me down about it all. Just talking to somebody that knew what they were doing gives you peace of mind, it puts your mind at rest. They were telling me they’d deal with it and not to worry about it. It’s worked out great. I couldn’t sleep at night sometimes. It made a big difference”.*

*Making Justice Work service user.*

*“I was feeling horrendous to be honest with you. I was in this situation through no fault of my own – it was work related. I was struggling because there was just no leniency or leeway. It helped put things into perspective after I talked to [Making Justice Work]... I didn’t share it with the family. I didn’t want to worry them and I took it all on myself. I’m used to stresses and strains from my job so I think I probably handled it better than some other people but at the same time it is still very worrying”.*

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Making Justice Work service user.

*“I had numerous conversations with the bank which caused a lot of frustration and a lot of stress. I ended up spending several years engaging with the bank... and I wasn’t getting any headway... I felt like I was being harassed even though I was the one being compliant, keeping them informed and had asked for help when the problem was my ex-partner. It reached the point in life when I just felt I couldn’t really go on. It was just a very difficult place to be and I decided to contact them. At that point I was just physically and mentally exhausted with the whole thing and couldn’t see any ending... Had I taken my own life because I was in such a bad place, I feel like it would have been their responsibility for the way they treated the case. I feel a lot calmer and it feels like a door has closed... It felt like all the way through it was controlling my life, at every turn it was always there and it is nice to feel now that I don’t have that... With my current partner we’ve had quite a lot to contend with in our relationship. It’s been testing... I think if [Making Justice Work] hadn’t been there I don’t think I would be here either. That is where it comes to. I just couldn’t cope. I was going through a really difficult time and this situation really got bad at that point. If [Making Justice Work] hadn’t been there to help and guide and give options – I couldn’t see a clear path ahead because that is what I needed. I really don’t think I would be here, I would have just made my plan and left. We were incredibly lucky... It has been life changing and life affecting”.*

Making Justice Work service user.

Making Justice Work staff also commented on how their input can impact positively on service users’ mental health and wellbeing.

*“Our involvement takes a lot of the stress out of it. Taking that initial step for them is so difficult – they’ve maybe buried their head in the sand a little and it takes a lot for them to contact us. You have to reassure them that they’ve done the right thing and that it’s not too late. And you need to keep them engaged in the process. It really assists people to engage in the process a lot more. From the first phone call when you can hear the anxiety, and sometimes there’s tears, and at the first meeting you can see the nerves but by the end, if you’ve got a result, you can see the relaxation and the relief in them”.*

Making Justice Work staff.

*“We see such a change in people. Sometimes we are the first person they’ve spoken to about it all, about the stress and the shame they feel. To have someone that is actually listening to them and prepared to help can be uplifting and they’ll tell us they’re going to sleep better that night or it’s a huge weight off their shoulders”.*

Making Justice Work staff.

It is clear therefore that the Making Justice Work team support people who are anxious and stressed about their situation, and some service users have other mental health issues. It is important that the team has the skills and confidence to support these services users and we recommend a training needs analysis is undertaken with staff and additional mental health training is provided if required.

**Recommendation 2: Fife Advice Partnership ensure Making Justice Work staff have appropriate training and support to enable them to assist service users with mental health and wellbeing**

issues.

Staff reported that many service users do not engage in the process until it reaches Sheriff Court and this may contribute to the level of stress and anxiety experienced by service users. Staff suggested the situation would be helped by earlier engagement by service users which may require earlier intervention by Making Justice Work, or an additional service delivered by the partners in the future. We are aware there have been discussions between partners and we would very much encourage further discussions to formalise a plan, including funding options. Discussions have included making greater use of Section 11 notices<sup>4</sup> (which inform the local authority that a landlord or creditor has started eviction or repossession proceedings) or when notice of proceedings are issued. Earlier intervention would lead to savings, potentially significant ones, in resources at the RSLs and Sheriff Courts if people were assisted before legal action commenced.

*“People don’t realise the support is out there even though it is advertised and in letters they receive from their landlords. In stressful situations, people don’t take it in. It takes word of mouth or seeing the team in person at the Court. But it would be great to get in early when they missed one month’s rent or have debts of a few hundred pounds rather than thousands”.*

*Making Justice Work staff.*

*“Fife Council has to re-house them anyway so it is their interests to avoid homelessness. It’s pushing at an open door to use an appropriate metaphor. Anything that takes cases out of the court system would help as its very expensive and can be very time consuming”.*

*Making Justice Work stakeholder.*

**Recommendation 3: Fife Advice Partnership works closely with partners including RSLs and private landlords to develop and implement plans to support people at risk of eviction from private or social rented housing or mortgage repossession earlier in the process than they currently are.**

### **Debt management/reduction**

Making Justice Work has had a noteworthy impact in helping service users manage and reduce their debts. Given the service’s aims this included rent and mortgage arrears, however, the service takes a holistic approach helping some clients reduce other debts such as Council Tax, utilities, DWP, doorstep lenders, catalogues, and credit. As described in section 2, Making Justice Work helps service users manage their debts through various mechanisms from payment plans with RSLs to applying for sequestration.

*“I realised that the only way for me to protect my family was to go through bankruptcy so that there was an end point for me as the bank weren’t willing to do anything, it was just continuing, continuing. [Making Justice Work]’s involvement has been key. It’s been a lot of hard work but they has been super, talking things through. It’s been very difficult, a really difficult time, but if it hadn’t been for them, their input, understanding, even just explaining some of the legal terms and if they were unsure they’d go away speak to the legal people. It has just been super in*

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<sup>4</sup> Section 11 - of the Homelessness Etc (Scotland) Act 2003 places a duty on landlords and creditors to notify the local authority when they raise proceedings for eviction or repossession. The aim of the duty is to ensure local authorities are alerted to households at risk of homelessness due to eviction or repossession at an early stage.

*terms of the support and direction getting to a final place that just meant I could sleep at night without this added worry over my head... The property has now been sold and I am clear of debt from the bankruptcy”.*

*Making Justice Work service user.*

### **Increased income**

An additional financial impact was evident, with some service users benefitting from an increase in their income following support from the Making Justice Work team. This impact occurred when the team was able to identify benefits that service users were entitled to and helped them access it. For example, one service user reported that the team had identified and helped them apply for Universal Credit after they were furloughed during the Covid-19 lockdown. The following quote illustrates another service user’s situation and how their income increased following support from Making Justice Work.

*“As well as sorting out my debts, [Making Justice Work] helped me get extra payments as well, that I was entitled to, that I didn’t know I was. Benefits that I wasn’t getting that they realised I wasn’t getting so they sorted it out and now I’m getting all these extra benefits that I didn’t even know I was able to get... They made the effort to go into my Universal Credit portal with me and realised I was missing out on payments. They realised I should have been getting an extra £400 a month, I didn’t even know that and said look I’ll sort it. They didn’t have to do that, they went out their way to do it, go digging deeper into my benefits... When it first happened I took out all these loans and I was paying them back and hardly had anything left to live on. And they also helping me get PIP<sup>5</sup>, cos of my mental health, I’m still going through the procedures of getting it. As soon as they stepped in they were a massive, massive help. They were telling me things that I just didn’t know”.*

*Making Justice Work service user.*

### **Case study**

The following anonymous case study of one Making Justice Work service user we spoke with presents, in their own words, the support they received and the positive impact it had on their situation.

#### **Richard’s story (not his real name).**

Richard had rent arrears of approximately £3,500 and was facing eviction from his social rented property. Frontline Fife represented Richard at Court and established a payment plan with the landlord which enabled him to remain in his home. CARF also supported Richard to tackle debts which totalled £40,000. Support from Making Justice Work not only improved Richard’s housing situation and finances, it also had a positive impact on his mental health and wellbeing. Here’s his story in his own words....

*“I had a few problems when I went through a divorce, that was the start of my mental breakdown. I did a little bit of time in the prisons, I was angry and a lot of things were happening around about me, in my head and stuff. I was going through hard times. When I was in prison I had all these things building up like rent arrears, Council Tax, gas bills,*

<sup>5</sup> Personal Independence Payment (PIP) – benefit for people who have difficulties with daily activities or mobility outdoors because of a disability or long-term physical or mental health problems.



electricity bills. Even when I tried to pay it back I was always chasing my tail. I had a lot of debts and a lot of stress. I had a mental breakdown and I was in hospital for weeks. The lady from SSAFA - cos I'm ex-Army - she came in to help me and put me in touch with CARF.

[Making Justice Work] helped me sort out my debts, and I declared myself bankrupt. If it wasn't for them I would still be in a bit of a hole. They helped me sort it all out... It was over £40,000 going back to my younger days like mobile phone debts, things I took out on credit and couldn't pay for. I had a car on finance. I had £3,500 rent arrears. £4,500 gas and electricity bill that didn't get paid. It was all wiped out (through a bankruptcy) so I'm back on an even keel with my landlord now and I'm still in the same house. I had a lot of support from them (RSL) as well. They were understanding of my situation so they weren't being very pushy. I had to have a hearing thing (at Court) about my house. [Making Justice Work] helped me with that and when the landlord realised I'd been in the hospital and stuff they were giving me more time to get things sorted. When [Making Justice Work] mentioned to them I was going through the bankruptcy, they just put everything on hold, and then when I went bankrupt it all got cleared. They were very understanding.

They [Making Justice Work] had my corner for going into the court and stuff like that. They spoke for me well and kept me updated with what was happening. They were a massive help as I would have struggled without them. They came out to the house, had a word with me, then we had a meeting and they said don't worry, we'll sort it, you don't have to come (to Court), you just stay where you are, as long as you are ok with the terms and conditions we're all good. They put forward a plan, a payment plan, and I started doing that and everything was ok and then CARF sorted out the bankruptcy thing, that was even better as it got wiped out.

They helped me get extra payments, benefits, that I wasn't getting that CARF realised I was able to get. They also put me forward for help from SSAFA and Poppyscotland came out and helped me, they paid a little bit of my debt off as well and put me through a couple of courses to help me get back to work again. They paid the bankruptcy fee, I think it was £200.

They [Making Justice Work] have been a massive help with my mental health... I was sitting in my house stressed out, depressed, getting all these letters through the door. I had to get my sister to come open letters, I was afraid to open letters because I was stressed out that much... I did go to housing association just saying I was struggling and I got a wee bit upset. I struggled with meetings and phone calls on my own... [Making Justice Work] just got everything together and done a bankruptcy and once that happened it was a big stress off my shoulders, now I'm not getting any rent letters or threatening letters so I'm pretty much stress free which is a massive weight off my shoulder... I'm 100% now. I'm happier... Just a few months ago I was in a very dark place, I was trying to kill myself, I got sent into hospital, I was getting treatment in there, pretty much crying every day, I wasn't coming out my house, I was hiding, I was running away from the letters that were coming through my door. It was quite a bad place I was in. Right now, I'm in a much better place and I'm just happy I had all that help.

Anybody who was going through the problems I had, I would definitely recommend they do what I done and shout out for a little bit of help. If there's something I don't understand now I'll contact them and they'll get back straightaway. It makes me feel better that I've got them to help if I need it".

## 4 Conclusions and recommendations

This qualitative evaluation has demonstrated that Fife Advice Partnership's Making Justice Work project is an effective service that has impacted positively on its many service users.

The team of two housing advisors based at Frontline Fife, two money advisors based at CARF, a solicitor based at Fife Law Centre and an administrator, annually support hundreds of people in the social and private rented sectors at risk of eviction and people in mortgage arrears at risk of repossession. Section 2 highlighted the benefit of access to specialist advice, support and representation across the interlinked fields of housing, money and the law. The service has taken a proactive approach to engage people, including a consistent presence in the Sheriff Courts to support those who would otherwise be unrepresented. The evaluation has shown the value of this support for people in need, many of whom are experiencing multiple difficulties, in addition to housing and debt problems, such as mental health, substance misuse, relationship problems, and unemployment. Staff were found to have detailed knowledge and an excellent understanding of the issues which they combine with a helpful and very supportive manner to assist clients, including some who are quite vulnerable. Service users provided extremely positive feedback on the staff who had supported them. It was apparent that staff work well together across the three partner organisations, as well as having strong and longstanding relationship with external organisations including RSLs and the courts. The project's independence from RSLs and the courts was highlighted as a key attribute which helps people engage and act on impartial and unbiased advice.

Section 3 demonstrated Making Justice Work's impact and the testimony of service users was particularly noteworthy. The most direct impact was evident in preventing evictions and potential homelessness and avoiding the serious consequences associated with it, particularly for families with children. The impact on mental health and wellbeing was very evident from our discussions with service users and staff, and this should not be overlooked, in our view, given the stress and anxiety experienced by many service users. Noteworthy financial impacts were also evident in terms of debt management/reduction, and increasing income.

The findings of this evaluation demonstrate the value of Fife Advice Partnership's Making Justice Work service. With SLAB funding due to end in March 2021, we encourage partners to assess the findings alongside future need taking into account the potential implications of the current Covid-19 crisis, not least increasing unemployment and debt, as well as considering the wider context including implementation of the Scottish Government's Ending Homelessness Together Action Plan. The impact of Covid-19 is starting to become evident with Citizens Advice Scotland reporting between February and July 2020 there had been a 22% rise in the proportion of advice given on housing, a 35% increase in the proportion of housing advice given in relation to the private rented sector, and a 300% increase in the proportion of advice on private rent arrears among all types of housing arrears advice. The Scottish Government is proposing to extend the emergency housing powers introduced at the start of the pandemic which aimed to help prevent eviction as a result of rent arrears. There was a view expressed during this evaluation that an increase in evictions may occur when the extension period ends which will have implications for Making Justice Work which partners will need to take into account when considering the service's future. More broadly, we encourage partners to examine earlier intervention in the eviction of tenants given the savings that would accrue to RSLs and the courts, as well as a greater role supporting private rented tenants who currently represent a very small percentage of the caseload.

This report contains a small number of specific recommendations which are reproduced below for ease of reference. The recommendations should be viewed in the context of a very positive evaluation.

Recommendation 1: Fife Advice Partnership closely monitor the emerging impact of the Covid-19 crisis on service use throughout the remainder of 2020 and 2021 and jointly consider how the service responds where necessary.

Recommendation 2: Fife Advice Partnership ensure Making Justice Work staff have appropriate training and support to enable them to assist service users with mental health and wellbeing issues.

Recommendation 3: Fife Advice Partnership works closely with partners including RSLs and private landlords to develop and implement plans to support people at risk of eviction from private or social rented housing or mortgage repossession earlier in the process than they currently are.

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## Appendix – Grounds for eviction from social housing

Registered Social Landlords seeking to evict a tenant must cite one of the following grounds or reasons for their action:

1. Rent arrears or breaking your tenancy agreement.
2. Using the house for immoral or illegal purposes or other criminal offences.
3. Deterioration of the property or common parts.
4. Deterioration of furniture.
5. You are absent from the property.
6. You made a false statement to obtain the property.
7. Antisocial behaviour or conduct amounting to harassment.
8. Nuisance, annoyance or conduct amounting to harassment.
9. The house is overcrowded.
10. Demolition of, or substantial work on, the property.
11. The property is designed or adapted for people with special needs.
12. The property is part of a group designed or located near facilities for people with special needs.
13. The landlord has leased the property.
14. The landlord is an islands council and the property is for an education worker.
15. The landlord wants to transfer the property.

Grounds 1-7 are commonly referred to as conduct grounds and 8-15 as management grounds.