'Someone to Watch over Me': Making Supported Housing Work

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Abstract: Hostels and other forms of housing where support services are provided as an intrinsic part of the accommodation package have traditionally been developed by the voluntary sector at a distance from conditional state welfare. *Supporting People* is an innovative and ambitious programme which in effect annexes supported housing and, in return for a commitment to improved provision, promises certainty of income and professional prestige. *Supporting People* provides an example of contemporary social policy. It attempts to address both the failures of the 'old' welfare state and the anxieties of the neo-liberal state. It does this through a distinct 'third way' form of regulation which extends new public management practices into a new regulatory arena and places a particular emphasis on 'joined-up' thinking, risk management and the ideological pragmatism of 'what works'. This has particular consequences for the diverse range of both providers and residents who are disciplined through a variety of mechanisms to deliver social progress for the state.

Keywords: consumerism; regulation; risk; social policy; supported housing; welfare state

The nation state's role in the provision of welfare has been subject to traumatic dislocations and reformulations over the past 30 years as a result of profound social, economic and political transformations. Modern liberal governments have abandoned 'collective welfare' as unaffordable or politically discredited and have developed different priorities consistent with the new global economy. At the same time the more traditional social processes through which a society sustains itself are unravelling (Perrons, 2004) exacerbating social exclusion. The state's role in the provision of housing provides an interesting exemplar of the dynamics of these changes. As Cowan and Marsh (forthcoming) indicate, social housing is symbolic of the neo-liberal dilemma. Workers must be housed, but in a way which facilitates movement and enhances individual responsibility. However, the collapse of right-wing liberal regimes such as the Major government of 1992–7 demonstrates that it is a high-risk strategy to abandon those who for a variety of reasons cannot choose to participate in the global economy. Both compassion and fear are aroused in the electorate. Yet economic logic militates against generous or permanent provision. These tensions have led to the transformation of rented housing in England and Wales. It has become increasingly deregulated, casualized (Morgan, 1996) and controlled (see, for instance, Cowan, 1999; Card, 2001; Hunter, 2001). This article tracks a specific aspect of this transformation, the regulation of the housing of vulnerable people and, in particular, the emerging regulatory framework for the provision of supported housing set up by New Labour through its *Supporting People* initiative. *Supporting People* has a

peculiarly complex and ambitious agenda. It attempts to address perceived deficiencies of the old welfare settlement, most specifically its failure to provide homes for vulnerable people (Stewart et al., 1999), as well as its more general failure to spend public money prudently. Simultaneously it seeks to address the inadequacies of the neo-liberal response. 'Rolling back the state' had a profound impact on the housing of vulnerable people as a result of care in the community and the 'residualization' of social housing (Forrest and Murie, 1991; Cowan, 1999). Equally important, however, *Supporting People* is designed to provide a distinct 'third way' form of regulation. It represents an extension and intensification of new public management practices into new regulatory arenas, with particular emphasis placed on 'joined-up' thinking, risk management and the ideological pragmatism of 'what works'. However, *Supporting People* makes other claims to more social agendas such as care, protection, and empowerment. It is a totalizing discourse which promises progress and appears unchallengeable.

In many ways the problematization of supported housing which led to *Supporting People* is surprising. Provision prior to the election of New Labour had many of the characteristics of a successful neo-liberal social policy. It provided a community solution to particular local needs delivered by a mixed economy of welfare. Indeed, in Britain during the 1980s, 'special needs' became 'an integral part of the market model of provision advanced by Conservative governments, who increasingly regard it as the only "legitimate" claim on welfare rights that can be exercised through housing policy' (Clapham and Smith, 1990: 195). Yet during the 1990s there gradually emerged a shared understanding that in some ways supported housing was 'out of control' and constituted a problem.

Jacobs, Kemeny and Manzi (2003) have alerted us to the need to consider 'the process whereby certain issues become accepted and defined as "housing narrative which led to reform in the provision of supported housing. The first was that spending on supported housing, because it was demand led was out of government control; the second that the management and quality of provision were perceived to be significantly deficient; the third that it was failing to provide necessary protection to the public, that, in other words, its residents and/or potential residents were at risk of being 'out of control' and posing a risk to public safety. Nonetheless the implementation of *Supporting People* has required a massive investment of money (£1.8b) and other resources and caused a huge amount of upheaval in an area of policy which has a very low profile with electors. This can easily be argued as disproportionate to the problems which the programme sets out to solve, suggesting that its importance to government is greater than might at first appear. This article therefore attempts to capture its significance by charting the transformation of supported housing from its localized, voluntary and ideological roots through its problematization to its co-option by central government as a tool of welfare reform. I suggest that this process provides us with both some critical insights into the nature of third way politics and its response to neo-liberalism and incidentally indicates a different role for law in welfare reform. The programme also presents interesting opportunities for resistance since *Supporting People* relies heavily on providers who have not necessarily previously identified with the state. These observations are not unique to *Supporting People* but are relevant to a wide range of social reforms

initiated under New Labour. However, by way of prelude I will address the local concerns of this article.

A PERIPHERAL SOCIAL SPACE

Despite the global context of the reformulation of welfare provision, the focus of this article is unashamedly parochial. My concern is with the impact of the transformations of welfare provision upon the particular space or place provided for those individuals who lack freedom of movement or who have been forcibly dispersed; in other words, I am examining the impact of the regulation of place when movement becomes an economic priority. My claim to parochialism intentionally carries with it echoes of Victorian Poor Law1 and provides an insight into the recursive nature of current social policy responses, the increasing regulation of those who are dependent upon the state and the problems of central government when it attempts to curb local welfare practices (Frazer, 1984). Moreover, focus upon the local space of supported housing provides an opportunity to explore its social and legal complexity and allows for 'an investigation of the way the regulation of everyday life is mediated by a range of spatial relations which structure and to some extent are constructed by legal phenomena' (Butler, 2003). The resident of supported housing is particularly spatially circumscribed and social relations within the space are marked by inequalities of power and exclusion from resources. This contrasts with the space of the provider, which is almost inevitably a more complex space linked to local and national networks of provision, expertise, regulation and funding.

Space, as Foucault reminds us (see Rabinow, 1984), is about power and knowledge. Supported housing provides a particularly intense space/power nexus as it is an intimate space imbued with power differentials and social hierarchies. Care, with its complex ambiguities of power and subordination, permeates the space. Empirical evidence2 indicates that access is via local authority community care or housing assessment or by self-referral in which the applicant demonstrates compliance with the requirements of the project. Such assessments recall Foucault's (1977) explanation of the disciplinary power of the examination which

> combines the techniques of an observing hierarchy and those of a normalizing judgement. It is a normalizing gaze, a surveillance that makes it possible to qualify, to classify and to punish. It establishes over individuals a visibility through which one differentiates them and judges them. (p. 84)

Thus, supported housing becomes a segregated space, with residents marked by socially constructed vulnerabilities which are measured and ranked, and separated from 'normal' populations. There is only room for those in greatest need, or those who are most likely to benefit from the support on offer. The assessment procedure provides extensive information about residents, so that providers are able to control their activities, echoing Cowan and Lomax's (2003) observation that 'successful claims can lead to more intrusive policing than unsuccessful claims' (p. 285).

The imbalance of power between provider and resident is not a new phenomenon; however, my argument here is two-fold. First, that power

imbalance is intensified and acquires new significance as a result of the embedding of supported housing within government policy. Second, both simultaneously and paradoxically, the enhanced role of the providers and the dependence of government upon them for delivery of policy may well indicate one fault line of the policy. Yet this is not the only challenge for government seeking a coherent and comprehensive programme for supported housing. It is seeking to impose discipline upon a particularly diverse and fragmented sector of welfare provision.

SUPPORTED HOUSING PROVISION

Supported housing, originally known as 'special needs' housing, is 'housing accommodation where a relevant landlord is contractually obliged to provide support services and/or the purpose for which accommodation is provided is the provision of support' (Law Commission, 2003: 160). The services can include advice on welfare benefits, help with practical tasks such as budgeting or shopping, counselling for substance abuse problems or help with bathing and dressing (Audit Commission, 1998a). Supported housing meets a range of needs, catering for the homeless, people with mental health problems, frail elderly people and young people leaving care, among others. Many of the needs are covered by the provisions of the National Health Service and Community Care Act 1990. However, a significant proportion are non community care groups, such as homeless refugees or ex-offenders.

Essentially there are three types of provision: services providing emergency accommodation, including night shelters and direct access hostels; referral-based services providing short- or medium-stay accommodation as preparation for resettlement and independent living, including hostels, transitional housing and supported lodgings; and long-stay supported housing for homeless or potentially homeless frail older people and people with multiple needs. Supported housing has always been provided by a mixed economy of providers. The bulk of supported housing is provided by Registered Social Landlords (RSLs) either directly or through a variety of agency agreements. There is also significant provision by the private sector and by charitable and voluntary organizations and still some direct provision by local authorities.

Supported housing has gradually become more sophisticated, diverse and sensitive to the complexity of the needs of the user over and beyond the provision of a roof. This is illustrated by the development of hostels. The ODPM (2003) describes how

> Supported housing for homeless and potentially homeless single people used to be dominated by large hostels which were targeted at single homeless men and offered few services beyond the provision of a meal and a bed. This picture has changed considerably over the last 15 years. Many of the larger hostels for homeless people have closed. Newer schemes tend to be smaller in scale and have a greater emphasis on resettlement. Provision has also become more specialised, being targeted at specific groups within the homeless population. (p. 21)

Yet it would be a mistake to interpret these developments as part of a coherent strategy. The Audit Commission (1998b) makes clear that 'the development

of specialised housing was not the result of a planned, multi-agency approach but the ragged inheritance of uncoordinated historic decisions' (p. 23). Variety is not limited to the role of supported housing. It is also apparent in its ideological diversity which results from its voluntary nature and the multiplicity of motivations for establishing provision.

CARE IN THE COMMUNITY

Supported housing provision has grown rapidly in recent years as a result of long-standing social concerns and a variety of policy initiatives. A major stimulant was the initially slow evolution of 'care in the community' as a preferred government policy primarily for resource-based reasons. The slow development of care in the community was formalized and accelerated as a result of the National Health Service and Community Care Act 1990 which prompted the development of supported housing. The National Health Service and Community Care Act 1990 reflected the then government's neoliberal ideology and commitment to new public management. In particular, it utilized a local planning framework to implement nationally set objectives via partnerships. Local authorities were redefined as 'enablers' rather than the providers and required to commission the provision of care and nursing in the community. The mixed economy of welfare was compulsorily created as 85 per cent of the ring-fenced grant from central government had to be spent on care provided by the private and voluntary sector. As well as becoming lead agencies and taking on new financial responsibilities, social services authorities had to reorganize their departments, separating responsibilities for assessing needs and commissioning services from those of providing services.

However, care in the community was never simply a neo-liberal initiative of the Thatcher government. It harnessed considerable social and politically radical dissatisfaction with state-provided institutional care which was little removed from the segregation of the parish workhouse tradition. In particular, the long-term institutionalization of vulnerable people by the state was argued to be inconsistent with a citizenship model based on individual rights and choice and unnecessarily protective. New social movements, embracing disability as well as race and gender and 'anti-protectionism' (Walker, 1996) developed from the United States, challenged the prevailing socio/medical model of protective care and demanded rights to participate fully on an equal basis in society. An additional and closely related impetus for supported housing emerged as a largely voluntary sector-led response to the consequences of previously unrecognized social problems such as single homelessness, domestic violence and youth homelessness. Provision developed which challenged the traditional limits of state welfare.

At the same time, the dismantling of the welfare state's bureaucratic apparatus and the utilization of 'community' resources to provide care were consistent with the aspirations of conservative social traditions which looked to informal networks of family, neighbours and friends as the 'natural' and preferred site of care provision (see Department of Health, 1989). Care in the community was therefore a useful political device which provided a legitimate policy aim for the convergence of critical voices seeking to undermine traditional welfare provision.

As a result, supported housing is exceptionally diverse and provision reflects the historical, social and political location of the provider. It has differential local and national presence and it is further differentiated in its levels of professionalism and the extent and the stage at which government has supported its work. Generalizations about supported housing provision then are of limited use but serve to record its origins, at least in part from an oppositional tradition, its independent nature and its ideological leanings. What are more notable are its fragmented and localized nature and its variety of ideological influences which include moral, resistance, and emancipatory discourses. The importance of the diversity of the 'ragged inheritance' of philanthropic and voluntary provision with its multiplicity of ideological and professional practices appears to have been underestimated by government. Yet I would argue that it is likely to be significant in determining the course of *Supporting People* since implementation is likely to require adaptation and evolution, if only, as O'Malley (2001) puts it, 'in order to govern its own unruly policies, programmes and practitioners' (p. 100).
One potential unifying and disciplinary framework for provision is the law, a hallmark of the nation state. Providers have in common their legal status as landlords and the rights and responsibilities that flow from that status. Yet close examination of the law indicates that supported housing exists at the periphery of formal law and as a result law appears to magnify rather than constrain the variety of practices.

WHERE IS LAW?

The role of law within supported housing is intriguing. Not surprisingly, given its diverse and voluntary origins and the social exclusion of its residents, law-makers have not focussed on supported housing provision.
However law, both formal and informal, is integral to and constituted by the social reality of supported housing. As Blomley (1994) explains: 'Law is, as it were, produced in such spaces; those spaces, in turn, are partly constituted by legal norms. Either way, law cannot be detached from the particular places in which it acquires meaning and saliency' (p. 46). De Sousa Santos (1995) relies on the metaphor of mapping to explain law's interaction with and impact upon spatial reality: 'Just like maps, laws are ruled distortions or misreadings of social territories' (p. 458). He describes written law as a cartographic map and customary law as a mental map and explains the necessary but distorting impacts of scale, projection and symbolism on those maps. This enables him to conceive the complexity of legal pluralism and the way in which it is embedded in spatial structures: '[S]ocio-legal life is constituted by different legal spaces operating simultaneously on different scales and from different interpretive standpoints' so that 'one cannot speak properly of law and legality, but rather of interlaw and interlegality' (De Sousa Santos, 1987: 288).
Within a supported housing project, informal law in terms of the rules and norms regulating conduct of residents is overt, as Santos puts it: 'the large scale legality is rich in details and features; describes behaviour and attitudes vividly; contextualises them in their immediate surroundings; is sensitive to distinctions (and complex relations) between inside and outside, high and low, just and unjust' (p. 289). However, there are other smaller-scale maps

containing formal law as it relates to supported housing. The peripheral nature of supported housing becomes particularly significant here:

> The legal mapping of social reality is not equally distortive. It seems to become more distortive as we move from the centre to periphery. The periphery is also the legal region where the interpenetration between different legal orders is most frequent. It creates a twilight zone where the shadows of different legal orders converge. (p. 292)

The partial coverage of supported housing by formal law provides an excellent illustration of the implications of the 'twilight zone' of supported housing. So the focus of the Care Standards Act 2000 is the regulation of care homes, and it is imprecise about the boundary between these homes and supported housing, a peripheral concern; the focus of local authorities' responsibilities to plan for housing is general needs housing under the Housing Act 1985 with only obscure and limited requirements to plan for disabled people's homes provided by the Chronically Sick and Disabled Persons Act 1970, and the foci of access procedures in the Housing Act 1996 and the National Health Service and Community Care Act 1990 are respectively general needs housing or health and social care provision.

In such circumstances informal law becomes increasingly important. The implications of this can be examined in the context of the ambiguities of the legal process of eviction from supported housing. Housing law, the focus of which is standard rental arrangements, has responded to the demands of providers in an *ad hoc* way utilizing the flexibility of the lease/licence distinction and relying on the presence or absence of the elusive exclusive possession to determine the respective rights and responsibilities of landlords and residents (Carr, 1998). The law is confused and complex, as it is not based upon generally applicable rules specifically designed for supported housing. The uncertainty of the law works to embed the exclusion of vulnerable occupiers who are unlikely to mount legal challenges to their landlords' decisions to evict. Informal law takes over. Despite attempts by regulators to encourage the use of formal assured tenancies which guarantee due process, licences, which fall outside of statutory protection, are employed. This makes residence conditional upon the practices of the landlord, and powers to move residents around projects and/or the use of conditional notices to quit which will be revoked if behaviour improves become commonplace tools of control.

As a result, local legal knowledge emerges, 'shaped both by the contingencies of local political imperatives and a historically rooted legal "common sense", based on a delicate set of informal accommodations' (Blomley, 1994: 47). Yet occasionally formal law does intervene, finding tenancies and rights where the 'common sense' of the provider would have described the occupation arrangement as a licence and a privilege. Local legal knowledge is therefore precarious and contingent but buttressed by ideology.

Ideology is a critical component of informal law. Mauthe (2001) claims that 'as a form of control, ideology shares many of the qualities of law. It can require administrators to limit, confine and structure their decision making' (p. 318). Ideology of course is not necessarily positive for individual residents. It has huge potential for oppression, particularly where the provider is sharing an intimate space with the recipient and is able to articulate and

rationalize decision-making in the name of the 'greater good' and exclusion from provision can have multiple welfare exclusionary consequences (Allen, 2003). Ideology can also mask the pragmatism which informs most decisionmaking, particularly those made by a manager on the spur of the moment facing disruptive behaviour by a known trouble-maker. Yet concerns about the confusion and imprecision of the law appear to have played no part in the policy debate preceding the decision to reform supported housing. This silence is significant; it contrasts with the legal rights focus of Labour's last period of reform of housing in the mid-1970s3 and emphasizes the marginal role of individual rights in contemporary welfare reform. Instead the policy narrative has focussed on concerns which are totemic of neo-liberal government which prioritizes the control of government spending, high-quality public sector management and the safety and security of its citizens.

'OUT OF CONTROL' – THE PROBLEMATIZATION OF SUPPORTED HOUSING

Supported housing presented problems for a government which was seeking to demonstrate effective welfare provision financially, managerially and socially.

FINANCING SUPPORTED HOUSING

The Audit Commission (1998b)4 explained the complex and fragmented financial arrangements for supported housing in 1998:

> The four relevant government departments each use a number of funding routes, which results in at least 25 streams of funding. Funding reaches frontline services through a variety of mechanisms and is channelled through local authorities, RSLs, the NHS, the probation service, voluntary groups and charities. Such fragmentation has its roots in a legislative and funding framework for housing and community care that has developed piecemeal over 40 years. As each new policy directive or funding mechanism is 'bolted on' to the framework, the potential for confusion, incoherence and perverse incentives increases. (p. 71)

The four main sources of funding of housing-related community care were housing benefit; residential care allowance, a benefit payable to people living in independent residential or nursing care; the Housing Revenue Account, a ring-fenced account to manage the costs and rental income of local authority housing stock; and the Supported Housing Management Grant, a grant payable to RSLs by the Housing Corporation to support designated housing schemes. However, it was the exponential growth of housing benefit which prompted a major crisis in the funding of supported housing.

HOUSING BENEFIT

Housing Benefit, a means-tested and demand-led benefit payable to those with a low income and those out of work to cover their rent costs, was introduced in 1988. The combination of the deregulation of the private rented

sector in January 1989 and the increased utilization of the private rented sector by Housing Benefit claimants resulted in a massive increase in housing benefit expenditure. Estimates suggest 'that over the first half of the 1990s, following the 1989 deregulation, the costs of housing benefit in the private rented sector rose more than fourfold in cash terms, to just over 3.6 billion in 1994–5. Even in real terms costs rose more than threefold' (Wilcox, 2002: 33). In an attempt to control expenditure the government had imposed limits on its payment, ranging from rent restrictions, non-dependant deductions and increased mechanisms to recover overpayments.

Housing benefit paid to people in supported housing was subject to additional regulation. From 1993 there were a series of conflicting court decisions about the ability of housing benefit to cover the additional costs involved in the provision of housing support. In 1997 the Divisional court decided in the consolidated cases of *R* v *St Edmundsbury HBRB ex p Sandys*; *R* v *Swansea City Housing Benefit Review Board ex p Littler*; *R* v *The London Borough of Sutton ex p Harrison*; *R* v *Welwyn Hatfield Council ex p Nunan, Randall, Lay and De Smitt* (1997) that housing benefit regulations prevented the payment of housing benefit for support services even when those support services were designed to enable the occupiers to remain in occupation. The facts of two of the cases illustrate the problem. In *Harrison* the applicant lived in accommodation provided by the Drink Crisis Centre for people who were drinking heavily. His gross rent was £236.99 per week, of which £81.62 related to general counselling and support provided by the Centre. The counselling was directed to enabling the residents to become independent and, in particular, to maintain their tenancies by budgeting their money and ensuring that they did not cause a nuisance to their neighbours. In *Nunan and Others* the applicants had learning disabilities which left them unable to live independently. They lived in supported accommodation provided by the Hospitaller Order of St John of God. The support included help in organizing rent payments, reporting defects needing repair, arranging maintenance, using the fire alarms and extinguishers, arranging refuse removal and carrying out health and safety checks. The High Court held that the only service charges which were payable through housing benefit were those directed at ensuring that the claimant's accommodation is adequate, not those services which are directed at maintaining the claimant in his accommodation.

So a powerful narrative from government, the courts and academia emerged that housing benefit, because of its uncertainty and complexity, was not a satisfactory base for the funding of supported housing. This narrative was inevitably supported by providers, who were faced with fluctuating incomes and unpredictable futures, and local authorities who had to provide alternative funding or see crucial provision close.

MANAGEMENT CRISIS

The second narrative theme was concerned with the lack of effective and efficient management of provision of support, with particular criticism focussed on local authorities. Again the Audit Commission (1998b) provided influential explanations, first describing the impact of residualization on unprepared local authorities: 'A significant welfare role has crept up on housing authorities, even those that have transferred their stock through

LSVT' (p. 19). This resulted in local authorities and other housing agencies,

> struggling to cope with the rising number of people with support needs who are living in the community. There are particular pressures on homelessness services, housing benefit administration and on estates officers, who are being drawn more and more into welfare and support roles. (p. 63)

The expertise of the Audit Commission was employed to scrutinize management practices within supported housing. It revealed substantial inadequacies of information on existing and likely future needs, a lack of project planning and effective performance measures, patchy regulation and limited safeguards of public money and evidence of user dissatisfaction (Audit Commission, 1998a).

This narrative of failure, poor management and unresponsiveness on the part of local authorities has become familiar and accepted since the election of the Thatcher government. For New Labour it became part of a wider debate about the failure of old welfare which focussed on the need for joinedup thinking. As Allen (2003) explains: 'the consequences of welfare failure are "macro systematized" because the welfare system has to confront the consequences of its own systemic and epistemological shortcomings, and thus re-organise to increase its effectiveness' (p. 290). *Supporting People* became part of the programme of modernization of local government with which local authorities were prepared to collude in order to gain more resources and responsibilities (Vincent Jones, 2002).

PROTECTION CRISIS

The third narrative strand which led to the role of supported housing and support services receiving attention from the incoming New Labour government relates to its links with community safety. There was increasing concern about violent incidents involving people who had been discharged from psychiatric care. These concerns were given a dramatic focus following Christopher Clunis's fatal attack on Jonathon Zito in December 1992. The inquiry recorded that they

> were constantly reminded . . . of the shortcomings in the provision of care in the community for those who suffer from severe mental illness, by the number of reports of such people who regularly appear before the Courts and in the media, as a result of violent incidents carried out when they were being cared for in the community. (Ritchie, 1994: 1.5.3)

The inquiry report suggests that haphazard and poorly managed housing contributed to the tragedy (see Glover, 1999).

This narrative proved very powerful as it resonated with broader concerns about 'the rise of the "anxious city" . . . in which public safety and fear of crime have become central political issues and an important influence on where people go, live and shop, on the nature of their leisure activities and so on' (Crawford, 2002: 236). Such anxieties are exacerbated by the link with 'madness' so 'the events of December 1992 powerfully symbolise the apparent inability of the new system of care in the community to protect the

public' (Neil, 1998). As the Ritchie Report suggests, there was a significant coalition of support for action. For New Labour, provision of supported housing as an intermediate solution to the problem of fear of crime caused by chaotic lifestyles provided part of the package of measures necessary to deliver its manifesto commitment, 'tough on crime, tough on the causes of crime'. However, management of supported housing required regulation. This was emphasized by the conviction of two charity workers for knowingly permitting the supply of heroin to take place in Wintercomfort Centre for the Homeless in Cambridge (*R* v *Brock and another* (2000)). This narrative of 'fear of crime' has stimulated other policy initiatives, most notably the raft of measures introduced by the Crime and Disorder Act 1998 and, more controversially, attempts to change the law so that the mentally ill who pose a threat to public safety can be made subject to compulsory treatment within the community (Bartlett and McHale, 2003).

The problems identified by government were undoubtedly significant. However, the reform of supported housing more importantly presented an opportunity for government to give credibility to its social inclusion agenda. Social inclusion is a key signifier of the distinction between New Labour and the previous political administration. But providers and local administrators, essential to the coalition of support for *Supporting People*, have little invested in this aspect of reform, seeking more local goals in particular certainty of income and enhanced provision. The programme is therefore likely to come under considerable pressure, torn between delivering for providers and delivering for government.5 However, at its inception it provided a model of 'third way' reform, improvement without repeating the perceived mistakes of the socially and economically discredited post-war welfare settlement.

SUPPORTING PEOPLE

In December 1998 the government published its proposals for the funding and organization of supported housing and other support services in *Supporting People: A New Policy and Funding Framework for Support Services* (DSS, 1998). It is an ambitious programme which had a four-year implementation period and required the transformation of the financial and organizational infrastructure of supported housing. *Supporting People* transferred the financing of supported housing (along with other support services) from housing benefit to a new fixed budget, the *Supporting People* fund, created by pooling the existing funding streams for support services into a single budget from April 2003. This budget is administered by local authorities in partnership with health bodies, the voluntary sector and probation services, users, providers and other representative groups and creates a framework within which local authorities and other statutory agencies work with voluntary organizations, housing and other service providers to plan, commission and fund support services for vulnerable people. The government, committing itself to meeting need, explained: 'This is an opportunity to enhance provision, building on excellent good practice locally. *Supporting People* breaks the link between support and tenure. It will encompass previously marginalised and excluded groups and provides a flexible approach to the delivery of support.'

Supporting People imposes a range of requirements on local authorities

which are to be delivered by a specific organizational structure which embeds planning, partnership and strategic development at a variety of levels within local authorities and providers. *Supporting People* teams map the local need for, and supply of, housing support services including the needs of crossauthority groups, and consider the quality of supply of those services. They purchase services, set service standards, collect information on the quality of services being provided and conduct regular reviews of services. Their work is overseen by the *Supporting People* Core Strategy Development Group which comprises the lead officer from the *Supporting People* team and senior commissioning managers from social services, housing, health authority, primary care trusts and probation.

National government will also scrutinize local *Supporting People* strategies, collate the annual outcome information from local authorities and, if necessary, use powers to seek further information, and to intervene by issuing guidance, directions or additional terms and conditions of grant to authorities. The national Inspectorates of Housing, Social Services and Probation will inspect local implementation and further scrutiny will be provided by Best Value reviews which will be expected to include an assessment of the role of supported housing services. So, for example, a Best Value review of homelessness would be expected to include a review of ongoing support and move-on arrangements for tenants.

At service level, local authorities will monitor local services through the agreement with the service provider. In the first three years of the programme local authorities are required to review every support scheme in their area. After the initial review a provider will be given a 'steady state' contract to replace their interim contract. Providers who have to be accredited by local authorities are expected to self-assess and continuously improve their services within the context of the national standards framework.

The discourse of *Supporting People* promises social progress and an unchallengeable, purposeful and common-sense programme. It emphasizes innovation through the renaming and reforming of local actors so local authorities, for instance, become Administering Authorities. It embeds progress as providers move from 'interim' to 'steady state' contracts and continually seek to improve provision. It suggests the sophistication of a multi-national corporate endeavour. It maps and it plans, it has strategies and vision. It complements and integrates with other government programmes. It is extraordinarily technical and uses terms of art such as 'sizing the pot', 'legacy funding', 'golden' and 'platinum' cuts and steady state contracts. This requires those concerned with support provision to invest time and effort in mastering its procedures, but equally suggests that funding structures will be permanent and creates career structures where none existed before. Monitoring and quality requirements, which are constantly validated, guarantee its achievements. Its modernity and innovation, and its contemporaneously excluding and inclusionary discourse are epitomized by the *Supporting People* knowledge website. This extraordinarily complete and interactive website dispenses technical knowledge, and provides the illusion of participation through its discussion fora. However, it is also a mechanism for surveillance and control as the lead government department for *Supporting People* hosts, monitors and intervenes in the website – Bentham's panoptican in a technological age!

A 'THIRD WAY' SOLUTION

Supporting People exemplifies third way politics in its combination of local traditional solutions, new managerialism, and an increased role for intermediate institutions that are halfway houses between the private and public sector. It is the politics of the 'ensuring' state, 'a more compelling and assertive idea for social democrats than the enabling state' (Giddens, 2003: 13).

> The 'ensuring state' emphasises the responsibility of the state in areas where non-state agents play a dominant role in the provision of public services. It argues that there exists a public responsibility 'after enabling' and that there are certain guarantees that the state has a moral and political responsibility to provide. Even if public goods or services are provided by private or third sector organisations and bodies, the state still has a major role in ensuring these goods, whether it is by audit, regulation or funding. (Schuppert, 2003: 57)

The state is therefore required to design intelligent structures, utilize selfregulation and public–private partnerships to facilitate new cooperative endeavours in public services rather than delivering them itself. The role of law and, indeed of government, is transformed. Law is to regulate; for Schuppert, a legal framework 'has to serve as an instrument of coordination and control, and as a tool of structuring and limiting cooperative action' (p. 62).

There are powerful resonances with the explanations of advanced liberalism provided by governmentality theorists (see generally Rose (1999) and, in the context of social housing, Cowan and Marsh (2001)). In *Supporting People* we see a particular use of the voluntary sector which gains legitimacy through provision of supported housing rooted in the local community.

> In the institution of community, a sector is brought into existence whose vectors and forces can be mobilized, enrolled, deployed in novel programmes and techniques which encourage and harness active practices of self-management and identity construction, of personal ethics and collective allegiances. (Rose, 1999: 176)

Providers are then 'responsibilized' through the mechanisms of *Supporting People* which requires them to demonstrate that they can deliver the solutions to local problems in a way which delivers constant improvement.

A PARADIGM OF WELFARE REFORM FOR PEOPLE 'ON THE MOVE'

Three particular features of *Supporting People* indicate that it is more than a system of regulating the provision of supported housing; it is an essential model for the reconstruction of social welfare in the wake of neo-liberalism. First, it provides a strategy of social provision to cope with the exclusion of the most vulnerable from social housing as a result of the reconceptualization of social tenants as 'active entrepreneurial consumers and also responsible duty owing members of community' (Flint, 2003: 625). Yet it is even more ambitious. It aspires to reconceptualize residents as newly empowered

consumers of services who, despite 'vulnerability' or 'chaotic' lifestyles, become integral to the programme. Their views must be sought at a number of critical control points. *Supporting People* grant conditions and statutory guidance set out requirements for user involvement in service reviews and validation visits. Each review must give the service user an opportunity to contribute their views, particularly on the financial implications, and their views should be taken into account. Validation checks involve Administering Authorities talking to service users in order to obtain confirmation that the service does operate in a particular way described. In this way users become integral to the solutions to the social problems they represent to government. But their contributions are integrated in a particular and fragmented way based upon their individual complaints rather than structural inadequacies. This evokes Bauman's (1999) observations about the consequences of the replacement of traditional politics by consumerism as the state retreats from universal welfare provision:

> The repressed accept the majority verdict that casts them as flawed consumers and believe much as everyone else that social bills are best cleared with small change in private pockets. Their sufferings do not add up, do not cumulate; the remedy, like the ailment appears thoroughly privatized. The illness is the dearth of shopping; the cure is shopping unlimited. (p. 372)

Consumerism provides several benefits to government; it limits social demands upon government in a way which is consistent with neo-liberalism; it enables government both to deliver and to demonstrate delivery of consumer-orientated progress, a manageable reformulation of social progress particularly since responsibility for improvement is devolved to providers; and it dissipates the energy of providers by requiring them to conform to bureaucratic monitoring of constant improvement.

Second, *Supporting People* aspires to social inclusion via a particular type of independence and social integration valued by New Labour (Lister, 1999), by encouraging entry into the workforce through the acquisition of skills. The programme makes explicit reference to 'the government's commitment to rebuild the welfare system around work and security' (DSS, 1998). Lifemanagement skills are part of the apparatus of reinclusion. Providers have a critical role to play here (Allen, 2003). According to Flint (2003):

> Social housing professionals may be conceptualised as an intermediary class, as transmitters of knowledge to their working class 'clients' whose conduct they seek to shape in relation to a set of constructed codes of normalised and responsible behaviour, influenced by, but certainly not wholly convergent with directives and discourses from central government. (p. 615)

Residents can therefore be transformed into potential workers. They are treated for harmful addictions and are counselled on personal problems so they acquire not just the skills but also the discipline required in the precarious low-wage service sector.

Third, security, another critical concern of advanced liberalism (Stenson and Edwards, 2001), is also served by *Supporting People*. Whether presented as community safety or crime reduction, security is addressed through the

requirement placed upon providers to justify supported housing strategically. Strategic justification requires more than the simple provision of accommodation for those in need. Provision must complement other centrally initiated locally delivered strategies such as the Crime and Disorder Reduction Plan, the Youth Offending Team Plan, the domestic violence strategy, the leaving care strategy, the homelessness strategy and the drug and alcohol strategy. This embeds crime reduction into social provision while at the same time it devolves responsibility for this to providers. Providers take their responsibilities as agents of social control seriously: private security, CCTV and electronic locks which enable the monitoring of residents have become commonplace.6 In this way, as Valverde (2003) points out, government ensures that, 'certain spaces, activities and people are under constant surveillance and are subject to immediate disciplinary measures, but without state officials or centralized state knowledge being involved in this micromanagement' (p. 236). This polices residents but without the confrontation or obvious intrusion into their everyday lives that increased state policing would require. It implements 'a much broader, not necessarily coercive, often unremarkable everyday process that works through the organization of space and time more than on the control of individuals and that looks not to punish past deeds but to ensure orderliness, risk minimization and *safety for the future*' (Valverde and Cirak, 2003: 102, emphasis in original).

Supported housing no longer provides a space for residents which is at a distance from conditional welfare provision. Its effectiveness is enhanced by its 'joined-up' nature. This reassures the electorate who want welfare provision to work. However, while residence in the hostel may reduce social exclusion as a result of the successful use of support, it is as likely to enhance it by failure, since eviction can result in exclusion from a multiplicity of state welfare provision. As Allen (2003) explains: 'When the relationship between the joined-up welfare system and welfare recipients fails to produce results, then, the former is now seen to be increasingly infallible and so blame can instead be shifted onto recalcitrant individuals, who are now culpable for their own situation' (p. 293). So, paradoxically, a mechanism for social inclusion simultaneously increases the potential for exclusion with the rights to legally resist that exclusion remaining peripheral.

This model of welfare provision therefore makes explicit the contemporary importance of movement and the complexities of the resultant social demands. Residents in supported housing are in transition. They are experiencing the *process* of social inclusion. Beresford (2001) points out that 'at the heart of this social policy seems to be the idea of *changing* people (welfare service users); the focus seems to be on reforming, regulating, redeeming and regenerating them' (p. 499, emphasis in original). This may explain the lack of interest in the reform of legal rights for residents, for those rights are the rights of people who are entitled to remain, not required to change. Providers are of course also reformed through responsibilization. They are accountable to the state and agents for change as well as control. The state too continues its process of change; it governs not through provision but at a distance and demonstrably effectively.

Yet the interface between *Supporting People* and change is where the fragility of the third way hybrid is at its most apparent. There is a fine line between the risk-prevention strategies of advanced liberalism and the more

socially interventionist practice of protection. In particular, it provides opportunities for the reintroduction of rehabilitative and therapeutic agendas, discredited relics of state welfare (O'Malley, 2001). Additionally, *Supporting People* also provides some evidence of a conservative form of social protection in its appeals to community well-being and its recognition of the role of carers and the family in articulating choice of provision. This suggests an underlying purpose derived from 'obedience to a shared and superordinate morality, and to the organic social cohesion to which this corresponds' (p. 91). More significantly, however, supported housing can be utilized to exclude the 'underclass' from mainstream society in order to protect public safety. Exclusion operates not simply to minimize risk to public safety, but also to revitalize 'traditional visions of the social as unified, consensual and authoritative' (p. 94). Thus, the integrity and comprehensiveness of the programme are at risk from both conservative and welfarist practices. Government will have to be alert to the breakdown or subversion of its programme because of the complexities of the protection/prevention interface and the opportunities provided by the third way hybrid.

Supporting People is an important and ambitious programme which attempts to meet the needs of a group of people who, for a number of reasons, find it difficult to become the autonomous, responsible and mobile citizens required by advanced liberalism. It is a project which exemplifies the dilemma of the modern nation state in postmodern times. It is committed to progress but haunted by failure. Responsibility for social progress is therefore devolved to the providers and to the residents. For the state itself, progress is redefined as the ability to avoid failure. The project has therefore been constructed to work on a number of levels in response to the perceived inadequacies of both the old welfare state and the neo-liberal state. In particular, it demonstrates little interest in welfare rights, preferring to rely upon a reconceptualization of residents as consumers of services as a quality control mechanism. It seeks to guarantee success through ensuring providers take responsibility for that success through multiple mechanisms of surveillance and micro-management. Most of all it seeks to transform the spatial environment of residents into a 'well-ordered, "civilised" community' (Valverde and Cirak, 2003: 105) policed unobtrusively by providers and providing reassurance to anxious electors.

Yet government attempts to weld together an ambitious alliance of welfarist, therapeutic, consumerist, commercial and administrative government practices are inevitably fragile and failure may not be avoided. In addition the programme represents a considerable transformation of the role of welfare providers whose power and expertise are enhanced as they become vital partners in a strategic and dispersed framework of welfare governance. However, their continued commitment to the programme cannot be guaranteed. They have sacrificed their independence and their role as innovators for professional prestige and security of income. If government does not deliver these, then providers are likely to have little interest in demonstrating the viability of third way welfare reform.

Nonetheless, as Allen (2003) makes clear, the government may still avoid responsibility for any failure. That risk is borne by residents who have been individualized and responsibilized. If they fail to take advantage of the

support services on offer and conform to the disciplines and economic imperatives society imposes upon them, then they will face the increasingly inevitable authoritarian response.

NOTES

The author is currently seconded to the Law Commission. The views expressed within this article are her own and should not in any way be taken to represent those of the Law Commission. The author is grateful to Dave Cowan, Linda Mulcahy and two anonymous referees for their helpful comments on this article.

1. It is unlikely to be a coincidence that that Victorian Poor Laws functioned in a period of British history marked by social dislocation and by technological innovation.

2. The empirical underpinnings of this article arise from analysis of the policy documentation of *Supporting People* and from the author's ongoing ethnographical work with a range of supported housing providers including interviews, observation and documentary analysis.

3. See, for instance, the Rent Act 1977, the Homeless Persons Act 1977 and the Protection from Eviction Act 1977. This raft of legislative activity emphasized the importance of a national framework of legal rights to secure and affordable housing.

4. The significance of the involvement of the Audit Commission which 'has achieved the status of a super-regulatory body, acting not so much as a pliant myrmidon but rather a key mentor to government bodies at both central and local levels' (Hughes, 2002: 130) should not be underestimated. The fact that its Reports played a defining role in the development of *Supporting People* indicates the importance of supported housing to the incoming government. The Audit Commission's lack of interest in legal rights is notable. An Audit Commission (2004) inspection of the Salvation Army Housing Association supported the use of licences given the aims and objectives of the service and the need for robust approaches to income management. What it did not do was examine the issue of exclusive possession.

5. Transitional housing benefit provided the first evidence of these pressures. It was introduced in April 2000 and was designed to provide accurate information about the level of funding required for the successful implementation of *Supporting People*. When claimants in supported housing claimed transitional housing benefit, officers were required to distinguish between rent and support costs and to identify reasonable support costs with the aim of transferring those costs out of housing benefit. However, for a number of reasons transitional housing benefit failed to deliver the accurate information required. Sainsbury and Oldman (2001), in a useful working paper prepared for the DWP, explain the failures. Transitional housing benefit changed the role of housing benefit officers and required joint working between housing benefit departments, the providers and *Supporting People* teams in local authorities. These changes were too challenging for the agencies involved. As a result it failed to provide accurate information about the necessary size of the fund in order for it to meet the aspirations of government. Originally it was envisaged that the programme would cost £700 million. Final expenditure in 2003–4 was £1.8 billion, an increase of £0.4 billion on estimates given in December 2003 derived from the transitional housing benefit scheme. The government commissioned Eugene

Sullivan (2004) of accountants Robson Rhodes to carry out an Independent Review of *Supporting People* funding to investigate the size of the final budget. The Review, published on 12 February 2004, not surprisingly, concluded that the sum of £1.8 billion was excessive. Sullivan's Report, exemplifying the reduced government ambitions of advanced liberalism, addressed the original commitment to meet need as indicative of excessive expectations of local authorities and providers. It considered that

There is undoubtedly unmet need for vulnerable groups just as there is in other areas of public services. The SP stakeholders and providers should not expect that all unmet need should be met as a matter of principle. It is for government departments to assess the unmet need and address that through their policies and priorities through the Spending Review Process. (p. 18)

concluding

that provision was provider-led rather than commissioner-led and not necessarily strategically planned. It also remarked upon the broad range of unit costs within the programme and suggested that local authorities had transferred the costs of services not originally funded by transitional housing benefit or the other funding streams that SP replaced into the SP budget to their advantage. The Review concluded that a further intensification of management disciplines and capacities was required and successfully urged the government to expedite Audit Commission inspections.

6. In the Report on the Salvation Army Housing Association referred to in Note 4, the Audit Commission (2004) indicated the importance it attached to effective surveillance of residents, approving the use of CCTV, the patrolling of local areas outside of projects by the management and the use of 28-day notices as a way of ensuring improved behaviour.