

## **Homeless when released from prison**

**If you were recently released from prison, find out about services that could provide practical support and help you find accommodation. You could also apply to the Council for housing assistance as a homeless person**

### **Key advice:**

Tell us about your accommodation and health history.

## **Help if you are single and homeless**

If you apply for housing assistance because you are homeless, we might not necessarily be legally obliged to provide you with accommodation. Our duty to you may be limited to providing you with advice and assistance and not accommodation. For a council to be legally obliged to provide you with accommodation it will have to be satisfied that you are eligible, homeless, in priority need and that you have not made yourself intentionally homeless.

We will take into account if you have spent time in prison when deciding how to treat you, even if it has been some time since you were released.

We will also look at whether you:

- have a mental illness
- have a learning disability or physical disability
- are under 21 and have been in care
- were in the armed forces
- are fleeing violence or threats of violence.

The Council could decide not to provide you with permanent accommodation if it considers that you made yourself intentionally homeless.

## **Priority need for prisoners and ex-offenders**

In some circumstances, the Council might decide you are in priority need because of the time you have spent in prison or on remand. The council will consider whether you should be regarded as being vulnerable by virtue of the fact that you are homeless.

This has a particular meaning for homelessness applications and is not the same as being labelled vulnerable in prison. When considering your homelessness application, the council will look at:

- the length of time you spent in prison
- if any third party support is being provided to you either by the probation service, youth offending team, or drug and alcohol team
- evidence provided by any third party (including any housing needs assessment) about your homelessness vulnerability.
- the period of time since your release from prison and how successful you have been in finding your own accommodation and in keeping that accommodation

- any third party support networks such as family, friends or a probation officer
- evidence of any other vulnerability such as mental health problems, drug or alcohol misuse, or a history of having been in care
- any other factors that might have an impact on your ability to find accommodation yourself

The fact that you have been in prison does not in itself mean that the Council has to treat you as being vulnerable and in priority need for accommodation. We will need to assess the evidence and be satisfied that you will find it difficult to seek out and maintain accommodation for yourself compared to other people who are rendered homeless.

### **Prisoners and ex-offenders treated as intentionally homeless**

The council's housing advice service may decide that you are intentionally homeless if you were evicted from your previous home because of criminal or antisocial behaviour or because of rent arrears resulting from your time in prison.

If the Council decides you are intentionally homeless, it will only offer you limited help with finding housing. If you are in priority need, you may be offered temporary accommodation for a short period of time so as to assist you to find your own accommodation in the private sector.

The Council may take the view that you should have known that your criminal activity could have resulted in you being sent to prison, and that this could lead to the loss of your home. The Council is less likely to decide this if the loss of your home didn't directly follow on from you being sent to prison.

The Council could also decide that you are intentionally homeless if you gave up your tenancy because your entitlement to housing benefit ended during a period in prison.

It is very important to seek advice from a housing adviser, particularly in cases where it could be argued you were sent to prison for a crime that was not premeditated, or was not deliberate because you were not able to understand the consequences of your own actions.

### **What area can you be housed in if you are homeless?**

When you apply as homeless, the housing advice service will check to see if you have a local connection with its area. You can establish a local connection, for example, by living, working, or having immediate family (usually a parent or brother or sister) in the area.

Time spent in prison in a specific area does not give you a local connection with the area where the prison is located. However, if you have no local connection with any area or if you are fleeing domestic violence, you can apply to any council in any area.

There may be restrictions placed on where you can live. For example, if an anti-social behaviour order (ASBO) says you can't go to a particular area, you may need to seek help from a different council.

High risk prisoners managed by a Multi Agency Public Protection Arrangement (MAPPA) may be required to live in certain areas.

### **Emergency accommodation if you have no housing**

You may need to use emergency accommodation such as a hostel, night shelter or bed and breakfast accommodation if you have nowhere to go following your release. Hostels provide temporary accommodation. Some are direct access, which means you don't need a referral from an agency to use them.

Please contact the housing advice service for advice on locating support services in the area.

Search the [Homeless England directory](https://www.homeless.org.uk/search-homelessness-services) (insert hyperlink <https://www.homeless.org.uk/search-homelessness-services>) to find hostels, emergency and longer term accommodation and day centres in your area.

Use [Shelter's](http://www.shelter.org.uk) (insert hyperlink <http://www.shelter.org.uk>) website or call Shelter's free housing advice helpline on 0808 800 4444 to find services near you.

### **Help finding housing in the private rented sector**

You could try to find housing in the private rented sector. The housing advice service will be able to advise you how to find out what housing is available locally and how to apply for Universal Credit to help you with your housing costs.

You might be able to get help with a deposit through:

- A private rented sector rent deposit or bond scheme
- Derbyshire County Councils Discretionary fund local welfare assistance scheme.

### **Apply for a council or housing association home**

As a longer term alternative option, you could also consider applying for a council home or a housing association home. You will need to complete a [Home Options application form](https://www.home-options.org/choice/default.aspx) (insert hyperlink <https://www.home-options.org/choice/default.aspx>)

### **Help finding housing from probation services**

Offenders serving sentences of 12 months or more are released on licence and live in the community supervised by the probation service until the end of their sentence.

If you are released on licence, your probation officer can help you find accommodation, as long as you have spent a continuous period of at least 12 months in custody.

## **Help with money before you are released from prison**

Prisoners may be given a discharge grant paid for by the prison when they leave. This is money to help with your costs until your benefits are sorted out.

If a prison housing adviser has found you accommodation for your first night, you may be given a higher discharge grant (about an extra £50), which is paid directly to the accommodation provider.

You may also be able to get help from the Derbyshire, Leicestershire, Nottinghamshire & Rutland Community Rehabilitation Company / Probation Service who have an office in Chesterfield. They can be contacted on:

CRC Tel: 0800 200 6565

National Probation Service Tel: 0121 273 4500

[www.dlnrcrc.co.uk](http://www.dlnrcrc.co.uk)

You may be able to prepare for your release when you are in prison by saving some of your prison wages. You could consider opening a Credit Union account when you are in prison. Ask at the prison for details.