



Housing Advice Sheet 12 - Prison Discharge/Ex Offenders

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 East Suffolk Council for housing assistance as a homeless person.

Help from East Suffolk Council if you are single and homeless

If you apply to the council for housing assistance because you are homeless, the council might not necessarily be legally obliged to provide you with accommodation. Its duty to you might be limited to it providing you with advice and assistance and not actual accommodation. For East Suffolk 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.

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

East Suffolk Council will also look at whether you:

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

East Suffolk Council could decide not to provide you with long term accommodation if it considers that you made yourself intentionally homeless.

Priority need for prisoners and ex-offenders

In some circumstances, East Suffolk Council might decide you are in priority need because you have spent time 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 District 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, a 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 office

- 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 East Suffolk Council must treat you as being vulnerable and in priority need for accommodation. East Suffolk Council will need to assess the evidence before it 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.

Contact East Suffolk Council to find out more about how the council decides if you are in priority need.

Prisoners and ex-offenders treated as intentionally homeless

The council's Housing Needs 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 East Suffolk 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.

East Suffolk 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.

East Suffolk Council is less likely to decide this if the loss of your home did not directly follow on from you being sent to prison, for example, if you made an arrangement for another person to pay the rent while you were away but that arrangement broke down.

East Suffolk 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.

This could be the case because of:

- having limited mental capacity
- mental illness
- frailty
- an assessed substance abuse problem

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

When you apply to East Suffolk Council as homeless, the Housing Needs 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 district council in any area. The district council you apply to must help you.

There may be restrictions placed on where you can live. For example, if an anti-social behaviour order (ASBO) says you cannot go to a particular area, you may need to seek help from a different district council. You can find out more about ASBOs from the www.gov.uk website.

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 do not need a referral from an agency to use them.

In East Suffolk there are services in place that provide low cost hot meals, showers, laundry facilities and other practical help for people who need somewhere to go during the day. They may also be able to offer advice and assistance to help you find housing. Please contact our Housing Needs team for advice on locating these services in the area.

You can search the Homeless England directory to find hostels, emergency and longer term accommodation and day centres in your area. This information can be found at www.homeless.org.uk

You can also use Shelter's directory at shelter.org.uk 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. East Suffolk Council Housing Needs 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
- Discretionary Housing Payment for securing private sector

Apply for a district council or housing association home

As a longer term alternative option, you could also consider applying for a district council home or a housing association home. Please complete the online housing application at www.gatewaytohomechoice.org.uk

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 twelve months in custody.

Help with money before you are released from prison

All prisoners are 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 East Suffolk Council local welfare assistance scheme. A prison adviser or other adviser may be able to help you with your application.

You could apply for help with paying for:

- essential belongings lost when you were away
- clothes
- a fridge for your new home
- help with the costs of moving into accommodation

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

Homelessness help when on bail or Home Detention Curfew

If you are a low risk adult prisoner and eligible for release on bail or home detention curfew, but do not have suitable accommodation to go to, you may be able to get help with supported accommodation through the bail accommodation and support scheme.

You can find out more about the bail accommodation and support scheme through www.stonham-bass.org.uk

Accommodation is provided for up to four people in shared houses in residential areas, with support from a visiting support officer. (Accommodation can be provided for families too.)

For more information on the district council's work in this area please access information on East Suffolk Council's website at www.eastsuffolk.gov.uk

Housing Needs Service - Contact Information

Telephone – 0333 016 2000

Housing.needs@eastsuffolk.gov.uk