

Working with prison leavers

Resource for homelessness services

Let's end homelessness together

Homeless Link, Minorities House, 2-5 Minorities, London EC3N 1BJ | 020 7840 4430

www.homeless.org.uk | Twitter: @Homelesslink | Facebook: www.facebook.com/homelesslink

© Homeless Link 2017. All rights reserved. Homeless Link is a charity no. 1089173 and a company no. 04313826.

Working with prison leavers

Resource for homelessness services

Contents

Introduction	3
Background	4
Policy context	5
Supporting prison leavers into accommodation	7
Myth busting	7
Resettlement and housing support in prison.....	8
Key questions answered	9
Approaching a local authority for support.....	11
Accommodation pathways.....	13
Disclosing convictions	16
Further reading and resources	19

Produced by

The Innovation and Good Practice Team

Acknowledgements

With thanks to CLINKS, Crisis, Langley House Trust, Providence Row, St Mungo's, Shelter, St Giles Trust and CoLab Exeter.

Published

March 2018

Feedback, corrections and suggestions

We welcome your feedback on our publications. Please email patrick.duce@homelesslink.org.uk

Introduction

The point at which individuals leave prison and return into the community places them at increased risk of being vulnerably housed or homeless. People who have come into contact with the criminal justice system are more likely to experience homelessness, with 33% of people found rough sleeping in London having been in prison at some point.¹ There is evidence that providing accommodation for people leaving custody can reduce re-offending.

Successive reforms of the sector have led to major challenges, particularly for those leaving custody and attempting to transition smoothly into housing stability and employment. The criminal justice system (CJS) is undergoing major reforms, and the homelessness sector comes into contact with many individuals who are struggling to understand and navigate the system. Without clear advice and support, individuals who have recently left the criminal justice system face unique challenges relating to welfare support, access to housing, gaining employment, disclosing convictions and more.

This resource is designed to improve the knowledge and expertise of frontline staff in outreach and frontline homelessness services who will often be a first point of contact for people who have recently left prison. This resource is focused on providing a range of information, policy updates, case studies and further resources to improve understanding of what happens to people when they leave custody, and why there is an increased likelihood of homelessness.

Who is this resource for?

This resource is aimed at staff member coming into contact with people who have recently been released from custody, especially those in advice and first point of contact roles who engage with individuals who have recently served a custodial sentence. It is designed to support staff who feel uncertain about recent changes to the structure of the criminal justice system, or who are new to working with clients who have a criminal justice background.

This resource is not intended to be a technical document for support planning or decision-making in individual cases. Please see the Resources section for links to a full range of statistics, guides, reports and resources.

¹ Rough Sleeping in London (CHAIN Reports) data.london.gov.uk/dataset/chain-reports

Background

Key facts and figures

- The total prison population in the UK is 84,746², of which approximately 66,000 leave each year. 15% of men and 13% of women in prisons listed 'no fixed abode' as their accommodation status when leaving prison.
- 23% people accessing homeless accommodation projects and 16% of day centres have had recent contact with the criminal justice system³
- 15% of newly sentenced people in prison reported being homeless before entering custody, with a third of people seen rough sleeping in London reported serving time in prison.⁴
- Research by the Ministry of Justice (MoJ) showed that 79% of those who were previously homeless went on to be convicted in the first year after being released.⁵
- Approximately 6 in 10 female prisoners have nowhere to go to on release from prison. According to recent studies, women in prison have higher levels of disadvantage, particularly mental ill health, substance misuse, trauma and other vulnerabilities.⁶
- Approximately 12% of the prison population in 2017 were foreign nationals.⁷
- Re-offending rates for those that leave custody or on court orders is around 37.4% in the UK.⁸

How can homelessness contribute to re-offending?

Leaving prison is a confusing and often chaotic time for many people. Short term plans, relationship breakdown, return to previous offending behaviours, family disputes and acclimatisation into public life is often overwhelming. Homelessness is a real and present danger, and for frontline workers who engage with people recently leaving prison, an understanding of the criminal justice system framework and effective support options can be a lifeline.

There is a high level of overlap between people known to criminal justice, substance misuse and homelessness services.⁹ People who have experience of the criminal justice system disproportionately experience homelessness and this can be a major factor in offending and re-offending. What is clear is that there is a serious lack of housing and support options available for people leaving custody. Too often a lack of robust resettlement planning following release from prison puts people in a position that exposes them to previous addictions, and a lack of financial security to re-enter secure housing and employment.

2 Prison population figures (December 2017) www.gov.uk/government/statistics/prison-population-figures-2017

3 Homeless Link Annual Review 2016 www.homeless.org.uk/sites/default/files/site-attachments/Full%20report%20-%20Support%20for%20single%20people%202016.pdf

4 Rough Sleeping in London (CHAIN Reports) data.london.gov.uk/dataset/chain-reports

5 www.bristol.ac.uk/poverty/downloads/keyofficialdocuments/Reducing%20Reoffending.pdf

6 All-Party Parliamentary Group for Ending Homelessness

www.crisis.org.uk/media/237534/appg_for_ending_homelessness_report_2017_pdf.pdf

7 Bromley Findings: Prison Factfile Autumn 2017

www.prisonreformtrust.org.uk/Portals/0/Documents/Bromley%20Briefings/Autumn%202017%20factfile.pdf

8 Proven Reoffending Statistics Quarterly Bulletin, January 2016 to March 2016

www.gov.uk/government/uploads/system/uploads/attachment_data/file/676431/proven-reoffending-bulletin-jan16-mar16.pdf

9 Hard Edges: Mapping Severe and Multiple Disadvantage in England (Lankelly Chase) www.lankellychase.org.uk/multiple-disadvantage/publications/hard-edges

Homeless Link

While it is less common for people to sleep rough immediately on release from custody, a lack of housing and/or support on release can place people in an insecure position that can lead to re-offending. To avoid becoming street homeless, it's common for people leaving prison to move into inappropriate or unstable situations, which quickly lead to crisis point.

Why do some people leave prison without a clear plan?

Any adult who receives a custodial sentence of more than one day will leave prison with a minimum of 12 months community supervision, a named probation officer and in theory they should have an address to go to. Many will also have had resettlement support prior to being released yet, despite this, individuals are often falling into homelessness and rough sleeping in the weeks and months after being released.

A large majority of people in the criminal justice system have had previous experience of homelessness, and an even greater number face challenges around either their mental health, their use of alcohol and illegal substances, or all three. Preparing to leave prison can be an optimistic time for people, and many are keen to return to previous housing situations, either with families, friends or acquaintances. Often these plans are not adequately investigated by resettlement and probation staff, and fall through or fail. In this situation there is an acute risk of homelessness and also re-offending. It is often at this point that people seek support or come into contact with frontline homelessness services, and this resource aims to provide staff with better understanding of this journey.

Policy Context

An overview of the criminal justice system and key policy reforms

Her Majesty's Prison and Probation Service (HMPPS)

Her Majesty's Prison and Probation Service is accountable for carrying out sentences which are given by courts. This includes in custody, in the community and the rehabilitation of people within the criminal justice system. They are responsible for commissioning the Prison Service and oversee probation delivery through the National Probation Service and contracted Community Rehabilitation Companies (CRCs).

Transforming Rehabilitation

Transforming Rehabilitation (TR) is the UK Government's reform programme, introduced in February 2015, that changed how offenders are managed within the community. The TR reforms essentially split the probation service between a single statutory National Probation Service, supervising high risk offenders, and 21, largely private sector, Community Rehabilitation Companies (CRCs) supervising the rest. The primary aim of introducing these reform measures was to reduce re-offending rates while continuing to protect the public. One of the key features of the reform is that it led to outsourcing of a large part of the probation service in England and Wales.

Offender and Rehabilitation Act (2014)

The Offender and Rehabilitation Act (ORA) was the act that accompanied the Transforming Rehabilitation programme. The Act made changes to the sentencing and releasing framework to extend probation supervision after release to offenders serving short sentences. Under the ORA, adults who receive a custodial sentence of more than one day will now receive a minimum of 12 months post-release supervision in the community and a named probation worker. The focus of the supervision should be on 'life management'.

National Probation Service (NPS)

As a result of Transforming Rehabilitation reforms, Probation Trusts were replaced by 21 Community Rehabilitation Companies (CRCs) and a single statutory National Probation Service (NPS), responsible for assessments, allocations, enforcement and the supervision of high-risk offenders. The primary responsibilities of the NPS are to oversee Approved Premises for offenders following custodial sentences. They are responsible for assessments, allocation, recall and the management and supervision of high risk offenders.¹⁰

Community Rehabilitation Companies (CRCs)

As part of TR reforms, 21 CRCs were set up across the country, responsible for the management of low to medium risk offenders. CRCs supervise low to medium risk offenders on community sentences as well as providing post-release supervision to those sentenced to more than one day in custody. This includes providing resettlement support to people in the last three months of their sentence. For a map of CRCs in the England and Wales, use the following link:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/315721/CRC-area-map.pdf

Prison Reform

Current reforms of the prison service in England and Wales recognise the importance of accommodation and resettlement support in preventing reoffending. The Ministry of Justice (MOJ) and NOMS's *Prison Safety and Reform* white paper in 2016 laid the ground for greater decentralisation, increased responsibility for prison governors and increased partnership working between prisons and local services. It states that the MOJ and HMPPS want to see "greater emphasis on getting offenders into suitable accommodation as a way to tackle reoffending".¹¹ While these reforms were delayed by the UK General Election 2017, they remain a priority for the Ministry of Justice.

Welfare Reform

Key changes with the Welfare Reform agenda have made it more challenging for some people to access accommodation when vulnerably housed or homeless. Changes to Shared Accommodation Rate (SAR) continues to have an impact on under-35s, as Housing Benefit only covers the cost of rent in shared accommodation tied to the Local Housing Allowance (LHA) rate. This local rate is almost always below the market rate. Shared renting for people leaving prison can be a challenge if it does not offer adequate independence, stability or space.

Anyone leaving prison should make a claim for state benefits as soon as possible. The roll-out of Universal Credit across the country has presented challenges, as claims made following time in prison can lead to delayed payments. While some people in prison are able to make a claim for Universal Credit up to a month before being released, most do not. People often lose accommodation when they enter custody. On release they can struggle to find accommodation with a private landlord or to get the housing element of Universal Credit quickly enough. Sometimes they can wait up to nine weeks for payment.

Future Funding of Supported Housing

It is likely that changes to the way supported housing is funded will be introduced in the next number of years. Currently tenants in supported accommodation can claim Housing Benefit to cover their housing costs. As Housing Benefit will be phased out in 2022 and fully replaced by Universal Credit, the Government is

¹⁰ National Probation Service (NPS) www.gov.uk/government/organisations/national-probation-service

¹¹ MoJ and NOMS (2017) *Prison Safety and Reform*. Online: www.gov.uk/government/publications/prison-safety-and-reform

considering how these costs will be covered in the future. One key challenge is that, as Universal Credit is paid monthly and in arrears, it is not flexible enough to respond to short stays in supported accommodation.

Current proposals are that for short-term accommodation – defined as transitional accommodation where people would be expected to stay for a maximum of two years – funding will no longer be through the welfare system. Instead local authorities will receive a ring-fenced grant from which to commission these services and tenants will not pay rent, as the housing costs will be met from this grant. There are concerns that local authority discretion could lead to certain groups, such as prison leavers, losing out to other client groups. Questions have also been raised about whether removing individual responsibility for rent payments might reduce the opportunity for people to learn financial management skills and demonstrate these to future landlords when they are ready to move on.

Homelessness Reduction Act

The Homelessness Reduction Act came into force in April 2018. The Act modified and extended existing homelessness protection and places a much greater emphasis on local authorities to prevent homelessness. See 'Accessing support from your local authority' below for more detail on these changes.

Supporting prison leavers into accommodation

Myth-busting

There are many myths that exist in working with the criminal justice system, especially as there have been so many changes and reforms of the sector. We have summarised the key myths relevant to frontline homelessness services:

1. People always leave the same prison as they started their sentence – FALSE

Many people are moved around between prisons during their sentence. Often the belongings they entered with do not follow so, when released, they may be without key possessions, such as ID and other paperwork necessary for access to housing.

2. Many people become homeless straight after leaving prison – FALSE

An increasing number of people do, but the majority of people leaving prison have somewhere to stay initially. This can often be insecure, unsuitable or only temporary. Most prison leavers who end up rough sleeping do so after this initial accommodation has fallen through, which makes getting it right the first time all the more important.

3. Prisons know the exact dates of release months in advance – FALSE

In an ideal world, release dates would be known well in advance, in order to plan for moving into accommodation. Someone's precise day of release can be influenced by factors such as being released on electronic tag.

4. People leaving prison can be released to 'no fixed abode' – TRUE

Ideally staff in prisons should not be releasing anyone onto the street if they have stated they have no fixed abode (NFA). Ultimately though, even if no accommodation can be found, a prison cannot legally delay releasing someone from custody. Sometimes people in prison list inappropriate move on

accommodation in order to not delay their release. These accommodation options should be adequately assessed and verified by staff within prisons prior to release.

5. Ex-prisoners who have served a long sentence are more vulnerable than those having served lots of short sentences – FALSE

Just because someone has spent many years in prison, doesn't automatically mean they are more 'institutionalised' than someone who has repeatedly come in and out of prison for many short sentences. Each individual case is different and should be assessed that way. Many people in contact with the criminal justice system have severe and complex needs around mental health and substance misuse

6. Prison leavers are automatically in 'priority need' – FALSE

Prison leavers are not automatically assessed as in 'priority need' for local authority housing, in fact some may be found intentionally homeless for knowing that committing an offence might lead to custody and the loss of their home.

7. Probation are responsible for providing accommodation for prison leavers – FALSE

The National Probation Service do not have specific accommodation for offenders. They do manage Approved Premises, however these are very limited in number and are specialist services specifically for high risk offenders.

8. All CRC 'through the gate' services are the same – FALSE

There are 21 different Community Rehabilitation Companies across England and Wales, each one contracts different organisations to provide resettlement services.

Resettlement and housing support in prison

There are a range of different advice services and housing specialists that can support individuals with housing advice while they are in prison and coming towards the end of their sentence. Housing advice for when people are released can come from a range of different sources:

- **Resettlement officers** provide advice to people in prison about a range of options pre-release. This includes entitlements to state benefits, training, education, work experience and other general support prior to release. Their work is focused on holistic support for people returning to life outside prison, getting back into work and preventing re-offending. They will not necessarily have specialist housing expertise.
- **Probation officers** or offender supervisors manage people who are in the criminal justice system, with a focus on protecting the public and reducing levels of reoffending. Probation workers undertake a range of work interacting with police, victims, prison service colleagues, statutory services and voluntary sector agencies. They also manage and enforce the conditions of community orders, which are an alternative to a prison sentence. Probation officers can be employed by either a CRC or the NPS.
- **Peer advisors** – some prisons have other prisoners who are trained by housing advice agencies, in order to share their knowledge and experience of sourcing accommodation
- **Faith based and voluntary organisations** can provide emotional, well-being and culturally sensitive support for inmates.

Homeless Link

- **Through the gate services** provide people in prison with housing advice in the final weeks before their release, and are physically present at the moment of release back into society. These are provided by CRCs, and take a variety of different forms across the country. Through the gate services vary dramatically across the country. Through the gate housing advice workers operate in most prisons and are often sub contracted to homeless and housing organisations such as St Mungo's, Shelter, Crisis, DePaul UK, Nacro and St Giles Trust.

Case study: Bthechange, CoLab Exeter CVS

Bthechange is a Community Interest Company (CIC) located in Exeter Community and Voluntary Services (CVS) CoLab, and provides intensive peer support for first time offenders leaving prison or on police bail. Clients can either be referred by criminal justice services or self-refer themselves. Once accepted they receive 16-week rolling care intensive support from peer mentor volunteers. Each client is fully assessed for a 'We Work Plan', which is an assessment to understand individual needs in relation to criminal justice behaviour, accommodation, positive activities, health and employment. Primary focus is given to the client's intrinsic motivations, with the aim of supporting client's to 'let go' of disruptive and stressful influences that can contribute to reoffending.

CoLab Exeter is an integrated wellbeing and innovation hub that works in collaboration with agencies across a range of sectors towards improving outcomes for vulnerable people in Exeter City Centre. The CVS facilitates a range of services working under one roof, including homeless street outreach services, probation services, healthcare and employment and training services. Partnerships built with co-located agencies enables more efficient multi-agency working, while also enabling the customer experience within the building to be streamlined as clients can be seen by multiple agencies in one visit. This model has helped the council work towards an integrated 'through the gate' approach that currently achieves 2% reoffending rates with first time offenders.

Key areas of good practice:

- Specific focus on first time offenders and preventing recidivism
- Co-location with other local non-statutory support agencies
- Intensive rolling programme of peer mentor support
- Close links with through the gate services in HMP Exeter

Key questions answered

What happens to housing while someone is in prison?

About a third of people in prisons lose their housing on imprisonment, so assessment of their housing needs on entry is really important. If convicted and serving a prison sentence, individuals do not have to meet any work related requirements, however benefits like Housing Benefit and Universal Credit can be affected.

For individuals that have been sentenced to six months or less, it is possible to retain Housing Benefit on a property as they will not exceed the 13 week maximum. For sentences shorter than 6 months (as they will only service half the sentence in custody i.e. 12 weeks), the DWP can pay for housing costs through Universal Credit. This timeframe also affects couples, and if a partner remains living in a home while another is in prison, then they may be able to claim help with housing costs. Partners can be paid Universal Credit as a member of a couple for up to six months. They will be paid at the rate for a single person, but their income and capital will also be taken into account when working out how much Universal Credit is paid. The award can include help with housing costs and partners can also get help through Universal Credit with childcare costs while people are in prison, if they are still working.

What happens to individuals before being released?

Sometimes people are interviewed by staff from the DWP prior to being released from prison. At this stage individuals should let DWP staff know which benefit they were on prior to being sentenced as, for example, they can restart a claim for Universal Credit up to one month before being released.

Throughout someone's stay in prison, they will be assessed at different points and by different teams working on a range of factors such as housing, health, substance misuse etc. The Basic Custody Screening Tool (BCST) is one of the most important tools for preparing accommodation options upon release (see below). This should not only identify potential tenancies that need sustaining, but also enable any housing advice workers to start planning sustainable long term accommodation plans.

What is a Basic Custody Screening Tool (BCST), and why is it important?

While in custody, and in preparation for being released, prison staff undertake an initial screening tool called the Basic Custody Screening Tool (Part 1 & 2). Part 1 is completed by prison staff when somebody enters custody, and Part 2 is completed by the contracted CRC five days later. Part 2 is crucial for resettlement and future accommodation options as it identifies the immediate needs people might have, including returning to previous tenancies, establishing safe relationships with family and friends and also assessing the financial needs of the individual.

BCST2 forms are extremely important for assessing, early on, what accommodation options are available on release, and should identify necessary risks that can strengthen resettlement plans and provide more robust outcomes on leaving prison. For those serving short sentences, this is even more crucial, as there is a higher chance of losing tenancies and risk of increased rent arrears. BCST2 assessments also provide an opportunity for early planning, including managing expectations of inmates with regards to their housing options on release.

What are their rights on leaving prison?

On release from prison, individuals can apply for a discharge grant of £46, with a further £50 available that can be paid directly to an accommodation provider if arranged beforehand. This is not available for prisoners who are on a very short recall sentences. While community care grants and crisis loans are no longer available, it is worth checking with your local authority to see what other welfare payments might be available. This basic rate was set in 1995, and now leaves many people unable to afford basic backpacker or hostel accommodation upon release. By the time people make contact with a homelessness service, this money has often been spent on travel and food in the immediate hours after being released. This is one of the key reasons why people end up becoming homeless within a few days of leaving prison.

On leaving prison and being permanently released, it is important to make applications for benefits as soon as possible. Discharge forms should be issued upon release, which are helpful as proof of identity, although prison leavers may need additional forms of ID to open a bank account. Staff in frontline services such as day centres, outreach staff and advice services can provide useful support at this stage, particularly tracking down previous proof of address, ID and other bank statements.

When prisoners sentenced to more than one day are released, they are placed under supervision of probation services (NPS or CRC). They may also be released under the following conditions:

- **Home Detention Curfew (HDC)** is often in place for people who have been serving sentences between three months and four years. Upon release, they are required to wear electronic tag and comply with strict curfews at registered addresses normally 7pm - 7am, although it can be other

Homeless Link

12-hour periods. Homelessness outreach and advice staff that encounter someone wearing a tag and sleeping outside late at night should support the individual to report their circumstances to relevant probation services as quickly as possible, as they may be at risk of breaching conditions of their release.

- **Release on Temporary Licence (ROTL)** allows people in prison (who have been adequately risk assessed) to leave custody and make arrangements and appointments for employment and accommodation. They may be recalled at any time if conditions are breached. ROTL's usually relate to one night or a weekend and are useful for attending assessments and interviews.

Approaching your local authority for support

For people leaving prison who have stated they have 'no fixed abode' (NFA), the majority present at their local housing authority. The local housing authority is a crucial link to accommodation for many offenders who have no other places to go (such as family friends, previous accommodation or new tenancies).

Homelessness Reduction Act 2017

Historically, many people leaving the criminal justice system have faced huge challenges in demonstrating a local connection on release, and also challenging decisions around intentionality. The Homelessness Reduction Act, which came into force in April 2018, introduced significant changes to the previous legislative framework, in particular by introducing new duties on local housing authorities and public bodies to prevent and relieve homelessness. In relation to people leaving the criminal justice system, Homeless Link have identified the following five key areas:

1. Improved advice and information about homelessness and prevention of homelessness

Existing information provided many local authorities is inadequate. The Act places greater duty on authorities to make advice and information available for particular groups at risk of homelessness. People engaging with the criminal justice system are included in this, and should be provided with up to date local information on preventing homelessness, securing accommodation, rights, available support and how to access this support. Guidance also recommends that housing authorities consult with people in contact with the criminal justice system, before developing resources.

2. Extension of the period "threatened with homelessness"

Under the new legislation, people can now be assessed as threatened with homelessness if they are likely to become homeless within 56 days (increased from 28 days). This means the period of time that housing authorities have to undertake prevention work is increased, and will have implications for housing advisors and resettlement teams within prisons.

3. New prevention and relief duties

A key component to the new Act is that all eligible people who are found to be homeless or threatened with homelessness will be entitled to more tailored support from the housing authority, regardless of priority need and intentionality. This support will be set out in a personalised housing plan.

4. Assessments and personalised housing plans

Under provisions introduced in the new Act, housing authorities will conduct an assessment with people who are either homeless or threatened with homelessness. This includes an assessment of what accommodation would be suitable, and whether the applicant needs support to obtain and keep

accommodation. These assessments can be contracted out to other organisations, for example teams working within prisons.

The assessment is used to develop a personalised housing plan, which sets out the steps the individual and the local housing authority will take to remain in or source accommodation options. Housing authorities can involve other services in agreeing these steps.

Case study: Stockton on Tees Housing Options

Stockton on Tees local authority has a pathway which encourages early engagement from people in custody who have stated they will have NFA. The local authority aim for phone call assessments with offenders pre-release, while arranging agency one-to-one meetings between the council and CRC to facilitate submitting resettlement referrals as early as possible. Should people still leave prison with NFA, they are already known to the local authority, and are encouraged to immediately attend Housing Options, where any necessary further assessment can be undertaken and emergency accommodation provided (if necessary).

5. Duty to refer and encouraging public bodies to work together

Homelessness prevention work is best delivered through effective partnerships working, and the Act requires public bodies to work together to address the range of complex needs that individuals may be facing. From October 2018, the Act introduces the “duty to refer”, a framework in which councils and referring agencies work in partnership to develop effective referral pathways and joint planning of support. Criminal justice services that are subject to a duty to refer are prisons, young offender institutions, secure training centres, secure colleges, youth offending teams, and probation centres (CRCs and NPS).¹²

In addition to duties under the Homelessness Reduction Act, local authorities remain bound by duties laid out in the Housing Act 1999 to provide housing for those that are not intentionally homeless and satisfy their priority need status.

Priority need and assessment of vulnerability

A council can decide if a person is in priority need by assessing whether or not they are vulnerable. One of the conditions for qualifying for emergency housing is to be deemed in “priority need”. Pregnant women, parents with children and anyone aged 18-20 who spent time in care as a child qualify automatically as priority need for housing. People who have recently left prison can also be classed as vulnerable and therefore in priority need for emergency accommodation. Local authorities will take into consideration their length of time in prison, their physical and mental health and how it affects the individual, the extent to which they have been able to sustain accommodation since being released and any support from wider family or friends that they might have.¹³

Intentionally homeless

If a local authority deems that an individual is “intentionally homeless”, they can discharge their duty to provide long term accommodation. It is important to note that any prevention and relief duty owed to applicants who are homeless or threatened with homelessness applies irrespective of any decision about their intentionality. Due to the nature of offences committed, some councils have been known to refuse support and

¹² Local Authority Code of Guidance (Section 23.6) www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-23-people-with-an-offending-history

¹³ www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities

Homeless Link

accommodation by deeming people leaving the criminal justice system intentionally homeless. The Code of Guidance for local authorities recognises the challenging nature of some cases, but is clear that:

“Housing authorities must consider each application on a case by case basis, in light of all the facts and circumstances, including the age and maturity of the applicant, and should discuss the matter with the relevant provider of probation services. Authorities should not adopt a blanket policy which assumes that people have lost their accommodation whilst in custody will or will not be assessed as intentionally homeless”¹⁴

Accommodation pathways

Accommodation pathways for recent prison leavers can broadly be broken down into the following categories, dependent on associated risk and vulnerabilities. Accurate recording of the exact location after release is challenging, as the addresses given by inmates when they enter prison are often incorrect, out of date or not verified by prison staff.

Hostels, supported housing and emergency accommodation

For many people leaving prison, moving into accommodation they manage themselves is not suitable due to a range of factors. Some people who have experienced the criminal justice system have vulnerabilities around their use of illegal substances or alcohol, or suffer from mental health issues. This may mean that independent living is not currently suitable for them, as it would place them at greater risk of debt, homelessness and reoffending. People who have been within the prison system for many years may be completely unprepared for life in the community. This is also the case for people who have had repeated short prison sentences. Both present the individuals with complex challenges in settling and maintaining accommodation after recent prison sentences.

Access to supported housing, emergency accommodation and hostels is almost always through a local authority (see above). This often takes the form of a ‘pathway’, with a range of different housing and accommodation services dependent on level of vulnerability and eligibility, for example through proving local connection. Many local authorities have specific offender housing pathways. Due to lack of available spaces, emergency accommodation in bed and breakfast and temporary bed spaces might be provided for those on a waiting list for supported accommodation or specific hostel bed spaces.

Case Study: Murray Lodge, Langley House Trust

Murray Lodge is a 13-bed hostel for people recently discharged from prisons in the West Midlands. It also includes 16 step-down shared accommodation units in the community. When people are placed in the hostel, they are given 24/7 support from staff. When they have shown a level of independence that gives them a realistic chance of maintaining their own tenancy, they move into one of the step down flats. Langley House Trust staff offer Intensive Housing Management (IHM) support which focuses on encouraging more responsibility from clients. Residents of Murray Lodge with a local connection to Coventry remain on the local council priority banding and are encouraged to bid for their own property with social or private landlords when ready. When they move on they are offered 16 weeks floating support to ensure smooth transition to independent living.

Staff at Murray Lodge work closely with local homelessness agencies and shelter accommodation beds in order to manage waiting lists. Regular attendance at local multi-agency meetings ensures that appropriate

¹⁴ Local Authority Code of Guidance (Section 23.22) www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities/chapter-23-people-with-an-offending-history

referrals are handled, while also combining with self-referrals from people leaving prisons outside of the Coventry area. This effective local partnership and floating support attached to move-on accommodation is designed to prevent a relapse in behaviour and ensure a quick re-referral back into accommodation should options collapse. Nationally, Langley House Trust has a reconviction rate of less than 3% for those in their housing projects.

Private rented sector

Considering the lack of available social housing, and the decreased supported options for people with experience of the criminal justice system, accessing the Private Rented Sector (PRS) can often be the best bet for many people leaving prison. For people with some savings, this can also be an attractive option, as they are able to overcome some of the financial barriers associated with renting.

Local authorities should have information on a range of landlords and options relating to rent deposit, bond and guarantee schemes. For more information on how to find these in your local area, see the Resources section below.

Many of the challenges of accessing PRS are no different from other vulnerably housed people, in terms of affording rent and deposits in advance, sourcing landlords that accept welfare payments, budgeting and sourcing properties that fit with Local Housing Allowance (LHA) rates.

The following issues are more specific to those leaving custody:

- Challenging the perceived 'riskiness' and discrimination by landlords and estate agents
- Budgeting household bills and tenancy obligations
- Retrieving ID documents and possessions from previous prisons
- Managing isolation and loneliness within the community
- Negotiating and liaising with landlords
- The requirement for references, particularly for those that have no recent address history other than within the criminal justice system
- No time prior to being released from prison to view properties
- Reluctance to share accommodation (under-35-year-olds), particularly with people they don't know

Case study: Renting Ready pre-tenancy training, HMP Bullingdon

Renting Ready is a tenancy training course delivered by Crisis across the UK in a range of locations. Building on the success of the general course, Cherwell District Council, on behalf of the other Oxfordshire district councils, led on commissioning Crisis (via the DCLG Single Homeless Fund) to deliver the course to inmates in HMP Bullingdon. The primary aim of the course is to upskill inmates with the knowledge and confidence to access and sustain accommodation on release.

The course teaches vital tenancy management skills and helps inmates understand the realities of renting in preparation for being released. It covers what to expect when searching for and moving into a new home, rights and responsibilities, living on a limited budget, looking after a property and managing relationships with landlords and housemates. A key offer of the Renting Ready programme is that, as well as being taught directly to learners, staff members can be trained up to deliver future courses independently.

Key successes of the project were the positive impact on inmates who went through the programme, especially their understanding and readiness for accessing private rented accommodation after being released. The course also helped facilitate greater communication between the Offender Liaison Team at Thames Valley CRC, the Resettlement Team based in the prison, and the Crisis Skylight in Oxford. The sharing of release date information also allowed Housing Coaches based within the Crisis Skylight Centre in Oxford to monitor and actively encourage learners' engagement with the Skylight service after leaving prison.

The course was offered as a standalone learning activity for inmates. Despite not offering concrete housing offers on completion of the course and release, understanding how to engage with housing related support after leaving prison is an important learning objective built into Renting Ready, and a key selling point to learners engaging with tenancy training.

Further information: www.crisis.org.uk/ending-homelessness/housing-resource-centre/renting-ready

Staying with family and friends

Staying with family and friends after release from prison is one of the most common routes of initial accommodation, with some small studies highlighting over 50% being released to this setting. Many people within the criminal justice system are understandably excited to return to previous family and relationship settings, however the suitability and sustainability of these options should be properly investigated. During the resettlement assessment process within prisons, it is good practice to ensure that any expectations are effectively managed, and that prison leavers are not returning to either overcrowded accommodation, or to a social network that exposes them to the risk of re-offending.

Effective resettlement planning needs to ensure that friends and family are both consenting and prepared for people to arrive after release, and that further expectations are managed in terms of planned length of stay. Accessing other accommodation options on the precise day of release can be very challenging, so often family and friends provide a crucial stop-gap option between being released and moving into more settled long-term accommodation.

Some inmates are unable to return to their previous family properties, and information relating to this will be in their licence conditions. If you are uncertain about this, contact the offender manager for further information.

Social housing

It is unlikely that people leaving prison will have access to social housing via a local authority due to shortage of supply and length of waiting lists. Any person leaving the criminal justice system who is found to be priority need and placed on a local authority waiting list will be placed either in a short term temporary accommodation bed space (local authority funded B&B etc) or with family and friends in the interim.

Many local authorities operate strict housing allocation policies for social housing. For services working with someone who wants to access social housing, local authorities allocation policies can vary dramatically, and may be handled by a third party. Some local housing registers exclude people with recent engagement with the criminal justice system. Frontline workers from housing advice services and homelessness services may have to work closely with probation to advocate on their behalf in order to appeal any exclusions made on criminal justice grounds.

Approved Premises

Approved Premises, formerly known as bail or probation hostels, are accommodation for people leaving the criminal justice system who have been assessed as being high risk. They provide an enhanced level of supervision and support within communities in order to minimise reoffending and maximise rehabilitation. Placements in Approved Premises are decided by the National Probation Service, based on thorough risk assessments, and for some people living in an Approved Premises is a condition of their licence. Often individuals access Approved Premises due to being unable to return to previous areas where offences have taken place.

Any individual who raises particularly concern within their risk assessment will be referred to local MAPPAs (Multi-Agency Public Protection Arrangements). This is a multi-agency approach to the identification and management of high risk violent or sexual offenders. Housing and move-on options will be discussed at these meetings to prevent the person from becoming vulnerably housed or rough sleeping.

Multi Agency Public Protection Arrangements (MAPPAs)

After leaving prison some people with serious or violent offences have intensive multi-agency arrangements put in place to enable collective management of their reintegration into the community. These are called Multi Agency Public Protection Arrangements (MAPPAs)¹⁵, and involve local police, probation and other local agencies working together to minimise the risk of re-offending and protection of the public. Criminal justice agencies such as police and probation are primary agencies, and work closely with other bodies in the field of employment, health, housing and social care who have a “duty to cooperate”. People with violent or sexual offences are broken into MAPPAs categories, dependent of level of risk. This categorisation can have a major impact on the ability of MAPPAs clients to access housing, as suitable premises are needed in the right areas.

Disclosing convictions

The Rehabilitation of Offenders Act (1974) lays out the timeframes for when cautions and convictions are legally required to be disclosed, and when they become ‘spent’ and no longer need to be shared. This can be quite complicated if individuals have multiple convictions, dating back a large number of years. People experiencing homelessness can be at greater risk of mistakenly disclosing criminal records, which can expose them to discrimination in relation to their housing and employment.

Advisors should always look to support prison leavers seek advice on their criminal record, as failing to reveal previous convictions and unnecessarily disclosing can have negative implications. Understanding disclosure is important, as it enables clients to make informed decisions about whether or not they need to disclose previous convictions. If clients are unsure about what convictions they have, they can apply for a Subject Access Request (SAR) – a copy of their prison or probation records.¹⁶

Employment

When applying for a full paid job, part time role or volunteer position, recent prison leavers should learn as much as possible about the type of criminal record check that employers may undertake. Despite employers needing to be proportional, it is possible that some may require more comprehensive checks than are necessary for the particular role, therefore it’s good practice to help people understand what different checks reveal and how to talk about previous convictions.

¹⁵ www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa--2

¹⁶ Request your personal data from MOJ - www.gov.uk/government/publications/request-your-personal-data-from-moj

Homeless Link

Summary of types of criminal record checks:

Type:	Basic check	Standard check	Enhanced check
Legal name:	Criminal Conviction Certificate	Criminal Record Certificate	Enhanced Criminal Record Certificate
Typical roles:	<ul style="list-style-type: none"> • Retail/shopping • Office roles • Government jobs/civil service • Working in airports • Hospitality work 	<ul style="list-style-type: none"> • Traffic warden • Stewarding • Accountant • Solicitor or barrister • Security guard • Vet 	<ul style="list-style-type: none"> • Teacher • Social worker • NHS • Carer • Taxi driver • Any role working with children or vulnerable adults
What it discloses:	Only unspent convictions	Unspent and spent convictions and cautions	Unspent and spent convictions and cautions

For more information, resources and guidance on criminal disclosures, including a useful Disclosure Calculator to measure which convictions should be disclosed, see the details for Unlock in Resources below.

Case study: Dellow Centre, Providence Row

Providence Row Dellow Centre is located in Tower Hamlets, East London and offers Enterprise and Training Programmes for people currently sleeping rough, deemed high risk or affected by substance misuse and/or mental health issues. While many trainee schemes require trainees to have remained abstinent for a long period of time prior to starting, the Dellow Centre's on-site specialist staff and rigorous risk assessments mean they are able to work with anyone who attends the day centre, and has been particularly successful with people who have had recent or repeated engagement with the criminal justice system.

In the previous 12 months, the Dellow Centre worked with a total of 111 people who declared previous convictions. A third of clients (30%) had mental health disadvantage as a primary support need, in addition to 17% with substance misuse and an additional 23% with dual diagnosis (both mental health and drug or alcohol addiction).

The Dellow Centre has service level agreements with The London Community Rehabilitation Company who work with offenders aged 18 and over who have been either sentenced by the courts to a Community Order or Suspended Sentence Order, or released on licence from prison to serve the rest of their sentence in the community.

Their award winning social enterprise Rise, catering and gardening trainee schemes offer an opportunity for people experiencing homelessness to train and receive a qualification in a safe, welcoming, trauma-informed environment. They work together with the Centre's clients within a co-production model, giving clients as much choice in what they do while retaining a structured training programme. These courses enable clients to gain a range of qualifications such as Food Hygiene Certificates, catering accreditations, CV/criminal record check workshops and increase their understanding and confidence in areas such as workplace culture and job searching.

Key areas of good practice:

- Range of employment, training and skills programmes
- Specialist homelessness workers in order to work with complex needs
- Co-production built into the service model

Housing

When supporting people to access Private Rented Sector (PRS) accommodation, it is advisable to spend some time preparing your client for what to expect when negotiating with a private landlord. Some may have unrealistic expectations about what kind of rented accommodation they can expect. Some landlords may not want to rent to people with a history of offending. Discussing this with your client, and coaching them about how to engage with landlords, can be helpful. While it is advisable to be as open as possible to landlords or agents, it can often be better to view the property and meet the agent before disclosing a history of convictions.

It is not a crime to not reveal convictions if not asked, and securing rented properties is easier once your client has met the agent, built a relationship and presented well. The more confident your client is about the renting process (bills, payments, furnishings, deposits etc), the more likely they are to be able to secure rented accommodation.

Private landlords can use credit checking agencies, however this should not reveal information about convictions for non-financial crimes. If you are supporting a client to access council housing or housing associations, individuals must disclose any unspent convictions when they apply for a home – provided they are asked.

On rare occasions, a private landlord may ask about someone's offending history for insurance purposes. In this case it is even more important that individuals seek advice on the exact relevant convictions to disclose, as creating a tenancy on 'false grounds' could lead the tenant vulnerable to eviction. If you are unsure contact Shelter Advice Line (see Resources) for expert housing advice on tenancy rights.

For clients who are under MAPPA arrangements, the MAPPA panel will be working closely with landlords prior to them moving in. This is to ensure that nobody is put at risk, and that aspects of the local community are taken into consideration.

If you are unsure about revealing convictions, or looking for more in-depth guidance on this area, please see the Unlock website below, as they specialise in providing support for people facing stigma or obstacles due to their conviction history.

Further reading and resources

CLINKS Directory of Offender Services

Clink's Directory of Offender Services provides a database of organisations working with people with convictions and their families.

www.clinks.org/directories

020 7383 0966

Criminal Justice Alliance

The Alliance is a coalition of 135 organisations including charities, research institutions, staff associations and service providers. They have also published a useful Criminal Justice Dictionary of terms and acronyms relating to the criminal justice sector.

www.criminaljusticealliance.org

www.russellwebster.com/a-criminal-justice-dictionary

Hibiscus Initiatives

Supports foreign national, migrant and BMER women in the criminal justice and immigration system as well as in the community.

www.hibiscusinitiatives.org.uk

Homelessness Reduction Act

Resources on the Homelessness Reduction Act from Homeless Link.

www.homeless.org.uk/homelessness-reduction-act

Howard League for Penal Reform

A national charity working for less crime, safer communities and fewer people in prison. Their Helpline offers advice on a range of issues affecting young people in custody

www.howardleague.org

0808 801 0308

Langley House Trust

Langley House Trust provides resettlement services for people with convictions.

www.langleyhoustrust.org

0333 003 5025

NACRO Homes Agency

NACRO Homes Agency is a new social lettings agency, specialising in supporting and securing homes for people who are homeless or experiencing insecure housing. It is suitable for those that require low level support.

www.nacro.org.uk/housing/nacro-homes-agency

Homeless Link

NACRO Resettlement Advice Service

Advice and support on resettlement for people who have engaged with the criminal justice system in England. Advice and guidance is divided into sections for Employers, Practitioners and Individuals.

www.nacro.org.uk/resettlement-advice-service

0300 123 1999

Offender Families Helpline

Helpline supporting families of offenders seeking information or emotional support.

www.offendersfamilieshelpline.org

0808 808 2003

Prison Reform Trust (PRT)

PRT run an advice and information service which provides free information about prison life, rules and regulations and prisoner's rights. They also give advice and assistance (they are unable to give legal advice).

www.prisonreformtrust.org.uk

020 7251 5070

Prisoners Advice Service

An independent legal charity providing information and representation to people in prisons on their rights as prisoners, covering England and Wales. They do not deal with miscarriages of justice or appeals against conviction/sentence.

www.prisonersadvice.org.uk

020 7253 3323

St Giles Trust

St Giles Trust is a charity helping people facing severe disadvantage to find jobs, homes and the support they need; this includes support services in prisons and on release from custody.

Website: www.stgilestrust.org.uk

020 7703 7000

Shelter Expert Housing Advice Line

Shelter operate a free housing advice line staffed by experts, suitable for people at risk of homelessness and also currently sleeping rough.

www.england.shelter.org.uk/get_help/helpline

0808 800 4444

StreetLink

StreetLink is the national referral line for anyone currently rough sleeping. It helps members of the public to connect people sleeping rough with the local services that can support them. Referrals can be made via phone, app or website.

www.streetlink.org.uk

0300 500 0914

Homeless Link

Unlock

Unlock is an independent, award-winning national charity that provides a voice and support for people with convictions who are facing stigma and obstacles because of their criminal record, often long after they have served their sentence.

<http://www.unlock.org.uk/>

0163 424 7350 (Monday to Friday, 10am to 4pm)

User Voice

User Voice works with people with convictions to feedback their views and insights of the criminal justice system.

www.uservoice.org

0203 137 7471

Women's Breakout

Women's Breakout works to shape national and local approaches to working with women who present with vulnerabilities and are in contact with, or at risk of becoming involved in, the Criminal Justice System.

www.womensbreakout.org.uk



What we do

Homeless Link is the national membership charity for organisations working directly with people who become homeless or who live with multiple and complex support needs. We work to improve services and campaign for policy change that will help end homelessness.

Let's end homelessness together

Homeless Link
Minorities House, 2-5 Minorities
London EC3N 1BJ

020 7840 4430

www.homeless.org.uk

Twitter: @Homelesslink

Facebook: www.facebook.com/homelesslink

© Homeless Link 2017. All rights reserved.
Homeless Link is a charity no. 1089173 and
a company no. 04313826.