

## Policy: briefing

# Unlocking stable homes

## Housing advice for ex-offenders

### Summary

**More than one in seven ex-offenders were homeless prior to prison - and over a third need help finding somewhere to live upon release. There are many challenges for ex-offenders in finding and keeping a stable home after leaving prison. Recent and forthcoming cuts to housing benefit and advice services, and the ongoing shortage of social homes, will make these challenges even sharper.**

Finding stable accommodation for ex-offenders will be particularly important if the government is to achieve its aim of cutting re-offending and therefore crime. Evidence suggests that having a stable home reduces the likelihood that those who have left prison will re-offend.

Ex-offenders in general have many characteristics that make it harder for them to find and maintain stable accommodation after prison:

- On average, ex-offenders are younger and poorer than the general population and much less likely to own a home.
- More than half are reliant on welfare to support their income.

As with other vulnerable people, ex-offenders' housing options are being impacted by cuts to welfare and housing advice, and the scarcity of affordable and stable homes.

Many ex-offenders now find that renting privately is their only realistic option, especially in high demand areas such as London and the South East. Access to private renting is particularly challenging for ex-offenders. Landlords can be reluctant to let rooms to ex-offenders due to perceptions and prejudices, and the costs of

setting up a tenancy can be prohibitively high.

Changes to financial lifelines such as crisis loans, cuts to legal aid and the move towards telephone rather than face to face advice will also make it harder for ex-offenders to find and keep a home.

These changes and challenges will put increasing pressure on the critical work of housing advice services for ex-offenders. It is therefore crucial that those who commission housing advice services for ex-offenders are aware of the evidence on what works:

- Housing advice for ex-offenders can help them to find their best housing option available within budgetary constraints.
- Maintaining a range of advice channels is important to improve outcomes for ex-offenders. There is evidence that face to face advice is particularly effective for vulnerable clients.
- Specialist legal advice is particularly important to help ex-offenders negotiate a complex housing and welfare system. Services are under increasing pressure as budgets are reduced.

Prison housing advice services themselves will also need to adapt to the new realities of a challenging housing market:

- Advice should be targeted at the most effective points in the prisoner journey.
- Prison services should develop closer links with local authorities, which have increasing choice over priorities and budget allocations.

## Introduction

The government has a clear ambition to reduce re-offending.<sup>1</sup> Ex-offenders<sup>2</sup> say that having somewhere to call home is their top priority upon release from prison, and reduces the likelihood of them committing another crime.<sup>3</sup>

With fewer social rented homes available to meet demand and with deposits for mortgages out of reach of those on low incomes, private renting is fast becoming the only option for many people, including ex-offenders. But short term contracts and landlords' pre-conceptions can make it very hard for ex-offenders to find or keep a private rented home.

This briefing looks at the characteristics of the ex-offender population, and sets out the evidence on how stable housing reduces re-offending. It outlines the housing advice currently available to ex-offenders, before setting out the risks that government policies may make it even harder for those leaving prison to access a stable home.

The briefing ends with broad recommendations for prison housing advice commissioners and prison housing advice services.

## Who are ex-offenders?

In 2011, the recorded prison population in England and Wales reached a record high of over 88,000.<sup>4</sup> Ex-offenders are more likely to be male, young and have children under 18 than the population as a whole:

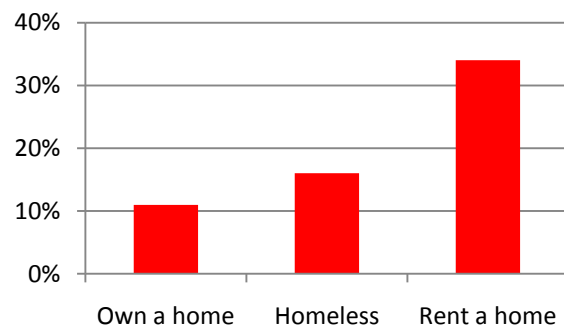
- In 2011, just eight per cent of those leaving prison were women.
- One in three people discharged from prison were aged 24 and under, compared to one in ten in the general population. Nearly seven in ten were under the age of 35.<sup>5</sup>
- Just over half of prisoners have children under 18 when they enter prison,<sup>6</sup> compared to 38% of all married or co-habiting couples in the UK.

Ex-offenders are also likely to be socially excluded and economically disadvantaged, compared to the population as a whole.

- A 2002 Social Exclusion Unit report found that offenders were disproportionately likely to have grown up in care or in a disadvantaged family and to have run away from home as a child. Around half were found to have a history of debt problems.<sup>7</sup>
- Four in ten offenders do not have essential financial services such as bank accounts, which are needed to access a variety of goods and services.<sup>8</sup>
- Ex-offenders are also much more likely than the general population to have a mental health problem.<sup>9</sup>

Just 11% of surveyed ex-offenders owned a home while just over a third rented before going to prison. Sixteen per cent were homeless, either rough sleeping or in temporary accommodation. Others were living rent free with a friend (12%), paying board in someone else's home (19%), living with family (3%) and in shared ownership housing (2%).

### Likely ex-offender living arrangement before prison<sup>10</sup>



Source: Ministry of Justice, 2012. Based on a survey of 1,435 prisoners in 2005/06

It should also be noted that not all ex-offenders are equally likely to re-offend. Males and those serving sentences of less than 12 months are more likely to re-offend than females and those who were on longer term sentences. Prisoners aged under 21

<sup>1</sup> [Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders](#), Ministry of Justice, 2010

<sup>2</sup> In this briefing the term 'ex-offender' is used to refer to those who have left prison while 'offender' and 'prisoner' are used to refer to those still within prison.

<sup>3</sup> [Better Together: preventing re-offending and homelessness](#) Homeless Link, 2011; [Double Trouble](#), Prison Reform Trust and Clinks, 2011

<sup>4</sup> [Prison Population Statistics](#), House of Commons, 2012

<sup>5</sup> FOI, Ibid

<sup>6</sup> Ministry of Justice; [Compendium of reoffending statistics and analysis](#), London: Ministry of Justice, 2010

<sup>7</sup> [Reducing re-offending by ex-prisoners](#), Social Exclusion Unit, 2002

<sup>8</sup> [Time is Money](#), Prison Reform Trust, 2011

<sup>9</sup> SEU 2002 Ibid.

<sup>10</sup> [Accommodation, Homelessness and Re-offending of Prisoners](#), Ministry of Justice 2012. Illustrative of ex-offender living arrangements before prison, 'homeless' includes those recorded as in temporary accommodation and rough sleeping.

serving a sentence of less than a year for burglary and theft have a reconviction rate of over 90%.<sup>11</sup>

Offenders are less likely than the general population to have a home before prison and are often in a situation where it is not clear where they will go once they leave.

## Stable homes, re-offending and housing advice

The relationship between accommodation and re-offending is complex, but there is evidence that ex-offenders who don't have somewhere to live when they leave prison are more likely to re-offend.

A 2008 study by the Ministry of Justice surveyed nearly 5,000 offenders and combined the results with re-offending records over a number of years. The study concluded that ex-offenders were significantly more likely to re-offend when they had a problem with both employment and housing.<sup>12</sup>

Ministry of Justice figures also show that offenders who are homeless upon entering prison have a much higher reconviction rate within one year of release, with 79% being reconvicted, compared to 47% of those who had accommodation.<sup>13</sup>

Ex-offenders themselves report that homelessness is a key cause of re-offending. The St Giles Trust found from their 'Through the Gates' advice service that homelessness was often identified as a key factor in increasing likelihood of re-offending:

*"I think if you don't have a secure home you've got nothing keeping you grounded. I was all over the place and staying anywhere. I was staying with the wrong people and getting into the wrong things."*

(Becky, client, age 26)<sup>14</sup>

A wider evaluation of housing advice and resettlement programmes by Homeless Link in 2011 found similar results across a variety of organisations:

- Clients emphasised that housing advice was most effective when it dealt with issues beyond just arranging a rental contract, such as dealing with mental health issues and providing practical skills to maintain the tenancy.

- Clients were particularly positive about housing advice services with staff that provide an individualised approach that goes beyond 'box-ticking', no matter which provider they were from. Clients valued the advice of someone who has 'been there', such as a peer worker.
- Clients underlined the importance of continued advice for the medium term to help maintain the tenancy.<sup>15</sup>

There is also evidence that ex-offenders who have somewhere to live after prison can benefit in other areas of their rehabilitation. Prisoners who have accommodation arranged on release are four times more likely to have employment, education or training arranged once they leave prison than those who do not have accommodation in place.<sup>16</sup>

### Case Study - Shelter advice service

The client 'J' had a secure council tenancy before coming into custody to serve a two month sentence. He had not been to prison before and was not aware how to access any help with accommodation. J was experiencing harassment and bullying in his local area and was afraid to return. When the Local Authority were contacted, they advised they would try to help but, due to the timescales involved, would be unlikely to provide him with alternative accommodation before his release, meaning he would have to return. The client was distraught at the prospect of having to return to his previous home.

A Shelter peer worker spent time speaking with J about what had happened and encouraged him to disclose what had been happening to him. Shelter worked with J to identify support for his release, and suitable accommodation that he would feel comfortable in. He was referred to a supported housing project which provides support for individuals with complex needs. J was able to move straight into the accommodation on release from prison and wrote after he had left to say 'Thank you for referring me here, I love it'. The accommodation allows stays of up to two years providing a stable base for J to start rebuilding his life.

<sup>11</sup> SEU 2002 Ibid.

<sup>12</sup> May et al, Resettlement Surveys Reoffending Analysis, Ministry of Justice, 2008

<sup>13</sup> [Compendium of reoffending statistics and analysis](#), Ministry of Justice, 2010

<sup>14</sup> [Through the Gates](#), St Giles Trust, 2009

<sup>15</sup> [Better Together](#), Homeless Link, 2011

<sup>16</sup> Niven, S. and Stewart, D. (2005) [Resettlement outcomes on release from prison](#), Home Office Findings 248, London: Home Office; Home Office (2001) [Jobs and Homes - a survey of prisoners nearing release](#), Findings 173, London: Home Office

## What sort of housing advice do ex-offenders receive?

According to the Department of Communities and Local Government, 90% of prisoners receive an Initial Housing Needs Assessment within four days of entering prison, as required by targets.<sup>17</sup>

However there is evidence that this assessment often does not go beyond collecting data on the offender's housing background, and that this data is not shared internally or externally in 60% of cases.<sup>18</sup>

One reason that Initial Housing Needs Assessments may not be conducted in a consistent way is that they are carried out by a diverse range of personnel, including prison officers, probation officers and voluntary sector staff. A 2007 survey found that just one in five Initial Assessments is carried out by housing specialists.<sup>19</sup>

Evidence from the Social Exclusion Unit in 2002 also gives weight to the view that housing advice provision in prisons is not consistent: the 'quantity and quality of housing advice differs greatly from prison to prison. Housing advice work can be highly technical and time consuming...in reality a limited number of people are able to perform this role within a prison'.<sup>20</sup> The more recent Third Sector Research Council report found that the number of prisons with specialist housing advisors had increased, although there are still considerable gaps.<sup>21</sup>

A number of third sector organisations provide housing advice within prisons, including Shelter. These services can link offenders with local authorities while in prison and can provide practical and realistic advice on the options available. Shelter has developed its prison advice services with a 'peer mentor' model, meaning that existing prisoners are given skills and responsibilities in delivering the service alongside professional housing advisers.

A recent Homeless Link study revealed a big variation in the experiences of support received by those in different parts of the country.<sup>22</sup>

On leaving prison, those who have served a sentence longer than 12 months will receive support from a probation officer, although there is some evidence that many probation services do not have support from housing specialists or necessary links to local authority housing teams.<sup>23</sup>

There are also 'through the gate' services which aim to fill the gap between prison-based and community based advice and support. Some housing and support providers such as Stonham provide their own supported accommodation for ex-offenders.<sup>24</sup>

Once ex-offenders have left prison they will also have access to the range of housing advice available to the general public, for instance through Citizens Advice or the Shelter helpline. In the last year (to October 2012) Shelter services outside of prisons were contacted by at least 920 ex-offenders.<sup>25</sup>

## When does housing advice for ex-offenders make the biggest difference?

Evidence suggests that housing advice for ex-offenders is most likely to make a difference at certain points throughout the time they are in prison and beyond.

- **Preventative work for those on short sentences.** It may be possible to prevent an eviction by assessing options at the start of a custodial sentence. Evidence from the Third Sector Research Centre suggests that failure to communicate with a landlord or the bank is a major cause of offenders losing their home whilst in prison.<sup>26</sup> Advisers can make contact with landlords and local authorities to prevent the loss of a tenancy. Advisers can also terminate a tenancy if appropriate to prevent a build-up of rent arrears.
- **The point of release.** Evidence from Homeless Link suggests that housing advice is most effective for ex-offenders when advisers work closely with probation staff, local authority

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<sup>17</sup> [Homelessness prevention and meeting housing need for ex-offenders](#), DCLG, 2009,

<sup>18</sup> [Preventing re-offending and homelessness together](#), Homeless Link, 2011

<sup>19</sup> [Homelessness prevention and meeting housing need for ex-offenders](#), DCLG, 2009,

<sup>20</sup> SEU, 2002 Ibid.

<sup>21</sup> [Accommodation for ex-offenders: Third Sector Housing Advice and Provision](#), TSRC, 2012

<sup>22</sup> Homeless Link, Ibid.

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<sup>23</sup> [Accommodation for ex-offenders: Third Sector Housing Advice and Provision](#), TSRC, 2012

<sup>24</sup> [Accommodation for ex-offenders: Third Sector Housing Advice and Provision](#), TSRC, 2012

<sup>25</sup> This is very likely an under-recording of the full number as those who contact Shelter are not systematically asked if they are an ex-offender.

<sup>26</sup> [Accommodation for ex-Offenders: Third Sector Housing Advice and Provision](#), TSRC, 2012



contacts and other advisers and support staff.<sup>27</sup> Evidence from the St Giles Trust shows that offenders value being met at the prison gates by service staff to help sort immediate accommodation and benefits issues.<sup>28</sup>

- **Continued advice after leaving prison.** Ex-offenders in the Homeless Link study emphasised that continued housing advice helps them to maintain their tenancy.

## What challenges will ex-offenders face in finding stable homes in the future?

There are already a range of barriers faced by ex-offenders in finding or retaining a home upon release from prison.<sup>29</sup>

- Shortage of social housing or suitable accommodation for offenders with support needs.
- Not meeting the criteria for local authority support through homeless legislation.
- Difficulties accessing the private rented sector, often due to affordability.
- Landlord prejudices about ex-offenders and benefit claimants reducing the options available.
- Failure to access benefits and lack of personal or motivational support have also been identified as factors reducing ex-offenders' chance of finding a home upon release.<sup>30</sup>

In addition to these long standing challenges, recent legislation and policy changes now risk exacerbating the barriers facing ex-offenders in finding stable accommodation. This section looks at these barriers, and explores how some of the major changes in policy since 2010 may impact on ex-offenders.

## Homelessness assistance

The homelessness legislation has been an important part of the housing safety net for many decades. In particular, local authorities have a legal duty to provide temporary accommodation and a full housing assessment to those they consider to

be homeless or threatened with homelessness. If a council finds a person to meet the full homelessness criteria, they would be owed a full re-housing duty, and would be given priority for social housing.

Evidence suggests that many ex-offenders fail to qualify for support as local authorities refuse to give them priority.<sup>31</sup> Equally there is evidence that ex-offenders are often found by local authorities to be 'intentionally' homeless, which means that they will not qualify for assistance.<sup>32</sup>

Many of those ex-offenders who do qualify for assistance will be affected by recent policy changes. The Localism Act 2011 allows councils to discharge their duty to homeless households by offering suitable accommodation in the private rented sector, without requiring the applicant's agreement.

Shelter has argued that allowing councils to place homeless people into the private rented sector – with just a minimum 12 month tenancy – offers no meaningful security and could lead to a cycle of repeat homelessness.<sup>33</sup> Shelter has also produced research detailing the potential impacts of poorer conditions and lack of affordability in the private rented sector on vulnerable tenants discharged under the homelessness duty.<sup>34</sup>

## Access to social housing

Other changes from the Localism Act will make it harder for ex-offenders to find or maintain a social rented home. The Act allows authorities to set their own criteria under which applicants will, or will not, qualify for an allocation for a social tenancy.

There is already evidence that ex-offenders sometimes face unlawful blanket bans by registered social landlords, and that more generally a large proportion of ex-offenders are unsuccessful in accessing public or social housing.<sup>35</sup> Greater autonomy for local authorities over allocations policies introduced by the Localism Act could

<sup>27</sup> [Better Together](#), Homeless Link, 2011

<sup>28</sup> [Through the Gates](#), St Giles Trust 2009

<sup>29</sup> Supporting short term prisoners leaving HMP Leeds: evaluation of the Shelter Prison Advocacy Release Team, Centre for Housing Policy for Shelter, 2012 p.2; [Homelessness prevention and meeting housing need for ex-offenders](#), DCLG, 2009

<sup>30</sup> St Giles Trust, Ibid

<sup>31</sup> [Accommodation for ex-offenders](#): Third Sector Research Centre p.4; Jones, A. and Pleace, N. [A Review of Single Homelessness in the UK 2000 – 2010](#), Crisis, 2010

<sup>32</sup> Pleace, N. and Minton, J. [Delivering Better Housing and Employment Outcomes for Offenders on Probation](#), London: Department for Work and Pensions, 2009

<sup>33</sup> [Localism Bill – Briefing for 3rd Reading](#), Shelter, 2011

<sup>34</sup> [Response to DCLG on Homelessness Suitability of Accommodation](#) (England) Order 2012 - Consultation Shelter, 2012; Smith, M. [Sustain: a longitudinal study of housing wellbeing in the private rented sector: interim report 2012](#), Shelter and Crisis, 2012

<sup>35</sup> [Better Together](#), Homeless Link, 2011; [Accommodation for ex-offenders](#), Third Sector Research Council, 2012

exacerbate these problems. Research in 2012 found that ex-offenders can be excluded from social rented homes due to councils deciding that they don't have a local connection with the area. It can be especially hard for ex-offenders to prove that they have a local connection if they were homeless prior to prison, which is the case for more than one in seven prisoners.<sup>36</sup>

## Access to supported housing

Ex-offenders with multiple needs can benefit from supported housing projects, which help vulnerable individuals to live independently in the community.<sup>37</sup> The general aim of such projects is to tackle together the challenges that these ex-offenders face, and eventually support them into their own tenancy.<sup>38</sup>

From 2003 supported housing was primarily financed through the Supporting People funding stream supplied by DCLG to local authorities. This funding supported a variety of providers including housing associations and specialists such as Shelter, Nacro and Stonham.

In 2009 the Supporting People funding stream was de-ringfenced, and in 2011 the funding became a non-differentiated part of councils' formula grant, meaning that decisions on how to spend the money are decided locally, resulting in different approaches in different areas.<sup>39</sup> In the context of significantly reduced local authority budgets, de-ringfencing has led to funding uncertainty and in some cases to the closure of supported housing projects that are used by many ex-offenders as a route back to independent living. This trend is likely to continue as tight local authority budgets continue to be pulled in many directions.<sup>40</sup>

## Security of tenure

Ex-offenders can lose their secure social homes when in prison, either if they build up rent arrears or if they have been convicted of certain property related offences.<sup>41</sup> New government-supported legislation currently being debated in Parliament

would prevent social tenants in prison from sub-letting their homes to avoid rent arrears.<sup>42</sup>

The Localism Act also introduced a new form of 'flexible tenancies' in social housing, giving councils discretion over the length of tenancy offered to new social renters. Some are already introducing two year contracts for young people, and suggesting that people with convictions could be excluded from social housing altogether.<sup>43</sup>

This is a cause for concern, as there is evidence that secure social tenancies are of particular value to more vulnerable people in creating stability and allowing them to rebuild their lives.<sup>44</sup> There is also evidence that short term tenancies allocated on the basis of need may encourage tenants to maintain a status of vulnerability, thereby reducing incentives to work.<sup>45</sup> The introduction of flexible tenancies could therefore reduce stability and introduce further barriers to work for ex-offenders.

## Barriers to private renting

Ex-offenders are increasingly less likely to benefit from secure social tenancies. According to recent analysis, private renting is fast becoming the 'only realistic option' for ex-offenders, especially in high demand areas such as London and the South East.<sup>46</sup> While the security offered by social housing may be a better option for many ex-offenders, there is some evidence of positive effects associated with moving into the private rented sector. Evidence collected by Shelter and Crisis shows that some ex-offenders value the chance to move away from their old networks and routines as this can help them to avoid offending and substance misuse.<sup>47</sup>

However there are significant barriers to ex-offenders renting privately. Some landlords are unwilling to let to housing benefit claimants. According to the English Housing Survey, half

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<sup>36</sup> TSRC, Ibid

<sup>37</sup> [http://webarchive.nationalarchives.gov.uk/+/www.direct.gov.uk/en/disabledpeople/homeandhousingoptions/supportedhousingshemes/dg\\_4000297](http://webarchive.nationalarchives.gov.uk/+/www.direct.gov.uk/en/disabledpeople/homeandhousingoptions/supportedhousingshemes/dg_4000297)

<sup>38</sup> TSRC, Ibid

<sup>39</sup> [Homeless Link website](#)

<sup>40</sup> [Survey of Needs and Provisions 2012](#), Homeless Link, 2012

<sup>41</sup> Housing benefit is payable for up to 13 weeks for those sentenced to prison, so long as the time spent in prison is likely to be less than 13 weeks.

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<sup>42</sup> [Prevention of Social Housing Fraud Bill](#), 2012.

<sup>43</sup> [Building a Housing Ladder of Opportunity](#), Hammersmith and Fulham Council, 2012

<sup>44</sup> Robinson, D. 'Worklessness and Social Housing' in Fitzpatrick, S. and Stephens, M. (eds.) *The future of social housing*, London: Shelter, 2008

<sup>45</sup> Fitzpatrick, S. and Pawson, H. Security of tenure in Social Housing: An International Review, page 20 (2011); Hills, J. End and Means: The future roles of social housing in England, page 157 2007

<sup>46</sup> [Finding and sustaining a home in the private rented sector](#), Crisis, 2012

<sup>47</sup> [Sustain: a longitudinal study of housing wellbeing in the private rented sector. Interim Report](#). Shelter and Crisis, 2012

(53%) of private landlords are “not happy to let to [housing benefit] claimants”.<sup>48</sup>

Evidence from Homeless Link suggests that ex-offenders can struggle to maintain private rented tenancies<sup>49</sup> due to landlord attitudes. As with other low-income groups, ex-offenders can also struggle to secure a private rented property due to the high costs needed before the tenancy begins. The average upfront costs for starting a tenancy can be well over £1,000. Schemes to improve access do exist, but are limited in scope and vary in what they offer.<sup>50</sup>

## Priced out by benefit cuts

Cuts to housing benefits will make private renting less affordable for all those already struggling with rising rents, including many ex-offenders.

Under the current system of Local Housing Allowance (LHA), changes have been made to cap the rate payable to the level of the cheapest third of rental properties in the area, rather than the median as before. This affects more than 700,000 existing claimants who lose on average £468 per year.<sup>51</sup> Claimants in high demand, high rent areas such as London and the South East will be harder hit than those in areas with lower rents.

In one in three local authorities, the maximum LHA rate is not enough to cover the cheapest quarter of rents for two bedroom homes. This indicates that private renting will be largely unaffordable for families who need to claim the benefit in those areas.<sup>52</sup>

From April 2013, further changes to LHA will continue to erode affordability. LHA will be uprated by the CPI measure of inflation rather than by average rent increases, meaning that on current trends nearly half of local authorities would be ‘very unaffordable’ for housing benefit claimants by 2025.<sup>53</sup>

Finally, the household benefit cap to be introduced along with Universal Credit in April 2013 will impact on the options for ex-offenders, just as it will for other low-income households. The cap makes no consideration of the unavoidable differences in

housing costs across the country and so will penalise low-income households in the South East and London.<sup>54</sup>

The cap is also expected to apply to temporary accommodation, with questions remaining for exempt and supported accommodation, something that Shelter argues will cause an expensive and unreliable dependence on Discretionary Housing Payments by councils.<sup>55</sup> A recent survey by the Ministry of Justice showed that seven percent of offenders were in temporary accommodation before entering prison.<sup>56</sup>

## Loss of financial lifelines

Crisis Loans are currently available to help people cope with some housing emergencies – for example to help with rent in advance for low-income private renters or to pay for accommodation for those sleeping rough.<sup>57</sup> Community Care Grants are available to help people on low incomes achieve independent living and ease exceptional pressures on living costs.<sup>58</sup>

From April 2013, Crisis Loans and Community Care Grants will be replaced by Local Welfare Assistance. The budgets for both will be combined, reduced and transferred to local authorities without a ring-fence, in order to provide a service flexible to local needs. There is no legal duty on local authorities to provide this support and there is currently no duty on councils to report how they are spending this money.<sup>59</sup> There is a clear risk, recognised by many councils, that this money will be amalgamated into other budgets and not used for Local Welfare Assistance.<sup>60</sup>

Crisis Loans and Community Care Grants have often provided financial lifelines for ex-offenders, who will feel their loss more keenly than most. According to the Department for Work and Pensions, 44% of applications for Community Care Grants made in England and Wales in 2009/10 were by those convicted of a crime.<sup>61</sup>

According to a recent review, staff administering Crisis Loans have seen a marked increase in the

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<sup>48</sup> English Housing Survey, [Private Landlords survey](#), DCLG, 2010

<sup>49</sup> [Better Together](#), Homeless Link, 2011

<sup>50</sup> [Renting in the dark](#), Resolution Foundation, 2011

<sup>51</sup> [Impact of the Housing Benefit Proposals](#), DWP, 2010

<sup>52</sup> [The affordability of private renting for families claiming Local Housing Allowance](#), Shelter, 2011

<sup>53</sup> [The impact of Welfare Reform Bill measures on affordability for low income private renting families](#), Shelter and CIH, 2011

<sup>54</sup> [Universal Credit and Housing](#), Shelter, 2012

<sup>55</sup> [Response to DWP consultation on Discretionary Housing Payments good practice manual](#), Shelter, 2012

<sup>56</sup> [Accommodation, homelessness and re-offending of prisoners](#), Ministry of Justice, 2012

<sup>57</sup> Shelter Advice Pages [www.shelter.org.uk](http://www.shelter.org.uk)

<sup>58</sup> CCG page on [www.direct.gov.uk](http://www.direct.gov.uk)

<sup>59</sup> [Welfare Reform Act Briefing](#), Homeless Link, 2011

<sup>60</sup> [Local Authority Fieldwork Summary Report](#), Department for Work and Pensions, 2011 (paragraph 46)

<sup>61</sup> [Offending, Employment and Benefits, Department for Work and Pensions](#), 2011

number of applications for help with rent in advance in order to access private rented housing.<sup>62</sup> Some Shelter staff assisting clients with applications for Community Care Grants in prisons have also noticed an increase in applications for warm clothing and tents from offenders who expect to be sleeping rough on release.<sup>63</sup>

## Disproportionate impact on younger offenders

The age threshold for the lower Shared Accommodation Rate (SAR) of housing benefit for single, younger recipients was extended to cover those up to age 34 and under in January 2012. The SAR caps housing benefit claims to an amount appropriate to rent a bedroom in a shared house in the bottom third of the market, rather than enough to rent a one bedroom flat in the bottom third. Previously, only those housing benefit claimants age 24 and under were expected to rent a room in shared house.

This change is particularly relevant to ex-offenders, who are disproportionately young and single: in 2011, over 58,000 people aged 34 and younger were released from prison.<sup>64</sup> Research by The Centre for Housing Policy found that where vulnerable groups were involved, shared accommodation played a role in causing and perpetuating homelessness.<sup>65</sup>

There are some exemptions to the new SAR policy that may cover some ex-offenders, including for people age 25 and over who are subject to Multi Agency Public Protection Arrangements (MAPPA). SAR will not apply to people who are MAPPA level 2 and 3.<sup>66</sup> These exemptions to SAR as a result of MAPPA will apply to around 3,000 cases per year.

Other exemptions, such as for people who have stayed in a homeless or rehabilitation hostel for more than three months, may also apply to ex-offenders in some cases.

## Impact on female ex-offenders

As with younger ex-offenders, policy changes since 2010 are likely to have a disproportionate impact on female ex-offenders.

The need to prove a local connection in order to be eligible for social housing priority in many local authority areas may prove more difficult for female ex-offenders, who are more likely than men to serve a prison sentence further away from their home.<sup>67</sup>

A wide ranging survey of ex-offenders housing advice services found particular problems for female ex-offenders in receiving local authority support, including a perception that they would require more extensive support, especially if they have children.

*"In some cases boroughs are simply so reluctant to engage with these vulnerable women that they're deemed too high a risk even to give them a list of B&Bs to just go there and sort out their own accommodation"*<sup>68</sup>

(Third Sector Representative, TSRC report)

A major report by the Fawcett Society and Cambridge University in 2007 found that female ex-offenders 'may tolerate abusive relationships to prevent themselves becoming homeless' and that very few are recognised by local authorities as needing independent housing support.<sup>69</sup>

## Loss of legal advice

Until recently housing and debt advice tended to be provided by the voluntary sector, with funding from legal aid and from local authorities.<sup>70</sup> This provision will significantly reduced as a result of changes to the funding regime. The Legal Aid, Sentencing and Punishment of Offenders Act 2012 introduced sweeping changes to the advice funded by legal aid. All welfare benefits advice will cease to qualify for legal aid, along with around 60% of debt advice and 40% of housing advice.

The removal of entire categories of social welfare law from the scope of legal aid is particularly worrying. Cutting benefits advice will prevent advisers from taking early steps to sort out benefits problems which can lead to eviction proceedings and homelessness.

The housing-specific cuts will also make it significantly harder for tenants dealing with disrepair and tenancy disputes to get advice.<sup>71</sup> This

<sup>62</sup> [The Social Fund Commissioner's Annual Report](#) 2011/12, IRS 2012

<sup>63</sup> Interview with Shelter Housing Advisor at HMP Wealstun, 21/09/2012

<sup>64</sup> FOI for Shelter, Ibid

<sup>65</sup> [Unfair Shares?](#), The Centre for Housing Policy for Crisis, 2011

<sup>66</sup> [Shared Accommodation Rate](#), Homeless Link

<sup>67</sup> [TSRC](#), Ibid.

<sup>68</sup> [TSRC](#), Ibid.

<sup>69</sup> [Provision for women offenders in the community](#), Fawcett Society 2007

<sup>70</sup> [Shifting Channels: housing advice and the growth of digitisation](#), Shelter, 2012

<sup>71</sup> [Legal Aid – Commons Committee Briefing](#), Shelter, 2011



is particularly damaging for tenants who are forced to rent from unprofessional or rogue landlords, usually at the cheapest end of the private rented market.

In addition to legal aid cuts, local authorities who are the other major funders of advice at a local level are under increasing pressure to reduce budgets and are considering where services can be cut or replaced. It is widely anticipated that many social welfare law advice providers may close, leaving vulnerable clients fewer places to go for advice.

## Shifting the channels for advice services

In response to funding and technological changes, advice provision is increasingly being moved away from face to face services towards online and telephone advice.

Under new government policy, some areas of legal aid funded advice – such as those relating to discrimination, special educational needs and debt – will be provided through a telephone gateway. At present, there is no proposal to extend this scheme to cover housing advice, although it has not been ruled out.

Research suggests that the move towards telephone advice could impact negatively on vulnerable groups. A study of Legal Services Commission data compared telephone and face to face housing advice.<sup>72</sup> It found that certain client groups tended towards certain advice channels. Vulnerable groups, such as those with mental health problems, tended towards face to face advice – especially in cases of urgent housing need such as homelessness. The study also found that face to face advice delivered more tangible outcomes, such as the client being housed, re-housed or maintaining a home, than telephone advice.

Although online services are seen as cheaper, digital exclusion is more prevalent among low income households, older people and more socially excluded groups. Studies have identified a correlation between the social disadvantage an individual faces and their inability to access and use digital services.<sup>73</sup> There are also important but nuanced differences between digital audiences: for example, research has shown that despite the

comparatively high levels of internet access among 18-24 year olds, this age group tend to consider the internet more as a social networking tool rather than a medium for information or advice.<sup>74</sup> Internet usage by particular groups should not be interpreted as proof that online advice channels will be automatically effective in reaching and helping those groups.

Notwithstanding these caveats, there is great potential for digital advice, and Shelter is actively developing digital services to enable those who can self-serve to do so. But housing law can be complex and baffling. Even where the law is clear, there is a difference between accessing information and taking action. Weighing the relative merits of online, telephone and face to face services for different groups and on different issues requires careful appraisal of all the options.

## Conclusion

Ex-offenders are much less likely than the general population to have had a stable home before prison, and one in three has nowhere to go once they leave.

A stable home can provide a secure platform for ex-offenders to rebuild their lives. If the government is to meet its aim of reducing re-offending and therefore cutting crime, it is important to consider how ex-offenders can be helped to find and maintain stable accommodation.

Yet the impacts of recent policy and funding changes look set to increase the pressure on the housing options available to ex-offenders, and could therefore influence re-offending rates.

As these pressures increase, ex-offenders will need to rely even more heavily on housing advice services to improve their options, at a time when advice budgets are being squeezed.

Despite the difficult funding climate, Shelter believes that there are ways that commissioners of prison housing advice services and the services themselves can respond to these challenges, which are set out in the recommendations below.

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<sup>72</sup> Balmer, Smith, Denvir & Patel, [Just a phone call away: Is telephone advice enough?](#) Journal of Social Welfare and Family Law, Volume 33, Issue 4

<sup>73</sup> CLG, [Digital Inclusion: An analysis of Social Disadvantage and the Information Society](#), 2008.

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<sup>74</sup> Denvir, Balmer, Pleasance, [Surfing the web – recreation or resource? Exploring how young people in the UK use the Internet as an advice portal for problems with a legal dimension](#), Interacting with computers, 23, 2011

## Recommendations

Sweeping changes to welfare and a reduced number of socially rented homes will impact on many people: this briefing looks at how the changes may impact on ex-offenders in particular.

In addition to these pressures, budgets for advice services are under increasing strain, as legal aid and local authorities' funding are reduced.

Within the context of these changes it is vital that housing advice services for prisoners, and those commissioning them, respond to the challenges.

**Prison service commissioners must make best use of the evidence on housing and reoffending when making their decisions, especially in the context of growing housing pressures and tight budgets:**

- Stable accommodation reduces re-offending and helps ex-offenders rebuild their lives.
- Housing advice services can help ex-offenders find the best available option, even in a time of cutbacks in housing and benefits spending.
- A range of housing advice channels is needed to meet the full range of needs. This should include telephone advice and online information, but there is evidence that face to face services can be particularly effective for vulnerable clients.
- As major reductions in legal aid funding begin to bite, housing advice services with access to legal professionals will be increasingly scarce and valuable resources.

**Housing advice must be more than a box-ticking exercise if it is to have an impact on re-offending rates.**

- Commissioners should consider what sort of housing advice is available in each prison and who is providing it. In particular the outcomes and effectiveness of the Initial Housing Needs Assessment each prisoner is given should be considered, as evidence suggests the quality of assessments is varied.

**Housing advice services for ex-offenders can benefit from good practice delivery models, such as peer support.**

- Evidence from Shelter services and others suggests that including peers to help deliver a service can encourage greater participation from new prisoners. The peers themselves are able to develop skills and build self-esteem.
- Evidence from Homeless Link suggests an integrated approach to advice, for example by addressing mental health problems alongside housing difficulties, can be more effective for clients.

**Housing advice services for ex-offenders must reflect the realities of the current housing crisis and adapt to the changes in government policy. Services should:**

- Target intervention at the beginning and end of custody and go 'beyond the prison gate', to help maintain stable accommodation as well as find it.
- Develop closer links with local authorities, as greater local control over social housing allocations and homelessness assistance will mean ex-offenders in different areas will experience very different housing options in different parts of the country.

**It is vital that local authorities and government are aware of the increased pressure on ex-offenders' housing options:**

- Local authorities should ensure that their housing teams are aware of the particular challenges ex-offenders will face in the future.
- Government can use the evidence in this briefing to develop policy on ex-offender rehabilitation.

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Shelter, the housing and homelessness charity.

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