

Advice for people in prison

Each prison has a Housing Rights adviser who can help you with housing issues.

Going into custody is stressful. You may be thinking about what happens to your belongings and your home. There is support in the prison to talk about these things and sort things out. There are also many organisations to help you when you enter and leave prison.

If you want to keep your home while you're in prison, it helps if you can make a plan. You may be able to get help with paying for your home. If you do not pay your rent or mortgage while in prison, you may lose your home. Sometimes, giving up your home can be a better option but it is important to [get advice](#) before you give it up.

Paying for your home while in custody

To decide what to do with your home, you can:

Check your benefits – you might not be able to keep getting some benefits while you are in custody, so [check what benefits you can still get](#). You must tell any agencies you get benefits from that you are going to prison.

Decide if you should keep your home – some things are up to your landlord but if you decide to keep the home you own, there are a few ways you can get support:

- you can get a loan for your mortgage while you're in prison if you're single, got Universal Credit, and are in custody for six months or fewer

- if you have someone else living in your property, they might be able to get a loan to help pay for your share
- friends or family can pay while you're in custody and may qualify for benefits

Help with your rent while in custody

You may be able to keep getting Universal Credit or Housing Benefit to help pay your rent.

You can keep getting Universal Credit to pay rent while you're in prison if you:

- got Universal Credit before you went into custody, and
- will be in custody for six months or less

You can keep getting Housing Benefit to pay rent while you're in prison if you got Housing Benefit before you went into custody and you're:

- sentenced and will spend 13 weeks or less in custody, or
- on remand and will spend 52 weeks or less in custody

If you're on recall, your benefits can continue up until your first commissioner date – even if you go straight to panel.

Giving up your home

You can give up your home before you go to prison or while you're there. You may want to think about if you can still afford to keep your home or if it's safe for you to go back. Giving up your home is a good option if you are going to prison for a long time or if you cannot afford to keep up with payments.

[Speak to our advisers](#) before you give up your home. It can impact your housing options in the future.

Private landlords can give you notice to quit while you are in prison. They can start the legal process to evict you much faster than social landlords and do not have the same duty to store your belongings. If you are a private tenant in prison, speak to one of the Housing Rights advisers based in the prison or ask someone to contact our helpline.

Social landlords can't evict you because you're going to prison. If you want to give up the tenancy, [contact the Housing Executive](#) and ask to fill out a non-abandonment form. This lets the landlord know that you aren't abandoning the

property and you intend to come back and pay for the tenancy while you are away.

Leaving custody

If you do not have a place to stay when you leave custody, [Speak to our advisers](#) about your options – they can make a report for the Housing Executive to start the homelessness assessment.

There are four parts to the homelessness assessment and a few things to keep in mind. As someone leaving custody, you:

- cannot pass the first test (homelessness test) until your release is in 28 days or fewer
- might not be eligible for support if you were convicted of certain offences
- pass the priority need test if you were in custody for four years or more (you can still pass this test for other reasons such as a disability or health condition)
- may be limited to certain areas of choice if you were convicted of certain offences

You may not hear the decision until just before you are due to leave.

Other people and organisations who can help on release from prison are:

- [NIACRO](#) staff
- your probation officer
- your sentence manager