

Just Imprisoned?

How things work in prison

You should have been given a copy of The Prisoners' Information Book when you arrived at the prison. This book is jointly produced by the Prison Reform Trust and HM Prison Service. It aims to answer questions about your time in prison. If you did not get a copy, ask your wing officer for one, or put in a request for one under the Requests and Complaints Procedure.

If you have just been remanded in custody or sentenced to imprisonment, there are a number of things you might need to do now, in order to reduce problems later. This leaflet advises you on what to do, and where to get more help and advice. It includes the following sections:

- Informing the benefits office
- Keeping your home
- Storing your belongings
- Telling your employer
- Considering other commitments
- Making arrangements for your children
- Claiming family travel costs
- Seeking advice
- Looking ahead
- Other NACRO leaflets

If you have a partner or family on the outside, they might be able to do some of these things for you. You need to make sure they know what needs sorting out, and how to go about it. NACRO produces a free booklet, Outside Help, giving information and advice for the families and friends of people in prison. Your family or friends can get a copy by contacting NACRO Publications at the address at the end of this leaflet.

Informing the benefits office

The Prison Service has systems in place to inform the Benefits Agency when someone who might be claiming benefits comes into prison. So, if you were claiming benefits before you came into prison, you should not attempt to continue to get them by asking someone to 'sign on' for you.

If you were claiming benefits, you should contact your Benefits Agency office by telephone or letter to tell them you are in prison. The Benefits Agency will stop your claim from the date you were sent to prison. If you are owed any money for the period just before you were sent to prison, you can reclaim the arrears from the Benefits Agency after release.

If you were claiming as part of a couple or for your family, your partner can tell the Benefits Agency on your behalf. If you were the claimant, your partner will have to make a new claim. They should do this immediately or they may lose benefit.

Keeping your home

If you are a remand prisoner, or if you are serving a short sentence, you may be able to claim benefits to get your housing costs paid. You need to act quickly to ensure that you do not lose your home, or get into arrears with your rent or mortgage, while you are in prison.

If you were already claiming these benefits before you were sent to prison, you will now need to make a fresh claim because your circumstances have changed. If your partner or family are living in your home, they should take responsibility for claiming these benefits.

Claiming housing costs

If you are paying rent, you can claim Housing Benefit for up to 52 weeks **while on remand**.

If you are a **sentenced** prisoner, you can only claim Housing Benefit if you will be serving 13 weeks or less in custody (based on your earliest date of release or EDR, and including any time spent in prison on remand). If you will be serving longer than 13 weeks, you cannot claim Housing Benefit at all – not even for the first 13 weeks of your sentence.

You need to write to your local council's Housing Benefit office to make a claim. You should also write to your landlord saying you are claiming Housing Benefit, and that the rent will be paid direct to the landlord by the Housing Benefit office. NACRO's leaflet *Keeping Your Home* has standard letters that you can use to do this.

If you need help getting your housing costs paid while you are in prison, read NACRO's leaflet *Keeping your Home*. The leaflet includes standard letters which you can use to write to the Benefits Agency, the council's Housing Benefit and Council Tax offices, and landlords and mortgage companies. There may be a copy in the prison which can be photocopied: ask prison staff. Details of how to order a copy from NACRO are given at the end of this leaflet.

If you are a **council or housing association tenant** or a **resident in a hostel** and are not going to be able to claim housing costs, write to your landlord and explain what has happened. Ask if you can give up your tenancy in exchange for an agreement to be rehoused in similar accommodation when you get out of prison. If they agree to this, ask to have the agreement in writing.

If you have a mortgage and you are **on remand**, you may be able to get help with paying the interest part of your mortgage repayments. You need to write to your local Benefits Agency office to make a claim. Even if your claim is granted, you will not get any money for 8 weeks; then you will only get half your costs for the next 18 weeks. So you will also need to write to your mortgage company asking them to reschedule your repayments. NACRO's leaflet *Keeping Your Home* has standard letters you can use for writing to the Benefits Agency and to your building society or bank.

If you are a **sentenced** prisoner, you are not eligible for any help from the Benefits Agency with your mortgage repayments. Write to your mortgage company to let them know what is happening. Ask them if they will reschedule the repayments. You could also consider letting your house or even selling it, but before you make a decision you should get expert help from your solicitor, a housing aid centre or advice centre. (See the section on 'Seeking Advice' on the back page.)

If you get into arrears with your mortgage payments whilst in prison, contact your mortgage company asking them to reschedule the repayments. Again, you should get expert help from your solicitor or an advice service.

Informing the council tax office

If you were paying council tax, tell your local council that you are now in prison. Prisoners are not normally required to pay council tax. If you are still liable for council tax, you can claim Council Tax Benefit. Write to the council tax section at your local town hall. NACRO's leaflet *Keeping Your Home* has a standard letter you can use to do this.

If your partner or family remain in your home, council tax will still be payable, but possibly at a reduced rate. Your partner or family can also claim Council Tax Benefit. They should contact the council tax section at their local town hall.

Securing your home

If your home will be empty while you are in prison, you need to think about how best to secure it. You could ask a friend or relative to keep an eye on it for you. If your home is rented and you do this, remember to let the landlord know.

If your property is owned by the council or a housing association, ask if they can board and lock it up for you. They will probably charge for this.

❑ Avoiding standing charges

Write to the gas and electricity companies asking them to disconnect your supply so that you will not be billed for standing charges. Write to the water company asking them to waive their charge during your imprisonment or disconnect the supply until your release. If your sentence is short, you could ask to postpone payment of any bills until your release.

Storing your belongings

If you gave up your home when you came into prison, or if you lose it while in prison, finding somewhere to store your belongings can be a problem.

The simplest solution is to leave your belongings with family or friends or arrange for them to collect and store them. The only other way to get things stored is to use a commercial storage company, which will be very expensive. You may have to sell some of your property.

If your landlord or mortgage company take back your home while you are in prison, write to them asking what they intend to do with your belongings.

Telling your employer

If you had a job before you were sent to prison, you should tell your employer that you are not longer available. Otherwise, your unexplained absence may cause your employer difficulties, and they may be unwilling to give you a good reference in future.

If you are on remand or serving a short sentence, you could ask to take the time as holiday, or ask for extended leave of absence. If you are serving a longer sentence, you could ask if they are able to keep a job open for you on release.

Considering other commitments

Are there any other commitments you have (such as loan repayments) which might be affected by being in prison? (If you were repaying a loan, you should write to the lender and ask for the repayments to be rescheduled.)

Are you involved in any regular activities (such as voluntary work or playing sports) that will be affected?

Is there anyone else you see regularly who you should tell that you will be unavailable for a while?

Making arrangements for your children

If you are a single parent, you will probably already have made arrangements for family or friends to look after your children, or have been in contact with social services. If family or friends are looking after your children, your Child Benefit payments can be transferred to them while you are in prison. Write to your Benefits Agency office with details.

If you are a woman prisoner and need any advice on sorting out family matters (or on any other matter), you can contact NACRO's Women Prisoners' Resource Centre (WPRC). Ask prison staff if anyone from WPRC visits the prison, or write to NACRO at the address at the end of this leaflet and we will send you information about WPRC and details of how to contact them.

Claiming family travel costs

If your family needs help with the cost of travelling to prison, tell them about the Prison Service's Assisted Prison Visits Scheme.

If your visitor is a close relative or your partner, and is claiming benefits or is on a low income, the Assisted Prison Visits Unit (APVU) will pay travel costs for two visits every four weeks, and will include an allowance for meals and an overnight stay in certain circumstances.

To get these costs paid, your visitor should get form 2022 from a Benefits Agency office and send it to the APVU. Visitors to sentenced prisoners also need to send a visiting order; visitors to remand prisoners just have to return the form. Ideally, visitors should send the form to the APVU at least 10 days before their visit, to give the APVU time to send out travel expenses; but visitors can also claim for a visit already made.

If your relative is on a low income but not claiming benefits, they will first need to fill in form AGI. This is available from the Benefits Agency, most doctors, opticians, dentists or hospitals. It has to be sent to the Health Benefits Unit (a prepaid envelope is included with the form).

Further information on the Assisted Prison Visits Scheme is given in NACRO's booklet *Outside Help* (see opposite for details).

Seeking advice

If you need more advice, try to get help from people in the prison (or from someone who can visit) rather than writing to an outside agency, because sorting out problems by letter will get very complicated. The people you could go to for help are:

- your personal or welfare **prison officer**
- your prison or home **probation officer** or social worker

- ❑ any person from the Benefits Agency or an outside general **advice agency** (like a Citizens Advice Bureau) who visits the prison.

If you cannot get help within the prison, or if you are not happy with the help or advice you are getting, you will have to write to or telephone an outside advice agency. Ask in the prison for contacts for local advice agencies, or write to the local council's Information and Resource Service at the town hall nearest to the prison, asking for contact details for local advice agencies.

If you do need to write to any outside agencies you may be able to use a special letter – it is always worth asking.

Looking ahead

It is best to start making plans for what you will do after release well before your actual release date – especially if you are going to have to find somewhere to live on release. Most prisons run pre-release courses and prison and probation staff should be able to give help and advice.

NACRO produces resettlement advice leaflets which might also be of interest – see below for details.

Other NACRO leaflets

- ❑ **Outside Help** – information for the families and friends of people in prison
- ❑ **Keeping Your Home** – information on getting housing costs paid while you are in prison
- ❑ **Benefits** – information on claiming benefits after release from prison
- ❑ **Employment** – information and advice on how to find a job after release from prison
- ❑ **Housing** – information and advice on how to find somewhere to live if you will be homeless on release from prison

There may be copies of these leaflets available in the prison for you to look at. If not, individual copies of the leaflets can be obtained free of charge from:

NACRO Publications
169 Clapham Road
London SW9 0PU

Tel: 020 7582 6500