



PRISONERS ON TEMPORARY RELEASE

Contents	Paragraphs
Introduction	1 - 2
UC: Prisoners	3
Changes	4 - 5
Annotations	
Contacts	

INTRODUCTION

1. This memo gives guidance on the Social Security (Coronavirus) (Prisoners) Regulations which come into force on 8.4.20¹.

Note: The regulations cease to have effect at the end of the period of eight months beginning on 13.3.20.

1 SS (Coronavirus) (Prisoners) Regs SI 2020 No. 409, reg 1; 2 reg 6

2. The regulations make provision for individuals on temporary release from a prison in England and Wales for any reason to access means tested benefits during the period of that release.

UC: PRISONERS

3. The definition of a prisoner¹ includes a person who is on temporary release from prison. A prisoner generally has no entitlement to UC (but see ADM E3040).

Note: See Chapter E3 (Special cases) for detailed guidance on prisoners.

1 UC Regs, reg 2

CHANGES

4. From 8.4.20 the reference to The Prison Act 1952 is removed from the definition of a prisoner in UC. That refers to prisoners temporarily released in England or Wales



and its removal lifts the restriction on entitlement to UC for those prisoners so released.

5. Also, the presence of temporarily released prisoners in a household claiming means tested benefits will be taken into account in calculating entitlement, for example being included as a member of a claimant's household.

ANNOTATIONS

Please annotate the number of this memo (ADM Memo 05/20) against the following ADM paragraphs and memos:

E3030 and Memo ADM 04/20

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E zone E, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo [7/19](#) Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: April 2020

The content of the examples in this document (including use of imagery) is for illustrative purposes only