



Policy name: Address Checks (Post Custody) Policy Framework

Reference: N/A

Issue Date: 1 August 2024

Implementation Date: 29 August 2024

Replaces the following documents (e.g. PSIs, PSOs, Custodial Service Specs) which are hereby cancelled: N/A

Introduces amendments to the following documents: N/A

Action required by:

	HMPPS HQ	X	Governors
X	Public Sector Prisons		Heads of Group
X	Contracted Prisons	X	The Probation Service
	Under 18 Young Offender Institutions	X	Other providers of Probation and Community Services
	HMPPS Rehabilitation Contract Services Team		

Mandatory Actions: All groups referenced above must adhere to the Requirements section of this Policy Framework, which contains all mandatory actions.

For Information: Whilst it will not be mandatory to follow what is set out in this guidance, clear reasons to depart from the guidance should be documented locally. Any questions concerning departure from the guidance can be sent to the contact details below.

In this document the term Governor also applies to Directors of Contracted Prisons

How will this Policy Framework be audited or monitored:

Probation Service - compliance is monitored by Regional Probation Directors (RPDs) in their region.

Quality assurance is provided by the HMPPS Operational & System Assurance Group.

Resource Impact: After an initial and brief period of pressure while any backlog of overdue checks is worked through, there will be no additional work required as a result of this new policy and therefore no long-term resource impact is expected.

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1. **Purpose**

- 1.1 This Policy Framework mandates a minimum level of service expected in conducting address checks for all those persons under supervision by the Probation Service following release from a custodial sentence. Assessing the suitability of the address, and identifying any potential risks linked to the person residing at that address, is essential for safeguarding others and effective risk management.
- 1.2 An address check is carried out to consider and, where appropriate, initially approve the accommodation. This is different to a Home Visit, which is intended to review that accommodation once the Person on Probation is residing there. The requirements set out in this Framework need to be considered in conjunction with the separate Home Visits Policy Framework, as information from the pre-release address check will inform the post-release Home Visit. That policy is available here: [Home Visits Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/home-visits-policy-framework).
- 1.3 Where Electronic Monitoring (EM) is being applied, the activities set out in this policy must also be taken alongside those set out in the [EM - Electronic Monitoring Operational Framework \(Master\) \(justice.gov.uk\)](https://www.justice.gov.uk/operational-frameworks/em) (internal HMPPS link only).
- 1.4 This Policy Framework only covers the address checking requirements for cases which are about to, or have been, released from a custodial sentence. This includes all forms of release, either automatic or via the Parole Board, or where the prisoner will be subject to some form of early release.

2. **Outcomes**

- 2.1 This Policy Framework sets expectations for the undertaking of address checks, when checks must occur and where professional judgement should be applied both in terms of safeguarding, sentence management and risk assessment.
- 2.2 This must include consideration of any impact on specific groups, including women, Gypsy, Roma and Travellers (GRTs) and foreign nationals. The Equality Act 2010 provides protection from unlawful discrimination in relation to the following characteristics: age, disability, gender reassignment, pregnancy & maternity (which includes breastfeeding), race, religion or belief, sex, marriage and civil partnership, and sexual orientation. HMPPS is committed to eliminating all forms of discrimination, to promoting equality and diversity, and to ensuring equal access to services.

3. **Requirements**

The Purpose of an Address Check

- 3.1 Probation Practitioners must carry out address checks to assure themselves, using professional judgement, that the intended place the person on probation may stay at:
- does not present unmanageable risks to the public or puts any previous victims at risk of serious harm; and
 - is suitable for their presenting needs.
- 3.2 As far as possible, recognising that risk cannot be eliminated entirely in many cases, the Probation Practitioner must ensure accommodation requested by a person under their supervision is appropriate based on the identified risks.

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- 3.3 In using professional judgement, Probation Practitioners must consider all available evidence relevant to risk to form an overall opinion on the address. Further information on Risk of Harm considerations is available here: [HMPPS risk of serious harm guidance – GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/hmpps-risk-of-serious-harm-guidance).

When An Address Check Is Required

- 3.4 A check is required in all cases that meet the following descriptions, where the person on probation, or another acting on their behalf, propose an address to reside at. This applies whether that be for one night or longer term. A check is required for each of the following:
- Release on Temporary Licence from prison where it is a 'Resettlement Overnight Release';
 - Home Detention Curfew releases;
 - Post-custodial release on licence or notice of supervision (PSS – Post Sentence Supervision);
 - Re-release following recall; and,
 - Following any request for a change of address while the individual is being managed in the community.
- 3.5 In many cases, checks will be conducted on properties that the individual was previously resident at, in some cases very recently where there was a short sentence with extended bail time. Probation Practitioners must still check these addresses and reject them if information comes to light that demonstrates that it is unsuitable for risk management purposes. This is a requirement even where the individual owns the property; the protection of the public and/or individuals is the priority.
- 3.6 For Home Detention Curfew address checks, please also note the additional requirements outlined in the [Home Detention Curfew Policy Framework](#).
- 3.7 Where HMPPS provide the accommodation through our Community Accommodation Services (CAS1 [Approved Premises, CAS2 or CAS3](#)) an address check is not required. However, the location of those properties must not conflict with other requirements of the release, for example exclusion zones.

How to Carry out an Address Check

- 3.8 The first address check will be on any address(es) provided prior to the release of the individual from the custodial element of their sentence. Once released, that Person on Probation may also request an address change, which will also require a check, even if only for one night. These checks must be completed within 10 working days of request.
- 3.9 Staff must prioritise an address check where there are fewer than 10 days left until the release date, as individuals must not be permitted to reside at an address while a check is incomplete.
- 3.10 Staff must begin address checks as soon as possible during the release planning process, as the approval of an address will inform other elements of the release process. In some cases, this could mean checking multiple addresses where some are deemed unsuitable. Probation Practitioners are not required to attend the property in person to conduct an

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address check, as all available sources of information can be gathered remotely. Any such in person visits are conducted under the [Home Visits Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

- 3.11 The Probation Staff member must consider any available sources of information when checking addresses for a person on probation, both publicly and internally held.
- 3.12 Such checks may include:
- Checking on an online map system (e.g. Google Maps) to better understand the area and any relevant nearby features (i.e. schools, where there are concerns about risk to children);
 - Information on who else will be resident at the property (see 'occupier checks and informed consent' below);
 - Local authority enquiries for any domestic abuse or safeguarding concerns related to the address or individuals residing there (unless information is already available from other sources), and Police enquiries for those cases where local Police resources allow;
 - Any existing information held on the address or resettlement needs on HMPPS/shared systems (NDeIus, ViSOR etc);
 - Where the case is a Serious Organised Crime (SOC) or Terrorist/Extremism related nominal, then consultation must take place with the relevant local leads;
 - Where the case is a known risk to children, or perpetrator of Domestic Abuse, then consult with local safeguarding leads or Children's Services as appropriate;
 - Where the case is a MAPPA nominal and subject to active multi-agency meetings, then issues related to accommodation must be discussed at the earliest opportunity.
 - Where a victim has opted into the Victim Contact Scheme (VCS), the check must include contact with the Victim Liaison Officer (VLO).
- 3.13 Where you have identified that the requested address has been or is being used by other individuals serving a sentence, you must use your professional judgement to consider whether or not that information impacts on the suitability of the address for the individual.
- 3.14 Approved addresses must not conflict with court order requirements or other licence conditions including those relating to the Victim Contact Scheme. Probation Practitioners must take full account of the reasons set out for exclusion zones and not approve any requests to reside within those areas.
- 3.15 There is no requirement for checks to be conducted on the physical makeup of the property, outside of any requirements necessary due to physical issues that relate to the individual as set out in 3.31 below.
- 3.16 Whilst settled accommodation is known to improve resettlement outcomes and aid overall sentence management aims for people on probation, a potential address may not always be appropriate for risk management purposes. Probation Practitioners must not compromise the management of risk to avoid a person on probation from being of no fixed abode (NFA). Using their professional judgement, Probation Practitioners must only approve addresses where the risk is manageable.
- 3.17 Probation Practitioners must ensure that any new information relevant to risk, gleaned through an address check, is used to inform an updated risk assessment for the individual, as necessary.

How to Carry Out an Address Check: Informed Consent

- 3.18 Probation Practitioners must contact the main occupier to seek informed consent that the person on probation can reside there. The 'occupier' is the primary occupant at the time of application and is **not** the person on probation.
- 3.19 Probation Practitioners can obtain informed consent at the same time as they carry out standard address checks with the occupier.
- 3.20 Prior to communicating with the main occupier, the Probation Practitioner must encourage the person on probation to disclose any relevant risk -related information to the occupier.
- 3.21 When communicating with the occupier directly, the Probation Practitioner must be careful not to disclose any information which they are restricted from sharing. Instead, the Probation Practitioner must try to frame discussions in a way that confirms what the occupier has already been told.
- 3.22 Having communicated with the occupier, the Probation Practitioner must then consider whether the level of information which has been shared with them is:
- sufficient to both enable them to give informed consent for the person on probation to reside there; and
 - sufficient to protect them from any identified risk of harm; and
 - evidence of coercion in either direction.

If one or more of these are not sufficiently satisfied, then you must conclude that the address is not suitable.

- 3.23 Property landlords who are not also the main occupier do not need to be contacted. The Person on Probation must provide evidence of an agreement for their residence at the property to the Probation Practitioner.

Where Additional Checks are Required

- 3.24 In certain cases, it is important that Probation Practitioners make additional public protection checks on proposed addresses. These would be where there is:
- child safeguarding concerns relating to the case. In these cases, Probation Practitioners must be satisfied that any children at the proposed or planned address would not be likely to suffer significant harm by living with the supervised individual; and
 - a history of **domestic abuse** relating to the case (as either victim or perpetrator). In these cases, the Probation Practitioners must be satisfied that any victims or potential victims are protected and not placed at risk by proposed co-habiting arrangements. This can result in refusal to allow co-habitation with a victim of domestic abuse, even where the person on Probation and that individual are in a relationship, including marriage.

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- 3.25 These additional checks would be carried out primarily as part of the Probation Practitioner's communications with the person on probation and the main occupier.
- 3.26 Further advice on additional checks required for child safeguarding and domestic abuse can be found in the respective policy frameworks here - [HMPPS Child Safeguarding Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/child-safeguarding-policy-framework) and [Domestic abuse policy framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/domestic-abuse-policy-framework).

Groups with Protected Characteristics

- 3.27 Many people on probation will have protected characteristics which may require further consideration when considering the suitability of an address. These considerations do not outweigh those related to risk of harm.

Women

- 3.28 Probation Practitioners should carry out address checks for women in the context of any individual identified vulnerabilities or additional issues including maternity/pregnancy. Applying a Gender Specific Trauma Informed approach to this process will help Practitioners identify supportive actions or measures they could put in place to mitigate some of those risks. Further information on Women Offenders is available here: [Women's Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/women-offenders-policy-framework).

Gypsy, Roma and Travellers (GRTs)

- 3.29 Accommodation under this policy includes caravans, boats or other mobile vehicles lived in by people, including those who identify as Gypsy, Roma or Travellers, and who may move those vehicles regularly.
- 3.30 Address checks in these cases must still be completed on the vehicle at the location at the point of the check being undertaken. The Probation Practitioner must advise the person on probation of any inappropriate potential future locations of their home depending on the restrictions applied under the relevant supervision and the risks presented by the individual.

Disabilities and physical requirements

- 3.31 The Probation Practitioner must consider whether the address is equipped for the individual should they have a supported housing requirement whether that be through a disability, impairment or due to the person being elderly.

Foreign National Offenders (FNOs)

- 3.32 Accommodation for Foreign National Offenders (FNOs) on licence will subject to restrictions imposed by the Home Office. For further information on this cohort, see the Policy Framework on FNOs here: [Foreign national offenders on licence, PSS and IS91 policy framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/foreign-national-offenders-on-licence-policy-framework).

Information Sharing with Supervised Individuals

- 3.33 Where a Probation Practitioner rejects an address supplied by the person under their management, they must be minded to the sensitivity and potential for negative reaction. Whether this is relayed to the individual by a staff member from either the Prison or the Probation Practitioner themselves, any such rejection should be delivered in person and not simply via written correspondence. This allows for immediate concerns or questions to be addressed, or relayed back to the Probation Practitioner for follow-up support where necessary.

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- 3.34 Prison staff should be responsive to the individual's needs and mindful of individual triggers for violence, self-harm, or suicide and consider opening an Assessment, Care in Custody and Teamwork (ACCT) document where appropriate. Further information on the ACCT process is available here: [Managing prisoner safety in custody: PSI 64/2011 - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/managing-prisoner-safety-in-custody-psi-64-2011).
- 3.35 It is vital that risk information is shared prior to CRD between Prison and Probation in accordance with the relevant guidance, and that probation staff take appropriate action to manage risk using the SaSP and CARE processes. These considerations continue into the community, as the response from the individual may be delayed until the realities of the difficulty of access to family members becomes apparent.

Requests to Change Address

- 3.36 Where a person on probation requests a change of address, either temporarily or permanently, this will also be subject to the same checks as described earlier in this policy.
- 3.37 Where the proposed new address means that the case will be transferred to a different Probation region, please also follow the requirements of the [Case Transfer Policy Framework - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/case-transfer-policy-framework).
- 3.38 Where a cross jurisdictional transfer is being conducted, further information is available here: [Travel and transfer on licence and PSS outside of England and Wales Policy Framework - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/travel-and-transfer-on-licence-and-pss-outside-of-england-and-wales-policy-framework).

Withdrawal of Approval

- 3.39 Approval of an address is not permanent. Information may come to light, either through a [Home Visit](#) or other intelligence that indicates that the current address is no longer suitable for risk management purposes. An example would be if police intelligence reveals that the property is now being used as a location from which a drug operation is taking place (referred to as "cuckooing").
- 3.40 Where this is the case, the Probation Practitioner must decide whether or not the individual must leave the property immediately, and explore alternative options. Alternatively, where the issue is not immediate, then the Probation Practitioner can set a deadline, using professional judgement, for the Person on Probation to move to a new approved address.

Enforcement

- 3.41 There is a standard licence condition and a default PSS requirement which requires all accommodation used by the person on probation to be approved by the Probation Practitioner, even where the stay is for one night. Failure to reside as directed can be considered to be a breach and may result in recall to custody where appropriate.
- 3.42 For further information on breach on licence see: [Recall, review and re-release of recalled prisoners - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/recall-review-and-re-release-of-recalled-prisoners) and for breach of PSS requirements see: [Enforcement of Community Orders, Suspended Sentence Orders and Post-sentence supervision Policy Framework - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/enforcement-of-community-orders-suspended-sentence-orders-and-post-sentence-supervision-policy-framework).