

Housing and Homelessness

Introduction

48% (almost half) of people exiting prison expect to be homeless on release [1]. Thus, workers in the community should understand the intersection between homelessness and incarceration to better support people experiencing housing insecurity and homelessness. Having stable accommodation can help reduce recidivism, whilst contributing to one's sense of being at home in a location. This factsheet explores the intersection of homelessness and incarceration, and identifies some challenges experienced by formerly incarcerated people facing homelessness. Information is also provided on marginalised communities experiencing homelessness, in addition to best practice tips.

Notably, rough sleeping is the most visible form of homelessness. However, there are many types of homelessness, such as couch surfing, living in temporary accommodation, car-sleeping, living in a tent, living in an overcrowded dwelling, hot-bedding, and other creative ways people without stable accommodation find to keep themselves safe at night.

In terms of language used in this factsheet, the term 'criminal legal system' is used as opposed to criminal justice system, to reflect that the legal system routinely fails to deliver just outcomes, and has been imposed on First Nations communities without their consent.

**"[When I have housing] I feel secure
and I have something to lose. Most of
the time, I haven't got nothing to lose
so I keep doing the wrong thing"**

– person supported by Community
Restorative Centre (CRC)



Background

People who have come into contact with the criminal legal system are more likely to experience homelessness and housing stress. Further, homelessness for those in contact with the criminal legal system lasts longer and is likely to recur more often than for other people experiencing homelessness [2].

Statistics also show that 33% of people entering Australian prisons have experienced homelessness in the last month, with 28% residing in short-term or emergency accommodation [3]. This data shows that homelessness can lead to incarceration as well as being an outcome of it. Due to this relationship, homelessness is the second highest indicator for reincarceration in Australia.[4]

People exiting prison also face difficulties accessing housing services due to issues regarding communication, in addition to eligibility criteria for housing programs and accommodation. Challenges are exacerbated for people with multiple intersecting needs, First Nations people and, among other demographics, women. Models of housing assistance that adequately cater to people leaving prison and those with multiple, intersecting needs foster long-term, sustainable tenancies, leading to positive outcomes for people and financial benefits to government.

People are often released into homelessness with limited support

33% of people in prison did not have a stable home prior to entry and many lose housing security during their time in prison, due to rental arrears, absence from a dwelling or other reasons such as domestic violence [5]. Despite this, people can be discharged into community at any time with limited opportunity to organise housing or contact supports. These issues also exist for people on remand.

People exiting prison have limited support around them to find housing. The majority of people leaving prison are unemployed and have low incomes [6]. **Of people leaving custodial settings and accessing Specialist Homelessness Services (SHS), only 2.5% were employed [7],** limiting their ability to secure housing.

People may also lack the skills, circumstances and resources to secure appropriate housing. They may not have furniture, identification, or the ability to navigate the housing system [8]. Given **80% of people incarcerated in NSW prisons are not incarcerated near their intended place of residence** in the community [9], they are away from their familiar support networks and family, in addition to being spatially separated from where they intend to settle [10].



"I am often released into homelessness and knowing I had support when I was released took some of the anxiety away. I am also appreciative of all the help with housing paperwork as TA is not easy. Thank you – I feel that I have a future that does not include jail"

– person who has accessed CRC's services.



Accessing Public Housing

As of April 2025, **65,853 people were waiting on the NSW public housing register** [11]. For areas that CRC works in, such as Penrith and Inner Sydney, expected wait times for properties range from 5 to 10 years and beyond [12].

People who have been exposed to the criminal legal system have further difficulties in accessing public housing. Firstly, when people enter prison, they may have their public housing applications withdrawn, sending them to the back of the list. **In NSW, one person every two weeks has their application withdrawn due to being in prison** [13], depriving them of homes they have waited for, exacerbating issues of homelessness and entrenching a cycle of criminalisation.

Despite barriers to accessing public housing, research shows that housing a person with multiple intersecting needs in social housing following incarceration, rather than simply providing private rental assistance or support through homelessness services, will save between **\$5,200 and \$35,000 over five years** [14].



Accessing supports

Between 2011 and 2016, 12% of people leaving custody accessed homelessness services within a year. Notably, **people exiting custody are 32 times more likely than the broader population to access homelessness services** [15].

However, many housing services do not accept individuals that have been previously imprisoned. People exiting prison are often left with no support services and no information on how to successfully transition back into the community.

In 2024 **there were only 38 specialist beds in the NSW community sector for adults leaving prison** [16]. These beds were allocated for adult men and women, and none were specifically allocated for non-binary adults [17].



Specialist Housing Support Options for People Exiting Prison

Some specialist services for people who have experienced incarceration and are seeking housing include Initial Transitional Support (ITS) [18], Transitional Supported Accommodation [19] and CRC's Reintegration Housing Support Program (RHSP) [20]. An evaluation of CRC's RHSP program demonstrated its success in supporting people who've experienced incarceration in finding housing. Indeed, it showed people supported by RHSP were significantly **more likely to achieve a public housing outcome (32%) than the comparison group (13%)** of people exiting custody and presenting to other specialist homelessness services [21]. However, the need for specialist housing support services far outweighs their capacity. Despite most people being eligible for a program that assists in finding stable housing, only 16% were accepted into one [22].

Impacts of homelessness and housing issues on people who have experienced imprisonment



Reincarceration

Homelessness is a social determinant of incarceration [23], and has been linked to reincarceration. Research from the US suggests people **who have previously offended are likely to return to prison or experience homelessness within three to six months following release** [24]. People can be refused bail because they are homeless. This leads to people being kept in custodial settings solely because of homelessness, but this does not need to be the case. The chances of people who have experienced incarceration being involved in future crime is heightened if they are not connected to housing services post-release. An international study for a pilot reintegration program found that **clients receiving supportive housing services were 40% less likely to be arrested after imprisonment** [25]. Re-offending and re-imprisonment are costly, and there are substantial societal and financial benefits to be gained from preventing homelessness and recidivism [26].

"Housing is the most important thing to have in life. If you've got stable housing, everything else can come in time. If you don't have housing you'll probably do crime and go back in jail. At least it's a bed and food – better than being on the street"
– person supported by CRC.



Other Impacts

Going to prison destabilises access to housing, jeopardises rental leases, and many people face a difficult choice between homelessness or returning to domestic violence (notably, the leading cause of homelessness in Australia is domestic violence) [27]. The interaction between housing and incarceration can also impact a person's mental health and create stigma, making the ability to find housing even more difficult [28].

NSW Government data also shows that people exiting custody and accessing homelessness services commonly access Legal Aid (40%) and face court appearances (38%), highlighting the co-occurrence of legal issues with homelessness for people leaving prison. Further, 32% of people exiting custody and accessing homelessness services also access an emergency department, and 25% accessed ambulatory mental health services [29].

Challenges for people with co-occurring needs



"I haven't lived on my own in a long time. I was in addiction when I lived alone and it didn't go very well. I'm not sure what to think about it, but it would be a chance to start afresh instead of moving back in with family. I'd like to build my own life after treatment from addiction"

– person who's accessed CRC's services.

People in prison commonly have multiple intersecting needs, including in relation to mental health and alcohol and other drugs (AOD). A NSW survey found 63% of people in prison had at least one mental health diagnosis, and almost a third of people in prison nationally are at high risk of alcohol-related harm [30]. For people exiting custodial settings and accessing SHS, 44% had mental health issues, 27% had AOD issues and 15% had experienced family and domestic violence [31].

People exiting prison can experience significant anxiety when transitioning into the community. **In NSW, 65% of people in prison had experienced or witnessed a traumatic event impacting their mental health** [32]. This can translate to behaviour that may seem **agitated** or **closed off** to a housing service, making it harder for people to access the help they need.

Concerningly, people experiencing homelessness **with mental health conditions are 40 times more likely to be arrested and 20 times more likely to be imprisoned than those with secure accommodation** [33].

Finding accommodation is even harder for people on the Child Protection Register due to restrictions on them living near places children may gather, such as schools, swimming pools, and playgrounds.

Many people with multiple intersecting needs face barriers to stable housing. This includes negative classifications on the NSW public housing register. **There is a strong correlation between domestic violence experiences, mental health, AOD issues and breaching DCJ tenancy policies** [34], which lead to negative housing classifications for people, impacting their ability to access social housing. Discrimination may also play a role in limiting access to housing. A survey on housing and mental illness found that almost **90% of people reported being discriminated against at some point, particularly during their search for private rentals** [35].

Considerations for Women



"Stability is a major reason – without stability nothing falls into place. Once I have a home, I can have my children home, be a family again, have routine. I could go on and on"
- woman who's accessed CRC's services.

Women, especially First Nations women, are the fastest-growing cohort in NSW prisons, increasing by 64% between 2009 and 2019 [36]. Women have been found to have greater problems securing accommodation after exiting prison due to issues returning to partners, caring for children, and social disadvantage [37]. **43% of women in prison did not have stable housing before going to prison [38].**

70-90% of women in custody have been a victim/survivor of domestic violence [39]. It is common for women who have been imprisoned to have a violent partner in their place of residence, which creates instability in their housing environment. Domestic violence can also precipitate intersecting needs related to legal or mental health issues, placing further stress and trauma on women leaving prison. There is also a correlation between domestic violence experiences and negative classifications on social housing registers [40].

Considerations for First Nations people

First Nations people are over-represented in prisons, experiencing an imprisonment rate **13 times higher** than that of the wider community [41]. This overrepresentation also exists in the homelessness space where one in five (20.4%) people experiencing homelessness is a First Nations person [42]. A survey conducted by Legal Aid NSW of their clients found that 88% of First Nations women did not believe they had access to stable housing on release from prison [43].

"I just want somewhere that's my own. I'm sick of being homeless, I'd prefer to just come back to prison. It's too hard out there - I get confused"

- 44-year-old First Nations man who spent 23 years in custody and has accessed CRC's services.



First Nations women leaving prison are more likely to have children or dependents compared to non-First Nations women [44], and while they experience the same barriers to housing discussed under considerations for women, in many instances, these barriers are compounded through experiences of discrimination and racism. Despite this, First Nations women often experience a lack of appropriate support addressing the specific issues facing them [45].

As mentioned, 80% of people incarcerated in NSW prisons are not incarcerated near their intended place of residence in the community. This means First Nations people may experience disconnection from Country, impacting their cultural wellbeing. This is important to consider, as **cultural connection**, in addition to **kinship support**, are important factors in reducing reoffending and improving wellbeing for First Nations people, and should be supported by housing services [46].

Furthermore, many First Nations people who have exited the prison system feel they are discriminated against by service providers, especially in the private rental market [47]. This is exacerbated by a **historic distrust of government and services by First Nations people, impacting their ability to reach out for housing support**.

Considerations for young people

Young people who have had contact with the criminal legal system have difficulties accessing stable housing. On an average night, there are 798 young people in detention across Australia- the majority of whom are unsentenced and in custody for a short period [48]. Specific issues young people face include not being able to sign leases as they are under 18 and difficulty accessing Centrelink services. **Housing options for young people are limited to refuges, temporary accommodation, and out-of-home care (under certain conditions)**. When supporting young people to access housing options, workers may need to assist them with compiling evidence about why they can't live at home.

"[Housing gives me] safety, security, personal space to find yourself and live a happy life"
- young person who has accessed CRC's services.



Also, young people may be released into “bail beds”, the residing address being a part of their bail condition. A large proportion (72%) of the people detained in youth prisons are bail refused and held on remand. **Many young people are refused bail if they do not have a stable address.** Findings from the Victorian Yoorrook Justice Commission detailed a lack of youth-specific accommodation and AOD services for First Nations young people with a criminal record, and that many are placed on remand due to a lack of accommodation. Further, a lack of accommodation support for families impacted by the criminal legal system creates **child protection issues that hinder reunification and destabilise families** [49].

Early interactions with the criminal legal system can impact a person's housing during their life. Research has found that **adults are twice as likely to experience rough sleeping if they have been in youth detention** [50].

Considerations for LGBTQI+ communities

LGBTQI+ [51] (Lesbian, Gay, Bisexual, Trans, Queer, Intersex and more) communities are overrepresented when it comes to homelessness [52] and may experience greater harms from being homeless, compared to their heterosexual, cisgender [53] and endosex [54] counterparts [55]. **LGBTQI+ people make up an estimated 20-40% of people experiencing homelessness, whilst only representing an estimated 5-10% of the wider population** [56]. Homelessness is a particular concern for LGBTQI+ young people, whose biological families may not be supportive of their identities. It is important when working with LGBTQI+ people to consider who they have accepted as their **“chosen family”** and to include the chosen family in support plans as you would for one's biological family. Check out the LGBTQI+ Inclusive Practice Guide for Homelessness and Housing Sectors in Australia by Dr Cal Andrews and Dr Ruth McNair for further tips on LGBTQI+ inclusive practice [57].



LGBTQI+ young people in Australia and around the world continue to experience homelessness at a higher rate than the general population. A survey of LGBTQI+ Australian youth found that 23.6% had experienced homelessness, with 11.5% experiencing homelessness in the past year [58]. The harms associated with being an LGBTQI+ young person who is experiencing homelessness **must not be understated**, with this cohort experiencing increased rates of physical and sexual violence, poorer mental and physical health, and a higher likelihood of self-harming or taking their own life when compared to their heterosexual, cisgender and endosex peers. Furthermore, LGBTQI+ youth are more likely to be the victim of serious adverse events such as robbery, experiencing psychosis, contracting an STI or experiencing substance dependence [59].

Although there can be poorer outcomes associated with being an LGBTQI+ young person, it is necessary to mention the resilience, resourcefulness, and tenacity of LGBTQI+ communities. For some young people, leaving home is an act of self-preservation, with some seeing it as the only alternative to ending their life. Indeed, leaving one's home can have positive reinforcements such as finding community amongst other LGBTQI+ people, providing the opportunity to share and acquire LGBTQI+ resources and information, in addition to allowing people to live their authentic identity. Some behaviours associated with resilience amongst LGBTQI+ young people experiencing homelessness include embracing their identities, developing meaningful relationships, seeking safety, asserting their agency, and engaging in collective action or healing [60].

Notably, disrespect and discrimination can be common for trans and gender diverse people attempting to access housing [61]. Trans women are often excluded from women-only refuges and trans men are more likely to experience violence at emergency accommodation sites, making it crucial that housing and homelessness services put concerted effort into creating trans-inclusive environments.

Jack's story

Referred to CRC's Reintegration Housing Support Program (RHSP) prior to release, Jack* is in his 40s and is living in a boarding house in Sydney, where he temporarily settled after exiting custody. Jack has dual citizenship and has spent a long time in a correctional centre in NSW. Due to his long custodial sentence, Jack did not have his Australian passport or his Certificate of Citizenship to prove his right to live and work in Australia, and was concerned about being able to stay in Australia after exiting custody. A case worker in his correctional centre referred Jack to RHSP in the hopes that the program would be able to support him in obtaining these documents.



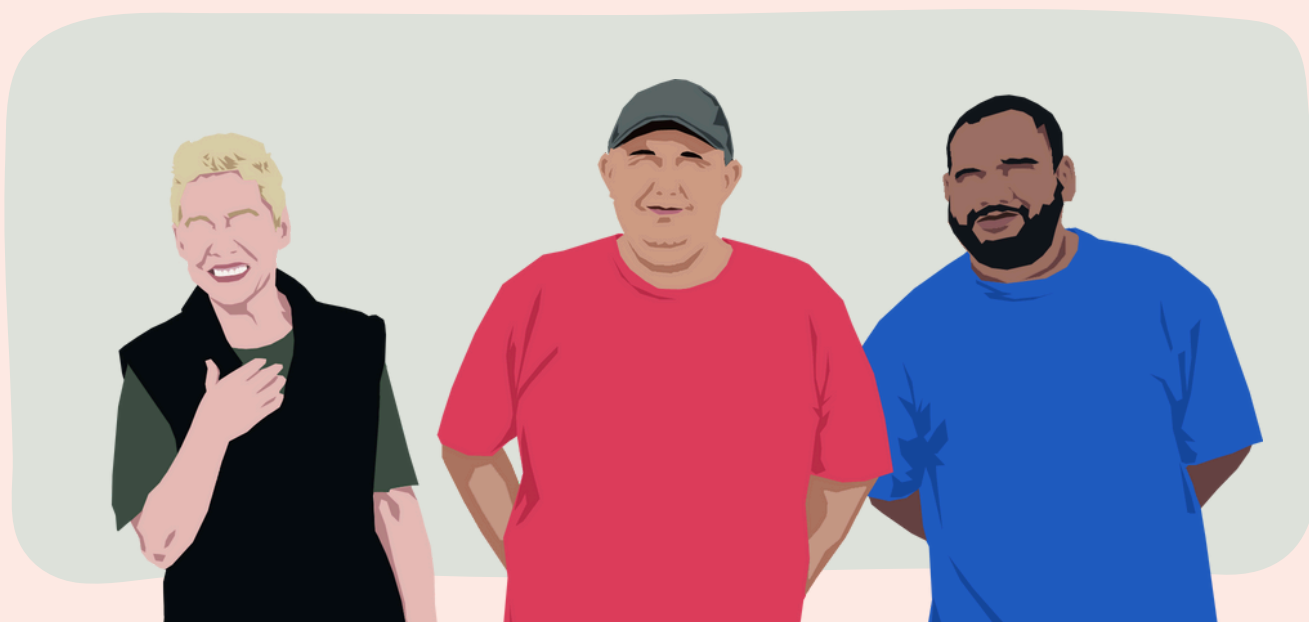
After getting to know his worker Julie* via AVL (Audio-Visual Link), Julie was able to organise Jack's citizenship documents being obtained before he exited custody. Whilst he was in custody, Jack remained in regular contact with his worker via AVL and Julie was able to arrange for Jack to stay in a boarding house upon exit from custody. On his release date, Julie picked Jack up from the correctional centre and drove him to his accommodation. Julie also supported Jack with his application for social housing and liaised with staff at the Department of Communities and Justice (DCJ) Housing on Jack's behalf.

Jack has not yet obtained permanent housing, but he is happy to have a roof over his head and remains hopeful that he will soon receive an offer. After Jack's release, he continued to stay in weekly contact with Julie and they often speak on the phone about Jack's anxiety and concerns regarding reintegrating into the community. To help Jack with his mental health, Julie connected Jack with a psychologist and an AOD counsellor. In the future, Jack would like to obtain his driver's license and get a job. Julie is currently supporting him to get some financial support to pay for his license and is helping him apply for work. Jack feels grateful for the support he is receiving from Julie and is confident that she has set him up for success going forward. Despite that, he is anxious about his support period ending soon and having to navigate society without Julie's support.

*Names have been changed to protect privacy.

Best Practice Tips

- Build rapport and trusting relationships with people seeking housing
- Adopt a housing first approach that prioritises appropriate and stable housing
- Make considerations for people who have disabilities to find accessible housing
- Support First Nations people to find housing on land that they consider home
- Prioritise stable and inclusive housing for LGBTQI+ and young people, considering how unsafe temporary accommodation can be for these groups
- Always consider that domestic violence could be a factor impacting people you support, and know how to identify and support people experiencing domestic violence
- Consider what other basic needs you can support somebody with. Providing a holistic wrap-around service that is tailored to the needs of the person you are supporting is best practice.



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