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Your quarterly newsletter from the housing rights website

October 2020

Poverty and the pandemic

The October newsletter from housing rights focuses on poverty and the pandemic. It brings you articles and news items on:

- [Warnings that the UK faces a "period of destitution"](#)
- [What will happen to those denied benefits and housing by 'no recourse' rules?](#)
- [After Windrush, will the hostile environment change?](#)
- [Attacks on refugees, migrants and those who work with them](#)
- [Problems with asylum seekers' accommodation during the pandemic](#)
- [Risks loom for European nationals as January 1st approaches](#)
- [Domestic abuse and trafficking](#)
- [Other news](#)

[Housing rights](#) is your key source of guidance on housing and benefits for people with different kinds of immigration status. For the latest news on measures affecting migrants during the pandemic go to our [coronavirus page](#).

This newsletter, from the Chartered Institute of Housing and BMENational, keeps you up-to-date with new developments. Please feel free to share it with anyone interested. Click [here](#) if you would like to subscribe.

The UK faces a "period of destitution" warns Dame Louise Casey, the government's former homelessness adviser

Speaking to the BBC's Laura Kuenssberg, [Casey said](#) that government plans to deal with poverty and the loss of jobs caused by the pandemic are "not going to be good enough". She added: "It's like you're saying to people, 'You can only afford two-thirds of your rent, you can only afford two-thirds of the food that you need to put on the table.'"

Casey resigned as the government's homelessness czar at the end of August, prompting Crisis and other groups to warn of a [leadership vacuum](#) in tackling rough sleeping. So far no one has replaced her. Kuenssberg [concluded that](#) "Dame Louise's strong

sentiments may not be matched publicly by anyone in government for now. But a warning like this one may not be easy to ignore."

Shortly before her resignation, CIH and the NHF [wrote jointly](#) to homelessness minister, Luke Hall, and to Louise Casey, urging the government to look again at the position of migrants who can't get access to benefits or to social housing, and face increasing hardship if they lose their homes or jobs as the pandemic continues. So far there has been no response to our call.



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In this issue of the newsletter we highlight the plight of different groups who are hard-hit by the pandemic, including:

- people who can't claim benefits because of the no recourse to public funds rule
- rough sleepers forced back onto the streets
- vulnerable European nationals who face uncertain status from next January
- asylum seekers and undocumented migrants with poor accommodation
- victims of domestic abuse, trafficking and modern slavery.

What will happen to those denied benefits and housing by 'no recourse' rules?

At the end of July, CIH and NHF highlighted the dangers for those with no recourse to public funds (NRPF). The two major housing bodies [called on the government](#) to restore access to housing and benefits on a permanent basis, regardless of immigration status, to build on the excellent work already done to end rough sleeping during the pandemic. If not, there should at least be a temporary relaxation of restrictions. Also in July, 16 councils and various charities [called on the Home Office](#) to halt NRPF restrictions.

On October 1, Migrants' Rights Network, NACCOM, and Asylum Matters, [wrote to the Prime Minister](#) (pdf) asking him to reverse the decision to evict people with NRPF into homelessness and give local authorities a fully funded duty to accommodate people with NRPF conditions.

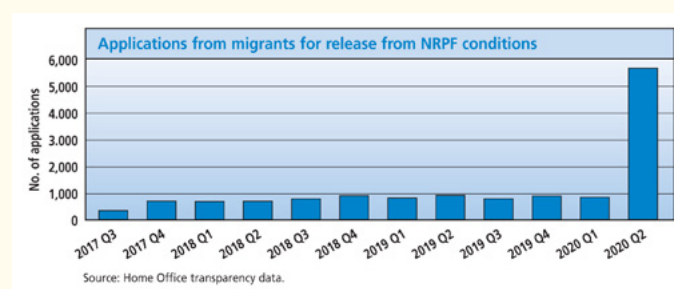
"Between a rock and a hard place"

A [report](#) by the Migration Observatory focuses on the economic crisis caused by the pandemic and its impact on people with NRPF. Research [shows](#) that existing economic inequalities will widen, putting as many as 1.4 million people with NRPF visa conditions at risk.

The Independent [interviewed](#) a number of migrants "left terrified" during lockdown because of their immigration status. Many are in insecure jobs that might end in the pandemic. A Filipino care worker said: "My biggest worry is that if I do get sick I won't be able to get help. I've cared for people with coronavirus, but I'm not compensated for this."

In July, [Home Office data](#) showed that the number of migrants applying to lift their NRPF visa condition in order to access benefits surged during the pandemic (see chart). The BBC [said](#) this gives "an indication of the unprecedented level of financial hardship that families across the country are experiencing." Getting "recourse" carries a penalty: those already on a five-year path to settlement in the UK are automatically moved to the 10-year route, doubling the time it will take them to gain indefinite leave to remain.

Applications to lift NRPF conditions shot up in June 2020



Source: CIH, UK Housing Review Autumn Briefing Paper and Home Office data.

MPs debate the effects of NRPF

MPs held a [Westminster Hall debate](#) on October 8 on the NRPF rules. Chris Stephens MP called the rules "unreasonable and heartless". Home Office minister Chris Philp promised to look into the figures requested about NRPF, whether people will be eligible for the £500 payment for people required to self-isolate following a Covid test, and speeding up the process for applying to have NRPF conditions lifted. On October 13 ministers [announced](#) an extra £12 million to house rough sleepers this winter.

On October 21, it was [revealed](#) that under new immigration rules due to come into force on January 1, rough sleeping will become grounds for refusal or cancellation of permission to be in the UK. Charities described this as a "huge step backwards", which would prevent vulnerable people from asking for help.

Devolved governments, councils and housing associations can help people affected by NRPF

While real progress depends on the Westminster government, [a new report](#) examines how local authorities responded to people with NRPF during the pandemic. It shows how provision varied considerably across England.



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The NRPF Network published [data](#) on the number of households with NRPF that requested support from 66 councils in England and Scotland during 2019/20 and the costs of the support. It highlights the positive impact of specialist responses to managing caseloads and the importance of using the national database to help deliver savings.

The Welsh Government published [a feasibility study](#) by Heather Petch and Tamsin Stirling on how its devolved powers can be used to help people affected by NRPF. Jane Hutt, the deputy minister, promised to commission guidance to local authorities to improve the support offered.

And below, Suzannah Young of the NHF presents new guidance for housing associations.

Helping people with NRPF avoid homelessness: what housing associations can do

Suzannah Young, Policy Officer at the National Housing Federation, describes a new NHF [briefing](#).

Local authorities estimate that of the 15,000 people brought into temporary accommodation during the crisis, between 4,000-6,000 have NRPF. Uncertainty remains around how these people will avoid returning to rough sleeping as they are not eligible for statutory homelessness assistance and cannot claim benefits to help pay for move-on housing.

High numbers of people with NRPF have been approaching councils for support during the coronavirus outbreak. Many more could be at risk of eviction from private rented accommodation because they have lost their jobs and accrued rent arrears. In addition, incidences of domestic abuse have been increasing. But it is difficult for people fleeing domestic abuse who have NRPF to obtain safe accommodation due to a lack of funded spaces in refuges.

Many housing associations are aware of these issues and some have asked what they can do to help.

NHF welcomed the government's commitment to ensuring that there is no return to rough sleeping and to supporting people into employment as part of the economic recovery. With CIH, it has asked the government to suspend the NRPF restrictions that stop people from claiming means-tested benefits or receiving homelessness support or housing through the local authority.

In the short term, people with NRPF need support so they don't slip through the net. The [briefing](#) gives examples of what associations can do to help,

in partnership with migration charities and local authorities. Examples include:

- taking direct applications from people with NRPF
- providing free hostel and refuge spaces
- creating peppercorn rent schemes
- using cross-subsidy, e.g. providing rooms for migrants within a mixed shared house
- providing legal advice
- accommodating asylum seekers and refused asylum seekers.

NHF is keen to learn about other examples of help for people with NRPF and the potential for schemes to be scaled up. If you would like to share your experience or to set up a scheme, please get in touch. NHF have also been working with the LGA, NRPF Network and NACCOM on how best to extend this type of provision. If you would like to be involved, please let us know (suzannah.young@housing.org.uk).

With thanks to NACCOM for additional comments and NHF members for giving examples of their work.



Comic shines light on poor housing conditions that UK migrants face

Housing conditions that people face when they first arrive in the UK have been captured in a comic strip as [part of a study](#) by academics at Leeds Beckett University.

Comic drawings by [Karrie Fransman](#)



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After Windrush, will the hostile environment change?

Home secretary Priti Patel has pledged to deliver a "cultural shift" at the Home Office in the wake of the Windrush scandal – but human-rights groups challenged this following the revelation that the Home Office is considering a range of extreme measures to deter asylum seekers from entering the UK and detain them offshore.

The home secretary promised an "unprecedented programme of change to build a Home Office fit for the future." She says that the [Comprehensive Improvement Plan](#) published in response to the [Windrush lessons learned review](#), is "the first part of our plan to deliver meaningful change." Among the actions are:

- the creation of a new Community and Stakeholder Engagement Hub
- a review of how the hostile (or "compliant") environment operates
- a programme of staff training so that they are focused on people, not cases
- staff training on the history of migration and race in the UK.

The home secretary promises to look at the "hostile environment" measures individually, building on work such as the ongoing evaluation of right to rent. This will be underpinned by regular monitoring and evaluation, ongoing external engagement and openness to change (see pages 22 and 23 of the plan).

However, according to *Civil Service World*, [the plan is far from comprehensive](#) and the claim that it will change Home Office culture is "laughable" in light of reports about some of the options being considered to reform the asylum system. Wendy Williams, whose [Lessons Learned](#) review looked into the causes of the Windrush scandal, [said](#) the department risked losing a once-in-a-generation opportunity for change: it must swiftly prove that it is not merely paying "lip service" to reform.

More comment on the "hostile" or "compliant" environment

Colin Yeo of the *Free Movement* blog [commented](#) that:

"The early signs have not been auspicious. There have been serious delays to the Windrush compensation scheme, here comes the 'new' points-based system, just like the old points-based system, the EU Settlement

Scheme is still on track to render tens or hundreds of thousands of EU citizens [unlawfully resident](#) in less than 12 months' time, some British citizens are still considered [more equal than others](#) and Patel has promised to be tougher, not more compassionate, towards refugees and migrants who commit criminal offences."

According to a [journalist](#) from *The Guardian* who had talked confidentially to a senior civil servant, the home secretary plans to "radically beef-up the hostile environment" after the Brexit transition. Amelia Gentleman, who exposed the Windrush scandal, says that a "blundering Home Office built our immigration system on a foundation of cruelty." She [reviews](#) Yeo's book *Welcome to Britain: Fixing Our Broken Immigration System*, for *Prospect* magazine.

The IPPR report *Access Denied* [assesses the impact](#) of the hostile environment, finding that it has forced many people into destitution and helped to foster racism and discrimination. A New Economics Foundation report [Patients not Passports](#) shows the damage caused by limiting migrants' access to healthcare, arguing that it costs more than it saves.

The House of Commons Public Accounts Committee, in a [strongly worded report](#) in September, said the Home Office "has no idea" of the impact of immigration policies. It accused it of making policy decisions based not on evidence, but rather on "anecdote, assumption and prejudice."

Migrants Organise has launched a [Fair Immigration Reform Movement Charter](#) which demands an end to the hostile environment and a new approach to immigration policy.

Windrush scheme falls short of righting wrongs

Writing in the *Law Gazette*, Jeremy Bloom [explains](#) how many Windrush victims are still having difficulty regularising their status in the UK. One victim, for example, has been refused British citizenship despite starting her life in the UK in the 1970s. Shadow justice secretary David Lammy, commenting on the Windrush compensation scheme, [said](#) the level of proof required of Windrush citizens "treats them like criminals when they are victims."

The Equality & Human Rights Commission has launched [an inquiry](#) into the the Windrush scandal, to review "how the Home Office complied with equality law when implementing the 'hostile environment' immigration measures, which had such a serious and damaging effect on many members of the group known as the Windrush generation and their descendants."



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Meanwhile, the Home Office hopes that the new points-based immigration system that starts in January will “transform the way in which all migrants come to the UK to work.” You can see an outline of the system [here](#), and you can sign up to email alerts on the new scheme [here](#). The housing rights website will be updated when the rules are set out in detail.

Changes in the right to rent

A key part of the hostile environment is (in England only, so far) the need for tenants to prove their “right to rent” when applying for a new private tenancy. The scheme remains under legal challenge by the Joint Council for the Welfare of Immigrants (see July newsletter). In the meantime there have been some changes that may help tenants prove they have the right to a tenancy.

CIH's Sam Lister describes the changes to right to rent that take effect in early November.

In September, the Home Office issued [a new code of practice](#) for landlords when they are checking whether people have a “right to rent,” needed because [new regulations](#) take effect on November 2.

They makes changes to the [2014 Order](#) which governs how landlords (or their agent) should conduct right to rent checks and gives force to the code of practice. The main purpose of the 2014 order is to set how right to rent checks are conducted with a prospective tenant. It specifies which combination of documents must be seen according to the prospective tenant's right to rent status (i.e. ‘relevant national’, ‘indefinite right to rent’, ‘time-limited right to rent’, ‘discretionary right to rent’). If it later turns out that their tenant did not have the right to rent the landlord only has a defence to any prosecution if they carried out the checks in the way required. The 2014 order provided no alternative to physical document checks.

The 2014 order is amended so that it:

- allows tenants to use the Home Office online checking service as an alternative to showing physical documents to landlords, in cases where there is a Home Office record of their status
- amends the list of documents that landlords can rely on (UK birth and adoption certificates are now acceptable in their short form as well as the long form)
- provides for documents issued to non-EEA family members under the EU Settlement Scheme (EUSS) to be recognised as documents which can be relied upon by landlords

- makes technical changes to the scheme so that nationals of Australia, Canada, Japan, New Zealand, Singapore, South Korea and the USA can demonstrate their right to rent if they enter the UK through ePassport gates or other routes without having their passport stamped; and
- replaces the existing code of practice with the [new code](#).

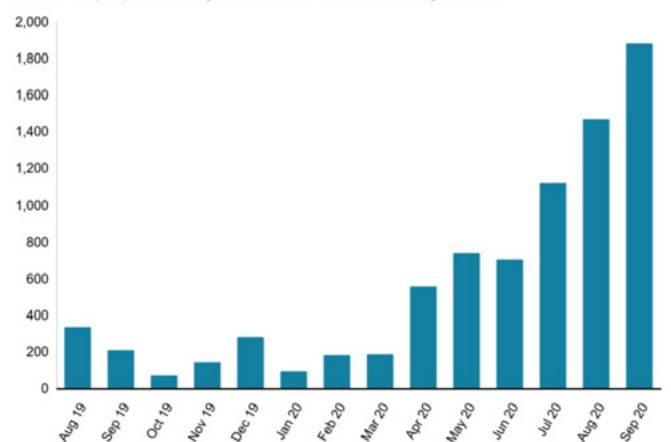
The code of practice is intended to ensure that landlords do not discriminate when they carry these checks. You can find out more on the [housing rights website page](#).

Attacks on refugees, migrants and those who work with them

A new immigration “crisis”?

When “[a record-breaking number of migrants](#)” attempted to reach British shores on September 2, Britain appeared to be in a new immigration “crisis.” At least 409 people crossed the Channel in small boats, a daily “record” which was well above the last one – 235 – set in August. More people crossed in September than in the whole of 2019 (see first chart, and the BBC's [explainer](#)).

Channel crossings by migrants in small boats
Number of people reaching the UK each month since August 2019



Figures include migrants intercepted in the English Channel or detained by Border Force after reaching the UK
Source: Home Office/BBC research

Source: BBC.

The Conversation [looked at the reasons](#) for the increase. Important ones include the fall in cross-channel vehicle traffic, the halt in flights during the pandemic and the



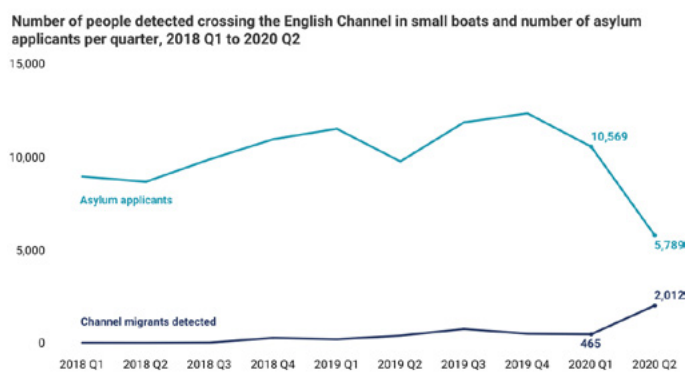
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suspension of the UK's refugee resettlement scheme. It concludes: "In the absence of... legal options for entering the UK, desperate people will continue to do desperate things and adaptive criminal networks will help them to do so." *The Independent's* May Bulman [went to northern France](#) to ask some of the young people hoping to make the perilous journey why they are doing it. And in [a video clip](#), Ash Sarkar debunks anti-migrant myths.



Source: Migration Observatory.

The Migration Observatory pointed out that while small boat arrivals increased, asylum applications fell sharply (see chart), even though 98% of those arriving by boat claim asylum. Furthermore, maritime arrivals tend to be from middle eastern countries where a high proportion of asylum applications are accepted by the Home Office.

Government official says "illegal immigrants" wrongly pass through "safe countries" to reach the UK

Dan O'Mahoney was appointed in August as "Clandestine Channel Threat Commander." He [tweeted](#) that "If you come to the UK from a safe country illegally in a small boat we can and will return you."

Terms such as these to describe new arrivals were examined by lawyers for Full Fact. They [conclude](#) that:

- It is wrong to claim that, under the Geneva Convention, asylum seekers should seek refuge in the first "safe country" they come to.
- It doesn't matter that people enter the UK without documents.
- In 1999 [a UK judge ruled](#) that "some element of choice is indeed open to refugees as to where they may properly claim asylum."

The Free Movement blog has [more](#) on this issue.

Attacks on immigration lawyers and "do-gooders"

At the Conservative Party conference, the home secretary attacked the "do-gooders" and "leftie lawyers" who defend asylum seekers. *Free Movement* has published the [text](#) of the speech. *The Sun* [said](#) that "In her sights are activist lawyers who play the human rights card to mount endless legal challenges – often at taxpayers' expense." The Law Society said that her comments put lawyers at increased risk of abuse. *The Observer* [says](#) the remarks were controversial among ministers and Lord Reed, the Supreme Court's new president, said that "lawyers representing migrant asylum seekers are not activists, they're simply doing their job."

In October, 20 towns and cities across the UK held demonstrations supporting the campaign by Migrants Organise, [Solidarity knows no borders](#) (see photos). Migrant-led organisations joined with community associations, healthcare and social workers, renters' unions and others, calling for an end to the hostile environment. A [coalition of more than 100 housing organisations](#) hit back over attempts to blame refugees for the housing crisis, saying that "we must call out the lies."



Source: Migrants Organise



Source: Migrants Organise



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Problems with asylum seekers' accommodation during the pandemic

Asylum seekers needing accommodation and support are among the groups most affected by the pandemic. By early October some 9,500 asylum seekers were accommodated in 91 hotels across the UK. The figure is up from 1,200 at the end of March. The Home Office also started to put people into [disused army barracks](#), where conditions provoked [complaints](#) from advocacy groups. Asylum seekers in hotels are also facing far-right violence: *The Guardian* published a [video](#) showing members of "Britain First" banging on hotel rooms doors.

Apart from getting only basic or even unsatisfactory accommodation, asylum seekers receive only small amounts of financial help. In June, the Home Office increased asylum support payments to £37.75 per week, a rise of just 26p. But those moved to hotels receive only £5 per week for phone credits and travel, which are essential in pursuing their asylum applications.

In July, the Home Affairs Select Committee [looked at](#) the Home Office's preparedness for the pandemic, and expressed concerns about the welfare of asylum seekers who had been moved into hotels. The Refugee Council [said that](#) it continues "to see the damaging impact on people's wellbeing of being housed in hotels for extended periods."

Leicester City Council, in a [briefing](#) about its policy towards refugees and migrants, pointed out that there are 180 asylum seekers in Leicester hotels "who do not have access to re-housing options, education, sometimes even private cleaning or cooking facilities." It says that "This holding solution, apparently designed to only last for a very short time has been allowed to take root and has now lasted many months."

Evictions of asylum seekers during the pandemic

The Home Office has now begun evicting asylum seekers in areas with local lockdowns, apparently in breach of its own guidance. *The Independent* [reports](#) that ministers face legal action after asylum seekers were served notice to leave in areas such as Liverpool, Yorkshire and the West Midlands which have local coronavirus restrictions in place.

The Guardian [reports](#) mounting protests about evictions. Susan Aitken, leader of Glasgow city council,

wrote to the home secretary describing them as "unconscionable," saying "The city stands ready to fight this." Hull City Council [gave evidence](#) to the Public Accounts Committee on the effects of evictions. Three elected mayors have sent open letters to Priti Patel calling for evictions to stop.

NACCOM and Asylum Matters have produced a [joint briefing](#) on evictions. Asylum Matters have some [template resources](#) to use when lobbying on the issue. The House of Commons Library produced an [up-to-date briefing](#) on hotels and asylum support.

The tragic story of asylum seekers in Glasgow during the pandemic

Glasgow has seen a sequence of tragedies during the pandemic. [Positive Action in Housing \(PAIH\)](#), the Glasgow-based charity that supports refugees and migrants, says that questions must be asked about how 350 people were moved into hotel accommodation during the lockdown when non-essential travel was forbidden. Here is the timeline up to early October (see it in more detail [here](#)):

On May 6, Adnan Walid Elbi, a suicidal 30 year-old Syrian refugee, died in the Maclays Hotel, Glasgow. He had been begging for help due to his deteriorating mental health after being moved into a hotel. PAIH says he was left with no money for bus fares or mobile data.

On June 26, six Scottish MPs walked out of a meeting with the Mears Group who run the asylum accommodation contract, citing "trust issues". A few hours later, police reported a major incident at the Park Inn Hotel, where 91 asylum seekers were accommodated. A Sudanese asylum seeker had been shot dead after stabbing six people. There was an immediate public outcry (see our July newsletter for details).

In July, Mears began to move people into residential accommodation which PAIH says was often dirty or uninhabitable. "They were left with few resources to sustain themselves, little or no food, no wi-fi and little or no money, leaving charities and volunteers to pick up the pieces."

On August 21, Glasgow's MPs quit Home Office talks, saying they had "no confidence" in them; they urged the Home Office to launch an investigation and share the findings with Glasgow City Council and the Scottish Government.

On August 22, Mercy Baguma was found dead by police in her flat in Govan; her baby son was discovered in his cot, having not eaten for several days. They were under Home Office care. On August 11, Mercy had



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contacted PAIH; she had been granted Home Office support but had not yet received it; PAIH assisted her the next day. The baby's father, Eric, said that Mears staff were due to move them into Mears accommodation on August 19. Eric is now tormented by the fact that on August 20 he walked away from Mercy's flat after she didn't answer the door, assuming she had been moved, as arranged. Yet Mercy was lying dead in the hall.



Eric with Adriel, whose mother died while in Home Office care. Photo courtesy of PAIH.

On August 27, Scotland's first minister backed PAIH's call for a public inquiry. On September 9, the issue was raised in Westminster at prime minister's questions.

On September 14, Mercy was buried in her hometown in Bugiri, Eastern Uganda. Costs were paid from funds raised in Glasgow. The following day, the home secretary confirmed there will be an investigation into Mercy's death. On September 16, BBC Scotland [interviewed](#) Eric about his son and his relationship with Mercy.

On October 1, Covid cases were confirmed among the 44 asylum seekers at Mclays Guest House in Glasgow, followed by another outbreak at Dungavel Detention Centre near Strathaven. PAIH's Robina Qureshi said: "First Mclays Guest House in Glasgow, and now Dungavel Detention Centre has suffered a Covid outbreak. It's the first rule of a global pandemic: don't crowd people together."

Asylum accommodation problems before the pandemic

At the end of 2019 the Home Office started new contracts for asylum accommodation and support. A National Audit Office report in July [said that](#) the new system had "failed to meet asylum seekers' needs in its initial months and, despite some improvements, has not yet delivered consistently acceptable performance."

In July, 42 organisations [published](#) *Wake Up Call* - a report on the chronic failings in the introduction of the

new contracts and the severe consequences for asylum seekers. It says problems "almost fatally disrupted the asylum support system," which they say operates on a knife edge and lurches from crisis to crisis. Among the problems were poor accommodation standards: one charity said a family with a disabled daughter was moved to a flat on the fourth floor; in another case a mother and her child were sent to a home without any furnishings, white goods or equipment to cook.

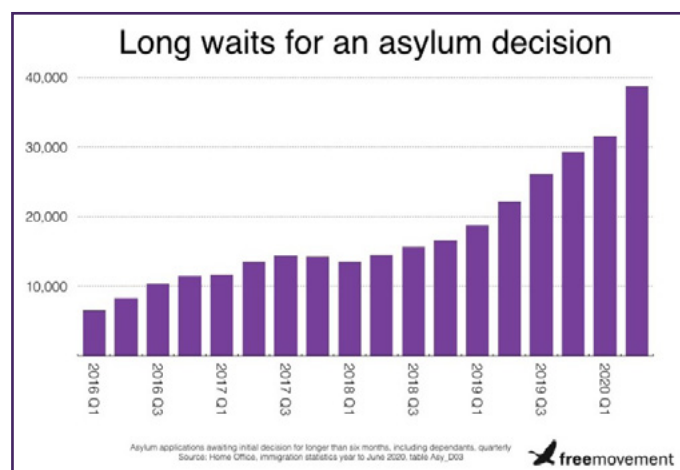
Ewan Roberts of Asylum Link Merseyside, who contributed to the report, said: "The solution requires massive change: we need independent, public scrutiny of these contracts and transparency from the Home Office."

Should asylum seekers be allowed to work?

Asylum seekers can only work if they have been waiting for more than a year for a decision, and then only with severe restrictions. An [article](#) for *Conservative Home* says that letting asylum seekers work is "common-sense Conservatism." It introduces [a report](#) from the Lift The Ban Coalition, a wide-ranging group of 200 businesses and organisations. The coalition calls on the government to cut the waiting period before asylum seekers can work from one year to six months, as well as letting them apply for jobs outside the highly restrictive shortage occupation list (which includes professions such as classical ballet dancers and hydrogeologists).

Are asylum interviews going to be outsourced?

Free Movement [reports](#) on Home Office plans for a pilot scheme to use private firms to carry out asylum seeker interviews, to deal with a growing backlog (see chart). The BBC [reports concerns](#) from the PCS trade union which represents Home Office staff: "We need a humane, well-resourced department rooted in a public service ethos, not private companies making money at the expense of vulnerable individuals."





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Failure to protect vulnerable people in asylum accommodation

Lawyers Deighton Pierce Glynn [report on a case](#) where a client in supported (section 95) accommodation was assaulted by another resident. The Home Office refused to move the perpetrator and insisted on the client having to move. She eventually agreed as she could no longer cope. The High Court granted permission to challenge the Home Office's failure to protect vulnerable people who suffer violence in shared asylum accommodation, handing down a useful [judgment](#) which sets out why claims may still be worthwhile after interim relief is granted.

Resettlement route reopens after pandemic restrictions

The UN Refugee Agency and other bodies [announced](#) the resumption of resettlement routes for refugees. The temporary hold on resettlement due to restrictions during the pandemic delayed resettlement of some 10,000 refugees. However, arrivals in the UK continue to depend on a number of factors including public health measures to protect refugees and communities.

The Vulnerable Person Resettlement Scheme (VPRS) accounted for over three-quarters (2,956) of those resettled in the UK in year ending June 2020. Since the expansion of the scheme in 2015, 19,768 refugees have been resettled. A further 201 were resettled under the Vulnerable Children Resettlement Scheme (VCRS) in the same year, bringing the total to 1,826 children since 2016.

Councils believe that [more use should be made](#) of the children's scheme. The charity Safe Passage said at least 25 UK councils had pledged over 1,400 places for child refugees in Europe, so long as the government provides support and a safe and legal route for children to come. The Local Government Association maintains [a one-stop resource](#) to answer questions on taking in refugees and unaccompanied children.

Refugee wellbeing and work project delivers services across the East of England

The East of England Local Government Association has started a new project to support refugees and their families. The [wellbeing and work for refugee integration project](#) is based on the principle that being well enough to be able to work is the best way for refugees to integrate into the UK.

The programme, funded by the European Commission, has placed wellbeing therapists across the region where the Refugee Council is delivering the service,

with dedicated refugee employment advisers and skills assessors in every county. English language tutors can deliver online classes to help refugees enter the job market. A region-wide employer liaison service links people to work placement roles and a mentoring programme encourages refugees to run their own businesses. For more details contact Louise Gooch (louise.gooch@eelga.gov.uk).

Risks loom for European nationals as January 1st approaches

The EU Settlement Scheme (EUSS) had received [just over four million applications](#) by the end of September, with 3,880,400 concluded. Some 56% received settled status and 42% pre-settled status, with the remainder being refused (16,600), withdrawn or invalid. The scheme's overall success hides a number of problems, however:

- **Zambrano carers.** Among those being refused are the majority of "Zambrano carers" - non-EU citizens who are primary carers of British children. By June, 770 of the 1,260 carers applying under the EUSS had been rejected (61%). *Free Movement* [says](#) that many are shut out because the Home Office insists that they first apply under domestic immigration rules.
- **Roma people.** A [report](#) by the Roma Support Group explains the substantial barriers to Roma people using the EUSS, such as: lack of access to trusted information sources, to digital technology and to valid IDs. There are further barriers for women, elderly people, children and rough sleepers, who do not possess evidence of residency in the UK or valid IDs. Many Roma are still unaware of the EUSS or cannot yet apply.
- **European children.** With more than 900,000 eligible EEA citizen children thought to have been living in the UK in 2017, only 412,820 children had been granted status by March 2020. Children who do not get status will become undocumented on July 1 next year. Coram Children's Legal Centre's report [Children left out?](#) looks at what the government needs to do to make sure no eligible child is left without status.

A [new report from the Migration Observatory](#) at the University of Oxford argues that vulnerable EU citizens such as young people who have grown up in care,



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victims of modern slavery and Roma people could “fall through the cracks” and lose their legal right to live in the UK, potentially even facing detention and removal.

On October 9 the Home Office announced £4.5 million grants awarded to [72 organisations](#) including local authorities, social landlords and voluntary sector organisations to provide support for vulnerable EUSS applicants.

Helping residents and employees apply to the EU Settlement Scheme - a briefing for housing associations

Suzannah Young, Policy Officer at the National Housing Federation, describes NHF guidance on the EUSS, for its members.

The NHF has worked with immigration advice charity [Settled](#) to produce [guidance](#) for housing associations about changes affecting EU citizens in the UK, explaining what action is needed to secure the rights of staff and residents. Some 4% of all renters in the social housing sector are from the EU; EU citizens are also employed by housing associations, especially as support workers or in maintenance and development roles. Housing associations will want to help these people apply so that they may continue to live in their homes and carry out their jobs.

The guidance covers:

- the EUSS, its background, what is meant by pre-settled and settled status and the effect on the right to rent
- the application process, the deadline for applications and potential issues that arise
- common issues among applicants, including how the EUSS is a digital-only status
- available support for applicants.

The briefing makes recommendations for housing associations to:

- Raise awareness among staff and tenants and, where possible, identify EU citizens and third-country national family members eligible to apply.
- Encourage applications as soon as possible because people might need time to renew expired documents or gather evidence; provide applicants with evidence of residence such as a letter confirming their length of tenancy.
- Refer eligible people who need support to organisations funded by the Home Office.

- Remind applicants with pre-settled status they need to apply for settled status once they reach their five years of continuous residence or before their pre-settled status expires.

NHF have published an interview with Corine Meier, Tenancy Sustainment Advisor at Gloucester City Homes and volunteer at Settled, who helped put the briefing together.

[Settled](#) are an outreach service with a hundred volunteers around the UK. They work in partnership with other organisations and accept referrals for assistance. [Settled](#) can also do training on the EUSS for housing associations and local authorities.



The housing rights guidance for EEA nationals after Brexit can be seen [here](#). Note that, as things stand, (i.e. unless changed by the immigration bill) all EEA nationals have an automatic right to rent – regardless of their status (in work, etc., how they entered the UK). See [here](#) for guidance on right to rent.

Digital-only status for EU citizens – a problem for their “right to rent”

Successful EUSS applicants have been denied physical proof of their status and the Home Office is planning to go digital-only across the board. This makes it harder for migrants to access services like housing, the Public Law Project [warns](#). For example, landlords used to passports and residence permits may discriminate against migrants whose proof of status only exists online. *The Independent* [gives examples](#) of EU citizens facing delays in moving house because they can’t provide documents.

The JCWI’s [research on right to rent](#) found that two-thirds of landlords would not rent to someone who needed time to provide documentation, an “attitude which will affect anyone applying for a tenancy who lacks clear documents or does not have documents, such as a passport, to hand.” The Public Law Project calls for a physical fall-back option if the digital system does lead to problems.

Separate [research](#) shows that Roma households may be particularly affected. The Roma Support Group has joined The 3 Million’s campaign for physical proof of status: their [website](#) has several examples of digital status going wrong. The RSG has an explanatory [video](#) about the EUSS in English and Polish and [Settled](#) also has videos in Romanian.



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The Home Office has recently [assured](#) European nationals who miss next year's EUSS deadline that those with a "reasonable excuse", such as children in care, will face no time limit.

Brexit: warnings for care sector in pandemic as freedom of movement ends

The end of freedom of movement in January will increase pressure on the social care sector in the midst of a pandemic unless ministers make jobs more attractive to UK workers, government advisers have said. The Migration Advisory Committee [warned](#) of the "stark consequences" of low wages in social care with most frontline roles ineligible for the post-Brexit skilled worker immigration route or on the official list for job shortages in the UK.

Domestic abuse and trafficking

The latest round of government funding for domestic abuses services was [announced](#) on September 16, with 25 charities benefitting. However, campaign group Love and Power [say](#) that Freedom of Information requests to 126 councils found that only 482 units of extra capacity were created during lockdown for families needing to escape abuse. *The Independent* [says](#) that frontline services were "chaotic" and "dangerously threadbare" during the crisis.

Migrant women deliberately left out of UK abuse bill, say campaigners

Campaigners have accused the government of not valuing the lives of migrant women in the [Domestic Abuse Bill](#), now in the House of Lords. The [Step Up Migrant Women](#) coalition - a collection of more than 50 organisations - has accused the government of leaving a "gaping hole" in the law that will fail to provide support for abused migrant women who have no recourse to public funds. Pragna Patel of Southall Black Sisters [said](#) "The decision to leave migrant women out of this bill sends the message that their lives are not valued, they are disposable, they are second-class people, they are invisible."

In the House of Commons, MPs had considered an amendment to fill the void faced by those who are not eligible for the Home Office's domestic violence concession due to being on the wrong type of visa. MPs [said no](#) (330 to 207), largely on party lines. Whilst many have hailed the Domestic Abuse Bill as a "[landmark cross-party success](#)", others argue that it fails to account for many [migrant survivors of domestic abuse](#).

How migrants become double victims of domestic abuse

Mary Atkinson of the Joint Council for the Welfare of Immigrants [explains](#) how for people with insecure immigration status, reporting abuse often means having your details passed on to the Home Office. The authorities who victims turn to for help are liable to victimise them further, sending them to detention, potentially taking them away from children and eventually deporting them. In 2015, nearly [3,500](#) victims or witnesses of crimes had their details passed to the Home Office. People who have gone to the police to report violence have been [placed in handcuffs](#) and detained.

See the housing rights guidance on domestic violence cases [here](#).

Trafficking and modern slavery

- Thousands of victims of child trafficking are being denied the right to stay in the UK, [reports The Guardian](#). Campaigning charity [Every Child Protected Against Trafficking](#) said "We were shocked to find that, in a four-year period, only 28 child victims of trafficking were granted leave to stay at the discretion of the home secretary."
- Lawyers [reported](#) a Home Office U-turn on cutting financial support for trafficking victims during the pandemic, days before legal action was due to take place. *The Independent* now [reports](#) that support workers are being advised not to speak to lawyers about challenging decisions on support allowances.
- The [East European Resource Centre](#) is renewing its support for adult Polish and Romanian victims of modern slavery and other forms of labour exploitation in London. Referrals can be made to slavery@eerc.org.uk or phone 07521857415.
- A *Free Movement* [briefing](#) describes the system to protect victims of modern slavery or human trafficking in England and Wales.
- A new book, *The Truth about Modern Slavery*, argues that anti-slavery action acts as a "moral cloak", hiding the harm caused by the hostile environment and leading to exploitation of the poorest workers. [Pre-orders for the book](#) will earn a donation from Pluto Press to the Joint Council for the Welfare of Immigrants.



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Other news

Oxford's Migration Observatory has a number of reports of interest to newsletter readers:

- **Local Data Guide.** A [guide](#) to answer key questions about migrants in local areas around the UK: How many migrants are there in different areas? How is this changing? What do we know about integration of migrants at the local level?
- **Children of migrants in the UK.** A [briefing](#) about children of migrants: numbers, immigration status and pathways to citizenship, economic circumstances and academic performance.
- **Undocumented migrants.** How do we [estimate](#) how many there are in the UK?
- **Deportation and Voluntary Departure from the UK.** A [briefing](#) on the deportation and voluntary return of people without the right to remain in the UK, with statistics on those affected.

[Groundswell](#) are researching the impacts of Covid-19 on homelessness, especially people with NRPF. They want to include the voices of people experiencing homelessness. You can have your say confidentially by texting 07476552438. The costs of texts will be reimbursed. More information [here](#).

The [EU Rights and Brexit Hub](#) is a nationwide, legal action research hub investigating how Brexit affects the social rights of EEA nationals in the UK. Part of this is

a "clinic" working with charitable advice organisations across the UK – giving second tier advice to support their work with EU nationals. To find out more and make a referral visit the [referral page](#).

[Sisters Not Strangers](#) has released *Hear Us: the experiences of refugee and asylum-seeking women during the pandemic*. The survey, completed by women asylum seekers across England and Wales, can be downloaded [here](#).

Best intentions: EU migrant workers in Fenland, is a [report](#) looking at what migrants think about the UK leaving the EU, its immigration policy and how this affects them.

MiFriendly Cities, a West Midlands initiative funded by Urban Innovation Action, produces a [newsletter](#) highlighting work that their migrant participants have done during the pandemic, to learn new skills and support communities.

"I'm a Home Office presenting officer, ask me anything"

A Home Office presenting officer gives [an anonymous account](#) of what it's like to defend Home Office immigration decisions in court on the *Free Movement* blog.

Before you leave...

Remember to check the housing rights [coronavirus page](#) for the latest information on changes to housing rights and benefits during the pandemic.

Contributors

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