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Hotels are not homes! - the growing accommodation crisis

The country’s housing crisis has been brought sharply into focus by the need to accommodate people fleeing Ukraine, Afghanistan, and Hong Kong. In our first set of reports, we focus on the plight of Afghan people who do not have the benefit of the sponsorship or hosting arrangements created for Ukrainian refugees. We also look at how hotels are used to accommodate asylum seekers.

Nearly 10,000 Afghan refugees are still stuck in hotels

Of the 21,450 Afghan evacuees now in the UK; 7,385 people have moved into a home or have been matched to a home and are waiting to move in. Some other families were British citizens or have made their own accommodation arrangements. This leaves 9,667 Afghan evacuees who **are still in hotels**, sometimes more than a year after coming to the UK. With about 26,000 ‘regular’ asylum seekers already in such accommodation, the Home Office’s bill for hotels has reached almost £5 million per day.

The *Local Government Chronicle* **reported on** local councils’ concerns about the plight of people in hotels. Councils have responsibility to provide hotel residents with wraparound support including responding to care needs, finding school places, and later sourcing permanent accommodation so they can eventually move out. The government has called on them to ‘do more’ to find permanent accommodation, preferably in the private rented sector. In August, former home secretary Priti Patel **told** *The*

Times, ‘I urge landlords and local authorities to come forward with suitable homes. The government will continue to do everything possible to expedite moving those still in hotels into sustainable accommodation, while delivering value for money for the taxpayer.’ Councils point to the large size of many families, some with ten members or more, which makes re-accommodating them extremely difficult. The leader of Chelmsford City Council said that Home Office delays have made it difficult to move

families out of the hotels: ‘In the unlikely event that you find a home that’s got four bedrooms, or even five, which is what most of the families need because they’ve got 5, 6 or 7 children, [the Home Office] spends far too long assessing offers of housing and often landlords give them up.’ He added that ‘Obviously there’s a desperate shortage of housing so landlords can pretty much charge what they like.’ He also pointed to the gap between housing benefits and the rising cost of private rental properties.



‘Lives on Hold’ – a new report shows the plight of asylum seekers in hotels

Kama Petruczenko, Policy and Research Officer at the Refugee Council, writes about their new report on the use of hotels.

Our report uncovered that the use of hotel accommodation for people seeking asylum almost trebled in 2021, leaving thousands of families with limited access to vital health, legal and other support services.

The situation - which saw a staggering 26,380 people living in temporary hotel accommodation by the end of last year - is further evidence of the UK’s broken asylum system.

The report reveals that the problem sees men, women and children spending increased periods of time in accommodation designed to be temporary, with 378 people having been in hotel rooms for a year and almost 3,000 for more than six months.

This is despite the government’s ‘Operation Oak’ pledge to limit the use of hotels to house people in the asylum system and its promise to move people into longer-term accommodation within 35 days.

The report discloses that the number of families housed in single hotel rooms has increased by over a quarter (27%) in 2021, including over 2,500 children (10% of the hotel population). This is the equivalent of over 100 classrooms of children being housed in accommodation with complete strangers, out of school and with no space to play.

Other key points from the report:

- The Refugee Council’s long-standing concerns over the impact of being housed in hotels for lengthy periods on people’s health and wellbeing, with depression and even suicidal tendencies amongst many, including children, being rife.
- Hotel occupants often have inadequate access to clothing, appropriate footwear, and other basic essentials such as paracetamol, mobile phones, and internet data.
- Many of those living in asylum accommodation have limited access to the vital legal and health services they desperately need while claiming

asylum and are being cut off from the rest of society and support networks. They are often living in an environment which is not safe, due both to an increase in far-right activity and harassment targeted at people living in asylum hotels, as well as risks of people being trafficked from hotels.

- The charity highlights cases where people face barriers and delays when they raise problems with relevant authorities.
- Also of concern is the fact that the Home Office continues to open up new hotels with little or no engagement with Local Authorities and Strategic Migration Partnerships who ordinarily play a pivotal role in the process of procuring asylum accommodation as well as organising wrap-around support. If services are not informed when new hotels are opened, it is much more challenging for charities like the Refugee Council to develop an operational service response.

The report provides 13 key recommendations to ensuring people are not trapped in hotels for long periods instead moved into dispersal accommodation within 35 days and that whilst people are in hotels they have access to quality legal advice early, as well as basic essentials like clothing, nutritious food, and medicine.

There is an overarching need to address the chronic delay in asylum cases being heard which has led to a huge backlog of people trapped in hotels and a system that is unable to cope as demand for accommodation increases. The Refugee Council’s key concern is that the Home Office has no clear plan for improving this and is failing to meet its own standards.

Lives on Hold: The Experiences of People in Hotel Asylum Accommodation was published in July.

Huge problems faced by Afghan families being moved out of London hotels

What happens when the Home Office decides to move people to cheaper accommodation? Southwark Day Centre for Asylum Seekers (SDCAS) describes their experience of working with Afghan families who are leaving hotels in the borough.

SDCAS began working in two Southwark bridging hotels in March this year, offering advice and support to Afghan residents alongside a range of charity, community, and council support. As the Home Office contracts with hotels end, residents are moved to other hotels around the UK.

In Southwark, people have been able to access services to start to build a life in the UK, where they have indefinite leave to remain. A network of interagency support has formed, and people have built strong links to the area. During the last year several families have moved into housing, some have declined housing that was unsuitable, and others await their first offer. The Home Office 'Allocation of

accommodation policy' urges people to accept offers and says that if people turn down two offers that are deemed appropriate, they will be asked to leave the scheme.

In early August a resident meeting was organised by the Home Office in the foyer of one of the Southwark hotels. They announced that the hotel contract in Southwark would be ending in a month's time and residents would be moved to different hotels outside London. This came with no prior warning to any of the support services. A week later residents learned that those with jobs in London would be relocated to Reading or Surrey, and others would go to Manchester or to a hotel near an airport in another part of the country (name of place withheld here).

Days after this initial announcement, instructions were shared on how people could carry out their own private rental searches and remain in the resettlement scheme.

Some, particularly those with jobs in London, managed to secure private lettings, however, others had to leave their work contracts at short notice as commuting was not a viable option.

Barriers to accessing private rental are particularly apparent for those on universal credit and without a guarantor. A further hurdle is in the workings of the process itself, if a family find a property that will accept them, they then tell their local authority resettlement office or home office liaison officer who shares the information with the local authority where the property is located. An agreement is then negotiated as to how the resettlement budget will be used, possibly on a deposit, first month's rent, furniture, settlement support costs, or in some cases possibly rent top-ups. During the time of these exchanges, we have found that properties go off the market, so the search is then repeated. This is all made more challenging by the

family's complex budget calculations, language barriers, and the need to learn a very different housing system.

Moving forward, we look forward to the private rental route evolving to be more accessible, to enable people to seek housing independently, giving more autonomy to those able to move out of hotels, and to more landlords accepting people on the scheme.

Writing now a week into the move from Southwark for some families to an airport hotel, one father called sounding deflated. He says the new hotel is very close to the airport runway and it is noisy and there is nothing around the hotel for them and the children don't have school places yet. The challenges of hotel living have been made much worse by the upheaval of moving between hotels. As providers of support services, we are put in the difficult position of playing 'catch up' and our support plans have been made redundant.

A comment from one former resident, about living in a hotel (the family is now in rented accommodation)

First of all, when we came to the UK we spent ten days in a quarantined hotel then in another where we lived for nearly a year. Many families became stressed and anxious because they were stuck in one small room with children for so long. Then the food provided is completely different from Afghan food. It was very difficult for children to eat the hotel food so all the time we had to buy burgers, so our son lost weight and was also high. We told the social worker from the NHS about the food.

Many families living in hotels had skin problems. I had to separate from my wife and my child for one week because of these skin problems.

As you know in our country, we have had almost four decades of war, and especially last year in August we lost everything. So, it means that, emotionally, Afghan people evacuated from Afghanistan need support and also need the UK government to provide houses as soon as possible.

SDCAS is a charity which provides holistic services such as English classes, hot meals, OISC level 1 immigration advice and advocacy sessions. It provides volunteering opportunities, a social space and therapeutic activities from two drop-in centres for over 150 people weekly with various support needs e.g. isolated newly arrived asylum seekers, people with 'no recourse' and so on.

More on asylum seekers and hotels

- **Home Office contractor gives children hotel food containing worms.** *The Guardian* reported in July that a child staying in a hotel unwittingly ate worms that were in food provided by government contractor, Serco. A four-year-old boy, not realising that his meal of fish and chips contained worms, began vomiting soon after he started to eat it. Paramedics were called and the boy was taken to hospital. His father said he had sickness and fever for three days and that other family members who ate the same meal had similar symptoms.

- **Fears for child asylum seekers going missing from UK hotels.** *The Independent* reports that child asylum seekers go missing from hotels at the extraordinary rate of one per week and the whereabouts of dozens of vulnerable teenagers are unknown. An open letter signed by 60 charities said children as young as 11 had gone missing, adding: 'Our concern for these

children cannot be overstated. Already vulnerable, separated, and traumatised, isolated from family support networks, they are at the greatest risk of exploitation and trafficking.' As of the end of June, 355 unaccompanied child asylum seekers between the ages of 11 and 18 were being kept in hotels.

- **Injunction prevents a Yarmouth hotel from housing asylum seekers.** *The Great Yarmouth Mercury* reports that the High Court has confirmed an interim injunction to stop a second Great Yarmouth hotel from being used as a hostel for asylum seekers. In August around 50 asylum seekers were placed in the town's Hotel Victoria as part of a Home Office scheme. The council sought an injunction to prevent the hotel's owner and the Serco Group from using a second property in the same way, claiming it was an 'unauthorised change of use'. The court order prevents the use of the Embassy Hotel as an asylum hostel.



Promoting positive stories about migrants and asylum seekers

PlaceShapers, the national network of place-based housing organisations, provides some positive stories about the ways in which their members assist migrants.

'Sadly, the narrative we're often fed about people claiming asylum is not only mainly negative but often inaccurate. In reality those who are granted asylum in our country are so grateful for the chance at a safe life that they're desperate to give back to the economy.'

'I've met a huge number of talented, entrepreneurial business developers who started off by first seeking asylum. There are some beautiful stories out there that make you proud to be British. We need to tell more of these stories!'

These are the words of Jez Chalmers from [Staffs Housing](#), a speaker at a PlaceShapers event for members to share what they do to support refugees. The origin of the event was a PlaceShapers board meeting, near the start of the Ukrainian crisis, when board members were considering what more the network of place-based landlords could do.

They concluded the refugee crisis rarely tops the news agenda for positive stories.

People seldom hear the wonderful stories about communities welcoming refugees forced to flee their country of birth.

The board decided that the role for PlaceShapers was to gather stories about what members are already doing - and create insight and good practice for others to do more. PlaceShapers communications lead Joanna Charlton said:

'We put out a call for stories and the breadth and scale was very moving. Members are doing amazing things, very often under the radar. This ranges from some who had been supporting refugees for many years through to those who got involved recently through Homes for Ukraine. We heard from members like Calico who'd been helping Syrian, Afghan, Sudanese and Iraqi refugees from since 2016.'

Bournemouth-based [BCHA](#) became active this year when the chief executive took a call from an anonymous benefactor who wanted to buy homes for refugees. Could BCHA help? Yes! It could buy the homes, manage them and work with local support partners to welcome refugees. Every member felt it was the 'right thing to do'. Staff were proud. The stories show involvement that goes way beyond the day

job. The stories also bring to life the difference that housing associations make as anchor institutions in local communities.



Photo from Ongo of refugee children

Here are more examples:

- **Ongo** makes sure all refugees are welcomed with a meal cooked by someone from their own culture, with staff creating welcome packages and organising day trips. Its employment and support team runs introductions to work as well as health and safety courses.
- Partnership is a constant theme. **Cross Keys Homes** was turned to as trusted local partner by the city council to resettle Afghans whose lives were in danger for working alongside our armed forces and the British government.
- **Bournville Village Trust** was asked by the Birmingham Methodist Church to house the city's first Syrian refugee family.
- **Soha**, working as a partner in Oxfordshire Homeless Movement, helps those with no recourse to public funds in Oxfordshire. This partnership project houses and supports this vulnerable group, helping them to become contributing members of society.

Members are frank about the intensity, complexity, and cost. As [MossCare St Vincent's](#) (in Greater Manchester) said: 'Overall.... though difficult to make work financially, it is very worthwhile and an extremely rewarding experience.'

The summer all-member event was chaired by PlaceShapers CEO Rachael Orr, who is also chair of trustees at the Refugee Council. Rachael noted that refugees are

desperate to be part of their new communities and 'give back' to people who have welcomed them at such a difficult time in their lives. It is through this work, and telling these stories, that we can hope to try and counter so much of the pernicious, untrue narrative about refugees and people claiming asylum.

Read the stories and good practice [here](#).

becoming homeless. More recently, we've expanded Beam's service to support homeless refugees. Each person gets a caseworker who can create a fundraising page on the website, telling their story and itemising all financial barriers - for example, training, work tools, travel costs, smartphones, childcare and rental deposits. 90% of donations are split equally between everyone, allowing everyone to reach their target within an average of 17 days. It's a truly personalised approach, built around the unique strengths and interests of each person.

Donations come from members of the public, who want to play

Beam expands beneficiaries to include homeless refugees

Seb Barker, co-founder and COO of [Beam](#), wants to introduce you to a woman called Kateryna.

From her hometown near Kyiv, the reality of the war in Ukraine was closing in. 'We heard explosions, helicopters, airplanes. I was scared. I didn't know if our town would be occupied in a day or two, so we decided to leave,' she said. A few months ago, Kateryna and her young son arrived in the UK hoping to build a new life.

Kateryna was taken in by a host family in North London and her son settled into school. However, with the Homes for Ukraine coming to an end and fears that many Ukrainians will end up homeless, refugees like Kateryna face a lot of uncertainty about their future in the UK. Not to mention the crippling cost of living crisis that is plunging many people into poverty.



Beam - a social enterprise and online fundraising platform, which brings communities together online to help homeless people and refugees move into stable jobs and homes.

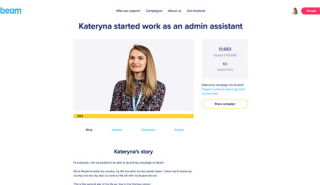
Beam is partnered with more than 40 local councils across the UK - from Camden to Aberdeen - who refer people experiencing homelessness or at risk of

their part and support disadvantaged people in their community. And 'community' is the crucial piece of the puzzle here. We know that having a crowd of people believe in you helps build confidence during incredibly difficult transition periods. We also know that community support, whether in the form of confidence-boosting messages or

offers of work experience, can improve someone's chances of getting a job.

And the data is telling. 82 per cent of Beam's beneficiaries start work - with many getting promoted and adding incredible value to the organisations they work for - and 100 per cent sustain their tenancies.

Now let's return to Kateryna. Kateryna went to Enfield Council for support, who referred her to Beam. She raised £1,683 to fund a diploma in translation, a language tutor, travel costs and work clothes. A few weeks later, and with the support of her Beam caseworker, she landed a full-time job as an admin assistant at a medical centre. Her



ultimate goal is to become an interpreter - a dream she's inching closer towards each day.

After starting work, she sent this message to her supporters: "I'm so glad and so happy being supported by all of you. My purpose was to become independent, like I was before the war. And now I'm almost there. I'm really happy to have such an amazing opportunity to grow. Once again, thank you from the bottom of my heart."

Find out how to get involved with Beam [here](#).



**‘We had to abandon everything’:
Chan Kataria tells his story as a
refugee from Uganda in 1972**

Chief executive of East Midlands Housing, Chan Kataria, told *Inside Housing* [his story](#) of arriving in Leicester as a child refugee 50 years ago.

In August 1972, military dictator Idi Amin ordered the expulsion of Uganda’s minority Asian population. He gave them just 90 days to leave the country and stripped them of almost all their assets – each family was only allowed to take £55 and one suitcase per person. Some 28,000 held British passports and were granted entry to the UK.

Eleven-year-old Chan Kataria and his family were among those affected. The Katarias owned a successful textile business, but in an instant that world came to an end. ‘You had to abandon everything – cars, businesses, bank accounts, and all other possessions’ says Mr Kataria.

He describes the racism he encountered in Leicester, but also that after four years the family moved into a council house. The four-bedroom home was ‘the best home we had’, Mr Kataria recalls. And the stability perhaps provided the germ of his future career. ‘It certainly

made me appreciate the good work social housing does and how it can help give people the platform to meet their potential,’ he says. His career in housing began with Leicester City Council before he moved to the housing association sector.

He flags with pride EMH’s work to house Afghan refugees last year – the organisation provided six homes with three-year support packages for Afghan refugees in 2021. ‘It’s not just theoretical, you know what they’ve been through, you know what they’re going through,’ he says.

He also notes that the approach from the local authority has changed beyond all recognition, as immigration has helped shape Leicester. Today, the council that once tried to dissuade Ugandan Asians from coming is holding events to mark the anniversary and celebrate the contribution they have made to the city.

Note: For the background history of Asian immigrants in Uganda, take a look at [this article](#) by Mahmood Mamdani in the London Review of Books.

What can we expect from the new Home Secretary?

As the newsletter went to press, the recently appointed Suella Braverman suddenly resigned as home secretary, to be replaced by Grant Shapps. It is too soon to know how policy on migration issues may shift again, but here’s a summary of what his predecessor left in Mr Shapps’ in-tray:

- **Asylum claims.** Braverman wanted to make claiming asylum near-impossible for those arriving via irregular routes. ‘I will look to bring forward legislation to make it clear that the only route to the United Kingdom is through a safe and legal route,’ she told the Tory conference. The United Nations high commissioner for refugees [said](#) that any such law ‘would almost certainly breach the refugee convention.’
- **Channel crossings.** ‘We have got to stop the boats crossing the Channel. But I have to be straight with you, there are no quick fixes,’ said Braverman. Maya Goodfellow [commented](#) in *The Guardian*: ‘This was months of moral panic about people crossing the Channel distilled into one speech.’ Home Office [data](#) indicate that more than 28,500 migrants reached the UK in small boats in 2021, more than three times the

number in 2020. Arrivals by June this year were more than double the number in the same period last year.

- **Deportations to Rwanda.** Suella Braverman’s ‘dream’ was to see asylum claimants being sent by plane to Rwanda, [she said in an interview](#) with the *Daily Telegraph*. She added that it would take a long time, though, because of challenges in the courts. ‘If you deliberately enter the United Kingdom illegally from a safe country, you should be swiftly returned to your home country or relocated to Rwanda.’ Might Mr Shapps, more moderate on these issues, want to take a softer approach?
- **European Court of Human Rights interventions.** Braverman remarked in the same interview on the ‘indelible frustration’ that all home secretaries feel towards ECHR judgments on immigration issues. ‘We cannot allow a foreign court to undermine the sovereignty of our borders,’ she said.
- **Modern slavery.** Braverman was no fan of current policy: ‘Our modern slavery laws are being abused by people gaming the system. We’ve seen a 450%

increase in modern slavery claims since 2014.’ [She went on to tell The Sun](#): ‘Unfortunately, it’s a really low bar that you have to cross to be considered to be a victim of modern slavery, that is what is gumming up the system at the moment.’ *Free Movement* [looks at the implications](#) if Mr Shapps adopts the same approach.

- **Cutting immigration.** Will Mr Shapps revive the pledge to bring net migration down below 100,000 annually (currently it is 239,000). At a conference fringe meeting, Braverman said her ‘ultimate aspiration’ was to get net migration down into the tens of thousands, but refused to set an exact target to be achieved before the next election.
- **Work-based immigration.** *Free Movement* looks at what changes are in store, this time if the prime minister persuades the home secretary [to widen the scope](#) of the current visa schemes. *The Independent* [claims](#) that Suella Braverman was sidelined on the issue. Might this be why she resigned?

More opinion on recent immigration policy:

- *The Independent* asked Jeremy Corbyn to write about Braverman’s plans: [he doesn’t share her ‘dream’](#).
- The Housing Diversity Network interviewed Fizza Qureshi of the Migrants Rights Network about recent developments in immigration policy. You can listen to the podcast [here](#).
- In the [No Walls Podcast](#), Toufique Hossain and Sheroy Zaq discuss how they will remember Priti Patel, delving into a handful of legal challenges that the Duncan Lewis Public Law Team pursued during her time in office.
- And ten years ago Theresa May – then Home Secretary – declared her intention to ‘create here in Britain a really hostile environment for illegal migration’. *Open Democracy* [says](#) that ‘It triggered a major policy disaster, in the shape of the 2018 Windrush scandal. Yet despite government claims to the contrary, the hostility is not over.’

Help for Ukrainian refugees - is it at crisis point?

The *housing rights* website page on [Help for Ukrainian refugees](#) is being updated each week with the latest government guidance and other news. Please check it to stay up to date (and let us know if anything needs changing – email policyandpractice@cih.org).

By October, almost **137,000** Ukrainians had arrived in the UK under the government's two main schemes to receive refugees. But there are signs that the scheme might be at crisis point, with claims that there is 'nobody in government directly responsible' for Ukrainians and that the government has 'no plan' to deal with homelessness as host families pull out of the scheme.

Our Ukraine coverage starts with news items on the building crisis and continues with two articles on what the government should do to avoid a homelessness crisis. We also have more news from Scotland, on refugees' 'survivors' guilt' and other current issues about Ukrainians in distress.

Homes for Ukraine 'hits crisis point' and ministers 'don't know who is in charge'

PoliticsHome say that the departure of refugees minister Lord Harrington and the refusal to replace him means that there is now nobody in government directly responsible for Ukrainian refugees in the UK. Instead, the government has split aspects of the scheme down to different departments, with junior levelling-up minister Andrew Stephenson carrying responsibility for housing issues among both Afghan and Ukrainian refugees alongside the government's wider efforts to tackle rough sleeping. But his role does not cover cross-departmental issues like the visa process, which had previously been led on by Lord Harrington.

Councils are bracing themselves for an influx of homeless refugees amid warnings that the government has 'no plan' for the continuation of its flagship Homes for Ukraine scheme. In a



Families from Ukraine seek safety in Hungary (photo: UNHCR)

snapshot survey of 64 councils, 61 per cent told *The Independent* that they were worried about an increasing number of Ukrainians presenting as homeless or being at risk of homelessness in the coming months. That was compared to 14 per cent who weren't worried, and 25 per cent that didn't respond.

The Guardian describes analysis by Barnardo's, Labour, and the Liberal Democrats, based on feedback from refugee sponsors, which concludes that between 15,000 and 21,000 Ukrainians could be homeless by the winter,

rising to more than 50,000 by the middle of next year.

The BBC said that a quarter of refugee sponsors do not want to carry on. They talked to Clare Maddox about her experience of hosting a mother and daughter, Olena and Diana. While they get on well, it is clearly time for the guests to move, but no one can tell them where they can go and still keep the job and contacts they have created. 'I'm still waiting in limbo for a response from the government. They don't know what on earth they are going to do with Ukrainians,' says Clare.

Public Finance quotes **campaigners** as calling for long-term support for Ukrainians. Ongoing support including housing must be better co-ordinated and extended into a long-term commitment, ministers are warned. Enver Solomon, chief executive of the Refugee Council, said: 'As we approach the end of the initial six month hosting period under the Homes for Ukraine Scheme, we are also worried that yet more people could be at risk of falling into homelessness if they are unable to extend their hosting arrangements.'

The quality of mercy is looking strained

Following on from his article in the April newsletter, *Derek Long* looks at hosting arrangements and how to help avoid growing homelessness.

Six months into the UK's hosting of displaced Ukrainians, the quality of mercy is beginning to look slightly strained. While households' response to Ukrainians needing shelter has been fantastic, we urgently need to develop a more robust and sophisticated approach to accommodating them. The 137,000 visa holders who have arrived in the UK represent more than three times the number of Ugandan Asians who were welcomed here in 1972. The current median arrival rate in England is three visa holders per 1,000 homes with another household having applied.

Over 90% of sponsored Ukrainians have been accommodated in their sponsors' own home: an astonishing act of charity. However, voluntary hosting will understandably be time-limited for many. In July, the ONS found that 49% of hosts surveyed did not intend the current placements to last more than a year. If followed through, this will mean a rapid rise in the number of Ukrainians needing rehousing.

Already, 60% of the **1,915 households** owed a prevention or relief duty in England had experienced a placement breakdown after a successful hosting start. Rehousing Ukrainian visa holders is an emerging challenge for local authorities. In September, the snapshot census reported 586 households currently living in temporary accommodation. This is 31% of all those owed a duty. With a tsunami of homelessness threatening to break from the private rented sector, our hosting needs to get smarter – especially as 70% of the homeless households have dependent children.

The success of the sponsorship approach is correlated in England with key characteristics of local authorities. Bigger is generally beautiful. Authorities with smaller Ukrainian arrival rates per 1,000 households, smaller total number of households and smaller percentage

changes (mainly growth) between 2011 to 2021 are correlated with higher rates of hosting breakdowns, both at the outset and later (**see map on next page**).

If government wishes to strengthen the effectiveness of the country's welcome for displaced Ukrainians it could consider the following reforms:

- **Increase the £350 'thank you' payment in line with inflation.** Sponsors' assistance is not costless. In the **July ONS survey**, 91% of hosts had incurred additional utility costs, 73% additional food and 66% additional transport costs. 30% cited the rising cost of living as significantly affecting their ability to provide support on the scheme. The rise in inflation will only make hosting less attractive. Given that over 70% of sponsorship potential leavers said they might change their mind if they received more support or more money, it is in the government's interest to uprate the 'thank you' payment.
- **Provide greater resources and support for local authorities to process hosting offers and support rematching or alternative housing.** Homelessness is set to rise as rents and mortgages cost more. Giving local authorities some resource and support to boost the sponsorship scheme would be a cost effective investment that would reduce the pressure on conventional homelessness resources like temporary accommodation.
- **Facilitate good practice dissemination via the LGA and other bodies.** This could be targeted at smaller local authorities or those with smaller arrival rates.

The hosting of displaced Ukrainians has been a shining moment in a bleak 2022. Notwithstanding the country's economic challenges, it would be unwise now not to invest in some modest measures to prevent far greater public spending in the coming years.

Derek Long is a director at the housing market analysts, *arc4*.



Percentage Ukrainian visa holders arrivals owed a homelessness duty (by decile)

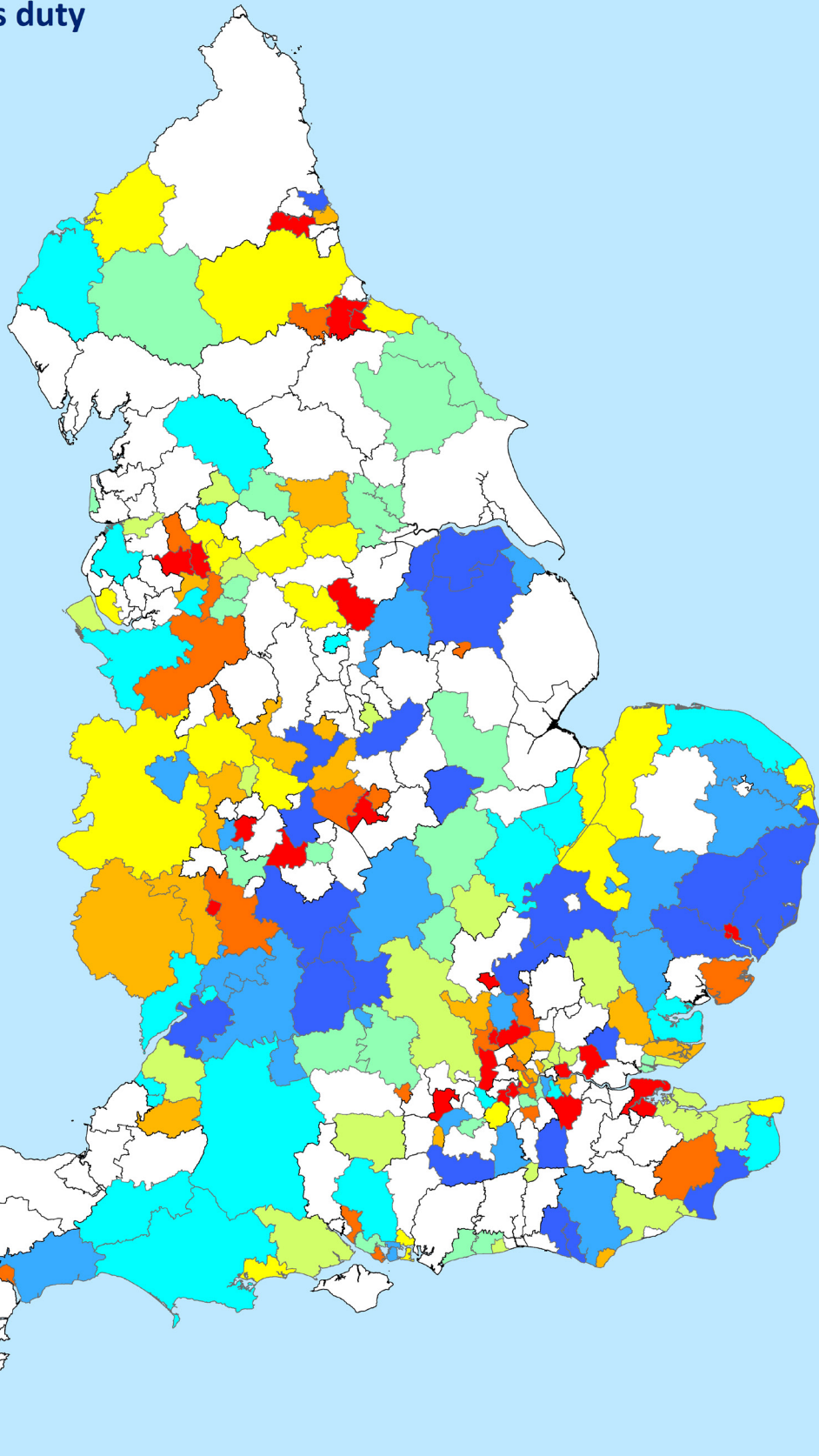
% owed a homelessness duty



Homelessness duties owed as a percentage of the number of Ukrainian visa holder arrivals in each local authority.

Notes:

Visa holders may move from their original address. Also, arrivals are linked by sponsors' postcodes to authorities. So, the number of arrivals may not necessarily reflect the persons having arrived in a local authority. Some percentages are affected by small numbers of arrivals.



How do we avoid Ukrainians offered safety facing mass homelessness?

Lawyer Jennifer Blair has a [twitter thread](#) discussing the threat of homelessness faced by Ukrainians. Here is an edited version.

People with a Homes for Ukraine Scheme visa could only get one if they had a sponsor willing to house them for at least six months. Their visas last for three years. This need not be the cliff edge it sounds like. Ukraine Scheme visa holders have the right to work/benefits/rent so what was needed was intensive move-on planning to get people into their own homes.

There would still be real problems. Housing shortages being one. Another being that without councils paying for rent deposits, people with no savings or credit history simply can't rent. Another being housing difficulties for vulnerable people, large families and disabled arrivals

Many Ukrainians with Homes for Ukraine visas are living independently - working and renting. However, many are not and are without a clear move-on plan. Many will need to leave their host after six months - a deadline now imminent for some - and have nowhere else to go.

Alongside this sit people with a Ukraine Family Scheme visa. They only

need a family sponsor in the UK, not an offer of housing. They may be homeless on arrival or at any time afterwards. There are also thousands of new arrivals still coming.

So is this a 'homelessness disaster' as *The Observer* reported? It would be disastrous if harm came to refugees we are trying to help. There simply is not an unlimited stock of temporary housing available to councils. This cannot be magicked up out of thin air, for all it would be great to have a lot more investment in this in the future. So, alternatives will be needed this winter. What are they?

There isn't just one answer, but answers include:

- letting councils pay rental deposits to allow Ukrainians to rent
- increasing payments to hosts
- encouraging hosts to establish longer-term lodger agreements with people they are hosting (where appropriate).

Another really obvious thing is that placing Ukrainians with hosts can't just be left to council housing teams to do intermittent checks. Someone should be actively and intensively case working with arrivals to create a long-term housing plan.

'Survivor guilt' among Ukrainians in the UK

Byline Times had a [lengthy article](#) describing the difficulties faced by Ukrainian refugees, even when they have been welcomed by British hosts. One issue is a strong feeling of 'survivor guilt' and constant worry about what is happening back in Ukraine. Although everyone in the village in Cornwall where Nadia, the refugee, is now living has been welcoming, not everyone understands their trauma. Her daughter Anna said people are always asking if 'we feel happy here' or telling them how lucky they are to be in the UK. Anna says she appreciates her place of refuge in the UK, but she cannot forget the friends and family she has left behind.

She said that people mean well, but it is a struggle to meet the expectation

to always appear happy and grateful. 'I like the UK, but I don't see my future here,' she added. 'I want to be back in Ukraine as soon as it is safe.' Her host feels that sponsors and well-wishers need to have a better understanding of what Ukrainian refugees have gone through.

Anna said she was particularly disturbed by the government scheme to send migrants to Rwanda. 'Is it a joke?' she asked. 'What if the UK gets tired of us and we get sent to Rwanda?' Her host added that this was a real fear among Ukrainians - and that they do not feel they can trust the government.

Author of the article, Alexandra Hall Hall, is a former British diplomat. She goes on to consider problems about many other aspects of the Homes for Ukraine scheme.



Ukrainian refugees in Bulgaria (photo: UNHCR)

Ukrainians in
Scotland are living in
cruise ships

A second cruise ship is being commissioned to accommodate Ukrainians in Scotland after large numbers applied through the Scottish 'super-sponsor' scheme and the more than 16,000 people who arrived could not be housed conventionally. *The Times* visited the first cruise ship, moored near Edinburgh, and found that most of

the 1,700 Ukrainians it accommodates were happy to be there. 'We really don't mind living on the cruise ship,' said Uliana Rusaniuk, 31, a lawyer from Lviv, who has arrived in Edinburgh with her two young daughters, the eldest already in P2 at a local primary school.

However, the *The Herald* said that the Scottish Government's key strategy to end homelessness is at risk of failure because of the added pressure to

house Ukrainians. It was reporting on a meeting of 'over-stretched' council officials who had attended the [Rapid Rehousing Transition Plans sub-group](#).

A 'blistering memo' to SNP Social Justice Secretary, Shona Robison, says those working on the ground feel frustration, depression, and anger at the massive challenges. It says the precariousness of the system has left councils desperate, amid

'confusion and shifting goalposts' over the way the program developed. The experts warned the 'fundamental impact' of local authorities trying to find places for refugees would be a failure to meet the government's pledge to rapidly rehouse other homeless people. They highlighted an 'ignorance' of homelessness within government and an 'unwillingness' to recognise the refugee situation could not be handled in isolation.

Scotland welcomes
21,012 displaced
Ukrainians

The Scottish Government has published the latest statistics on the [Ukraine Sponsorship Scheme](#). As of Tuesday 18 October, 21,012 displaced people from Ukraine had arrived in Scotland. Between Tuesday 20 September and Wednesday 12 October, there were 5,485 active potential or current volunteer hosts. In this period, 2,790 individuals being sponsored by the Scottish Government had arrived at their longer-term accommodation. Local authority teams also reported that out of those matched to long-term accommodation, around 930 have been placed directly into social or council housing.

More news on Ukrainian refugees

- The charity helping Ukrainians find UK hosts is to scale back work. Refugees at Home [says](#) it is taking action as the government scheme has become unworkable: 'We are extremely sorry that Refugees at Home is unable to help with any rematching requests... due to the conditions and requirements of the Homes for Ukraine scheme. As well as hosts and guests we have been approached by a number of local authorities who have asked us to support them in making these rematches. Regrettably we are unable to do so because of the complexities surrounding the current scheme.'
- The excellent [@WORCrights](#) has just completed a detailed report making good, evidence-based recommendations on how help for Ukrainians could be improved: [Six Months On: The UK's response to the humanitarian crisis in Ukraine, and how the government can better protect refugees](#) (pdf).
- The plight of thousands of African students fleeing Ukraine [remains severe](#), with little help available. *The Independent* [spoke to](#) 19 year-old Nigerian student, Deborah Amoda, whose family live in Sheffield. She is stuck in Germany, unable to get a visa to enter the UK, because the government scheme only covers Ukrainian and UK nationals. Data from the International Organisation for Migration (IOM) shows 325,000 third-country nationals have fled from Ukraine to neighbouring countries since the start of the war. They have become, in effect, 'Ukraine's forgotten refugees'.
- The Migration Observatory has updated its briefing: [Q&A: The UK and the Ukraine refugee situation](#).



Asylum - latest news on accommodation issues

High Court finds
council failed to carry
out lawful housing
needs assessment for
asylum seeker

The Local Government Lawyer [reports](#) that the High Court found in July that the London Borough of Havering acted unlawfully in providing an inadequate housing needs assessment and failing to prepare and keep under review a personalised housing plan (PHP) for an asylum seeker.

In *ZK, R (On the Application Of) v London Borough of Havering* [2022] EWHC 1854 (Admin) Susie Alegre, sitting as a deputy High Court judge, said the council failed to carry out its duties under section 189A of the Housing Act 1996.

ZK is a homeless refugee who lives with his wife and three young

children in temporary accommodation provided by Havering. He was given refugee status in January 2019 and so became eligible for mainstream housing assistance and applied to the social housing register, but Havering placed ZK in a very low priority band due to the short time he had been in the borough. ZK challenged this through judicial review, but this was withdrawn when Havering accepted its policy was indirectly discriminatory against refugees on grounds of race and agreed a higher priority banding would be backdated.

In March 2019 Havering accepted ZK was eligible for housing assistance as he was threatened with homelessness and that it had a duty to assess his housing needs and provide a PHP. In September 2019 Havering placed ZK and his family in temporary

accommodation, which he felt was unsuitable and in October 2020 he sent pre-action correspondence requesting re-assessment of his housing needs, a revised PHP, and a review of the suitability of the accommodation.

Havering issued another two PHPs which ZK deemed unacceptable. It then carried out a suitability review in which a housing officer concluded the accommodation was not suitable for the family because there were 26 steps up to the property and it was distant from the children's school, but it did not then issue a new PHP.

The High Court judge said: "I find that the distinction between the claimant's 'wishes and desires' and his 'needs' is not sufficiently clear as for it to be obvious to the 'reasonable and sensible housing officer' what

exactly is needed for the claimant and his family to find and retain suitable accommodation.

"The three PHPs make reference to 'housing wishes' and there are notes throughout the documentation making reference to issues the claimant has advised about including health issues, information about his family and matters relating to the four core needs and the claimant's assertion that they need an extra bedroom.

"However, taken together, these observations do not amount to an assessment or identification of the claimant's housing needs that is accepted by the defendant. For these reasons, in my judgement, the current file does not constitute an adequate and lawful assessment of ZK's needs as required under s.189A of the 1996 Act."

Stop accommodation centres!

The Yorkshire Post [reported](#) that 24 organisations have written to the Home Secretary and Secretary of State for Defence calling on them to scrap all plans for asylum accommodation centres, following the decision to withdraw the planned site at Linton-on-Ouse.

The Home Office [recently confirmed](#) that the planned asylum accommodation centre on the RAF base at Linton-on-Ouse will not go ahead, after the Ministry

of Defence [withdrew permission](#) for use of the site (see previous newsletters). This followed months of [hard work by campaigners](#) and sustained local opposition including [tireless campaigning by residents](#), and opposition from the district council and local MP.

Following this decision, [the letter](#) to the Home Office and Ministry of Defence calls on them to scrap the wider policy to open such centres in other places in the UK.



Meanwhile, the Rwanda asylum ‘deal’ is still in place but faces challenges

Previous Home Secretary Suella Braverman reportedly told close allies that she intends to ‘double down’ on the policy of relocating asylum seekers to Rwanda. Yet preparations for a second migrant flight to Rwanda were put on hold until after the election of the new prime minister, officials **told** *The Times*.

In *Free Movement*, Colin Yeo **said** it was abundantly clear from her previous statements that Braverman was committed to the Rwanda policy. Yeo speculated, however, that she might prove more adept than Priti Patel, as a former barrister working in the field of immigration law. At the time of writing Mr Shapps has said nothing on deportations to Rwanda, but *The*

Guardian **speculates** that ‘he may feel that he does not want to have his name associated with such a divisive policy.’

In **a report in July** for immigration research organisation Asylos, Emily Wilbourn and Sophie Kloos showed that the Home Office ignored official evidence of the safety issues facing those who might be transported to Rwanda. The report also argues that the Home Office has not shown how the requirements placed on the Rwandan government will be met, whether those sent there will have access to interpreters, and how the risk that asylum seekers might be deported from Rwanda back to their country of origin will be dealt with.



Housing associations’ role in supporting young asylum seekers

Hightown HA works principally in Hertfordshire, Bedfordshire, Buckinghamshire and Berkshire. Gemma Richardson, director of care & supported housing, describes its work with young asylum seekers.

Millions of people across the globe are forced to flee the place they call home to escape war, conflict, and human rights abuses. Many find their way to the UK to seek safety; a shocking number are unaccompanied minors, children under the age of 18 separated from their parents and family members and not cared for by an adult; according to the Refugee Council, in the year to March 2022 alone the UK received 4,081 applications for asylum from unaccompanied children. But what happens to these children while their asylum claim is processed? And how are they helped to rebuild their lives?

The government’s National Transfer Scheme (NTS) aims to ensure that each child arriving in the UK is placed with a local authority with children’s services. In November 2021, amidst increasing strain on councils in London and Kent – where most unaccompanied children first arrive – the government announced that the formerly voluntary scheme would be made temporarily mandatory. Responsibility for unaccompanied children is now more equally shared between councils, which is expected to reduce delays in them

getting the care and support they need and ultimately prevent them ending up in hotels.

At Hightown, we believe that every child should have a home and the support they need. We operate three projects commissioned and rated ‘Excellent’ by Hertfordshire County Council, dedicated to 16-17 year-old young asylum seekers. As a member of the Homes for Cathy group not only do these projects align with our wider commitment to ending homelessness but they also help deliver the group’s eighth pledge: ‘to contribute towards ending migrant homelessness in the areas in which we operate’.

Hightown provides the young asylum seekers with safe, secure accommodation and 24/7 specialist support. We help them to develop essential life skills such as cooking and budgeting; we support them to access education, learn English, develop social skills, and build confidence.

Because of their journeys and the horrific things, they’ve seen, young people often need counselling and mental health support

Our staff use a trauma-informed approach understanding the emotional psychological trauma experienced, breaking down barriers to enable young people to move on with their lives.

For unaccompanied children without a trusted adult to explain, complex immigration and legal systems are impossible to understand. Many will spend months or even years waiting to be told if they can stay. We therefore work closely with the Refugee Council, who have the specialist

knowledge to guide them through these systems.

Housing associations like ourselves – with the requisite experience and expertise to deliver care and supported housing to people experiencing homelessness – are ideally placed to work in partnership with local authority colleagues to

meet the obligations of the National Transfer Scheme. Could your organisation be doing more to help asylum seeking children arriving in the UK start living the life that every young person deserves?

For more information, visit us at www.hightownha.org.uk.



Mazin’s Story

At 17 years old, Mazin fled civil unrest in his native Sudan and found his way to the UK.

When Mazin first arrived, it wasn’t easy. He found himself in a new country, thrown into a new culture and language completely alien to him. Everything was unfamiliar. He felt

desperately sad and alone, found the language barrier challenging and struggled with mental health issues.

Mazin arrived at our Hightown scheme in October 2019. Staff were able to work with him through his more difficult times and support him with his mental health. In partnership with the Refugee Council, Mazin

received therapy to help him cope with his trauma.

With support, he enrolled at the local college and started studying maths and IT alongside English as a second language. He really embraced his learning opportunities and began to integrate with others. Staff supported Mazin to volunteer at a local pharmacy, which helped him begin to

feel a real sense of belonging and part of the community.

Mazin was also supported to attend his solicitor’s appointments, Home Office and all substantive interviews. In February 2022 he was granted refugee status and in May he moved into his very own place. Finally, the future looks bright for Mazin!

More news and views on asylum issues

Channel crossings reach another peak

The Times has a [lengthy article](#) which starts by noting that then Home Secretary, Sajid Javid, rushed back from a family trip to South Africa to deal with a 'major incident', the spike in the number of migrants seeking to enter the UK by boat – 220 had tried to cross the English Channel in eight weeks. Javid was under pressure to deploy the Royal Navy to avoid what one MP labelled a catastrophe.

Yet in the past eight weeks, 15,246 people have been detected crossing the world's busiest shipping lane in small boats. The article ranges over the political spectrum in looking for explanations and

solutions. It concludes by pointing to the 'growing consensus' for undocumented migrants to be 'regularised', allowing them to work and contribute by paying taxes. A new report by the charity Citizens UK suggests that doing so would bring additional tax revenues of £2,000 per person, more than enough to offset their net welfare costs of roughly £1,400.

Jonathan Portes of King's College London, who carried out the research, said: 'At a time when the UK needs both more workers and faster economic growth, this is a rare win-win for all of us.'

In a separate article, Jed Pennington looks at whether those crossing the channel [are doing anything illegal](#).

Albanian Claims for Asylum in the UK

A marked increase in Albanian arrivals via the Channel have been reported over the past year, prompting the former Home Secretary to seek further agreement with the Albanian authorities for the rapid return of its nationals. The assumption is that many individuals are economic migrants making supposedly spurious asylum claims

upon arrival in the United Kingdom. However, based on Home Office statistics, 53% of claimants are currently granted asylum outright following interview, with more cases succeeding on appeal.

Free Movement [looks at](#) trends relating to asylum claims from Albanian nations, over the past few years. It also [looks at](#) why the overall asylum success rate has gone up so much in recent years.



Photo by Maria Teneva on Unsplash

Ankle tags and 24/7 surveillance - this is how the UK treats new migrants

In *The Guardian*, Janet Farrell [comments](#) on government plans to use ankle tags and GPS surveillance with new asylum seekers:

'Imagine arriving in the UK to seek asylum today', she says. 'You are confused, terrified and traumatised. Your journey here likely involved breathtaking risks and unimaginable abuse. You are locked up on arrival and told you may be relocated to Rwanda. You are released here, but shackled with a bulky ankle tag, and told you are now subject to GPS surveillance by the state, 24 hours a day, while on bail.'

'This is the welcome we provide to refugees in the UK in 2022.'

British Red Cross and UNHCR Report - At risk: exploitation and the UK asylum system

A British Red Cross and UNHCR [report](#) finds that



people seeking asylum in the UK are at risk of exploitation and indeed have been exploited. The aim of this research is to better understand the risks of exploitation for refugees and asylum seekers in the UK. By understanding these risks and the factors that contribute to them, and drawing on existing good practice in the UK, the report makes recommendations for government aimed at reducing the risk of exploitation for people going through the asylum system.

Hastings community provides food, clothes, and shelter after 30 refugees arrive by boat

Sussex Live [says](#) that local people in Hastings have been praised for their 'brilliant' efforts after 30 refugees arrived ashore on September 13. Food, clothes, and shelter were provided almost instantly, as ordinary people and support groups mobilised following the arrival. It is believed people were sat in the cramped dinghy for 15 to 18 hours as they made the journey across the English Channel to St Leonards. Arrivals in Hastings are particularly alarming due to the increased distance from Calais.

What would a safe, accessible, effective asylum system look like?

No one would get into a small boat to cross one of the busiest shipping lanes in the world if they had another choice. But right now, there is no way to claim asylum in the UK until you set foot here. JCWI has put together a [short guide](#) that explains what we think a safe, accessible asylum system might look like. There are three pillars to it: proper resettlement schemes, a travel document system to help make 'illegal' entry unnecessary and allowing asylum applications in the UK.

But the guide has one very simple message - a fair asylum system is one that prioritises the safety and wellbeing of asylum seekers.



The EU Settlement Scheme - problems continue

Report confirms that digital immigration status may lead to housing discrimination against EU citizens

EU citizens may be facing discrimination when trying to rent a home in the UK using digital-only proof of immigration status, according to a pilot study by the University of York. EU citizens who live in the UK had to apply for settled or pre-settled status and have only been given digital proof of this, rather than physical documentation such as an ID card.

For the study, the researchers recruited more than 200 landlords to investigate whether only being able to

provide digital proof of immigration status leads to potential tenants missing out. They found that ID status held sway over landlord's decisions on who they would prefer to rent to, over and above other factors such as ethnicity, gender, age, and profession.

The results will be presented at a conference, [Judicial Review Trends and Forecasts 2022: Democracy and the Law](#) on Thursday 13 October.

Home Office staff shortages 'threaten livelihood' of EU nationals waiting for visa decisions

The *inews* reports that the Home Office is still processing more than 200,000 applications to the EU Settlement Scheme (EUSS) more than a year after the deadline for applications.

There are currently 225,000 EUSS applications still awaiting an outcome, of which 53,000 were submitted before the deadline of June 2021.

The report covers the case of Karla Zelaya who moved to the UK from Spain in December 2020 but has been waiting over a year for her EUSS application to be approved. She is now seeing the Home Office reject evidence that it previously accepted, such as plane tickets and foreign bank accounts.

While waiting for a decision, Ms Zelaya has been turned down three times for a National Insurance number, has not been able to rent a property and has been charged for using the NHS. She now has a temporary NINO and is working as an office cleaner. However, she is still

separated from her daughter, who is living in Spain until Ms Zelaya receives pre-settled status.

In a related story, Amelia Gentleman, who originally broke the Windrush scandal in *The Guardian*, [writes about](#) the plight of a woman who came to UK as a baby 45 years ago, who is fighting for right to work. The 46-year-old Spanish woman, who arrived in Britain as an 11-month-old baby and who has never left the country, has been trying to secure EU settled status since her employers dismissed her last June, as they enforced post-Brexit right-to-work regulations. Her uncertain immigration status has left her unable to claim unemployment benefit, pushing her into debt.

Despite [earlier publicity about her case](#), her EUSS application was refused. She was told that her application could not be accepted without a form of ID. She has never travelled abroad and has never needed a passport; she was told that her driving licence and Spanish birth certificate were not adequate proof of ID.

Home Office taken to court over 'pre-settled status' rules for EU citizens

The Guardian reports that the official Independent Monitoring Authority is taking the government to court over the alleged 'unlawful' interpretation of the EU withdrawal agreement.

Under the EU Settlement Scheme, 2.6 million people were granted pre-settled status because they had been in the country for fewer than five years. They must reapply for settled status once their pre-settled status expires. If they do not, they risk losing the right to be in the UK.

The IMA contends that the withdrawal agreement 'does not provide for loss of status in such circumstances'. It contends that under the law, EU citizens' rights do not expire unless they are lost or withdrawn for reasons laid out in article 15 (3) of the agreement.

The case is due to be heard on 1 November.



Photo by ConvertKit on Unsplash

Breakdown of settlement scheme applications and decisions

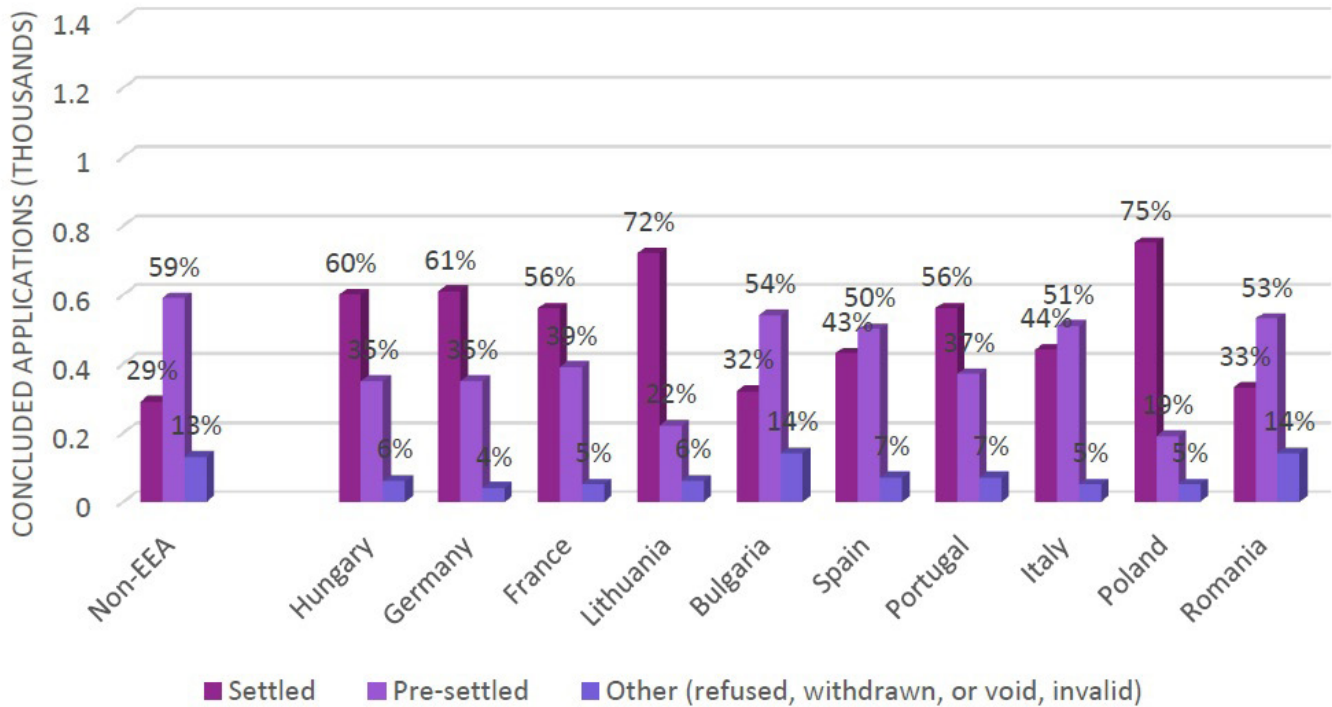
The East Midlands Migration Partnership offers a useful summary of the nationalities who have most sought settlement in the UK under the EUSS (see chart).

Across nationalities, the highest number of applications received were from Romanian, Polish and Italian nationals. Romanian nationals accounted for the largest number of applications for England, whilst Poland remains the highest across the other nations.

The number of concluded applications received for the EUSS up to June 2022 was 6,473,830. Of those, 51% (3,281,950) were granted settled status and 41% (2,627,770) were granted pre-settled status. There were 306,300 refusals, 133,000 withdrawn or void outcomes and 124,560 invalid outcomes in the same period, representing 9% of all 'other' outcomes.

Further details on the EUSS can be accessed [here](#) and the most up to date report can be found [here](#).

Concluded applications by nationality and outcome



The habitual residence test - an explanation of how it affects housing eligibility

The habitual residence test (HRT) is designed to stop someone who has a right to enter the UK from claiming social benefits immediately after their arrival. It applies to British citizens in the same way as it does to foreign nationals. People who fail the HRT are excluded from universal credit and housing benefit but for rights to housing the law about when the HRT differs between England, Wales and Scotland. CIH's Sam Lister explains more.

In Scotland, British citizens don't need to pass the HRT for local authority (waiting list) and homelessness assistance. Sections [118\(1\) and 119\(1\)](#) of the Immigration and Asylum Act 1999 exclude applicants who are subject to 'immigration control' as defined by s.118(6) which cross refers to the Immigration Act 1971. By section 1(1) of that Act anyone who has the 'right of abode' is free from immigration control. Section 2(1) of that Act defines right of abode. Anyone who is a British citizen (but not other forms of British nationality) has that right. It also includes certain long-term Commonwealth citizens (broadly those who arrived before 1973 - which is evidenced by a biometric residence permit).

But sections 118 and 119 only apply to Scotland and Northern Ireland. In England, exclusion from local authority waiting lists and homelessness assistance is derived from parts 6 and 7 of the Housing Act 1996 which sets out the law on allocations (part 6) homelessness (part 7). Section [160ZA](#) (allocations) of the 1996 Act and [185](#) (homelessness) mirror the provisions in sections 118 and 119 that apply to Scotland by excluding anyone who is subject to immigration control [see [160ZA\(1\),\(2\)](#) and [185\(1\),\(2\)](#)].

But crucially both sections also allow the Secretary of State for Housing to exclude other 'persons from abroad' who are not subject to immigration control from assistance [section [160ZA\(1\),\(4\)](#) and [185\(1\),\(3\)](#)]. It is the regulations made under these provisions that exclude anyone who is not habitually resident (including British citizens). In Wales, the law works in a similar way to England, the equivalent provisions are: Housing (Wales) Act 2014, [schedule 2](#) para 1 (homelessness); and Housing Act 1996, s.160A (allocations). There is more detail on this on the England and Wales page of the housing rights website which covers [the law on eligibility](#).

There is no equivalent law-making power in Scotland either in the Housing (Scotland) Act 1987 (part 2) or in sections 118 and 119. Therefore, there is no requirement to be habitually resident in Scotland.

The law about entitlement to UC and HB applies across Great Britain (i.e. the same Acts and regulations apply to England, Wales and Scotland). These broadly mirror the provisions for homelessness in England in that someone has to be both not subject to immigration control and not excluded by other regulations about their residency [s.115(1),(3) of the 1999 Act; s.130(1)(a) and 137(2)(a) of the Social Security Contributions and Benefits Act 1992; and s.3 and 4(1),(5) of the Welfare Reform Act 2012]. The regulations made under these powers require a person who is not subject to immigration control to be habitually resident (see regulation 9 of the Universal Credit Regulations 2013 and regulation 10 of the Housing Benefit Regulations 2006).

The HRT is covered in full detail on the housing rights website's page '[What is the Habitual Residence Test?](#)'.



Other migration news

'Shameful': Afghans who helped UK are abandoned to a life of fear under the Taliban

A [parliamentary briefing](#) prepared by a group of human rights bodies in August severely criticised the government's schemes for assisting Afghan refugees. Thousands of Afghans who worked for the UK have been abandoned and remain at risk a year after the evacuation from Kabul, the report says. The government is currently not offering a safe route for many Afghan women and girls or to oppressed minority groups, it adds.

The government has opened two programmes, the Afghan Relocations and Assistance Policy (ARAP), which has brought 10,100 eligible Afghans to the UK, and the Afghan Citizens Resettlement Scheme (ACRS), which will allow up to 20,000 to settle here. But the failures of the schemes, the report said, have forced

Afghans to use dangerous unofficial routes. During the first three months of 2022, people fleeing Afghanistan were the largest group risking their lives crossing the Channel.

'A year since the UK's withdrawal from Afghanistan, the [ARAP] scheme is still not functioning properly and is marred by ongoing substantive and procedural problems,'

says the briefing. It makes ten recommendations, including one to create a family reunion scheme for Afghans, like that in place for Ukrainians.

May Bulman of *The Independent* [tweets](#) that the current version of the ACRS, designed to offer refuge to people at high risk in Afghanistan, was announced with fanfare nine months ago but is yet to bring anyone - not a single person - from Afghanistan to the UK.

Afghan refugees are welcomed in Scotland

The Sunday Post carries contrasting stories of Afghan refugees in Scotland. Omid Asak [escaped from Kabul in August last year](#) as Taliban fighters closed in on the capital. Asak had written articles critical of the Taliban and had already been warned his life was in danger. The 39-year-old was able to get a flight out of Kabul and is among the 21,000 Afghan refugees who have been resettled in the UK. He and his wife Zarifa, their two sons, Ahmad Shah and Jebran, and two-year-old daughter Maryiam, have [created a new life for themselves](#) in Irvine, Ayrshire.

Abdul Qadeer Masaum came to Scotland ten years ago as a refugee but returned to Afghanistan after five years when his father became ill. He fled Afghanistan again in August as the Taliban swept to power. He said: 'Because I had lived in the UK, the Taliban probably thought I had become westernised and was a spy for the British. They were getting more powerful by the day and were taking people out of their homes,

torturing them, and killing them. It was impossible to remain.'

His parents paid for an agency to take him to Britain but he was forced to leave behind his wife and one-year-old son. He said: 'It was a very dangerous journey. Much of the journey was by foot and we didn't have enough food and water. People were starving. It was a journey you would not wish on your worst enemy.' After reaching the coast of France, he was then able to continue his journey in a small dinghy with about 25 people: 'It was too crowded and when the waves hit the dinghy, I was convinced that I was going to die.'

Masaum reached Scotland and says of his wife: 'They do not have a fixed address, moving from place to place. My wife said the situation is very bad, with more and more restrictions on women. I feel so much pain not having my family with me. I have nightmares knowing that they are not safe. But there is no way I and other Afghans can return to Afghanistan under Taliban rule. We urge the Home Office to grant us refugee status so that we can live here and rebuild our lives.'



Are migrants good or bad for the economy?

Rob McNeil, deputy director of the Migration Observatory, tells *Public Finance* that **the issue is complex**. The foreign-born UK population is more likely to be in employment than the UK-born population, although there are important differences. Most of them will have arrived on visas of some kind – the proportion who have come without documents is small. If they are working age, and single, they are almost certainly a net benefit to the economy, but families with children may be ‘taking out’ more than they put in, unless they have relatively high salaries.

On the other hand, McNeil points out, many services, including the NHS, could not function without migrants. His main conclusion, other than that

the issue is complex, is that the economic effect is small: whether or not migration is a positive factor for the economy, the effect is not a big one.

The confusion over the link between growth and immigration is not new, the LSE’s Alan Manning comments in **a new blog**. More people in a country leads to a bigger economy, but not necessarily an improved standard of living. Manning unpicks the complexities in the debate. He concludes that ‘Pretending there is a strong case that immigration always raises growth in the local economy may be in a good cause, but when that case is exaggerated, it runs the risk of undermining public confidence in the immigration system, something that tends to lead ultimately to more restrictive policies.’

Vulnerable migrants scammed by rogue solicitors and immigration advisers

The Independent reports that migrants are being scammed out of ‘huge sums of money’ by rogue solicitors and immigration advisers. John Tuckett, the Immigration Services Commissioner, said that fraudsters are capitalising on waves of refugees from Afghanistan and Ukraine, and that illegal advice on Home Office applications that have no prospect of success was now a ‘very extensive practice’. ‘This does happen, it’s vicious, it’s horrible, and it damages people emotionally and financially when they are at their most vulnerable,’ he added.

One victim told *openDemocracy* she had been conned out of £3,500 by a solicitor who

assured her she would be able to convert her temporary visa into the right to remain in the UK because she had a baby son. She never received the visa.

Mr Tuckett said her story tallies with reports received by the Office of the Immigration Services Commissioner (OISC), which regulates immigration advisers. It received 131 complaints over potentially illegal advice in 2020/21, but this is likely to be the ‘tip of the iceberg’. He explained that ‘The scale is very difficult to assess as we have relied on referrals by members of the public who had an experience such as those described coming to us. For many, there is no way of checking the advice they receive to see where it is of any value or use at all’.

More short news items

‘No recourse to public funds’ challenged again, post-pandemic

Inside Housing reported that a decision by Lambeth council to refuse accommodation under the ‘Everyone In’ scheme that applied during the pandemic has been reversed by the High Court. The court found the authority had failed to develop a policy that outlined how it would respond to the Everyone In initiative. Lambeth’s decision was challenged by Desiree Cort, a 68-year-old woman from Guyana, who at the time had no immigration status in the UK and NRPF, meaning she would not normally be eligible for help with housing. Lambeth has been ordered to rethink its decision not to accommodate Ms Cort, who was housed in temporary accommodation while during the case.

DLUHC evaluates the Controlling Migration Fund programme

This is an **independent evaluation** of the Controlling Migration Fund Programme, exploring 14 sets of project level findings, conducted by Ipsos Mori. The fund was launched in November 2016, aiming to help English local authorities deliver activities to mitigate the perceived negative impacts of migration on communities in their area. The evaluation identifies:

- what works in different local areas to relieve pressure on local services and the cost-benefit of different approaches
- best practice for developing new sources of data and intelligence on the relationship between migrant groups and local communities
- perceived benefits of different approaches on residents and the wider community and
- best practice to share learning across local authorities and partners.



The hostile environment is still in place for many people on temporary leave

A report by RAMFEL (Refugee and Migrant Forum of Essex and London) shows how tens of thousands of people lawfully resident in the UK are subject to the hostile environment in a similar way to those affected by the Windrush scandal. These are people with '3C leave' who have difficulty proving their entitlement to benefits, jobs and housing. RAMFEL estimates that this could affect some 40,000 people each year.



Rough sleeping strategy recognises 'no public funds' issue

A new rough sleeping strategy published in September says it will 'exhaust all options' to non-UK nationals sleeping rough to make sure those who have restricted eligibility for public funds have a clear pathway off the streets: 'We will build on the success of our case escalation route to deliver a reformed Rough Sleeping Support Service that will enable the immigration status of individuals with an outstanding application to be swiftly resolved and clarify the status of individuals so that appropriate support is offered - this includes moving the service out of Home Office Immigration Enforcement to improve engagement and active use of the service.'



Windrush compensation scheme 'not fit for purpose' as only 1% of appeals successful

The Windrush compensation scheme, covered in previous newsletters, continues to draw criticism. *The Independent* says that only one per cent of those who appeal against compensation decisions are successful. The government has been accused of 'marking its own homework' over the appeals process. Freedom of information data show that of 3,479 claimant appeals in 2021, only 42 resulted in a settlement. Meanwhile, *Free Movement* says that while amendments to the Windrush Compensation Scheme are welcomed, real reform is still necessary.

Deportation halted - again

This time it was the public in Manchester who surrounded a van that was intended to detain two local restaurant workers and prevented it from taking them away. Meanwhile, an anti-raids group in Hackney has produced flyers in Turkish, Russian and Polish on how residents can tackle immigration raids.



Photo from Manchester Stand Up To Racism

City of Sanctuary reaches out to more than 100 local authorities

City of Sanctuary UK reports that it is now working with more than one third of local authorities who have become or are working on becoming 'cities of sanctuary'.



Bradford is a City of Sanctuary (photo from the Bradford Telegraph and Argus).

Additional news and articles of interest

- **Human smuggling is bad, right? - ask anthropologist Luigi Achilli**
An article in *Bet on It* puts forward a surprising argument - that smuggling humans from one country to another is beneficial, not harmful. Anthropologist Luigi Achilli says that the sensationalist view that human smugglers do nothing but 'prey' upon migrants is plainly overblown. After all, millions of people successfully reach their destination with smugglers' help. This couldn't happen if smugglers consistently defrauded their customers.
- **Right to Remain toolkit**
Right to Remain has produced an online toolkit to help people navigate the complexities of the UK asylum and immigration systems. Among the questions it answers is: what is so-called 'illegal entry' under the Nationality and Borders Act?
- **Children of migrants in the UK**
The Migration Observatory as a briefing on what we know about children of migrants in the UK. It looks at numbers and shares of foreign-born children and those who are non-UK citizens, what immigration statuses children hold, their pathways to citizenship, economic circumstances and academic performance.
- **Government cost of living measures - do they help migrants?**
The NRP Network explains how the government's support to meet their energy costs in winter through the Energy Rebate Scheme, which helps with council tax and energy bills, can also help migrants.
- **Identity Crisis: How the age dispute process puts refugee children at risk**
A new report from the Refugee Council, *Identity Crisis; how the age dispute process puts refugee children at risk* highlights the dangerous practice of determining the age of young asylum seekers at the UK border. The report details RC work with those deemed 'adult' by the Home Office and subsequently found to be children. The report shows a shocking number of decisions being overturned once a professional social work assessment has been conducted.
- **How has immigration changed under the UK's new 'points based' system?**
A House of Commons Library briefing looks at the changes.
- **East Midlands has dedicated website for people from Hong Kong**
The Hong Kong BN(O) Welcome Hub has information for new arrivals, for councils and for voluntary groups working with people from Hong Kong.
- **Hong Kongers in Crewe: 'We won't go back'**
The BBC talks to people who have come to the UK from Hong Kong, including a family now living in Crewe. Some 140,000 visas have been issued so far. The BBC says that the North of England is a popular destination, with many families settling in places like Crewe, Stoke, and Warrington.
- **The end of legal aid?**
Free Movement looks at the non-availability of legal aid in the context of a recent Afghan case, and what the future holds for legally aided immigration advice.





Do you have any comments on this newsletter?

send them to policyandpractice@cih.org

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