



Housing Rights

Your quarterly newsletter from the Housing Rights website

Summer 2024

Our summer 2024 newsletter coincides with the launch of **the redesigned Housing Rights website**, which should now be even easier to navigate. Do take a look!

The new government inherits big problems in the immigration system – we go through its 'to do' list and what commentators are saying about Labour's plans as we know them so far.

We have updates on the problem of refugees resorting to sleeping rough after they are forced to leave asylum accommodation.

We report the latest news on refugees fleeing from world crises and, at home, on the crisis in the asylum accommodation system.

There are details of legal changes and new court cases covering issues such as 'no recourse' and domestic abuse.

We give the latest news on the EU Settlement Scheme and on the moves towards a digitalised immigration system.

How can housing associations and councils work to improve conditions for migrants? We have three short case studies.

And we wrap up with the usual miscellany of other news items.

Our thanks to our sponsors and all the contributors to this issue. If anyone is interested in contributing to future issues, email john.perry@cih.org. And, as ever, a special thanks to our sponsors Metropolitan Thames Valley and Innisfree.

Please share this edition with anyone you know who works in this area. And if you haven't already, please click [here](#) to subscribe and receive the newsletter direct to your email inbox each quarter.

The Housing Rights team

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New look Housing Rights website

Do take a look at [the redesigned Housing Rights website](#). We have made the pages simpler and clearer, and have redesigned the format so that it is easier to read on a smartphone (we realised that over half of our users check the site on their phones).

The site has been updated to include the new rules giving access to housing and benefits to some survivors of domestic violence, and we have also updated the pages relating to European citizens.

When using the site, if you spot mistakes, gaps or have any feedback please let us know by emailing policyandpractice@cih.org.

We are grateful to our sponsor, Metropolitan Thames Valley Housing, for their ongoing support for the site and specifically for funding the recent redesign.

The new government's 'to do' list

The new government brings a new set of policies on immigration and asylum, several of them with some bearing on housing, homelessness, and benefits issues. Here we look at the challenges and what commentators are saying about Labour's plans as we know them so far (the charts are from *Financial Times*).

Reducing net migration

Labour promises to "reduce net migration" and to revise the points-based system for work-related migration. Net migration is projected to fall in any event, so this is not a difficult promise to meet. But it will come at an economic cost: because most migrants work and pay taxes, and make less use than average of public services, they contribute a lot to the economy. When the Office of Budget Responsibility looked at the effects, it concluded that a "low migration scenario" would push up public borrowing by £14 billion each year.

Financial Times argues that the new government must realise that a managed and open migration policy is essential for long-term growth, with recent arrivals both much younger and more likely to work than the resident population. For example, there are well over a million more people born outside the EU working here than before the pandemic.

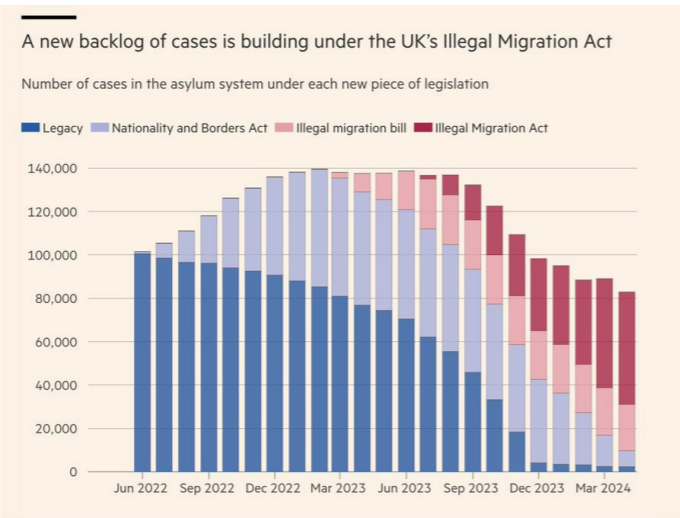
There are also big concerns that labour shortages in sectors such as construction and social care which are heavily dependent on migrant workers, could get worse. The construction workforce has fallen by more than 300,000 since Brexit and this will hamper Labour's planned housing programme. Labour promises "workforce and training plans" to address the gaps, but short-term shortages still need to be addressed.

Migration is the main driver of population growth and, as *Zoe Gardner explains*, also helps to improve the age balance. But what about its impact on housing demand? This is more difficult to assess. Most new migrants have no recourse to public funds and use private rented accommodation, lower-income migrants may be in informal accommodation of some kind and international students may use student housing. Statisticians will have to weigh these factors when they next assess how many new households will form as the population grows. And of course, most of England's current housing need is due to the backlog of under-provision in the past. If migration falls, it will make little difference to the number of homes we need to build.

'Restoring order' to the asylum system

Labour will "restore order" to the asylum system. Writing in the *Daily Telegraph*, *Yvette Cooper* promised that Labour will clear the Conservatives' asylum claims backlog, "fast track cases from safe countries, end the asylum hotels and fix the chaos in the asylum system - saving billions of pounds".

Chart 1: The persistent backlog of asylum cases



However, as well as the "legacy" cases which the previous government eventually tackled, there is a big backlog of newer cases (see chart 1). The *IPPR says* that the government will face a key question: should it focus solely on the initial decision-making backlog as the Home Office has up till now, or should it aim to tackle the wider backlogs in the system? Under the Illegal Migration Act, the legislation paving the way for the Rwanda scheme, it became unlawful to process the asylum claims of anyone arriving in the UK "illegally" after July 2023.

IPPR points out that, without processing these claims - and with no sign that the numbers coming in small boats are slowing - the risk is that the government faces mounting costs as more and more people need to be accommodated indefinitely.

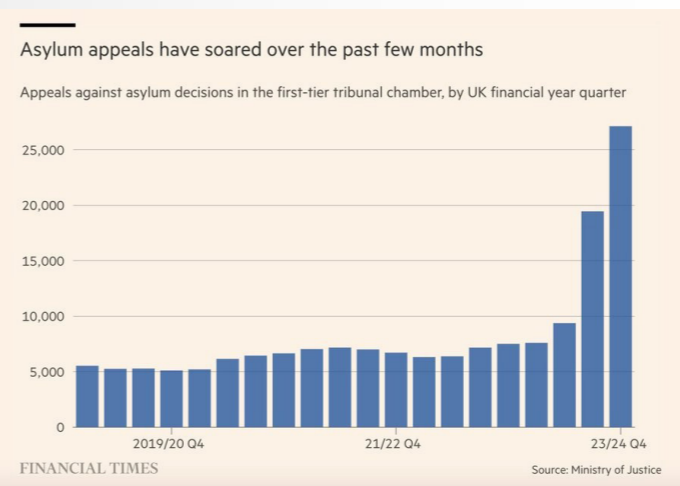
The House of Lords library has a [briefing on this issue](#).

Tackling the growing number of refusals and appeals

The Conservatives slashed the rate at which asylum applications are granted, leading to a surge in appeals, which are more complex and costly than initial decisions. Labour will have to contend with this even as the courts are clogged up and legal aid has been decimated.

Because of the previous government's efforts to clear the backlog, there are over 12,000 appeals pending, with appellants in support accommodation but with little chance of accessing legal advice to pursue their claims (chart 2).

Chart 2: Soaring asylum appeals cases



Colin Yeo [points out](#) that the latest tribunal stats show a massive asylum appeals backlog, caused by the sudden working-through of the initial decision backlog. Tribunals disposed of 9,943 asylum appeals last year but received 29,172. Waiting times therefore run to years on current resources.

Moreover, as claims work their way through the system, the Home Office will need to manage the growing number of refused claimants whose appeal rights are exhausted.

The Labour Party [would](#) also create a "new fast-track returns and enforcement unit", with an additional 1,000 staff to process claims. Labour have previously proposed [creating](#) temporary courts, to enable legal challenges against removal to be heard quickly.

Writing in *Free Movement*, *Sonia Lenegan explains* why at least part of the legislation needs to be repealed if Labour is to meet its commitments. Failing to repeal simply means "storing up more problems for the future and the Home Office already has more than enough of those that will need to be dealt with very urgently".

Ending homelessness

CIH and other bodies have called for "urgent action" on migrant homelessness (see below) and Labour promises to "put Britain back on track to ending homelessness". A cross-government homelessness unit is planned, and it is vital that this addresses migrant-related issues.

For example, there is concern about rising homelessness among refugees (see chart 3) and resulting pressures on temporary accommodation and rough sleeper services, with CIH and other bodies calling for refugees to have more time to leave asylum accommodation.

Chart 3: Homelessness among new refugees leaving support accommodation



In *The Lead*, *Zoe Gardner endorses the call for* a 56-day grace period for refugees to leave asylum accommodation. The new government must introduce policies that ensure safety and promote independence and financial security from the start, she argues. This includes planning for the move-on period, working with local authorities to map accommodation needs, granting the right to work, and supporting integration while awaiting a decision.

She says that Labour should stick to its policy of allowing asylum seekers to work after they have been in the country for six months, as a step towards their subsequent independence.

Labour has not endorsed the previous government's proposal to make it (even) more difficult for refugees and other migrants to access social housing, e.g. by imposing longer local connection requirements before someone can put their name on a waiting list.

End the use of hotels for asylum accommodation

Labour’s promise on this is very welcome, but there is also concern about the use of unconventional accommodation such as army barracks and barges. As well as ending the use of hotels and other unconventional and expensive forms of accommodation, Labour needs a long-term plan. This would aim both to reduce the need for asylum accommodation by cutting the time needed to process claims, and also tackle the abysmal quality of the service provided by current Home Office contractors, despite the huge profits they are making.

Scrapping the Rwanda scheme and tackling 'small boats'

On the Rwanda scheme, the new home secretary, Yvette Cooper said, “It would cost less to put someone up for a year in the Paris Ritz, or take a trip into space on the Virgin Galactic,” as she outlined Labour’s alternative to the *Daily Telegraph*. However, while the plans suggest tougher security at the borders and faster processing of asylum cases, there is no mention of safe routes as an alternative to “small boats”.

The government website has a page on [safe and legal routes](#), but of course they are only available to a limited range of people seeking asylum. *Free Movement* compares the different routes available and has a chart which summarises them. If the new government were to open more safe routes, it could help both to cut the “small boat” crossings and smooth the way for those with valid claims to refugee status (as happened with those arriving via the schemes for Syrian and Afghan refugees).

Meanwhile, the Home secretary has to decide what to do with recent legislation such as the [Safety of Rwanda Act](#), which came into force in April.



Halting the exploitation of migrant workers

Labour promised to launch an investigation into the treatment of migrant workers in the social care sector after dozens of cases of alleged exploitation were revealed by *The Guardian*. Yvette Cooper, then shadow home secretary, called the allegations “a disgrace”, accusing the previous government of turning a blind eye to the problem. More broadly, Labour would ban employers who breach employment law from sponsoring migrant workers.

Unseen, a charity that works to end modern slavery, calls for a complete overhaul of the health and social care visa system to tackle the exploitation of migrant care workers. It calls for an ‘employer pays’ principle around recruiting costs, stricter licensing and better advice in their own languages for migrant care workers.

IPPR points out that the new government faces a dilemma: if it continues with the restrictions that limit numbers of migrant social care workers, it faces ongoing shortages, at least until it addresses poor wages and conditions in the sector.

Free Movement says that the real “elephant in the room” in political debates about immigration numbers is that it has been mainly fuelled by health and care visas. That would make the state the biggest so-called “bad boss” relying on a migrant workforce rather than investing in training and improving pay and conditions for the local workforce. *Sky News* gave an animated explanation of the latest immigration figures, explaining the significance of the numbers of migrant workers in health and social care.

Labour’s manifesto promises for a care sector mechanism to set fair pay, terms and conditions, along with training standards sounds like a sensible solution. If Labour also steps in to ameliorate NHS disputes over pay and conditions and increases medical student numbers, this should all make a difference too.

Writing in the *Big Issue*, Zoe Gardner makes the case for a new deal for domestic workers who have been penalised by “hostile environment” policies. She argues that erosion of their rights has encouraged criminality in the sector, and that visa conditions should be overhauled. Kalayaan’s new report exposes the smokescreen used to deny rights to migrant domestic workers that would keep them safe at work.

The *Local Government Chronicle* has statistics showing a drastic fall in visas issued to social care workers, since restrictions began on their bringing family members. The *Eastern Eye* reported in May that thousands of migrant care workers face deportation.

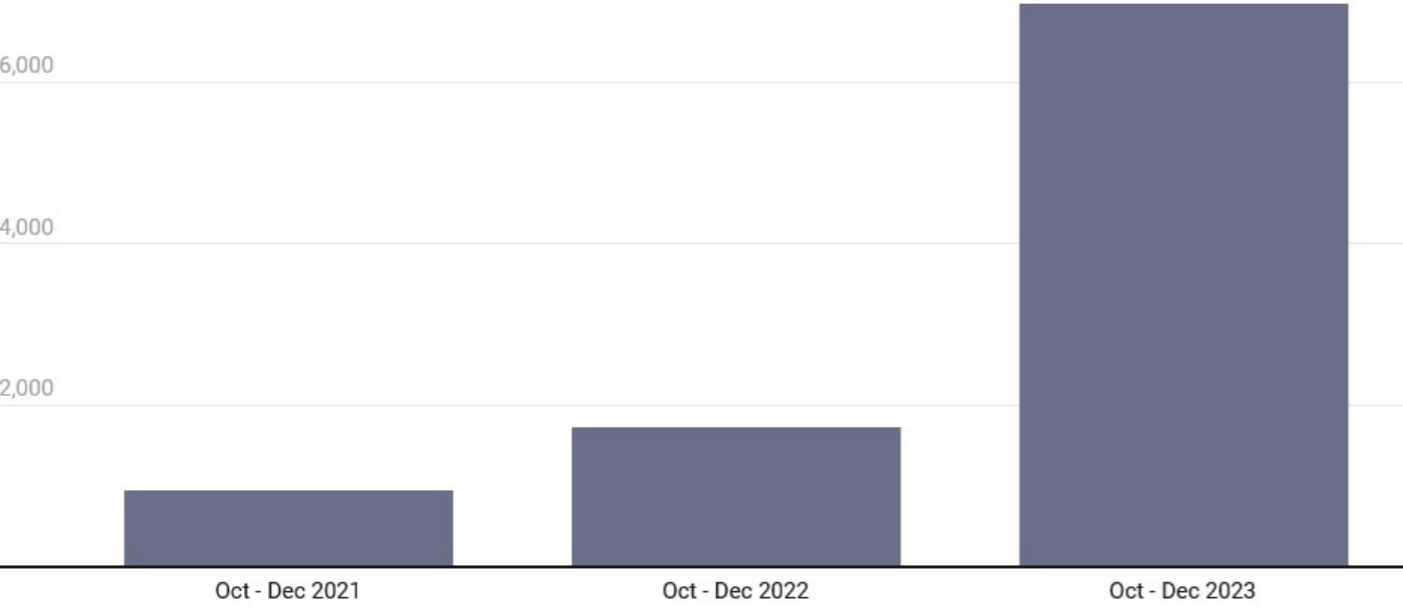


Refugees sleeping on the streets - problems worsen

Huge homelessness surge from people leaving asylum hotels

The number of asylum seekers helped with a homelessness duty after they have been evicted from Home Office hotels has increased by 634 per cent over two years, [reports the Local Government Chronicle](#). Statutory homelessness figures for England show that between October and December 2023 the number of people entitled to a prevention duty after being required to leave Home Office asylum accommodation was 1,830, while 5,140 received a relief duty. For the same autumn period in 2022 1,730 sought either prevention or relief duty, and in 2021 it was 950.

People owed prevention or relief duty after leaving Home Office asylum accommodation



Here are some brief examples:

Omer spent 40 days homeless sleeping behind Tesco while seeking asylum. [He tells Big Issue](#) what the system taught him. Another refugee, Ali, spoke of being starving and scared when sleeping on the streets, [when he spoke to Hyphen](#).

Alex Szorad, housing officer at Depaul UK, [writes in Inside Housing](#) about his experience of helping refugees leaving asylum accommodation: "As a youth housing officer, I see every day how cruelly this country treats refugees."

Jacob Dimitriou [told Inside Housing](#) about the [Refugee Lodgings project](#) run by Housing Justice. Hosts in London offer refugees six months of lodging to "find their feet" after they leave asylum accommodation. Only a handful of people have been helped so far, but the project hopes to expand.

Holly Rooke at the University of Sheffield and member of South Yorkshire Migration and Asylum Action Group and Aso Mohammadi (Kurdish journalist and migration researcher) [write about migrant homelessness in Sheffield](#) and the way this has been made worse as asylum seekers' claims are decided and they leave support accommodation.



Homeless Link, NACCOM, CIH and over 100 bodies call for urgent action on migrant homelessness

CIH joined 118 other organisations in [calling on the new government](#) to urgently tackle migrant homelessness. They highlight how, "due to the current asylum and immigration system, many migrants are made much more vulnerable to experiencing homelessness, or face additional barriers to moving on from homelessness" because of their immigration status. For example, last year's decision to change the eviction process for new refugees leaving asylum accommodation led to a 965 per cent increase over six months in people sleeping rough.

The organisations make five key demands:

- Embed a cross-departmental approach to tackling rough sleeping and homelessness
- Make sure changes to the immigration and asylum system do not actively contribute to an increase in migrant homelessness
- Stop the flow of homelessness from the asylum system
- Improve access to quality legal advice
- Address the impact of restrictions on public funds due to people's immigration status.

The letter also criticises "punitive, discriminatory policies and inflammatory rhetoric that scapegoat and marginalise migrants". But, it states, "the next government can deliver both the immediate and long-term changes needed to ensure the asylum and immigration system no longer drive migrants into homelessness."



Designing homelessness out of the asylum and immigration system

Dear Party Leaders,

We write to you as organisations and charities, many of us frontline services, that support and advocate for migrants experiencing, and at risk of, homelessness and destitution due to the asylum and immigration system.

We believe that the General Election provides an important opportunity for the next government to end homelessness for everyone.

Homelessness has a devastating impact on people and communities. It strips people of dignity and agency, puts them at risk, and prevents them from thriving and fully participating in their communities and wider society. No one should become, or remain, homeless because of their immigration status or their interaction with the asylum system.

However, due to the current asylum and immigration system, many migrants are made much more vulnerable to experiencing homelessness, or face additional barriers to moving on from homelessness, than people with British citizenship. Preventing homelessness must be considered an essential part of the asylum and immigration system, alongside greater collaboration with housing, welfare, voluntary and statutory services, and improved recourse to justice through our legal systems.

Together, the next government, alongside charities and people with lived experience, can deliver both the immediate and long-term changes needed to ensure the asylum and immigration system no longer drive migrants into homelessness, and instead contributes to preventing and ending homelessness for all.

To achieve this, the next government should ensure that;

- A cross-departmental approach is taken to tackling rough sleeping and homelessness.
- Changes to the immigration and asylum system do not actively contribute to an increase in migrant homelessness.
- The flow of homelessness from the asylum system is stopped.
- Fair access to quality legal advice is improved and expanded.
- The impact of restrictions on public funds on homelessness are confronted and addressed.

High Court grants interim relief to vulnerable refugee faced with imminent homelessness

Georgia Rea of Garden Court Chambers discusses a recent case relating to refugee homelessness.

Recent findings from London Councils reveal a concerning 39 per cent increase in homelessness presentations among refugees and asylum seekers evicted from Home Office accommodation last year, with numbers continuing to rise.

Individuals residing in section 95 accommodation often endure lengthy waits for the Home Office to process their asylum claims, rendering them unable to work or prepare for transition to the private rented sector. Their uncertain status precludes them from local authority support under Regulations 3 and 5 of the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006/1294.

Upon receiving refugee status, they face imminent eviction from their Home Office residence, despite regulations stipulating a 28-day extension period (section 94(3) IAA 1999 and reg 3 of the Asylum Support (Amendment) Regulations 2002/472). Appeals against premature discontinuation of support to the Asylum Support Tribunal can delay resolution by two to three weeks.

In one recent case, handled on instruction from Lauren Sidgwick at Turpin Miller, a client faced imminent street homelessness over the Easter Bank Holiday after being served notice to vacate their Home Office accommodation. Despite asylum being granted based on a history of severe trauma, the local council initially declined accommodation under section 188(1) of the Housing Act 1996, citing no evidence of priority need.

The client gave clear instructions that her history of sexual assault in Iran had resulted in severe mental health difficulties and an acute fear of sleeping on the streets close to lone men, meaning she clearly met the test for priority need in section 189(c) of the Housing Act 1996, read with Hotak v London Borough of Southwark [2015] UKSC 30, and certainly met the low threshold of “reason to believe” required to engage the section 188(1) housing duty.

Efforts to persuade the council to accommodate the client were futile, with the local authority deferring consideration for a further seven days. An urgent application for interim relief, filed on Thursday 28 March 2024, resulted in the High Court promptly ordering the council to secure suitable interim accommodation under section 188(1) of the Housing Act 1996.

Solicitors should advise clients on the importance of a move-on plan after approval of an asylum application. In the event of a Home Office refusal, clients are only entitled to a 21-day extension on their section 95 accommodation and may only apply for housing under section 4 of the Immigration and Asylum Act 1999, as they are ineligible for local authority support.

However, it is not enough for a failed asylum seeker to simply demonstrate that they are destitute to qualify for section 4 accommodation; the person must show that they meet one of the additional requirements, for example, that they are unable to leave the UK due to physical impediment or other medical reason.

Solicitors handling cases involving asylum applicants or refugees faced with homelessness should consider instructing barristers experienced in both immigration and housing law to ensure comprehensive support for their clients navigating complex legal challenges, safeguarding their rights and securing essential accommodations in critical situations.

Advice service for new refugees in London

The Refugee Advice Project is open for referrals. The project accepts clients in the London area who have received refugee status within the last six months. It supports newly recognised refugees who are homeless or at risk of destitution for short to medium term crisis intervention, giving them advice on housing and benefits issues.

They have limited capacity and need to prioritise clients who are homeless/have no income as their needs will be more urgent. An appointment can be requested by email to refugeeadvice@refugeecouncil.org.uk.



Latest on refugees fleeing world crises

Call for Ukraine-style visa scheme for Palestinians in Gaza with family in the UK

"Helpless UK residents are calling for the Home Office to help get families out of Gaza." The Gaza Families Reunited campaign, a grassroots collective of Palestinians and migrant rights advocates, [told Big Issue](#): "We all have a right to family unity. But the UK government's reluctance to create a Gaza Family Scheme is endangering the lives of Palestinians in Gaza and keeping families apart."

"Existing routes for Palestinians in Gaza seeking to join family in the UK are insufficient and not working. We know that people have died while waiting for the Home Office to decide whether they can reunite with their loved ones in the UK. This is unconscionable."

A Palestinian in the UK who has homeless relatives in Gaza also [told openDemocracy](#) why existing visa routes don't help those who want to leave and why a Ukraine-style scheme is needed.

Here is a useful [explainer](#) on the position of people wanting to leave Gaza. It answers questions such as: Are evacuations from Gaza lawful? Are Gazans 'refugees' in need of protection? Why are Gazans not fleeing to other countries?

Parliament [debated a petition](#) asking the government to create a Palestinian Family Visa Scheme for people affected by the war. A [background briefing](#) was produced by the House of Commons Library.

Where do Ukrainian refugees, Afghan refugees and asylum seekers live?

Government statistics record numbers of different categories of refugees and asylum seekers and where they are accommodated across the UK. At the end of March 2024, there were:

- 277,265 people from three different 'pathways' living in the UK, 0.41 per cent of the population
- As a percentage of its population, the highest was Scotland (0.62 per cent) and the lowest Northern Ireland (0.24 per cent)
- Of the total, 145,566 were from the Homes for Ukraine scheme, 27,182 were Afghan evacuees and 104,517 were asylum seekers
- As our maps in the Autumn 2023 newsletter showed, numbers of Homes for Ukraine evacuees are high in some London boroughs but also in Buckinghamshire, Wiltshire, North Yorkshire, and Somerset.



More on refugees from Ukraine and Afghanistan

- In April 2024, the government [announced arrangements](#) whereby Ukrainians arriving via the [common travel area](#) without permission will be able to regularise their status, provided certain conditions are met.
- [New research](#) by Migration Yorkshire explores the experiences of everyday 'co-living' through the Homes for Ukraine scheme. It looks at it from the perspectives of both hosts and guests under the scheme, to "explore the expectations and motivations behind the hosting practice; and to examine how hospitality and the practice of welcome shape the processes of one's settling in a new country".
- Another [report](#) by Focus on Labour Exploitation and University College London looks at experience with the Ukraine visa schemes. It offers policy recommendations for reducing people's insecurity and dealing with trafficking and exploitation affecting Ukrainians.
- "We're not allowed to bring our baby from Ukraine": [The Independent reports](#) on a sudden UK rule change that could leave hundreds of Ukrainians separated from their children.
- Between July 2023 and March 2024, 837 Afghan refugee families [required homelessness assistance](#) and 149 were in temporary accommodation. By the end of March, 9,540 Ukrainian families were recorded [as needing homelessness help](#), the majority after leaving the Homes for Ukraine hosting scheme.
- The [Afghan Pro Bono Initiative](#) is a project that offers pro bono legal representation to Afghan refugees needing legal advice. Sign up for their newsletter [here](#).

Hotels, military bases, and barges

Challenges to 'prison-like' conditions at the Wethersfield barracks

Lawyers Deighton Pierce Glynn are challenging the suitability of the use of Wethersfield barracks for accommodating asylum seekers. The government's case is that there have been improvements since the lead claimants were accommodated in Wethersfield and that this means that the issues raised have been addressed. The hearing takes place between 23-26 July.

Doctors of the World and Médecins Sans Frontières have made [an urgent call to the UK government](#) to close RAF Wethersfield due to severe mental health crises among people accommodated at the site. Their [report](#), based on medical data and observations, highlights the profound impact of the government's mass containment site policy on the health, wellbeing, and dignity of individuals seeking safety, and documents the government's failure to apply its own policy to protect people with serious physical and mental health needs.

The Independent described [life inside Essex's "prison-like" asylum seeker site Wethersfield](#).

People of colour are bearing the brunt of shocking conditions in mass asylum accommodation, which amount to racial segregation, according to a new [briefing](#) from the Runnymede Foundation and Care4Calais, based on testimonials from residents and staff at Wethersfield.

RAF Scampton - council reaches agreement with Home Office

West Lindsey District Council has [reached an agreement](#) with the Home Office to explore the temporary, dual use of the former RAF Scampton site. Under the agreement, outstanding legal action will be withdrawn.

The Home Office, which has planning permission, can use the site up to October 2027 and has agreed to house a significantly reduced number of asylum seekers. The agreement allows the council to use a portion of the land to pursue the regeneration of the site. The Home Office will retain just 10 per cent of the site to temporarily house up to 800 asylum seekers – compared to the original 2,000.

More 'prison-like' conditions on the Bibby Stockholm

Asylum seekers on the Bibby Stockholm barge [tell The Independent](#) that they feel like prisoners, are searched every time they go outside, and are unable to see friends because of detention-like conditions on the barge. *The Guardian* reported former workers on the barge as saying that asylum seekers [are treated like cattle](#).

In May, dozens of people blocked a coach in south London to stop it from taking asylum seekers to the Bibby Stockholm "prison" barge against their will, [according to Novara Media](#).

Lawyers Deighton Pierce Glynn (DPG) have two cases underway in relation to Bibby Stockholm. One is a planning case, in which judgment came at the end of May. The Court dismissed the case and concluded that neither the marine licensing regime nor the terrestrial planning regime applies to the barge.

DPG are also challenging the suitability of the barge for accommodating asylum seekers. They are still waiting for a permission decision – it's now six months since issuing judicial review proceedings.

Meanwhile, the *Dorset Echo* scotched claims that asylum seekers would bring added crime problems to Portland. In fact, [reports the newspaper](#), crime levels have fallen since the barge came into use.



Failure to travel to allocated accommodation affects asylum support

There is an ongoing issue of the discontinuation of asylum support when asylum seekers fail to travel to allocated accommodation. The failure to travel policy has been scrapped for all those not being moved to Bibby Stockholm and no new published policy has replaced it. This means that a 'case by case' operational decision is being made on whether or not to end asylum support when a person fails to travel.

The Home Office's failure to publish their policy is creating difficulty and uncertainty for the individuals affected. Following a recent case, the Home Office have changed the failure to travel policy just for Bibby Stockholm cases to say that if a person is evicted from asylum support for refusing to move to Bibby Stockholm that they can be accommodated on the barge while their challenge is being pursued. This is likely to lead to further challenges.

Issues are also arising where someone has managed to find their own accommodation to avoid a move, for example staying with friends, and their asylum support is then discontinued rather than changing to subsistence-only support. Where a person has alternative accommodation, it is arguable that they have not breached the requirements of their support by failing to travel, or that they had a reasonable excuse for the breach.

Suffering and squalor: the impact on mental health of living in hotels

In June, the Helen Bamber Foundation and Asylum Aid published a study by Zoe Dexter of the health effects of living in asylum hotels.

The study documented the experiences of 58 people living in London hotels and their 23 family members, as well as analysing clinical data from 110 asylum seekers. It found that asylum seekers living in hotels had higher levels of depression compared to those living in alternative housing, such as temporary flats.

One asylum seeker, who was undergoing radiotherapy for a rare form of cancer, developed "disease-related malnutrition" partly because of the conditions in his hotel. His oncology dietician noted that the refugee lived in a hotel and has "no access to suitable foods to maintain stable weight during treatment", adding: "Current dietary intake causing abdominal pain and gastrointestinal issues."

A teenager took his own life in a Birmingham hotel and his family want answers

The Dispatch investigates the suicide of a young Kurdish-Iranian asylum seeker in a Birmingham hotel. At the time of his death, Ismael's application for asylum had effectively been paused while the Home Office explored moving him out of the country and treating his claim as inadmissible under recent legislation.

Zoe Bantleman, legal director of the Immigration Law Practitioners' Association, says the government's inadmissibility policy has created "a large and ever-growing black hole of people left in permanent limbo".

She says: "The vast majority are unremovable to countries with which they have no connection, but they are condemned to a life without hope of obtaining sanctuary and denied the opportunity to build a meaningful life from the fruits of their own work."

Hotel 'maximisation' takes effect

In July 2023, the Home Office announced an operation to put asylum seekers into shared rooms in hotels. It has been difficult to challenge the room-sharing policy because the Home Office typically move people into a private room after a pre-action letter is sent. In addition, many asylum seekers are choosing to share a hotel room in London rather than be moved to another part of the UK.

Deighton Pierce Glynn (DPG) are working on a challenge to room sharing for victims of trafficking and victims of torture. DPG have also been in communication with Asylum Support Advice Network members about possible challenges for other cohorts, including age-disputed young people and LBTGQ+ community members.

It is advised that if anyone is seeking to challenge room sharing suitability criteria that evidence should be gathered showing that the issue is systemic to allow the case to continue even if the asylum seeker bringing the challenge is moved to a private room. DPG are working on resources to track this, which will be shared separately.

Asylum seekers report widespread abuse in Home Office accommodation

The Guardian says that hundreds of complaints about ill treatment from staff looking after asylum seekers in hotels and other accommodation have been lodged with the Home Office. Asylum seekers say that they include abuse and harassment, failures to deal with vulnerabilities such as mental health problems and serious self-harm, and staff walking into their bedrooms unannounced.

Data released after a freedom of information request showed there were 428 complaints over the last year about staff behaviour and the treatment of asylum seekers. A further 463 complaints were made about the meals provided, with problems mentioned including inedible food and a lack of milk for children.

Another FOI request by The Civil Fleet revealed that at least 40 asylum seekers died in asylum accommodation in 2023.

Public Accounts Committee criticises Home Office on asylum accommodation

Publishing its report on Asylum Accommodation and the UK-Rwanda Partnership after the general election was announced, the House of Commons Public Accounts Committee made a range of criticisms of the Home Office, including:

- In its haste to establish large accommodation sites, the Home Office made unacceptable and avoidable mistakes and failed to protect value for money (e.g. in seeking out disused military bases)
- The Home Office has left over 50,000 people in limbo, unable to be sent to Rwanda but not accepted into the asylum application system, with the Public Accounts Committee saying it should decide quickly what to do
- Local authorities are not being properly consulted, e.g. on the use of military sites.

British asylum housing tycoon breaks into Sunday Times rich list

Graham King, whose firm is paid £3.5 million a day to accommodate arrivals in the UK, is listed among country's 350 richest people, according to The Guardian.

King is estimated to have amassed a £750 million fortune from "holiday parks, inheritance, and housing asylum seekers for the government". He is the majority owner of Clearsprings Ready Homes, which made £62.5 million in profits after tax for the year ending January 2023, more than double its profits of £28 million the previous year.

A new article in Prospect magazine has more revelations about Claersprings' profits.



THE SUNDAY TIMES

Graham King, whose firm is paid £3.5m a day to accommodate arrivals in the UK, listed among country's 350 richest people

Rupert Neate Wealth correspondent

Fri 17 May 2024 08.00 BST



An Essex businessman who won government contracts paying his firm £3.5m a day for transporting and accommodating asylum seekers has been named among the 350 richest people in the UK.

Latest news on the EU Settlement Scheme

County court judgments mean that pre-settled status gives access to housing assistance

Liz Davies KC of Garden Court Chambers explains the significance of two recent cases.

Two county court cases each found that EU citizens, or their dependent family members, who have pre-settled status (PSS) are eligible for homelessness assistance, meaning that they would also be eligible for an allocation of social housing.

The **first case** involved a decision by Oldham Council, contested by the Independent Monitoring Authority for the Citizens’ Rights Agreement, with support from the3Million Ltd, and the AIRE Centre. It involved “C”, who had pre-settled status and had been the dependent family member of her daughters, who were Spanish citizens. Her application for homelessness assistance in May 2022 to Oldham was rejected as her only right to reside was PSS.

The judge held that, as a family member of an EU citizen who was exercising a right to reside at the end of the Brexit transition period, C was protected by the EU Withdrawal Agreement. This provides that where a dependent family member ceases to be dependent after the end of the transition period, they are to be treated as if they had retained that status. This had the effect of continuing C’s right of residence, recognised in the grant of PSS. She could rely on the non-discrimination and equal treatment provisions of the Withdrawal Agreement’s article 23, which required her to be accepted as eligible for homelessness assistance on the same basis as a British citizen. Her appeal was allowed, and she was eligible.

The **second case**, against Islington LBC, was on behalf of Mr Hynek, a Slovakian national, supported by the AIRE Centre and the3Million Ltd. He came to the UK in October 2019 and was granted PSS for five years in December 2019. He worked intermittently and was in receipt of universal credit. He made an application for homelessness assistance to Islington who decided he was ineligible; the decision was confirmed on review in September 2023. He appealed against the decision. He had been homeless, sofa-surfing and sometimes sleeping rough, since July 2021.

The judge allowed the appeal. Mr Hynek came within the personal scope of the Withdrawal Agreement. The EU Settlement Scheme (EUSS) is a constitutive scheme, meaning that rights in question must be conferred by the grant of residence status, rather than a declaratory scheme, under which rights arise automatically upon the fulfilment of the conditions necessary for their existence. It followed that Mr Hynek’s PSS conferred rights under the agreement, including a right of residence under

article 13, anti-discrimination provisions at article 12 and equal treatment provision at article 23. A British national in Mr Hynek’s position would be eligible and so, in order to avoid discrimination under the agreement, Mr Hynek was eligible.

The judge also held that Islington was under a positive obligation to check whether there was a breach of several articles of the Charter of Fundamental Rights (which continues to have effect because of the Withdrawal Agreement). This required an individualised assessment, with an individualised outcome, including an assessment of the risk of falling into a position of indignity. Islington’s sole reliance on the grant of universal credit failed to address Mr Hynek’s actual and current risk of his fundamental rights being breached.

Important update. However, on 8 July 2024, the High Court held, in *Fertre v Vale of White District Council* (intervenor The3Million Ltd, Secretary of State for Levelling Up, Housing and Communities, Independent Monitoring Authority and Shelter reported at [2024] EWHC 1754(KB) Gwladys Fertre v Vale of White Horse District Council) that was not the case. The grant of pre-settled status **did not** accord immediate and unfettered access to homelessness assistance, welfare benefits etc. For an EEA national (or family member) who has pre-settled status, she or he is not eligible for homelessness assistance or an allocation of social housing if his or her only right to reside at the date of decision on the application for homelessness assistance (or an allocation) is that of pre-settled status. An EEA national or family member who has both pre-settled status and a qualifying right to reside (as a worker, self-employed person or family member of one of those) will be eligible: Regs 4 and 6 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI No 1294.



Experiences of Roma people and the EUSS

The Roma Support Group has published two reports highlighting the ongoing challenges that Roma encounter in relation to EUSS. The first report, completed in collaboration with the University of Sheffield, is focused on the struggles that *Roma across the UK* have encountered in relation to EUSS. The second report zooms in on the experiences of *Roma in London*.

The most important message of the reports is that without concerted action and sustained support we are likely to see a repeat of something like the Windrush scandal for ethnic minority Roma EU citizens (among others) in the UK. The key findings are that:

- Roma continue to struggle to acquire status:
- Many Roma children do not have status
 - Joining family members, late applicants and those seeking to upgrade from pre-settled to settled status encounter difficulties and need support
 - Many Roma live in the UK without status (in many instances where they are entitled to it).

- Roma struggle to use status:
- The ‘digital only’ process for proving status is very challenging for many Roma
 - Roma struggle to access their online account and keep it up to date.

The report recommends funding for those supporting and educating Roma in relation to EUSS – both in the community and with higher-tier legal advice. It also urges the creation of a physical form of ID that those with EUSS status can opt to use to easily prove their status in the UK.

EU citizens are wrongly told they cannot stay in the UK

In August last year, the Home Office introduced draconian rules relating to late applications to the EUSS. This has resulted in tens of thousands of applications being rejected. “Behind each application is a person being stripped of their rights,” *argues Crowd Justice*. They are planning to crowd-fund court action to challenge the Home Office’s toughened rules.

Terrible treatment of EU nationals arriving at UK borders continues. Here, *a family were split up*, with the husband refused permission to board a flight to return home from holiday in Spain.



'No recourse' and migrant destitution

A Slow Violence: How immigration control forces people in Greater Manchester into destitution

Will Wheeler, a policy officer at the Greater Manchester Immigration Aid Unit (GMIAU), writes about a new report produced jointly with the Boaz Trust.

A new joint report by the Boaz Trust and GMIAU has found that people in the city-region are forced into destitution for years, sometimes decades, as a result of their immigration status. One woman interviewed spent 16 years in immigration limbo.

The report, based on in-depth interviews with Greater Manchester residents, finds destitution is being used as a form of racialised violence, embedded within immigration law, which damages people's physical and mental health, pushing some people towards self-harm and thoughts of suicide.

As well as making a series of recommendations to national government, the report also lays out what can be done to design destitution out of our city-region, building on positive regional developments in recent years.

The report finds that as well as multiple barriers that exist in preventing people from escaping destitution, access to accommodation for people experiencing homelessness across Greater Manchester is highly inconsistent, with individuals (including a torture survivor and domestic abuse survivor) retraumatised by months of street homelessness or precarious living environments. This form of slow violence is found to damage people's physical and mental health, pushing some towards self-harm and thoughts of suicide.

Furthermore, a decade or more of cuts to legal aid provision has left the North West with the largest gap in the country between the need for and provision of immigration and asylum legal advice, which has resulted in individuals who could regularise their status remaining trapped in destitution for years on end.

Alongside these findings, the report also makes a series of recommendations to national government and lays out what can be done to design destitution out of our city-region, building on positive regional developments in recent years.

You can download a copy of the [full report](#) and the shorter [policy briefing](#) to read and share with your networks.

Understanding migrant destitution in the UK

The new report *Understanding Migrant Destitution in the UK* explores the effects of immigration policy on migrant destitution, highlighting the scale of destitution and the vital role of local authorities in supporting vulnerable people. Building on COMPAS's previous [research](#) on English and Welsh local authority responses to safeguard destitute migrant families, the study widens the scope to cover all four nations of the UK. It includes families with dependent children and vulnerable adults with care needs.

The report calls for significant improvements to fix a patchy and dysfunctional local safety net. These include providing funding to social care departments, developing local leadership to tackle migrant destitution, and emphasising the importance of listening to and including migrant voices when designing services, building on the lessons learned from the Windrush Lessons Learned review.

The Migrant Champions Network has a webinar with COMPAS on Tuesday 10 September, 18:00-19:30. The webinar will include a presentation of the key research findings that are relevant to councillors, as well as a discussion on practical steps to implement good practice within your local authority. To RSVP, please [register](#) in advance.

For any questions regarding the research or event, contact Lucy Leon at lucy.leon@compas.ox.ac.uk.

CIH and Women's Housing Forum webinar on no recourse to public funds

CIH and Women's Housing Forum held a joint webinar on NRPF on May 22 2024, where we heard from Hannah Gurnham at The No Accomodation Network (NACCOM) and Michaela Western at Hibiscus charity. We were also fortunate to be joined by Christiana, who shared some of her personal experience.

The recording and slides can be viewed [here](#). (The slides are accessible from the 'download' button under the recording.)

Home Office to pay compensation in case that tested the NRPF condition

On 18 April 2024 the Court of Appeal handed down its judgment in the case of *ASY & Others v Home Office* [2024] EWCA Civ 373. The judgment can be accessed [here](#).

The case concerned compensation claims brought by claimants who had been left destitute for prolonged periods as a result of the NRPF condition on people's leave to remain, requiring them to become destitute before they could apply successfully for the condition to be lifted; and then taking an excessive amount of time to process those applications.

The claimants had to wait several weeks for their applications to be processed, enduring severe hardship in the meantime. The High Court decided that the claimants were not entitled to compensation, but the Court of Appeal overturned that decision and held that the claimants have a right to damages for breach of their rights under Article 3 of the European Convention on Human Rights.



News on help for migrants fleeing domestic abuse and on family reunion

New entitlements for victims of 'transnational marriage abandonment'

The Housing Rights website pages for those fleeing domestic abuse have been updated to reflect new rules applying from June 7 2024 for those suffering 'transnational marriage abandonment' (TMA). TMA means a person who previously had permission from immigration control to be in the UK (a visa) as the spouse of a British citizen or settled person and have been given permission to re-enter on the grounds that they have experienced domestic abuse which took the form of them being coerced or controlled by their abandonment in another country.

The Housing Rights website pages for new arrivals (in [England & Wales](#) and in [Scotland](#)) show the new entitlements to housing, homelessness help and benefits. The corresponding adviser pages [here](#) and [here](#) are also updated.

There is [detailed Home Office guidance](#) (PDF) on TMA (pages 23-25) which deals with other circumstances when a domestic abuse survivor can get UK residence (but not necessarily housing).

[Southall Black Sisters](#) and [Latin American Women's Rights Service](#) argue that the new policy is inadequate for those it is supposed to protect and it excludes large numbers of migrant victim-survivors from its scope. The Public Interest Law Centre is acting on behalf of the two organisations to challenge the new rules, and is [crowdfunding](#) to meet its legal costs.

New domestic abuse immigration guides - protections for migrant victims of domestic abuse

Following the new domestic abuse immigration rules and changes to what was the Destitute Domestic Violence Concession (DDVC), Rights of Women have published three new legal guides explaining protections available for migrant victims of domestic abuse. They are available [here](#) and cover the following routes:

- Migrant Victims of Domestic Abuse Concession (MVDAC) - formerly the Destitute Domestic Violence Concession. This guide explains the 3-month visa to enable those with partner visas to access public funds.
- Indefinite leave for victims of domestic abuse - formerly the DV ILR route. This guide explains the route for victims of domestic abuse who have, or have had, specified partner visas to apply for indefinite leave.
- Victims of domestic abuse with pre-settled status as family members under the EUSS. This guide explains the protections for victims of domestic abuse who have pre-settled status under the EUSS.

New £2 million fund to provide one-off payments to victims of domestic abuse to help them leave their tormentors

A [new fund](#) is available, initially until March 2025, for those under NRPF conditions who are experiencing domestic abuse. It can cover essential items such as groceries or support with new accommodation up to £500, as well as a further payment of up to £2,500 to help survivors establish a secure future - for example, for a tenancy deposit.



Dangers of a digital-only immigration system

The dangers of a digital-only immigration system for those seeking housing are highlighted in a [joint letter signed by CIH](#) and organised by the Immigration Law Practitioners Association

The letter sets out five cross-cutting concerns, regarding:

- A lack of harmonisation in the wider strategy for digitalisation of the immigration system
- The absence of transitional phase after 31 December 2024
- Technical errors
- Vulnerable migrants
- Public awareness.

The letter also makes a number of recommendations, both for the immediate term and the medium term.

The letter has been signed by CIH and over 230 experienced practitioners, advisers, frontline workers, experts, and organisations working in the field of immigration and asylum, many of whom have been engaged with the Home Office through various forums and stakeholder and advisory groups for a considerable time.

The Observer [broke the news](#) that the government is telling migrants who have lived in Britain for decades to provide proof for every year of their residency as part of the controversial transition to digital visas, risking a new version of the Windrush scandal.

Advice from the Home Office on eVisas

Amidst a lot of confusion and uncertainty about the transition to eVisas, the Home Office put out the advice below (made available via the GLA).

Throughout 2024, the government is replacing physical immigration documents with digital proof of immigration status for customers already living in the UK and new visa customers too. By 2025, almost all physical immigration products and services will be replaced with a digital record of a person's immigration status called an eVisa.

The documents being replaced include:

- Biometric residence permits (BRPs).
- Legacy paper documents, including passports that contain an ink stamp or vignette sticker (where the holder has indefinite leave to enter or indefinite leave to remain).
- Biometric residence cards (BRCs).

This will increasingly impact the way that individuals prove their rights to you over time, and the latest information on the changes is available at [www.gov.uk/evisa](#). **Please sign up to this page to receive any updates.**

The Home Office has produced useful material to help individuals and organisations navigate these changes. A factsheet has been designed for organisations and individuals ('status checkers') who

are required to check the immigration status of individuals in the UK. British and Irish citizens can continue to evidence their rights as they currently do, for example by showing their British or Irish passport.

For further information please see the [partner packs](#).

If you have any questions regarding the above please contact eVisaEngagement@homeoffice.gov.uk.

“We have been abundantly clear that we believe that millions of people could be adversely affected, including British citizens and children, by the systemic current and future failures of the new digital-only immigration system.”

Joint open letter to the Home Office, June 2024

ILPA

Court rules
against home
secretary for
failing to provide
documents
to migrants
with lawful
immigration
status

Bhatt Murphy Solicitors report that in a judgment on 7 June 2024, Mr Justice Cavanagh held that the home secretary's failure to provide people on '3C leave' with the means to prove their lawful immigration status is unlawful.

The court found that the home secretary was acting irrationally by failing to take the "straightforward step to avoid hardship for a substantial number of people" by issuing them with a digital document to prove their status, which they need to do in order to avoid hostile environment measures. The home secretary had also breached his duty under section 55 of the Borders Citizenship, Immigration Act 2009 by failing to consider the impact of this approach on the children affected.

The claim was brought by the charity RAMFEL and their former client Ms Adjei, who was suspended from work without pay while she was on 3C leave. They were represented by Bhatt Murphy Solicitors, Garden Court Chambers and Doughty Street Chambers.

Councils and housing associations working with asylum seekers and refugees

Building bridges: Arhag and NACCOM join forces for migrant and refugee support

Members of housing associations and migrant-supporting charities congregated in Highbury on 14 May 2024 to discuss opportunities for collaboration. The event was organised by NACCOM, Arhag and MTVH, to shed light on the difficulties faced by migrants and the potential for housing associations and charities to work together to address these.

Arhag board member Keith Best began by acknowledging NACCOM's Housing Association toolkit and praising the supportive training offered by NACCOM.

Keith outlined Arhag's vision to sustain support for events like this, while also encouraging collaboration and providing a platform for sharing best practices. "Our long-term goal is to forge partnerships with organisations, exploring opportunities to enhance their efforts - for instance, we recently supported, in partnership with HAWA, the Eid meal for migrants and refugees across Hertfordshire and are considering seed funding for additional services. We are also exploring the possibility of using our land at Boreham Wood in partnership with another organisation to establish a hub for migrants and refugees, offering essential services.

"At Arhag, we are committed to fostering partnerships with other organisations to actively contribute to solutions for migrants and refugees in London. Initiatives like this event demonstrate the potential for positive change through collaboration between housing associations and the charitable sector."

One of the event's organisers, Tom MacPherson from NACCOM, explained some key terminology and outlined the context for their work. Home

Office policy was a frequent topic of discussion, and Tom addressed the negative impact of some of its recent decisions - particularly the reduction of the 28-day move-on period to just seven days. The reduction has since been rowed back, but its consequences are still acutely felt by people seeking asylum in the UK.

Following Tom was Dominic Briant, head of funding and impact at Metropolitan Thames Valley Housing (MTVH). In two informative talks, Dom provided a detailed account of MTVH's projects, focusing particularly on the upcoming Refuge Rent Deposit Project. He candidly acknowledged the mixed reputations of housing associations and discussed the pressures they currently face from various sources.

Dom explained how these pressures limit innovation within many housing associations, especially regarding support for migrants and people seeking asylum. However, he highlighted that organisations like NACCOM offer practical suggestions for how associations can improve in this area, emphasising the importance of collaboration between the two sectors.

John Delahunty, Innisfree's chief executive, discussed his organisation's work, tracing its origins as a charity established to support Irish immigrants to London in the 1970s, through to its evolving objectives in the present day. With anti-Irish sentiment thankfully less prevalent now, the organisation has leveraged its experience in supporting immigrants to redirect its focus towards assisting people arriving in the UK from countries other than Ireland.

John outlined the potential for charities and housing associations to dispel misconceptions surrounding migrants and housing. Central to this

effort is effective communication, and John elaborated on how collaborative projects between charities and housing associations present an opportunity to illustrate the benefits through practical examples.

Conversations after the event revealed that Glass Door's discussion of their work was one of the most poignant topics of the day. The west London-based organisation provided insight into the essential but challenging work of offering night shelter to migrants. Their migrant project ensures that people have access not only to safe accommodation but also to food and advice to support them through the immigration process.

The Glass Door team explained how a serious challenge for the group in carrying out their casework is that they constantly have to update their practices to accommodate changes in Home Office policy.

What left a particular impression on the audience were Glass Door's statistics showing the levels of homelessness experienced by migrants and people seeking asylum. Even for those familiar with the topic, this served as a chastening reminder of the need for change.

The dual purpose of the day was to encourage collaboration between housing associations and migrant-supporting charities and to shine a light on the difficulties faced by migrants. Following the talks, attendees had the opportunity to speak to one another. The tone of these conversations was mixed - with many exciting exchanges likely being the first steps toward valuable and positive collaborations, but also frank discussions about the scale of the problems to be overcome.



How Hongkongers are made welcome in the South West

Ben Kinsella, policy and research assistant at the South West Strategic Migration Partnership writes about their services for people from Hong Kong.

On January 31 2021, against a backdrop of over 150 years of British rule in Hong Kong having been transferred to China in 1997 and the imposition of a restrictive National Security Law, the UK government announced that Hong Kong citizens with British National (Overseas) (BN(O)) status and their eligible family members were able to come to the UK to live, study and work. The opening of this legal migration route was the beginning of the SW BN(O) Welcome Hub.

BN(O)s are individuals who have a class of British Nationality associated with the former British colony of Hong Kong. Registration for this status occurred before the handover to China in 1997 and it is estimated that close to 350,000 Hongkongers hold a BN(O) passport while another 2.5 million are eligible to apply for one. After five years in the UK, BN(O)s are able to apply for settlement, followed by British citizenship after a further 12 months. The visa reflects the UK's historic and moral commitment to the people of Hong Kong who have had their rights and freedoms restricted, and at the South West BN(O) Welcome Hub, we are really proud to play a key role in supporting BN(O)s in our region.

In April 2021, the UK government announced a £43 million support package dedicated to helping BN(O)s settle in the UK. This funding commitment included support with English language and a destitution fund. The funding also marked the establishment of 12 new regional Welcome Hubs to provide support to BN(O)s and their families in building a new life in their region.

The South West Hong Kong BN(O) Welcome Hub carries out a range of functions. Primarily, our role is to coordinate the welcome of BN(O) status holders into their new communities in partnership with local

authorities and other delivery partners. We also act as a conduit for the sharing of information and evidence between central government, local authorities and local partners, feeding back on issues we know about through our network and facilitating continuous improvement.

Another major role of the Hub is providing direct support to BN(O)s. We are regularly approached by BN(O)s looking for advice in a range of areas such as access to services, education, ESOL and no resource to public funds conditions. We can often provide direct support, but we also use our strategic position in the region and extensive network to link individuals with specialist support providers. In addition to this, our long-running series of online drop-in sessions cover topics key to settling into the UK and the South West, delivered by specialist speakers. Topics in the past have ranged from how to set up a business to understanding the UK tax system. In August, we will have a session delivered by CIH on renting in the UK and the rights of tenants.

Our direct work with local authorities is diverse and has included the creation of guidance documents for new government policies, chairing of forums, and acting as a central hub between points of government. We consistently meet with local authorities to understand the issues BN(O)s face in their communities, which helps us gain a regional picture. In the last year, we also funded local authority Lunar New Year events across the region, supported the progression of English skills, and are currently working to enhance employability amongst the community with a bespoke programme.

At the Hub we are passionate about supporting Hong Kong BN(O) visa holders. Whether this be through improving BN(O)s English language skills, where we have provided a free online learning platform or through supporting BN(O)s to find suitable employment, we are always trying to improve the offers of support for BN(O)s in the region.

Places for People assists young refugees – here’s how

Caroline Terry, head of supported housing at Places for People, told [CIH Unlocked](#) about how they are helping refugees to integrate (the full article in CIH Unlocked can only be viewed by CIH members).

Places for People’s ‘Living Plus’ has worked with more than 87 young people over the past 12 months. They determine their support needs while awaiting their leave to remain status to be confirmed or until they turn 18 years of age. As an individual approaches their eighteenth birthday, they plan an exit strategy with the local authority before moving them into our dispersed step-down accommodation, until they are ready to move into more permanent accommodation.

Living Plus teams support the young person to integrate, with a resettlement programme looking at:

- ESOL (English for speakers of other languages)
- Core British values
- Peer support
- Digital skills.

Many of the people they see are profoundly traumatised by their past experiences, and the asylum process adds to this. Living Plus helps them to address their trauma and overcome barriers of settling into a new country through various recreational activities such as sport and music or pointing them toward more specialised support such as counselling.

Everyone is supported to learn English and gain new skills to aid them in their status application. They are encouraged to obtain peer support and attend community groups that will provide religious and cultural support to meet their needs. Living Plus has seen some excellent results, including:

- 13 out of 17 young people attending college to learn English
- One is attending a course with Amazon to gain employment
- One has had a trial at Gateshead Town Football Club
- One is training to become a barber.

[Places for People Living Plus](#) (part of the wider Places for People organisation) works in collaboration with several local authorities to provide safe homes and resettlement support for refugees, through the National Transfer Scheme, those seeking asylum, and where the local authorities have a statutory duty to provide accommodation.



More news on recent court cases

Recent Asylum Support Tribunal (AST) decision on s95 appeals and implicit asylum withdrawals

Two asylum seekers were supported by ASAP (Asylum Support Appeals Project) and represented by Alex Grigg of Garden Court Chambers, in a lead case which considered the extent of the AST’s jurisdiction in s95 appeals relating to implicit asylum withdrawals. The judge confirmed that the AST can intervene if s95 support is discontinued or refused following an incorrect decision to treat an asylum claim as implicitly withdrawn. ASAP expects the Home Office to indicate soon whether it intends to judicially review her decision.

The case is discussed [here](#) and advisers are welcome to call ASAP’s advice line to discuss similar cases (020 3716 0283 on Monday, Wednesday and Friday 2-4pm).

High Court finds disabled asylum seeker subjected to inhuman and degrading treatment

Garden Court Chambers report a successful outcome to the case of [R \(TMX\) v London Borough of Croydon & Anor \[2024\] EWHC 129 \(Admin\)](#). In summary, the judgment confirms that if an asylum seeker has accommodation-related care needs then the local authority must accommodate them. This applies even if the asylum seeker is already in asylum support accommodation. The judgment went further and found that Croydon’s treatment of the claimant had breached both his Article 3 and Article 8 rights under the European Convention on Human Rights, and set out the legal test for these obligations. This is thought to be the first time that a court has found that a local authority has breached Article 3 by failing to meet its Care Act duties in this way.

High Court finds Home Office decision to abandon key Windrush recommendations discriminatory

Garden Court Chambers reports on a judicial review which challenged the decision of former home secretary Suella Braverman to not proceed with certain recommendations made in the Wendy Williams Windrush Lessons Learned Review.

The High Court ruled the government acted unlawfully when it dropped two of the review’s recommendations: to establish a migrants’ commissioner role and to increase the powers of the independent chief inspector of borders and immigration.

A legal challenge brought by Trevor Donald, a victim of the Windrush scandal, argued this was discriminatory and went against the public interest. The Home Office said it was carefully considering the judgement and will respond in due course.

High Court in Northern Ireland orders disapplication of certain sections of Illegal Migration Act

The High Court has held that the Illegal Migration Act 2023 breaches the Windsor Framework, put in place to prevent a hard border on the island of Ireland, and ordered the disapplication of provisions of the Act in Northern Ireland. The court also declared certain provisions of the Act to be incompatible with the European Convention on Human Rights. The case details are [here](#). The challenge was brought by the Northern Ireland Human Rights Commission, who have produced a [useful explainer of the case](#) and a [response to the judgment](#). Professor Colin Murray of Newcastle Law School [has a blog](#) about the implications of the decision. *The Independent* said that the case [leaves UK immigration policy in chaos](#).

Other migration news

Briefing for local authorities on the Illegal Migration Act

Asylum Matters and NACCOM (No Accommodation Network) have published a new briefing note to help local authorities understand some of the key aspects of the Illegal Migration Act.

The briefing outlines the implications of these new measures on four key areas:

- The right to seek asylum and settle in the UK
- Destitution and homelessness
- Children and safeguarding
- Protections for survivors of trafficking and modern slavery.

The effects of UK immigration, asylum and refugee policy on poverty

A joint report by the All-Party Parliamentary Groups on Migration and on Poverty looks at the effects of UK immigration, asylum and refugee policy on poverty.

The joint inquiry found that rates of poverty are generally higher for migrants than for the UK-born population and that migrants are more likely to face deep poverty and deprivation. It was hard to avoid the conclusion that policy is sometimes designed to push people into poverty in the hope that it will deter others from moving to the UK, even though there is little evidence that this would indeed be a deterrent. UK policies make migrants, asylum seekers, and refugees “destitute by design”, the report concludes.

The report offers recommendations on steps that can be taken to reduce the direct impacts that immigration policy has on poverty, in access to social security and welfare, and in access to housing and other services.

Windrush scandal victims continue to fight for justice

The Windrush scandal continues to throw up alarming cases. *Channel 4 News* [reported on the case of Richard Black](#), left stranded in Trinidad for 41 years after his UK citizenship was revoked - despite living in the UK since he was six. *The Independent* [spoke with Thelma Campbell](#), who moved to Britain in the 1960s and is now facing eviction by Haringey Council because she cannot prove she is British and neither can the Home Office.

Justice4Windrush points out that:

- More than 16,000 British citizens were misclassified as illegal immigrants as a result of the hostile environment policy
- Many lost their jobs and access to pensions, essential services, housing and more
- Only six per cent of eligible applicants have received compensation
- Less than one-third of allocated funds have been paid out after nearly five years
- Victims continue to live under threat of detention and deportation.

They have sent an [open letter](#) to political party leaders on the continuing need for justice.



Other brief news items

- **Right to rent leads to discrimination again.** In *The Voice*, Paris Williams, a 25-year-old from York, [tells her story](#) of arriving in London with a new job, only to experience the discrimination which black people suffer when attempting to find a flat. Having to prove her “right to rent”, she was frequently asked questions like whether she was really British.
- **Right to rent guidance updated.** The guidance on right to rent checks on the Housing Rights website has been revised and updated. Take a look at the pages for [advisers](#), for [new arrivals](#) (migrants) and for [housing association landlords](#). The checks only apply in England.
- **Immigration raids.** Right to Remain has [guidance](#) on immigration raids and how to respond them.



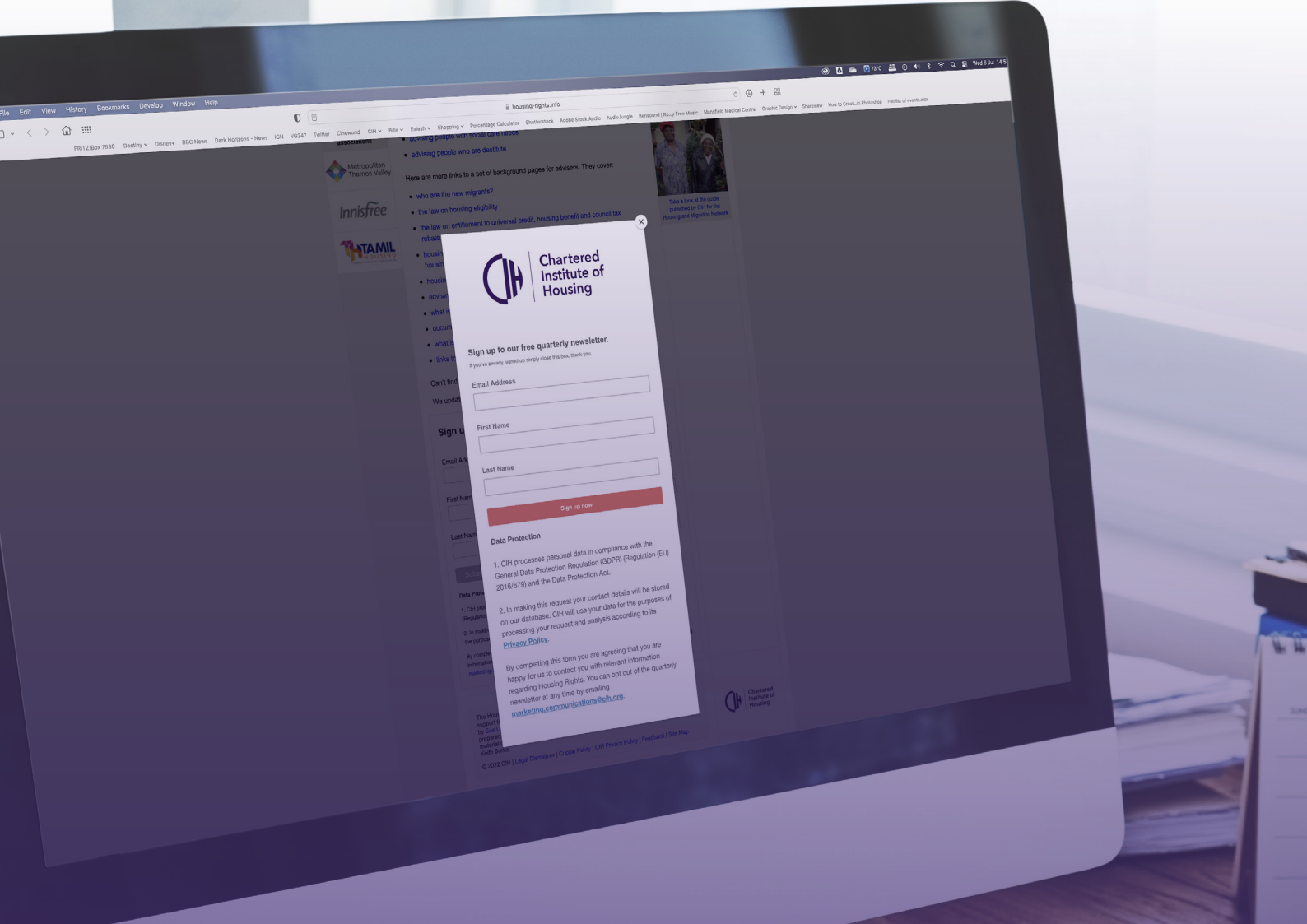
- **Scotland’s new refugee integration strategy** can be reviewed [here](#) and its delivery plan [here](#).
- **Asylum seekers able to work.** ASAP have prepared [a new briefing](#) on how asylum seekers working will impact their asylum support.
- **Wet weather but a warm welcome at Glasgow’s Refuweegee.** Katherine Anne Rose spent months documenting the Scottish charity, which welcomes and supports forcibly displaced people with the help of the local community and produced a [photoessay](#) for *The Guardian*.
- **Afghan families are welcomed in Wales**, reports [Hope not Hate](#).

- **‘David and Goliath’ award goes to fighter against the hostile environment.** The campaign taking on the hostile environment in the NHS - “Justice for Omisha” - has won a major award. In May, five-year-old Omisha and her family accepted the “David and Goliath” award at the Sheila McKechnie Foundation Awards for their incredible work fighting Omisha’s £76,000 cancer care bill and fighting for universal healthcare for all. Over 10,000 people have signed Omisha’s [petition](#).



- **Finding Sanctuary**, Ambassadors for Change’s new short film, is available on [Instagram](#), [Twitter](#) and [Facebook](#).
- **Turn challenging conversations about migration into impactful ones** - Praxis has published [a guide](#) on how to change people’s minds about immigration.
- **The fight for racial justice and the fight for refugee rights are the same fight**, argues Together with Refugees in [this short video](#).





Do you have any comments on this newsletter?

send them to policyandpractice@cih.org

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