

# **What shapes migrant destitution and what can be done about it?**

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# What we'll cover today



- What is destitution
- Evidence about migrant destitution
- Difficulties in assessing it
- Causes
- How to assist destitute migrants
- Issues that arise in offering assistance
- A case study of a project working with destitute migrants

# What does it mean to be destitute?

- Homeless + without enough money to buy basic food or shelter
- Immigration and Asylum Act 1999:
  - does not have adequate accommodation or any means of obtaining it, or
  - has adequate accommodation... but cannot meet other essential living needs.
- Stephen Devereux (2003):
  - unable to meet subsistence needs
  - assetless
  - dependent on transfers.

# Data on undocumented migrants

- Most robust estimate of undocumented migrants in UK – 618,000 (LSE study updated in 2009 for GLA)
- Two-thirds in London; majority not destitute but may be working and/or with family/friends
- Within this group, destitute asylum seekers are estimated at 50-100K by Still Human Still Here - <http://stillhumanstillhere.wordpress.com/>
- Red Cross support 10K destitute asylum seekers per year; 28% report sleeping rough



# Sources of data on destitution

- Widest source is rough sleeping counts
- Most detailed (for London) is CHAIN data
- Other sources tend to be spasmodic/selective in their coverage, e.g.:
  - Naccom's 2013 report on provision for destitute migrants
  - Red Cross/BOAZ 2013 study in Manchester
  - Homeless Link 2010 survey of homelessness agencies
  - NWRSMP 2011 study of migrant destitution in the North West

**Major study planned by JRF should help to rectify this**

# Findings from current JRF work

## **Part of 'extreme exclusion' strand of JRF Housing & Poverty Programme (thanks to Heather Petch):**

- People often on streets for short periods - extremely vulnerable and at risk of being picked up by traffickers
- Access to hostels etc limited without recourse to public funds
- Very few homelessness or housing providers make beds available at no cost - beginning to change
- Nightshelters & faith groups are key providers – sustainability?
- NACCOM – nascent network of about 30 voluntary providers
- No. of charitable bedspaces offered falls far short of need
  - over 300 by NACCOM members & around 100 in London
- Many destitute migrants able to regularise their position with good legal advice – very complex and difficult to access
- Problems about outreach teams not being geared up - commonly assume returning home is the answer (except for asylum seekers)

# Forms of accommodation

Current alternatives to rough sleeping are very limited:

- Bedspaces in hostels, etc as charitable provision from homelessness/housing providers e.g. St Mungos, Women's refugees
- Bedspaces as part of tackling homelessness/NSNO contracts
- Donated houses – HAs, empty vicarages, individual donations (inherited properties), social investors etc
- Property guardianship/meanwhile use
- Hosting – individuals or households staying in people's homes
- Religious houses

**How to resource these? Developing housing for rent to support sustainability?**

# Scope of new JRF study

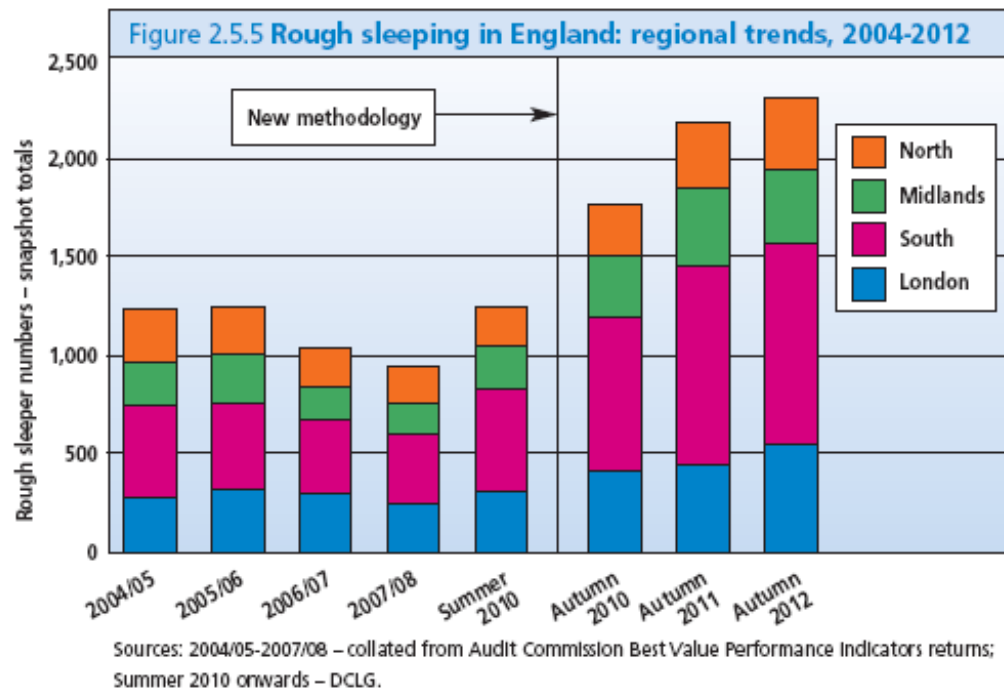


- Establish the extent and nature of destitution in the UK
  - And how it is changing
- Key questions
  - How many people are destitute?
  - Who are they: different groups and types of people?
  - What are the drivers of destitution?
- Trends over time
- Also interested in experiences and impacts of destitution

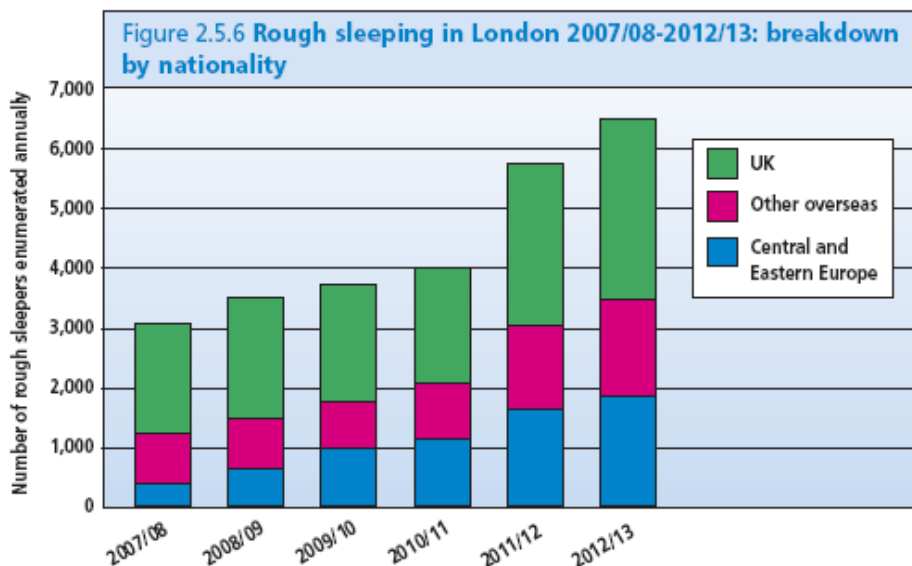


# DCLG Rough Sleeper counts

- LAs across England
- Either single night's count or estimates
- Revised methodology in 2010 = higher counts
- But the 'count' methodology understates problem +
- Doesn't count migrants separately



# CHAIN data by Broadway

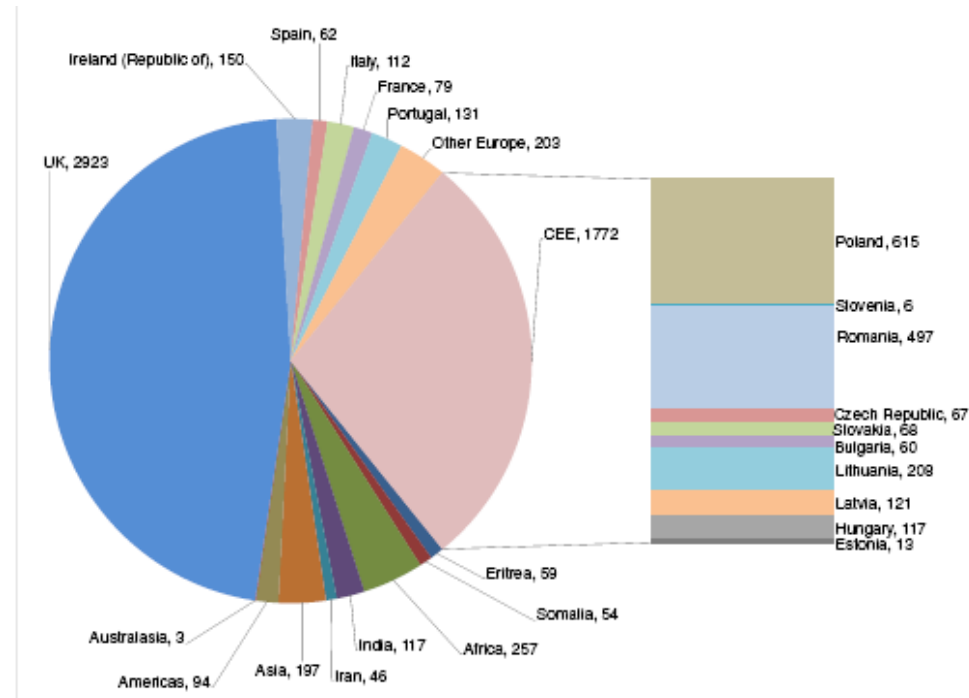


Source: Broadway 'Street to Home' monitoring reports, supplemented by unpublished data provided by Broadway (see [www.broadwaylondon.org/CHAIN/Reports/StreettoHomeReports.html](http://www.broadwaylondon.org/CHAIN/Reports/StreettoHomeReports.html)).

- Survey of aid agencies
- Total sleeping rough in London at some time during the year
- Just over half are non-UK nationals
- And just over half of these are CEE nationals – mainly 'A8' + Romanians
  - Problems with benefits
  - Reluctance to accept voluntary return
  - Only some advice agencies geared up to help CEE cases

# CHAIN non-EU rough sleepers

- About 14% of rough sleepers are non-EU nationals
- Range of countries mainly African/Asian
- Main countries - India, Eritrea, Somalia, Iran and Nigeria
- About 40% of these have uncertain immigration status



# Rough sleeping outside London

- Homeless Link study 'No second night out – Across England'
- Reviewed 2,546 cases over a six-month period
- Rough sleepers more likely to be UK nationals (75%) or EU nationals (20%)
- Only 5% non-EU nationals
- Some 67% of rough sleepers were helped to avoid a 'second night out'

# Migrants resort to other marginal accommodation apart from rough sleeping



Beds in sheds in Slough

- Caravans
- Farm outbuildings
- Containers
- Attics
- Beds in sheds
  - Slough – 3,000-6,000 structures
  - Ealing – up to 60,000 occupants

# Problems in assessing extent of destitution

- (Obviously) transient nature of client group
- If migrant, may be reluctant to engage/share info
- Rough sleeper counts only a snapshot
- Other studies may reflect bias/client group of agencies providing data



# New drivers for destitution? 1

- Three changes to benefits in 2014 + one to EEA regulations so far
- All badged as about EEA migrants
  - Jan 1<sup>st</sup>: 3-month residence in CTA required for IBJSA
  - habitual residence test thereafter
  - Only IBJSA (not HB/housing)
  - Affects UK citizens too
  - most cases so far seem to be them: irony of possible emerging group of destitute migrants: returning UK citizens?

# New drivers for destitution? 2

- Jan 1<sup>st</sup>: EEA regulations amended
- Only affects EEA nationals
  - Workers who lose their jobs will only keep status for 6 months
  - Most then “downgraded” to workseekers
  - Lose housing eligibility (and HB after April)
  - Workseekers have right to reside for 6 months max
  - So worker likely to become destitute after 12 months unemployment





# New drivers for destitution? 3

- New “minimum earnings threshold” for workers and self-employed: EEA only
- From 1<sup>st</sup> March: guidance for DWP decisions sets threshold at £149 per week over last 3 months
- If below, case to be looked at on merits
- If “fail”: reclassified as workseeker (6 months max, no HB after April)

# New drivers for destitution? 4

- From April 1<sup>st</sup>: no HB for EEA workseekers
- Only received this as claiming IBJSA and now “delinked”
- Will apply to workers “downgraded” as below threshold or out of time

Will this all have same effect as accession rules, but on all EEA and some British migrants?

# How to assist destitute migrants

- First issue - why are they destitute?

- Immigration status?
- EU rights?
- Transitions and delays (refugees)?
- No proof of status/no documents?
- No right to live in UK?
- Trafficked?
- Discriminated against?



# Sorting out status and documentation

- Access to immigration advice a major problem
- Advice about EEA rights also scarce
- Street Legal projects in London address this
- Some interest in developing resources nationally
- For vulnerable homeless “reason to believe” enough to trigger council accommodation duty (but money?)



# Transitions, delays and discrimination

- Homelessness: reason to believe
- Benefits: apply for NI No
- Ex-service people: evidence that previous arrangements now not used as more redundancies (+ restrictions on citizenship/ILR)
- Discrimination: need for more information and support
  - Still in scope for legal aid
  - SLF research project

# No right to live in UK?

- Regularisation (how?)
- Voluntary return
- Get social care if child/vulnerable/leaving care
  - May be refused if no possible regularisation
  - May be refused anyway: legally complex
- Community/charity/family support



# Trafficking

- Need for awareness esp. of labour trafficking
- Threat/use of force/coercion/ abduction/ fraud/deception/abuse of power/position of vulnerability
- Special arrangements via NRM
- “Reasonable grounds” = 45 days recovery + reflection + assistance
- Possible leave or assistance with return



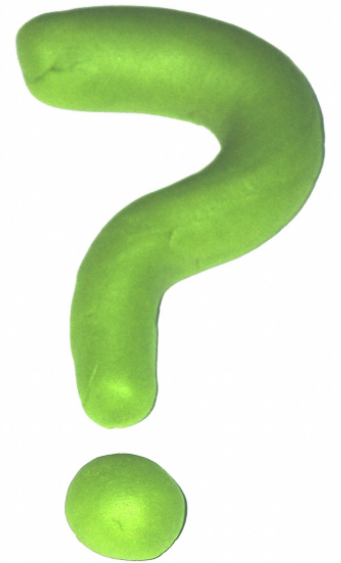
# Issues raised by working with destitute migrants

- What can we do for people with no safety net?
  - Increasingly the case for non-migrants!
- What new resources do we need
  - And do they exist?
- Is it legal?
  - Confidentiality and data protection
- Why should destitute migrants trust us?



# Working with destitute migrants is different

- Back to advice basics?
- Extreme/complex/intense work
  - Lots of surprises
- Few chances to refer/little follow up
- Fewer short cuts and good guesses
  - Underdeveloped area of practice
- Difficult to build relationships



# Working with destitute migrants is different

- A challenge to ethics?
- Setting aims is different
  - Progress is difficult to measure and achieve
- Commitment by adviser and agency
  - Challenge and check on policies
  - Good supervision
  - Acknowledgement of risk

# Example: Hope Project Birmingham

- Set up in 2003
- Housing project has eight free units from local HAs
- Mainly works with asylum cases
- In 2012/13 housed 89 clients
- Clients pay no rent; receive cash grants from the Hope Destitution Fund
- Running costs from a variety of local charities



# Further information on tackling destitution

Housing rights website:

- Go to [www.housing-rights.info](http://www.housing-rights.info)
- Tab 'People who are destitute'
- Choose either migrant page (basic info) or adviser page (detailed)

Housing and Migration Network:

- [www.jrf.org.uk/work/workarea/housing-and-migration](http://www.jrf.org.uk/work/workarea/housing-and-migration) - destitution pack and other practical guidance

