

HOW TO IMPROVE SUPPORT AND SERVICES FOR DESTITUTE MIGRANTS

What's the issue?

Many migrants in Britain find themselves destitute, with no support or ability to return home. They are not allowed to work, have no access to benefits and only a few get emergency help. Many have a case to stay in the UK but cannot quickly prove it. All are vulnerable to exploitation or are otherwise at risk. The problem is growing much faster than frontline agencies' ability to respond.

Many undocumented and destitute migrants can regularise their status if they receive help in the form of stable short-term accommodation and good advice. This *Solutions* summary offers practical steps to address the issues facing destitute migrants and overcome obstacles to providing accommodation, services and support. It includes learning from existing projects, and legal advice.

Ways forward

- **Better data** – about numbers and needs to inform planning and provision.
- **Accommodation** – more housing is needed for all destitute migrants, not only asylum seekers. It will require co-ordinated effort by charitable funders, homelessness agencies, housing associations, and voluntary, faith and community groups.
- **Better immigration advice and legal representation** – including case work, advocacy, advice and legal representation to enable routes out of destitution by empowering people to understand and regularise their status or return.
- **Addressing subsistence needs** – provide basics, including cash, food, toiletries and clothing.
- **Addressing support needs** – make sure that appropriate support is available; for example some asylum seekers may have post-traumatic stress.
- **Engaging with migrant community groups** – support and improve their critical role in advising migrants, making referrals to services and providing subsistence support and a bed for the night.
- **Strategic alliances and joint working** – develop more effective use of resources across sectors, including better evidence about replicable practice, mapping, consultation, training, capacity-building and coordination.
- **Gaining official ownership of the problem** – convince central and local government to take ownership of the problem and provide evidence to enable them to take on the roles they need to play.

Authors

Heather Petch, John Perry
and Sue Lukes

JULY 2015

BACKGROUND

The problem of destitution among migrants is growing faster than frontline agencies' ability to respond. The needs of migrants from outside the European Union and European Economic Area are particularly acute because they usually have more complex immigration issues and cannot readily return home. Providing accommodation and support for them is a challenge because of rules about 'no recourse to public funds' (NRPF).

Much more can be done – within existing legal, charitable and housing frameworks – to provide effective support and reduce migrant destitution. In a complex area dogged by poor information, many agencies need to be involved and may not have links with each other. Various practical initiatives need recognition and funding.

This Solutions:

- explains the nature and urgency of the problem, particularly focusing on the needs of non-EEA migrants but with relevant learning for EEA migrants;
- is inspired by and draws on learning from existing provision, some of which is described in case studies;
- looks at possible solutions, including issues of what comprises lawful support;
- aims to mobilise action and resources from charitable trusts and foundations, philanthropists and social investors, public bodies and social landlords, housing and homelessness agencies, voluntary, faith and community groups.

How do migrants become 'undocumented'?

Undocumented migrants are those who have no legal right to stay in the UK, could have a right but need to establish it, or have a right but cannot prove it. Most have entered the UK legally, but small numbers are illegal entrants, of whom many have grounds to make an asylum claim, which regularises their status temporarily.

The reasons for becoming 'undocumented' are many and varied. They include: lacking or having out-of-date or incomplete documents, being in transition from one immigration status to another, delays in and other issues about Home Office decisions, discrimination (being denied services to which they are entitled), people trafficking, losing a job, relationship/family breakdown or because of health needs.

How does this lead to destitution?

Most migrants from outside the EEA who become destitute have no recourse to public funds (NRPF) and also cannot legally work. For those not so vulnerable as to need community care, and without children, this means their options are limited to getting basic support from family or friends, or from charities, faith-based agencies or others. Migrant communities themselves are a main source of support. Some migrants work illegally. All these solutions are fragile and can end at short notice. Many therefore become rough sleepers and are at risk of exploitation by people traffickers or employers, including severe forms of labour exploitation.

What are ‘public funds’?

The term NRPF comes from the application of the term ‘public funds’ in the Immigration Rules, which specifies the benefits and services that some migrants cannot use if they need leave to enter or remain, for example to work or join a spouse. It is a specific list and includes most means-tested and disability benefits, access to council housing waiting lists and homelessness services and child benefit. Any other money derived from public funds, which is used to support people subject to immigration control, does not fall within the definition of ‘public funds’ used for immigration purposes – see below.

While asylum seekers are at least initially entitled to support, destitution can occur because of errors, delays or poor decision-making. Some refused asylum seekers can get emergency support subject to conditions, but may not want it or be able to manage the application process.

The authors have put together some examples of the stories of destitute migrants, which explain how they arrived, what happened to make them destitute and how they can resolve their situation. These are useful to give the problem a human face and explain some of these more complex issues. They can be found in the full report on the JRF website.

How many migrants become destitute?

Evidence about how many migrants become destitute is uncertain, incomplete and often out-of-date. Some of the available sources of evidence are:

- rough sleeper studies, which show up to 1,010 non-EEA rough sleepers in London¹ (13 per cent of the total in 2014/15) but few elsewhere;
- estimates of refused asylum seeker numbers and/or destitute asylum seekers mainly generated through local studies across the UK e.g. a report in 2013² identified that 300–400 destitute asylum seekers and refugees are helped weekly by services in Greater Manchester; in Nottingham³, 105 asylum-seeking households were interviewed in 2012 and 74 had experienced destitution; in Bradford⁴ in one month of 2012, 60 refused asylum seekers, including ten children, were found to be destitute.

None of these studies provide an adequate assessment. Better local data collection is needed. It is expected that a JRF-sponsored study of destitution, due to report later this year, will provide better estimates and help in identifying an appropriate methodology.

What does migrant destitution cost?

Assessing the financial impact of migrant destitution on services is very difficult because of limited entitlements. A background study⁵ undertaken by Government for a Social Impact Bond supporting solutions to longer-term rough sleeping concluded that the annual cost of services for rough sleepers (including UK nationals) in London is around £20,000 per person. Costs of migrant rough sleeping may well be different due to the diversity of the population, more restricted entitlements to benefits and services, and differing approaches to tackling migrant rough sleeping. However, ignoring migrant destitution is clearly not a cost-free option.

Services available and their limitations

Access to support services is very limited. They usually operate without public funding and are often outside the established network of homelessness agencies. Some groups, many of whom are members of the 30-strong NACCOM⁶ (No Accommodation) network, have been set up specifically to accommodate destitute migrants but capacity falls far short of the need.

Until recently, many homelessness agencies failed to address the specific needs of destitute non-EEA nationals and tended to use strategies developed for EEA migrants, such as early and unmediated contact with the Home Office and 'reconnection' (arranging for them to return home). For undocumented migrants, this is likely to be a severe deterrent to seeking help as return may not be an option, and in any case needs to be explored alongside good-quality immigration advice.

Since 2010, a range of cuts have affected advice provision and support services for migrants faced with destitution. In addition, cuts in legal aid funding and its scope in immigration cases mean that legal help is no longer available for most cases and even where it is available, for example for asylum fresh claims work, is extremely limited. The need to regularise documentation can involve hours of research, exceeding the amounts covered by legal aid where available. Too often people end up using poor-quality and exploitative advisers, with limited chance of success.

Homelessness agencies conventionally resolve cases by getting people 'off the streets', but most hostels require residents to have access to benefits. The barrier of NRPF can only be removed with prior immigration advice. Given that challenging an immigration decision and/or regularising one's status is a lengthy process, it can be extremely difficult without stable accommodation (and an address), food and clothing, and funds for travel and telephone calls. This is the conundrum for rough-sleeping or insecurely housed migrants with uncertain status.

Experience from initiatives now being taken (see the Street Legal case study on page 9) suggests that help to resolve immigration status, together with access to accommodation and provision of other support, means many destitute migrants are able to clarify and/or regularise their status and be supported to consider their options, which for some may include supported return, particularly if they have exhausted their legal options.

Legal issues that arise

The legal opinion⁷ obtained for this research is reassuring on the main areas where there might be legal question marks:

- Criminal law does not prevent assistance being given to undocumented people to alleviate destitution or meet basic human needs. Accommodation can also be provided to give a fixed address so a person can more readily remedy their immigration status.
- Assistance to those subject to NRPF is affected only by the 'public funds' limitation itself. It is quite specific, including statutory housing allocations and nominations or homelessness assistance, and entitlement to Housing Benefit. Importantly, support for rough sleepers is not included, nor is an allocation from a housing association outside a local nomination scheme. Additionally, if a housing association has had a government grant to provide a property, this does not mean that it could not be occupied by someone with NRPF.

- The need to check a tenant's 'right to rent' under the Immigration Act 2014 currently applies only in the West Midlands pilot area but is likely to be extended. This new requirement will only affect tenancies that involve rent payments, and most charitable schemes for undocumented migrants do not. Some types of accommodation, such as hostels and refuges, are in any case excluded. Where a body such as a housing association provides a property for another body (e.g. a charity), the second body becomes the landlord and there is no obligation on the property owner.
- Individuals with NRPF who lack housing and employment and/or are destitute can be supported by charitable foundations. A charitable foundation's assets are not 'public funds' for the purpose of immigration law and therefore can be used to assist people with NRPF.
- Although there is a criminal offence of assisting unlawful immigration, it is the legal opinion that charities offering food, money, services or accommodation to relieve the destitution of people unlawfully present in the UK would not be covered by this and would be unlikely to face prosecution.

Interventions needed and services currently available

This section gives examples of existing practice and key services that need to be developed to support more migrants out of destitution.

The Housing Rights website is a good source of information hosted by the Chartered Institute of Housing and supported by BME National, which aims to provide accurate information to recent arrivals and to advisers about entitlements to housing, based on people's immigration status.⁸

Better immigration advice and legal representation

Good immigration advice is essential to supporting routes out of destitution, and significant numbers of destitute migrants have never received adequate advice at any stage of the process. Poor advice at an earlier stage may also be detrimental to success in a future case.

A range of services exist but coverage is inadequate, the quality is very variable, and they need to be better integrated with accommodation services.

A forthcoming report funded by the Future Advice Fund⁹ outlines examples of provision of immigration advice for destitute refused asylum seekers, examines differing approaches to supporting routes out of destitution and assesses strengths and limitations of contracting models.

A London-based project called Street Legal offers a practical example that could be replicated, as does a newly established project – DASS – in Scotland (see page 6).

Case study 1: Refugee Survival Trust and the Destitute Asylum Seeker Service (DASS) Project

The Refugee Survival Trust (RST) is a small volunteer-led charity, which provides hardship grants to destitute asylum seekers. It is coordinating the DASS project to develop some of the recommendations of a 2012 scoping study carried out by Community Info Source.⁹

DASS is an advice and legal project, working with refused asylum seekers who are 'appeal rights exhausted' by reviewing their legal case and supporting those with new evidence to prepare a fresh claim.

The Oak Foundation is supporting the running costs and staff, including a project manager based at RST, a destitution adviser based at the Scottish Refugee Council and a supervisor at the Strathclyde Law Clinic.

The destitution adviser assesses all referrals, exploring the reasons for refusal and the potential for a fresh legal submission. Cases with new evidence are referred to the law clinic for further investigation.

Each referral is first assessed by the law clinic supervisor, who then instructs two of the 16 fully trained legal volunteers, who are all law students, to do in-depth research to build a legal case. Finally, a legal panel made up of two leading immigration lawyers providing voluntary support decides if the case is strong enough to be submitted.

All DASS clients are supported with their physical and mental health needs, including signposting to community facilities and specialist services. A number of Glasgow's Integration Networks provide food parcels, hot meals, toiletries and clothing. Links have been established between DASS and the NHS Trauma Assessment Team, as the need for clients to reveal difficult events as part of their fresh asylum claim may trigger a mental health crisis.

DASS clients are initially offered a place in a night shelter and then, while their case is going through the law clinic, temporary accommodation in a shared flat. The process is estimated to take between two weeks and five months. The project provides support with travel costs so that clients can attend appointments with the destitution adviser and law clinic.

Addressing subsistence needs

Destitute migrants need basics such as cash, food, toiletries and clothing. The British Red Cross and local charities provide these but services are often time-limited and not available in all areas. Some accommodation providers such as Hope Housing, the Boaz Trust and Praxis run destitution funds and provide food parcels, and others work jointly with other charities to make sure that basic needs are met.

Addressing support needs

The manner in which services are provided and access to other needs such as health care are vital. Many non-EEA nationals may have experienced persecution, abuse and trauma resulting in post-traumatic disorders or other mental health problems. Cultural sensitivity is vital and engendering trust and confidence within a therapeutic or psychologically informed environment may be necessary.

Case study 2: Boaz Trust

The Boaz Trust is a Christian organisation serving destitute asylum seekers and refugees in Greater Manchester, providing accommodation, food and other essentials. It provides advocacy and pastoral support, and campaigns on a local and national level for justice in asylum legislation.

Boaz has nine staff, around 60 regular volunteers and up to 200 volunteers who support the winter night shelter every year.

Boaz manages three types of accommodation:

- **Shared houses:** nine for asylum seekers and five for refugees, housing around 55 people (66 per cent asylum seekers, 33 per cent refugees). Houses are usually allocated for men or women, with limited accommodation for male/female couples. Boaz leases houses, free of charge or at low cost, from generous individual supporters including Green Pastures (a social investor) and the Diocese of Manchester.
- **Hosting scheme:** a small number of individuals are accommodated by local families offering spare rooms to asylum seeker guests for an agreed time. This can range from a couple of weeks to several months. This means vulnerable asylum seekers can be accommodated quickly when room is not available in a shared house. Hosts are supported by a hosting coordinator, and hosted clients receive the same support as those in shared houses.
- **Winter night shelter:** provides emergency overnight accommodation for up to 12 homeless asylum-seeking or refugee men from October until the end of April. The night shelter is hosted by a different church in Manchester or Salford each night of the week, and includes an early evening drop-in at the Friends' Meeting House. A hot meal and breakfast is provided by the host churches.

Basic living essentials are provided to clients who are not eligible for a British Red Cross food parcel, with a £10 weekly allowance for food and essentials. A monthly 'free shop' takes place where donations of food and toiletries are distributed to clients. Boaz pays bus fares for clients to attend medical and legal appointments, and, depending on funding, is able to pay for interpreters and translation of legal documents.

Practical and pastoral care is provided by a team of case workers who meet regularly on a one-to-one basis with asylum seeker and refugee clients.

A legal services manager provides legal advice and representation, allowing asylum-seeking clients to progress their asylum claim and work towards a resolution of the situation that made them homeless.

A programme of recreational and educational activities has been developed with input from clients, and designed to create opportunities for learning new skills, relieving stress, and encouraging friendships.

Strategic alliances and joint working

Different agencies working together can make more effective use of resources, including a better evidence base of replicable practice models, mapping, strategic development, consultation, training and awareness, capacity-building and coordination across sectors. A number of initiatives aim to identify existing provision and the potential for joint approaches, and to attempt to put them in place. The test will be whether they lead to delivery of sustainable solutions on the scale required, both outside and inside London. A Strategic Alliance on Migrant Destitution¹¹ has formed, hosted by Homeless Link and involving the British Red Cross, Housing Justice, Migrant Rights Network, NACCOM, Refugee Action and Refugee Council.

Case study 3: Commonweal and Praxis NRPF project

This project aims to test whether a financially stable and sustainable cross-subsidy model can provide free housing for those who have insecure immigration status and are trapped in destitution, unable to work to support themselves and unable to access benefits. Residents may be destitute migrants with insecure status, refused asylum seekers, victims of trafficking or domestic violence and those making human rights applications.

Commonweal is an independent charity, which seeks housing solutions to social injustice and helps to develop new pilot projects. It is keen to address the injustice of enforced destitution within the asylum and immigration system.

Commonweal has secured funding from a range of social investors (Big Society Capital, City Bridge Trust, Esmée Fairbairn Foundation, Trust for London) to purchase up to eight houses in which to test this model. The properties are leased to Praxis, which lets some of the properties to destitute migrants with children whom local authorities have a duty to assist under the Children Act. The income from this service – contracted by local authorities – is used to pay for accommodation for other destitute migrants who Praxis believe have a good chance of a positive appeal or fresh application if they are provided with appropriate support and legal advice. Those benefiting from free accommodation also get a weekly grant of £25 per adult and £17.50 per child. Although not sufficient in itself, it provides a lifeline for those unable to access any form of welfare benefits.

Praxis provides high-quality, family-friendly accommodation licensed to residents free of charge and tailored to specific needs. Properties are generally shared and are single-sex unless occupied by families.

Support is delivered by one dedicated staff member and her manager and includes:

- advice and support as part of an agreed support plan, which is reviewed monthly;
- immigration advice through a dedicated caseworker, offering intensive case work to secure access to statutory support and/or resolution of their immigration case;
- move-on support: residents with positive outcomes will be supported to access move-on accommodation. Where negative decisions are received, residents will be supported to explore their options.

Residents have recently moved in to the first three houses and an independent evaluation is underway to assess the value and replicability of the service.

Cross-subsidy models are more challenging in London and other areas with high-value housing markets, but there may be potential to scale up this approach, given that 61 per cent of Children Act cases are accommodated in London at great expense to local authorities.

Gaining official recognition and ownership of the problem

Central and local government needs some convincing to recognise the role it needs to play in supporting destitute migrants. Many cases of undocumented migrants are resolvable; destitution can result from loss of documentation and/or bureaucratic failure or delay. Migrant destitution has already received some support from the Homeless Transition Fund, for example Street Legal. Although aimed at tackling rough sleeping, this is an important precedent.

Street Legal is a unique cross-sector collaboration (involving St Mungo's Broadway, Refugee Action, Praxis Community Projects) to reduce rough sleeping among non-EU migrants in London. Over the last three years, two pilots have been funded by the Homelessness Transition Fund (HTF). Both projects provided access to dedicated expert immigration advice to new and longer-term rough sleepers and those 'hidden homeless' people who are on the cusp of rough sleeping. The approach could form part of commissioned 'No Second Night Out' services by supporting joint casework management and support to find bed spaces available to migrants with NRPF.

Case study 4: Street Legal East (SLE)

HTF funded two advisers at Praxis, a housing coordinator at St Mungo's Broadway, 10 per cent of the project manager's time and an evaluation.

SLE provided second tier assessment, advice and casework to rough-sleepers accessing No Second Night Out hubs, the No-one Left on the Streets shelter, the Royal London Hospital Pathway Homeless Team, street outreach teams and selected advice centres in the London boroughs of Southwark, Tower Hamlets and Hackney. It also developed a referral system with them and offered training and other resources about migration.

Of the 149 migrants referred to the SLE service, 95 received casework assistance and another 48 received one-off advice or assessment. Sixty-six applications were submitted to the Home Office, of which 15 resulted in grant of Leave to Remain and 14 replacement documents needed to be able to work or claim benefits. Twenty per cent of referrals coming from No Second Night Out hubs only required replacement papers for settled migrants who needed to prove their right to welfare. Five people applied for voluntary return and a further six from the hubs were advised that this was their only option but refused to take it. Fewer than ten per cent of the cases were not potentially solvable, with these having no option other than assisted voluntary return (Lukes, 2014).¹²

Nineteen people referred by hubs and street outreach were accommodated during the project as well as benefiting from a weekly hardship grant of £25. The project had some difficulty in securing hostel places, but has continued to develop sources of accommodation for this group. Now that HTF funding has ended, the project forms part of a London-wide Street Legal partnership, which is sub-contracted to provide a continuing service to No Second Night Out and has secured some funding to support further development.

Engaging with migrant community groups

The critical role played by informal migrant networks needs supporting and improving. So far, few of the recent initiatives targeting undocumented migrants have addressed how community networks can be drawn into any strategy, although Hope Housing is working with a newly formed Migrants' Union. This is vital to effective provision and prevention and ensuring that good services reach those who need them.

Case study 5: Hope Housing and Hope Projects

The first Hope Project, the Destitution Fund, assists destitute asylum seekers who have NRPF in and around Birmingham. Since March 2003 the Fund has raised and distributed more than £957,000. Grants from the Fund are generally made only to those who have a reasonable prospect of solving their destitution in the near future.

In 2007, Hope Projects established Hope Housing to provide emergency short-term accommodation for destitute and homeless asylum seekers, who are barred from mainstream provision for homeless people. As with the Destitution Fund, accommodation is generally provided only to those with some prospect of securing a remedy to their homelessness in the near future.

In 2014/15, Hope accommodated 78 new adult residents and five children in the nine properties that it manages. These are leased at a peppercorn rent from four housing associations and other supporters: Bournville Village Trust (BVT), Friendship Care and Housing, Mercian Housing Association, Midland Heart, the Roman Catholic Archdiocese of Birmingham, and Yardley Great Trust.

Hope has four part-time staff and 14 volunteers. Residents are encouraged to engage with management of the houses and are able to get involved in a range of activities that Hope runs, including a local gardening project using land provided by Bournville Village Trust and involving local people, and a women's group.

Hope also works with its partners to support a wider group of migrants in various ways, including a Migrants' Union, which aims to empower migrants.

Hope is currently talking with a church in central Birmingham about the possible provision of flats to be financed on a sustainable mixed-use basis, with residents who have recently obtained leave to remain in the UK (and so can work, and claim Housing Benefit) paying rent to subsidise the asylum-seeker residents who are NRPF.

There is no emergency night shelter in Birmingham, so Hope works closely with Coventry Peace House, which regularly accepts homeless asylum seekers; so when Hope cannot accept street-homeless people immediately it refers to the Peace House, whom it describes in its 2014/15 Annual Report as working 'with very little funding but a huge commitment'.

Accommodation – a major challenge

A secure place to stay is vital to those looking for a route out of destitution, but providing it for destitute non-EEA nationals is challenging because most do not have access to benefits. A recently published report¹³ provides an overview of the different accommodation and support models used to increase the scale and number of accommodation options for people with NRPF. The report identifies the main types of accommodation as:

- **hosting:** accommodation in the homes of volunteer hosts, usually with matching support services;
- **providing rooms in a shared house with wrap-around support:** houses shared by several migrants with a range of support;
- **providing rooms for migrants within a mixed, shared house with wrap-around:** one or more migrants with NRPF accommodated in a house where rent is paid by other migrants who can work/claim benefits;
- **communities:** houses shared on a communal basis, sometimes with a mix of migrant/non-migrant occupiers, such as the Emmaus model of ‘solidarity beds’;
- **night shelters:** free or very cheap accommodation for a short period (often night-by-night) and mainly not for migrants specifically;
- **hostels:** none specifically for NRPF migrants but some offer a small number of free bed spaces for them;
- **paying rent for a migrant to live in a house or hostel:** charitable arrangements to pay for bed and breakfast on a short-term basis.

There are few legal obstacles to these arrangements but organisations need to keep within the requirements of immigration law and the legal opinion shows how to do this. For example, hosting, the most common arrangement, is mostly compatible with the new rules providing no rent is charged in any form (e.g. not even payment in kind).

Over the past three years many members of the NACCOM network have been increasing bed spaces available to destitute migrants in shared houses, as in the Hope Housing model. JRF has taken a particular interest in supporting this development and identified three key challenges: obtaining suitable properties; developing the skills to manage shared housing; and sustainability with significant costs and responsibilities involved even if the houses are donated in some way.

Most properties are obtained from personal and faith-based contacts; securing properties from housing associations has happened through informal networks with senior staff or board members. This was the case with Hope Housing – see above. Housing associations in London may be less able to donate stock at a peppercorn rent, although some do. For housing associations considering offering properties, the legal opinion offers reassurance on a range of possible issues and also indicates ways of meeting regulatory requirements.

Improving housing and organisational management means donors may be more willing to entrust charities with properties.

Case study 6: Abigail Housing

Abigail provides support and homes to refugees and asylum seekers who are homeless and destitute. This includes four or five houses in Bradford for those who have been refused asylum but cannot reasonably return to their country of origin, and 60 bed spaces in single-sex shared houses in Leeds for those given refugee status who have to leave the accommodation provided whilst their asylum claim is being considered by the Home Office.

In January 2014, Abigail was involved in a meeting facilitated by JRF to explore how housing associations working in Bradford could respond to the plight of destitute asylum seekers. As yet, none of the Bradford housing associations have been able to provide a property but some have provided valuable resources in other ways:

- Yorkshire Housing has supported Abigail financially through small gifts from its community fund or through staff fundraising events. It has also collected food for Abigail's residents.
- Manningham Housing has provided Abigail with free access to its e-learning database so staff can access free and relevant training. It has also donated the time of its HR and policy teams to work with and advise Abigail's management team.
- Accent Housing has recently welcomed Abigail into its offices, where staff can share office space, meeting rooms and facilities.

Several groups, such as Abigail Housing, recognised that they can turn their newly developed skills in procuring and managing housing into a sustainable income stream. In the process, they meet the acute needs of many migrants with regular status who can pay rent. In most cases the tenants are refugees with newly acquired status. This income can be used to cross-subsidise those who cannot pay rent. Abigail Housing, the Boaz Trust, Open Door, Arimathea Trust and the Praxis and Commonweal Housing partnership are among those taking this approach.

Specific issues arise where schemes involve sharing or where rent is charged. If people are paying rent, projects need to respond to their obligations as landlords effectively, and differing approaches are needed to respond to the local housing market. In London, it is difficult to make the cross-subsidy model work financially, because of Housing Benefit restrictions. However, Praxis and Commonweal are piloting a model that brings in income by housing NRPF families to whom local authorities have a duty under the Children Act – see case study on page 8.

Using housing leased from private landlords works in Middlesbrough, where property values are much lower.

Case study 7: Open Door (North East)

Open Door (North East) was originally started by members of Jubilee Church Teesside in 2001, and was established as a registered charity in 2003 to help disadvantaged people in the North East of England, primarily in Teesside.

Over recent years, Teesside has had one of the highest rates of asylum dispersal in the UK. A 'food and friendship' evening and a donated flat from a recently married church member led to the current focus on services for destitute asylum seekers and refugees.

Open Door now manages 21 houses, housing 15 destitute asylum seekers for up to one year, with support to help them make informed choices about their situation, and 57 refugees paying rent. It also supports some hosting and night shelter provision.

It runs weekly drop-in and advice services including a women-only service, as well as refugee move-on and employment support, an International English Language Testing System and a sewing-based enterprise course.

Open Door has a team of 3.5 full-time equivalent staff and over 50 volunteers. It works closely with Justice First, local asylum advice experts who have a partnership with Newcastle Law Centre when a solicitor is required.

Open Door clients with NRPF receive a weekly food parcel and can also collect £5 a week and second-hand clothing from two other local charities.

Open Door has accessed houses from a range of sources; two are donated; one is coming on stream from a housing association; six are leased from private landlords; and a further 13 are managed for landlords for a management fee, which covers the costs of administration and support. All destitute asylum seekers are housed in three-bed properties with one or more rent-paying refugees who have licence agreements.

The examples highlight the different ways that groups over the past decade have been creatively using resources and housing to support routes out of destitution for migrants who have NRPF. In recent years they have also been making their provision more sustainable, but there is a delicate balance for groups run by staff on low salaries and driven by volunteers' enthusiasm.

People are the most important resource. The work also has a strong dynamic of changing people's minds and promoting integration, with the many volunteers engaged in the work learning from migrants about their lives and journeys before their arrival in the UK, their experiences of the system and of settling in the UK.

Conclusion

Migrant destitution is not an inevitable outcome of the immigration rules. It can be tackled. Many undocumented and destitute migrants can regularise their status if they receive help in the form of stable short-term accommodation and good advice.

The number and capacity of charities established specifically to assist destitute migrants – mainly asylum seekers – has grown in the last three-to-five years, but more provision is needed for all destitute migrants, not only asylum seekers.

Homelessness agencies, housing associations, charitable funders, voluntary, faith and community groups, as well as national and local government, should act to achieve this together: continued migrant destitution is in no one's interests.

The legal input to this study has shown that the obstacles that may be thought to exist for bodies such as charities or housing associations working in this field do not exist or can be overcome, and detailed opinion on doing this is now available.

The challenge is not just to achieve more – and more widespread – accommodation provision, but to do this in ways that support routes out of destitution. Examples highlighted in this paper show the importance of co-ordination between sectors, by sharing resources and expertise. As well as delivering accommodation solutions, such collaboration can provide appropriate support to destitute migrants, better access to good-quality immigration advice, and help with meeting basic needs such as food and clothing.

A key aim is to identify ways to make such services more sustainable in the long term. Some of the case studies do this by, for example, providing housing for rent or delivering commissioned services, to create sufficient income to cross-subsidise the support for destitute migrants.

Workable models therefore already exist, but the agencies and those who support them need to ensure that the examples are replicated to respond much more fully and widely to the scale of the problem, which appears to be growing. This *Solutions* is a call to action and sets out constructive ways forward.

NOTES

- 1 CHAIN Greater London bulletin 2014/15, <http://data.london.gov.uk/dataset/chain-reports>
- 2 See Red Cross and Boaz Trust (2013) *A Decade of Destitution: Time to make a change*. Manchester: British Red Cross.
- 3 Citizens for Sanctuary (2012) *Homelessness and Hope*. Nottingham
- 4 Lever, J. (2013) *No Return, No Asylum: Destitution as a way of life? The extent and impact of destitution amongst asylum seekers in Bradford*, www.destitutionconcernbradford.org
- 5 See http://data.gov.uk/sib_knowledge_box/london-rough-sleeping-social-impact-bond. This was a Government study designed to identify the costs of longer-term vulnerable homeless people to underpin a social investment bond.
- 6 See <http://nacom.org.uk/>
- 7 Berry, A. (2015) *In the matter of an opinion requested by the Association of Charitable Foundations, the Joseph Rowntree Foundation and the Joseph Rowntree Housing Trust*, Garden Court Chambers
- 8 See <http://www.housing-rights.info/index.php>
- 9 Clayton, G. (Sept 2015 forthcoming) *Models of immigration advice for destitute migrants, focusing on the needs of refused asylum seekers*. London: Future Advice Fund
- 10 Community InfoSource (June 2013) *Preventing Asylum Destitution*. Refugee Settlement Trust
- 11 See homeless.org.uk/migrant-destitution As the work of the Strategic Alliance gets underway, more content will be posted on Homeless Link's website.
- 12 Lukes, S. (2014) *Street Legal East: Briefing from the interim evaluation*. London: Praxis.
- 13 Hutton, C. and Lukes, S. (2015) *Models of accommodation for people with no recourse to public funds*, Praxis, Housing Justice and NACCOM. See <http://goo.gl/gqOFX5>

About this paper

This *Solutions* summary and the full report (details below) builds on the work of the Housing and Migration Network (established by HACT, the Migration Foundation and JRF), which ended in 2012.

The *Solutions* summarises legal opinion, available evidence, and highlights innovative work that is already being done to support destitute migrants.

Most of the scoping work and the legal opinion are England specific, but the authors hope that the report will be useful to those seeking to help destitute migrants across the UK.

The legal opinion on legal matters is available in full from: www.acf.org.uk

The authors are very grateful to Adrian Berry of Garden Court Chambers, Rosamund McCarthy, Chris Randall and Holly Terry of BWB llp and Keith Jenkins of Devonshires solicitors for the legal opinion, and colleagues at JRF, the Association of Charitable Foundations and London funders, and the many people working in charities, local authorities, housing associations, homelessness agencies, advice agencies and community groups who shared their expertise to produce this *Solutions* document and the full report, in which there is a full list of acknowledgements.

FOR FURTHER INFORMATION

This summary is part of JRF's research and development programme. The views are those of the authors and not necessarily those of JRF. The full report, **How to improve support and services for destitute migrants** by Heather Petch, John Perry and Sue Lukes, is available as a free download at www.jrf.org.uk/publications/improving-support-services-destitute-migrants

Read more summaries at www.jrf.org.uk
Other formats available
ISBN 9781910783085

Joseph Rowntree Foundation
The Homestead
40 Water End
York YO30 6WP
Tel: 01904 615905

email: publications@jrf.org.uk
www.jrf.org.uk
Ref: 3140