

Event report

# DEMYSTIFYING DESTITUTION

## How should funders respond to street homelessness and destitution in London?

An event in partnership with Homeless Link and Refugee Action

15.10.2013



HOSTED BY

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VENUE

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Trust for London  
6 Middle Street  
London, EC1A 7PH

On 15 October, London Funders, Refugee Action and Homeless Link brought a diverse range of funders together to share expertise and knowledge on tackling migrant homelessness. The meeting offered non-specialist funders the opportunity to have a rapid update on the area, and discussed how funders should respond to the changing picture of street homelessness and destitution in London.

In May 2013, Homeless Link and Refugee Action held a joint cross-sector event to consider issues and responses for homeless migrants, especially those with no recourse to public funds. Over 50 organisations from the two sectors attended. The conference report summary, including a set of jointly agreed actions, is available [here](#). This Demystifying Destitution event for funders draws on the recommendations from this cross-sector conference.

**Bharat Mehta OBE, Trust for London**, chaired the meeting and gave a warm welcome to those gathered, giving them the opportunity to introduce themselves and give an outline of their experiences and interests in this area. The aims of the meeting were given and relevant documents and other upcoming events noted, including London Funder's meeting of the Impact of Localisation of the Social Fund (in association with ACO and CPAG on 22<sup>nd</sup> October 2013) and the documents below:

[London's Poverty Profile 2013 \(NPI and Trust for London\)](#)

[Low Pay and Progression in London - Work in progress \(Centre for economic and social inclusion and Trust for London\)](#)

[Social Policy in Cold Climate: Prosperity, poverty and inequality in London 2000/01 to 2010/11](#)

**Eleanor Fethney, Refugee Action** outlined some reasons that can lead migrants to become destitute, including that they may not know about the claims that they can make, they may be badly informed, there can be administrative delays meaning that even successful asylum seekers can't claim benefits, or they may be refused. Eleanor emphasized the importance of identifying the crisis points so that intervention is possible. The discussion was opened with an overview of the different categories within the group being discussed as well as providing some [case studies](#) for the attendees. Eleanor described 4 main categories:

- **EEA/EU Migrants:** While there are many services existing to support this group, many people are not exercising their treaty rights. Increasing numbers of people are from outside the EU, possibly this may have always been an issue, though previously unrecorded.
- People who have been through the asylum system represent two groups- those granted asylum and those refused. However, destitution can be experienced even before the application stage, as changes in the system have led to very restrictive access. Application now requires booking an appointment in Croydon and visiting in person. Previously this was a walk in service, and now the combination of waiting up to 2 weeks for an appointment, or travelling to Croydon from elsewhere in the UK could, if people do not understand their rights, lead to destitution even before getting to the first stage.

If an asylum seeker is **granted asylum**, they must then arrange their own support, which can be problematic and there can be a bureaucratic delay of accessing documentation such as NI numbers leading to difficulty in accessing benefits. There is now no integration service and

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**“Changes in the asylum system have led to very restrictive access”**

access to the social fund has also changed so that support can, in practice, be difficult to access.

If **refused asylum**, people are given 21 days to leave and have no entitlements. There are various reasons why people would not choose to leave, they may still have fear of persecution in their country, or may not have understood the process or felt they got a fair hearing and so have unfinished migration. There is often a secondary migration to London. There are some points where there could be intervention, such as a fresh claim (requiring good quality legal advice) which might mean an application for section 4 support could be submitted which includes accommodation. Apart from this, the only other accommodation options for refused asylum seekers are usually informal charities and faith based groups. There are very few of these types of charities in London and the accommodation is filled very quickly. A more coordinated look is required on how to support people at this stage.

- **Irregular migrants** have not been through the asylum process and possibly arrived on different visas or through trafficking. They require legal advice to determine their situation, and support to make decisions about their lives, whether that is to regularize their status through applying for leave to remain based on asylum on human rights grounds, or talk through options for their return. Many homeless migrants have complex health needs that need addressing before they can make a decision about what they will do next. There is a hidden problem in the people who are not interested in any of these options and it is very difficult to monitor figures as this group are very transient. When training staff, it is important to be aware of what questions to ask when assessing people, to look for signs of labour exploitation

The complexity of this issue was emphasized and the importance of the homelessness and housing sectors working closely with the migrant/ refugee sector.

**Rick Henderson, Homeless Link**, introduced a discussion focusing on the situation currently facing the homelessness sector, by outlining statistics and some challenges. The Chain data capturing system in London showed that, for the first time, there are now more non-UK rough sleepers (53%) in the UK than there are UK rough sleepers. Of these 53%, about 40% were non-EU. Rick emphasized how numbers rise every year and that there are also many hidden problems and people that don't want to be found so capturing data is difficult, though they are getting better at finding people.

Rick outlined some challenges in terms of the slow and conservative reaction of the homelessness and housing sector, who did not anticipate the current situation and number of migrants. Where funded by the local authority and statutory sources, the homelessness and housing sector struggle to do things that they are not prescribed or commissioned to and that this can lead to people falling through the net. For example, even though Roma people may be entitled to access public funds, misperceptions of these entitlements can lead to people being wrongly excluded. Rick also pointed out that local authorities often want to protect their budgets and so avoid giving the message that help is available from them. Additionally, where people are not eligible for public funds, it is difficult for local authorities to provide resources.

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Faith organisations are able to act independently in this area, in a manner that fits their beliefs and Rick argues that their role is very important however the next few months may test their sustainability. Due to the Anglesey ruling, Rick noted that night shelters will be under the microscope and that local authorities will be reviewing whether night shelters are entitled to housing benefit. The localisation of the Social Fund has impacted on Homeless Link membership organisations dramatically as the local authorities now have discretion for implementing funds and Rick cited an example of a No Second Night project whose clients could not access any grants in the first 3 months of the new system. There was general agreement in the room that although government guidance exists to prevent deaths in cold weather ([cold weather SWEPP guidance](#)), no specific funding is made available for local authorities and so local authorities vary in terms of how this is managed, made more difficult as the complexity of needs increased.

**Dave Garratt, Refugee Action**, continued the discussion of possible action points for funders by focusing on the following concerns facing Refugee Action:

- The knowledge gap. Dave described how Refugee Action aim to give advice to asylum seekers and refugees before, during and after their asylum claim, and that many destitute people actually do have recourse to public funds, but there can be an issue of knowledge. People should be empowered with information so they can get off the streets
- Information and knowledge of staff and volunteers in touch with destitute people- training for outreach workers is needed so that practitioners have information at their fingertips and/or know where to turn for expert advice and support.
- Refugee Action want to work together with the homelessness, housing sectors and other groups in order to target appropriate support at destitute migrants who tend to be marginalised from services due to complexity and fear.
- Assessing accommodation and what sort of provision exists, whether fixed term or open ended, and questioning whether this can be changed in a long term way.
- Work about people with additional vulnerability and needs which adds to the complicated nature of the client base.
- The Home Office's new immigration bill has created a hostile environment and this will alienate people more, forcing them underground. Theoretically, as pointed out by attendees, this gives the government less control. When people are in the system and accessing section 4 then the situation is at least being controlled. Dave argued though that this is an issue of budget for the government and has led to lower asylum numbers, even if this is because people have gone underground and are not registered.
- The approach of the 'No second night out' agenda is to be proactive and assertive in giving advice, but there can be some situations where destitution is a rational choice, for whatever reason, and the individuals concerned do not want the attention of the Home Office, for example, they may fear being returned to their country of origin. Refugee Action looks at the individual situation and provides non-directive advice and support (hence their voluntary returns scheme being called 'Choices'.

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- Refugee Action wants policy change and is becoming increasingly litigious

**Heather Petch, Independent Consultant**, introduced two documents provided in the meeting pack, [Migrants Rights Network's Beds in Sheds and Rogue Landlords \(October 2013\)](#) to be launched tomorrow by Migrants Rights Network and also a summary of the [JRF Housing and Destitution Scoping Project](#) report which she had recently discussed with Julia Unwin, Emma Stone and Kathleen Kelly so as to agree the next phase of the work on this project which is a strand of JRF's Housing and Poverty Programme.

- Heather wanted to include the beds in sheds info because destitution is the top of the iceberg but there are many more migrants, indeed not only migrants, living in extremely poor housing conditions. While the government chose to focus on both rogue landlords and 'illegal' immigration when announcing its measures to tackle this problem, initial pilots have shown that it is not exclusive to irregular migration and manifests itself very differently in different localities.
- JRF had wondered if the developmental work she is now undertaking, designed to identify and support housing solutions for destitute migrants, should have broadened its scope to include people being forced to live without means as a result of newly introduced benefits sanctions. JRF is interested in this in its broader work but has decided to continue with a piece of development work focusing on housing for people with no recourse to public funds.
- Heather acknowledged that the need to be pragmatic and not to push people underground is a good argument to put to Government and statutory bodies.
- [The Home Affairs select committee report](#) condemned destitution and the inadequacies of section 4 as well as maladministration at the point of people getting a positive asylum decision which results in destitution. They have recommended a review of section 4 and that Home Office asylum support should be continued until the DWP has confirmed benefits.
- There is a need for more monitoring and better evidence in order to change win the argument for changes put by the Select Committee.
- The post 2004 escalation of the numbers of eastern Europeans has been the migration focus of the homelessness sector and there has been slowness in realising that the same reconnection approaches cannot be used for non EU migrants. Even in the case of EU migrants there can be a greater focus on reconnection rather than support to exercise Treaty rights.
- There has been little co-production with migrant self-help groups and this may be a reason why approaches have not been sensitive to different needs and cultures e.g. the Roma.
- Alliances are needed between statutory bodies and charities to make best use of funds.

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- Heather argued that these alliances need to be made London-wide to prevent areas trying to protect their borders. People should pool their expertise and resources
- To find remedies for people there needs to be an acceptance that solutions take time and that people need a stable place to live whilst trying to sort out their situation and potentially regularize their status through appeals, fresh claims and/or liaison with UKBA. Because of no recourse to public funds accommodation is very hard to deliver except through faith groups support by volunteers and access to donated properties or leased at peppercorn rents
- NACCOM (Accommodation Network) consists of 32 groups who provide various forms of housing to people with no recourse to public funds, mainly though not exclusively asylum seekers. Some have successfully appealed to the charitable purpose of housing associations to secure properties and JRF hopes to grow these alliances.
- Volunteering is an essential element in support models and can be an effective way to get people involved raise awareness.

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The discussion after the break saw many points developed further and expanded upon:

### **Summary of discussion points**

#### **Alliances**

- Bharat Mehta emphasized the necessity of opening up the dialogue.
- JRF’s project is developmental activity and it is looking for partners so wants to know if there is an appetite for working together. Heather described how JRF’s approach and investment of the £40k it has set aside can be shaped by what other funders want to do. Julia Unwin will host a discussion in the New Year to consider the results of the consultation work Heather is currently undertaking.

#### **Government and influencing policy**

- Refugee Action are becoming more litigious and are clear on the policy changes they want to ask for in general for asylum seekers, though Dave emphasizes the complications for non-asylum seekers.
- Now was noted to be a positive time to start discussions, learning from other parts of the UK and thinking about what a joint manifesto between the homelessness and refugee and migrants sectors may look like, before the next election. Homeless Link would be keen to work on this.
- There was an importance placed on harnessing community goodwill due to the prejudices from the press. These prejudices may not actually be so accurate and public opinion is essential to influencing government decisions.
- London Borough funding was discussed as needing a more coordinated, cross-borough response. Without funded statutory duties, then this issue would be a low priority for the over-stretched boroughs, especially if these people have no recourse to public funds.
- There was an emphasis on the subsequent costs on public funds, for example where rough sleepers are not eligible for secondary health

services and then result in larger costs for the NHS. Preventative health services or tackling a small part of the issue in general may save public funds in another place. However, the government response is very negative about this issue and it is very difficult to evidence the size of the issue or how many people are living in illegal structures, though in Ealing it is estimated at 60,000 people in that borough alone and the rough sleeping population is estimated to be c£6K with half migrants and a high proportion of these non EU and potentially people with no recourse.

- Dave Garrett argued that the government is unlikely to want to fund this and so there should be a focus on finding better and more creative ways to get support. Additionally, Refugee Action are aware that some people may actually have recourse to public funds and so it's important to ensure that these people are able to access support. Samantha Rennie, Homeless Link, also emphasized how projects such as Street Legal have a more pragmatic response on the ground and that although changes at policy level are difficult, projects on the ground have achieved great things.
- There was some discussion of the group of people who have been granted refugee status and are evicted from NASS accommodation before they get access to mainstream housing and benefits. Bharat, for example, mentioned the Strategic Legal Fund for Vulnerable Young Migrants who have made a grant to Child Poverty Action Group to research a possible legal challenge to this policy.
- There was an emphasis by Heather on remaining positive, that the government do want people to come forward with solutions, but it's important to be aware that local authorities aren't in the position to do that. Both statutory bodies and charities should try to pool and channel resources more effectively.
- Parallels were drawn with the Corston Independent Funder's Coalition's work on advocating for change in the criminal justice system. Despite some suggestions that the CIFIC was now facing an uphill struggle to achieve change, Samantha highlighted some of its earlier successes. She indicated that any policy influencing work on migrant homelessness needed take account of the very different political climate from that of the early CIFIC days.

### Housing

- Faith based groups, amongst others, were acknowledged to be offering an essential service in terms of the desperate need for on-going/ open-ended accommodation which can provide an opportunity for people to regularize themselves or make decisions. This needs, however, to be in combination with advice and support services in order to actually move people on and progress them.
- The housing issue is in the spotlight and requires sensitivity. Models from other parts of the country were seen as not able to work in London, as people are not prepared to donate London housing. A model is required that can provide a good level of return to private investment.

### Getting data

- Heather looked at the question of how to encourage projects to monitor and share the outcomes of their work - solid data and case studies. Such

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evidence could make the case for accommodation provision for destitute migrants so they have breathing space to sort out their situation.

- Samantha Rennie outlined Homeless Transition Fund's approach to gathering data and other evidence from grants, but highlighted the challenges of turning this into effective policy asks – there were significant gaps in grantee's ability to record client data accurately.

Bharat closed the discussion by noting that if there are any good and relevant models then we should look at trying to showcase and replicate them, and also reflecting on the grey area of the London borough's work in this area. While there is often no statutory duty to provide housing to this group of clients, there is a clear need. He highlighted the useful role that funders can play in convening and brokering. The session completed with enthusiasm for the potential of working together on these issues and working to find some solutions in London. These issues cut across many agendas, but are often at the margins and there is a need for these issues to be taken on board. London Funders is in a unique position to monitor these debates and facilitate further talks and possible alliances and David Warner emphasized that anyone with further thoughts or ideas should contact himself at [david@londonfunders.org.uk](mailto:david@londonfunders.org.uk) so that London Funders can begin to capture some of these ideas.

## Participants

Debbie	Pippard	Barrow Cadbury Trust
John	Coleby	CARITAS Diocese of Westminster
Jackie	Tominey	CARITAS Diocese of Westminster
Andrew	Robinson	CCLA Investment Management Ltd
Ashley	Horsey	Commonweal Housing
Rick	Henderson	Homeless Link <b>(Speaker)</b>
Helen	Mathie	Homeless Link
Samantha	Rennie	Homeless Link
Heather	Petch OBE	Independent Consultant <b>(Speaker)</b>
Miranda	Griffith	London Borough of Camden
Peter	Bradbeer	London Borough of Redbridge
Victor	Willmott	London Catalyst
Anya	Stern	London Community Foundation
Paul	Birtill	Metropolitan Migration Foundation
Louise	Montgomery	Oak Philanthropy (UK) Limited
Eleanor	Fethney	Refugee Action <b>(Speaker)</b>
Dave	Garratt	Refugee Action <b>(Speaker)</b>
Ieuan	Ap Rees	Royal Borough of Kensington & Chelsea
Georgina	Nayler	The Pilgrim Trust
Bharat	Mehta OBE	Trust for London <b>(Chair)</b>
Rachael	Takens-Milne	Trust for London

## In attendance

Becky	<b>Green</b>	London Funders
David	<b>Warner</b>	London Funders

**With thanks to Trust for London for their support in hosting this meeting.**

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