

All Party Parliamentary Group on Ending Homelessness



Migrant homelessness – Officers Meeting Minutes

27 November 2017, 15.00-16.30, House of Commons, Committee Room 21

Attendees:

Neil Coyle MP, APPG Co-Chair
Lord Beecham
Lord Best
Baroness Hamwee
Baroness Healy of Primrose Hill
Tanmanjeet Singh Dhesi MP, Slough

Parliamentary Assistants:

Polly Bam, Office of Lord Best
Dan Ellis, Office of Will Quince
Laura Hutchinson, Office of Neil Coyle

Secretariat:

Leah Miller, Secretariat to APPG

Other:

Debbie Adler, Cardinal Hume Centre
Charlotte Blake, Homeless Oxfordshire
Lucy Bowyer, The Albert Kennedy Trust
Helena Brice, Crisis
Abi Brunswick, Project 17
Fiona Carrick-Davies
Chai Patel, Joint Council for the Welfare of Immigrants
Lara ten Caten, Liberty
Niamh Costello, Housing Justice
Claire Dowan, Homeless Oxfordshire
Nancy Doyle-Ham, Virgin Money Foundation
Dan Dumoulin, Depaul
Steve Gill
Maria Iglesias, Praxis
Shayane Lacey, Housing Justice
Edward Lowe, Commonweal Housing
Jacqui McClusky, Homeless Link
James Moorhouse, Porchlight
Hilary Nightingale, The Cardinal Hume Centre
Signe Norberg, Southwark Council

Apologies:

Will Quince MP, APPG Officer;
Helen Hayes MP, Dulwich and West Norwood;
Sir Paul Beresford MP, Mole Valley;
Baroness Young of Old Scone;
Kerry McCarthy MP, Bristol East;
Derek Twigg MP, Halton;
Sarah Champion MP, Maldon;
Frank Field MP, Birkenhead;
Tom Tugendhat MP, Tonbridge and Malling;
Richard Benyon MP, Reading;
Hugh Gaffney MP, Coatbridge, Chryston and Bellshill;
Bob Seely MP, Isle of Wight
Mark Prisk MP, Redruth

Witnesses:

Michael Bates, Manager, caseworker and Manager of the Birmingham Community Law Centre;
Henry St Clair Miller, Manager of Islington Council's No Recourse to Public Funds Network;
Parent with lived experience of migrant homelessness

Petra Salva, St Mungo's
Lucy Smith, NACCOM
Megan Wong, Migrants Rights Network
Pam Orchard, Connection at St Martins

Welcome and apologies

Introductions

Lord Best (LB) began the session by explaining that he would be filling in as Chair for the first half an hour before Neil Coyle (NC) arrived and took over as Chair.

He went on to note that the APPG was formed in 2016 with the aim of placing homelessness at the top of the political agenda of all political parties and develop the policy solutions that would end homelessness for good

In its first year, the group focused on preventing homelessness, looking specifically at three cohorts – care leavers, people leaving prison, and survivors of domestic violence. At the end of the year, a report had been published which set out a series of recommendations on preventing homelessness. He also pointed to work the APPG had done to support the progression of the Homelessness Reduction Act, a Private Members Bill put forward by Bob Blackman MP. The passing of the Bill showed what could be achieved, but it was important to continue working together to end homelessness.

Noting that this was the first meeting of the APPG in its second year, he explained that the focus would be on ensuring the recommendations of the year one report were adopted as well as developing a set of policy recommendations on ‘rapid response’ – how to best support those who do become homeless be rehoused as quickly as possible.

This session would focus on migrant homelessness, looking at the related causes of homelessness facing this group, barriers to support and identifying workable solutions to go in the year two report.

The APPG was joined by three expert witnesses: Michael Bates (MB), caseworker and Manager of the Birmingham Community Law Centre; Henry St Clair Miller, Manager of Islington Council’s No Recourse to Public Funds Network; and a parent with lived experience of homelessness (PLE).

Lord Best asked each of the witnesses to introduce themselves and say a bit about their work, beginning with Michael Bates.

Michael Bates

MB began by introducing himself as Manager of the Birmingham Community Law Centre, which had been opened following the closure of the previous Birmingham Law Centre.

	<p>Through his work with migrants, he had seen how a lack of legal aid meant that problems could snowball, resulting in crisis. The circumstances facing the individuals concerned would become much more difficult to address, and State departments also had to invest more time and money into resolving cases.</p> <p>Whilst he recognised that resources are limited, he stressed the importance of ensuring the system was as efficient as possible within these limits. At Birmingham Community Law Centre, they were developing an immigration advice strategy to help achieve this.</p> <p>There was a large cohort of families who had British born children, that had no access to mainstream support through no fault of their own. He often saw cases where single mothers with children who were British citizens, were not receiving adequate support.</p> <p>Local authorities have a duty to assess the needs of these children and their families, but all too often it was felt that this was not being fulfilled.</p> <p>MB explained that the legal duty local councils have to support destitute families with British children could be confusing at times, stating 'there is a large cohort of children that have been relegated to a 3rd class childhood, with no recourse to public funds, except local authority support at a lower level' and British children could spend up to 18 years receiving this much lower level support.</p> <p>MB referred to the Birmingham City Council v Clue case where it was ruled that it was unlawful for local authorities to separate children from their families to avoid having to accommodate the whole family. Despite the ruling, there were still cases where people seeking help has been told the council would only be able to accommodate the children.</p> <p>The ruling went to the heart of the battle between national government and local government in terms of responsibility for providing support. Local authorities were increasingly having to offer more support with less resource.</p> <p>MB went on to outline the efficiency of the system; that if immigration cases could be dealt with better, this would mean problems could be resolved more quickly. For example, he highlighted that, often, migrants were not receiving their National Insurance number. This would be a relatively easy issue for the Home Office to resolve so people could access mainstream support more quickly, adding that this could help avoid homelessness altogether.</p>
Henry St Clair Miller	Henry St Clair Miller (HSCM) explained that he worked for Islington Council's No Recourse to Public Funds Network and went on to explain that the NRPF Network provides information and guidance to local authorities to help them fulfil statutory

	<p>duties and progress cases that need to come to some sort of resolution.</p> <p>HSCM had been struck by the diversity of the people referred to the NPRF Network, which included asylum and EEA nationals. There were high levels of hidden homelessness among the Network's client group.</p> <p>Across local authorities in England, 45 were using NPRF Connect and as of the 30th September 2017, 2358 households were being supported by NRPF. This represented a big challenge for local authorities. A point was made that local authorities needed to better understand that they have a duty to provide support to households with British children. The NRPF Network has an online destitution tool, which local authorities could use to find out what support they can and should offer families facing destitution.</p>
Southwark Council	<p>Explaining that Councillor Stephanie Cryan from Southwark Council was due to give evidence at the session, but was unwell, Neil Coyle (NC) said that the Council had provided some statistics in lieu of her attendance. The council received around 30 – 40 referrals every month to the NRPF team, of which around 10 were accepted.</p> <p>Cases usually took around six to eight months to resolve. Around £1,450 was spent each month on each household supported through temporary accommodation or supported housing.</p> <p>Councils were losing central funding, as well as having greater burdens placed on them to provide support to destitute families.</p> <p>Furthermore, NC noted that Southern Council did not hold information on the number of children with No Recourse to Public Funds, which was worrying in terms of safeguarding and highlighted how people could live in the UK for years without realising they had NRPF. An example, was provided outlining the case of a constituent who had lived in the UK since he was five years old, but had been told he had No Recourse to Public Fund and was provided no other help than being told to go home.</p>
Parent with lived experience	<p>NC then welcomed a parent with lived experience of homelessness, thanking her for agreeing to share her very personal experience on this issue with the APPG attendees.</p> <p>She explained that she had been made homeless last year after her visa was revoked and that the father of her British-born children had been deported.</p> <p>On approaching her council for help, she was advised to go to a hotel but did not have the money for this. She and her children</p>

	<p>spent one night at a police station before ending up in a hostel. Her situation remains unresolved, causing significant anxiety.</p> <p>Adding to this, Fiona Carrick-Davies, a Family and Community Co-ordinator at the school the witnesses' children attend, said that there were around 50 children at the school that had NRPF.</p> <p>There were also extreme problems with the type of housing being provided to migrants with NRPF, HSCM added. For example, he noted that a family had been paced in a flat with damp and told to keep the door, which led on to a busy back passageway, open to deal with the problem.</p> <p>MB noted the case of one of his clients who had spent five years in a B&B, living in one room. Furthermore, some councils were deducting the cost of hotel breakfasts from the amount owed to families they put up in B&B accommodation. MB called for better guidance for local authorities on how they should be supporting people. Guidelines should clearly state that the safeguarding duty local authorities have towards British children extends to whole households. It is not acceptable to only accommodate the children, resulting in families being split up.</p>
<p>Questions</p>	
	<p>1. NC asked about access to legal advice.</p> <p>HSCM replied that it tended to be the non-asylum cohort who struggled to access legal advice, as legal aid was no longer available to this group. On top of covering legal fees to see them through lengthy legal cases, migrants could find themselves simultaneously having to pay to regularise their immigration status. 35% of supported cases are being supported by local authorities for over 1,000 days.</p> <p>Adding to this, MB noted that the Legal Aid Sentencing and Punishment of Offenders Bill had removed civil legal aid from many areas of case law and introduced Exceptional Case Funding to act as a safety net if an individual's rights were at risk of being breached. He argued that civil cases should be brought back under legal aid as the exception discretionary mechanism wasn't working in practice.</p> <p>2. Tanmanjeet Singh Dhesi (TSD) asked what impact new NHS charges would have on homeless migrants.</p> <p>MB noted the case of a client with a severely autistic child who was no longer able to access a healthcare service the child had previously benefited from. The service had also given the mother a two and a half hour respite each week from her caring duties. This would have an impact on the child's development and health as well as the mother's mental health, he stated.</p>

Baroness Hamwee said she had no doubt that the requirement for certain NHS charges to be paid upfront would deter people from accessing free services as well. She also argued that many of the problems facing migrants could be prevented if the Home Office system was more efficient and provided help when it was supposed to.

Lara ten Caten from Liberty highlighted that the new Memorandum of Understanding between the Department of Health and the Home Office meant that patients' data was being shared for immigration purposes. She raised serious concern that this would also deter people from accessing frontline NHS services, as well as NRPf services.

Petra Salva from St Mungo's said that currently, the voluntary sector was having to fill the gaps in state support and that around 60% of migrants sleeping rough were only there due to poor decisions by the Home Office. Most immigration cases could be turned around, she added.

MB said there was a clear need for a human rights-based approach to understanding homelessness and destitution. A small upfront investment by the Home Office in getting immigration cases right in the first place would help save money in the long-run, he stated.

Lucy Smith from NACCOM noted that 60% of service users responding to the NACCOM annual survey went on to receive Leave to Remain. As such, the real problem lay with Home Office decision making, which was currently a much more protracted process than it needed to be.

Chai Patel from the Joint Council for the Welfare of Immigrants argued that current Home Office policy was designed to use the threat of destitution to encourage migrants to leave the UK.

Claire Dowan, CEO of Homeless Oxfordshire, noted that the council had decommissioned many homelessness services in the city, meaning the loss of hundreds of beds for homeless people. This meant that resources to house homeless people were available, but were not being used. She stressed the for local authorities to work with charities to ensure more effective use of resources.

HSCM agreed that there was benefit in the third sector and local authorities working together to address migrant homelessness, including looking at how to tackle the causes of homelessness among this group.

Concluding, he re-emphasised the importance of local authorities exercising their duty to safeguard British children and young adults correctly, as well as the importance of access to legal advice for destitute or homeless migrants.

AOB

Overview

NC thanked the witnesses and all other attendees for coming. In particular, he thanked the witness with lived experience for sharing her story, noting that it is a difficult topic to come to parliament and discuss. The APPGEH's recommendations on the subject would be published in the wider APPG report at the end of the year. The next meeting of the APPG would focus on rapid rehousing models.

Actions and deadlines

Secretariat to send around minutes to witnesses and both Chairs.