

Everyone Out?: preventing migrant homelessness during Covid-19 and beyond

As a result of the Covid-19 pandemic, many people were temporarily protected from homelessness due to two key policy measures: a suspension of evictions from asylum accommodation by the Home Office; and 'Everyone In' policy directive from the Ministry of Housing, Communities and Local Government (MHCLG) which, alongside equivalent measures from devolved governments, allowed Local Authorities to accommodate everyone at risk of homelessness, regardless of immigration status or No Recourse to Public Funds (NRPF) conditions.

As these emergency measures end in England, people with NRPF and those who have received a negative decision on their asylum claim are at acute risk of homelessness. This is not acceptable under normal circumstances, but in a pandemic in the middle of winter, it is manifestly unsafe.

The present situation

The Immigration Minister, Chris Philp MP, said that measures to keep people seeking asylum safe from eviction were temporary and *'would be brought to an end as soon as it was safe to do so.'* **The Home Office took the decision to resume discontinuations of support and evictions for people with a negative asylum decision in England from the 15th September**, with plans to resume in Scotland, Wales and northern Ireland at a later unspecified date.

Consequently, between September and November, discontinuations began to be issued, even in areas deemed 'high risk' for Covid cases, with cessation letters received by people seeking asylum housed in areas in local lockdown, such as [Liverpool](#) and [Greater Manchester](#). The Principal Judge at the Asylum Support Tribunal [has since issued a judgement](#) that evictions in Tier 3 areas were 'unreasonable' and should not proceed. Following the announcement of a national lockdown in England from the 5th November to the 2nd December and ongoing [legal action](#), the Home Office paused evictions from asylum accommodation during this period for people who have been refused asylum.

Now, as England reverts to the [tiered system of local restrictions](#) once again from the 2nd December onwards, the Home Office have not yet provided a public confirmation of their policy position in relation to evictions within the new tiered system in England, or any national restrictions in the devolved nations.

Why does this matter?

Evicting people seeking asylum into homelessness is always unacceptable but this winter the risks and consequences could be greater than ever. Data has already shown that people from [Black, Asian and Minority Ethnic \(BAME\) communities](#), people living in areas of [multiple deprivation](#), and [people who are homeless](#) are at heightened risk of contracting COVID-19. As one person who was street homeless before being supported by the NACCOM network to access temporary accommodation explains, *'I was panicking, when I heard if you have an underlying health condition you are more likely to die. So I thought I was going to die, it was very worrying, very dangerous.'* All supported asylum seekers are currently housed in either [high risk \(Tier 2\) or very high risk \(Tier 3\)](#) areas in relation to the prevalence of COVID-19; the [largest dispersal areas](#) are mainly in Tier 3 or the equivalent level of restrictions in the devolved nations. Evictions into homelessness in these high risk areas will put people seeking asylum at risk of COVID-19.

People living on asylum support have very few protections against eviction once their asylum claim is refused and a cessation letter is issued. They have no recourse to public funds, and are forced to rely on charities, faith and community groups to avoid street homelessness. The voluntary sector safety nets for people in this extremely difficult situation have always been fragile, but provision is even more difficult to guarantee due to COVID-19. **Specialist homelessness charities**

and faith and community groups are grappling with gaps in bedspaces, capacity and funding as they reconfigure services in light of changing public health advice and [guidance](#).

Additionally, there remains significant uncertainty about long term Local Authority provision for people with NRPF, including those who have the NRPF condition attached to their visa and all others who are unable to access public funds due to insecure migration status. In England, 'Everyone In' funding ended in June, and whilst additional funding has been made available through the [Next Steps Accommodation Programme](#) and [Protect Programme](#), it remains unclear how funds will support people who cannot access public funds as a result of their migration status. Charities and local authorities report concerns about [funding gaps amidst rising need](#) and [medical and homelessness organisations have written to the Prime Minister](#) warning of significant 'risk to life' without bold and decisive action, whilst the Mayor of London has called for an [urgent suspension of 'immigration based' exclusions from welfare and homelessness assistance](#).

With support and advice, a large proportion of people who have been refused asylum are eventually granted leave to remain; the latest Home Office figures show that [44% of asylum appeals are allowed](#), while of the 427 people who were appeal rights exhausted and moved on from NACCOM members in 2019/20, [53% secured refugee protection or were able to re-enter the asylum support system](#). To make decisions about their next steps and engage with services, people need - at the very minimum - a roof over their head.

Earlier this year, a [Home Affairs Select Committee report detailed some of the safeguards that would need to be put in place before evictions could safely recommence, including consultation with key stakeholders such as local authorities](#). Despite this, **engagement with key stakeholders has been minimal**, with the Home Office [failing to consult](#) Local Authorities on their decision to resume cessations in September, and providing no details on [either the nature of Public Health advice](#) or their assessment of [the equalities duty](#) regarding cessations for people with a negative asylum decision.

In September, the Home Office's plans to resume evictions were met with [opposition from many voices across the UK, including Local Authorities](#) (including [Glasgow City Council](#) and [Leeds City Council](#)), **members of Parliament, hundreds of organisations across the migration and homelessness sectors, and [elected Mayors Andy Burnham, Steve Rotheram and Jamie Driscoll](#). In their words, '*people in our communities are being left out of crucial measures to prevent homelessness. People who have sought sanctuary in our towns and cities, and others with no recourse to public funds, are all at risk of street homelessness and destitution.*'**

What needs to happen

When the UK introduced initial lockdown measures in March, the Home Office was quick to act to suspend evictions and support people seeking asylum to remain in accommodation. The further suspension of evictions during the second English lockdown was also welcome. This was the right thing to do, and allowed people seeking asylum to follow public health guidance, stay at home and stay safe. Now, people seeking asylum must continue to be protected from evictions into homelessness throughout winter, and whilst COVID-19 remains a threat to us all.

As England exits lockdown on the 2nd December, the Home Office must:

- Retain the pause on evictions for people who have been refused asylum whilst COVID-19 remains a threat. No-one should have their financial support or accommodation withdrawn until they have been able to access alternative provision. People in asylum accommodation must be provided with adequate advice and support to help them progress their legal case and make informed choices for their future. ;
- Suspend No Recourse to Public Funds (NRPF) and work with the Ministry of Housing, Communities and Local Government (MHCLG) and relevant housing departments for constituent nations of the UK to provide adequate funding and clear guidance for local authorities, so they are able to fully support everyone at risk of homelessness in their communities.

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