

cc

London Councils

Local Government Association

NRPF Network

Thangam Debbonaire MP, Shadow Secretary of State for Housing

18 June 2020

Dear Chief Executive and Council Leader/Mayor

Re: Support for homeless people, including those with no recourse to public funds (NRPF), during and after the Covid-19 pandemic

We are writing to urge your local authority to commit to providing ongoing shelter and support to all those experiencing or at risk of homelessness during and after the Covid-19 pandemic, and to do so regardless of immigration status.

We are also asking you to join us in publicly calling on the government to end the 'no recourse to public funds' (NRPF) regime, which exposes many people living in the UK to destitution, including rough sleeping.

We recognise that councils are operating under extremely challenging conditions due to the pandemic. We are also aware that a decade of austerity, combined with a loss of revenue as a result of 'lockdown' measures, has placed local-authority budgets under severe strain.

It is clear that central government has not provided sufficient funding to local authorities to support homeless people during this crisis. This has been compounded by the failure of MHCLG to provide guidance on what legal powers councils should use to support those who would not normally be eligible for assistance. The NRPF condition, which restricts some migrants' access to welfare benefits, has placed the burden of supporting such people on overstretched local authorities.¹

As a result, and despite the efforts of some councils, many homeless people, particularly those with NRPF, remain without shelter during this pandemic. Others

¹See e.g.

<https://www.theguardian.com/world/2020/may/26/london-mayor-rough-sleeper-funding-run-out-sadiq-khan-homeless-hotels>

<https://www.londoncouncils.gov.uk/press-release/15-may-2020/london-boroughs-call-%E2%80%98urgent-clarity%E2%80%99-rough-sleeping-next-steps>

<https://twitter.com/lewishamlabour/status/1252926759806414848>

have experienced unacceptable 'gatekeeping' or have received inadequate support once accommodated.² Some people with insecure immigration status have been told by councils that their information may be shared with the Home Office for immigration-enforcement purposes.

As lockdown measures are eased, we are extremely concerned that some homeless people, particularly those with NRPF, may be evicted from council-provided accommodation and be forced to return to destitution. This would be a moral, humanitarian and public health catastrophe, especially given that many shelters will be unable to reopen due to ongoing social distancing requirements.

As you will be aware, the homelessness minister recently confirmed that the legal position on support for people with NRPF 'has not changed', suggesting that councils should make use of 'voluntary repatriation'.³ We are deeply concerned by these announcements.

Nobody should be forced to sleep rough, regardless of their immigration status. Nobody should be forced to leave the country they call 'home'.

In light of the above, we are asking your local authority to take the following steps:

1. Commit to continuing to support everybody who is, or is at risk of, sleeping rough, and to do so regardless of immigration status. This commitment must include assurances that nobody will be evicted from temporary accommodation provided through the pandemic response unless and until suitable long-term housing has been found for them.

2. Urgently and publicly advocate to central government for the removal of all NRPF restrictions, including those that apply to undocumented migrants and EEA citizens without a qualifying right to reside, to ensure that everyone can access shelter and meet their basic needs during and after the Covid-19 pandemic.

² Jolly, A., Sojka, B., Dickson, E., Qureshi, F., Stamp, D., Morgan, B. (2020) Local Authority Responses to people with NRPF during the pandemic: Interim project findings briefing. ICRD, Wolverhampton

https://www.researchgate.net/publication/341651441_Local_Authority_Responses_to_people_with_'N_o_Recourse_to_Public_Funds'_during_the_pandemic_Interim_project_findings_briefing

³

<https://www.insidehousing.co.uk/news/news/homeless-migrants-may-be-offered-voluntary-repatriation-once-hotels-close-says-minister-66389>

3. Provide assurances that homeless people's data will never be shared with the Home Office without their informed consent and that nobody will be offered 'voluntary return' or 'reconnection' to their country of origin as a 'single service offer'.

We are grateful to those local authorities who have already signalled their wish to ensure that nobody is forced to return to the street. However, in these extraordinary circumstances, further efforts are required to uphold everybody's right to shelter, regardless of immigration status.

We look forward to hearing from you and to continuing to work with you around this issue. Please send your response to advocacy@haringeymsc.org

Yours faithfully,

Refugee Action

JCWI

Praxis

Doctors of the World

Jesuit Refugee Service

NACCOM

The Big Issue Foundation

Migrants Rights' Network

City of Sanctuary UK

Helen Bamber Foundation

WeBelong

Haringey Migrant Support Centre

Public Interest Law Centre

Museum of Homelessness

Streets Kitchen

Labour Homelessness Campaign

Paper Cup Project

Emmaus UK

Migrant Voice

UKLGIG

Help Refugees/Choose Love

Project 17

Just Fair

Maternity Action

Right to Remain

Labour Campaign for Free Movement

AVID (Association of Visitors to Immigration Detainees)

APLE Collective

West London Welcome
Hackney Migrant Centre
Housing Action Southwark and Lambeth
Southwark Day Centre for Asylum Seekers
Southwark Law Centre
Lewisham Refugee and Migrant Network
Simon Community
South London Refugee Association
PLOD Foundation
Highgate Newtown Community Centre
Brixton People's Kitchen
Be Enriched
Greater Manchester Immigration Aid Unit
University of Liverpool Law Clinic
RAPAR
Greater Manchester Law Centre
Greater Manchester Housing Action
Coffee4Craig
Positive Action for Refugees and Asylum Seekers (PAFRAS)
Action Foundation
Refugee Action York
Hope Housing
Sanctus St Mark's
Baobab Women's Project
SIFA Fireside
As Suffa Institute
Period Power
The Hope Projects
Covpeace House
Coventry Asylum and Refugee Action Group
Birmingham Trade Union Council
Entraide (Mutual Aid)
Voices in Exile
Surviving the Streets
Brighton and Hove Housing Coalition
Bristol Refugee Rights
Refugee Support Devon
Liz Davies, Joint Head of Chambers, Garden Court Chambers
Stephanie Harrison QC, Joint Head of Chambers, Garden Court Chambers
Stephen Kamlsh QC, Barrister, Garden Court Chambers
Helen Curtis, Barrister, Garden Court Chambers
Louise Hooper, Barrister, Garden Court Chambers
Merdoc McMinn, Barrister, Garden Court Chambers

Connor Johnston, Barrister, Garden Court Chambers
Sophie Caseley, Barrister, Garden Court Chambers
Ubah Dirie, Barrister, Garden Court Chambers
Russell Fraser, Barrister, Garden Court Chambers
Kathryn Cronin, Barrister, Garden Court Chambers
Michael House, Barrister, Garden Court Chambers
Greg Ó Ceallaigh, Barrister, Garden Court Chambers
Susan Wright, Barrister, Garden Court Chambers
Cllr Shaista Aziz, Oxford
Cllr Mike Roberts, Rushmoor
Cllr Majid Mahmood (Bromford and Hodge Hill Ward)
Cllr Diane Donaldson (Bromford and Hodge Hill Ward)
Cllr Kerry Jenkins (Moseley Ward)
Cllr Pete Lowe (Stourbridge and Lye)
Cllr Judy Foster (Brockmoor and Pensnett)
Cllr Nicky Brennan (Sparkhill)
Cllr Narinder Kaur Kooner OBE (Handsworth Wood)
Cllr Akhlaq Ahmed (Hall Green North)
Cllr Samantha Charles, (Malvern Hills)
Cllr Julie Baines (Amblecote)
Cllr Tim Crumpton (Cradley and Wollescote)
Cllr Qadar Zada (Netherton, Woodside and St Andrew's)
Cllr Shaun Pender (Hartshill and Basford)
Cllr Maryam Eslamdoust, Mayor of Camden
Cllr Jumbo Chan, (Kensal Green Ward)
Cllr Alan Hall, (Bellingham Ward)
Cllr Soraya Adejare, (Dalston)
Cllr Gail Macenna, (Haverstock)
Cllr Gerogie Robertson, (Kings Cross)
Cllr Leo Cassarani, (Swiss Cottage)
Cllr Sue Vincent, (Holborn and Covent Garden)
Cllr Simon Pearson, (Swiss Cottage)
Cllr Paul White (Tooting)
Cllr Maurice McLeod, (Queenstown)
Cllr Paula Walker, (Queenstown)
Cllr Jo Rigby, (Earlsfield)
Cllr Claire Gilbert, (Roehampton and Putney Heath)
Cllr Sasha Dasgupta, (Forest Gate North)
Cllr Puru Miah, (Mile End)
Cllr Gabriela Salva Macallan, (St Peter's)
Jack Jeffery Unite Housing Branch Secretary
Ravi Subramanian (Unison Regional Secretary)

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Salma Yaqoob