

APPG on Migration and APPG on Poverty Joint Inquiry on the effects of UK Immigration, Asylum and Refugee Policy on Poverty Professional Experience Evidence Session - Group 2

Palace of Westminster - Committee Room 2
Tuesday 5 December 2023 – 11.00-12.00

Meeting Chairs: Baroness Lister and Lord German

Panellists:

Tom Lee – Child Poverty Action Group (CPAG)
Catherine Houlcroftt - NRPf Network
Josephine Whitaker-Yilmaz – Praxis
Cat Baron - Women for Refugee Women
Deborah Garvie – Shelter

Section 1: Overview (Lord German OBE)

Q. Lord German to Tom Lee – Child Poverty Action Group (CPAG)

From your line of work, what are the policies that have the biggest impact on poverty amongst migrants and what do you think would be the most transformational changes the government/others could make?

A. Tom Lee – Child Poverty Action Group (CPAG)

Tom discussed three significant aspects related to migration policy and its impact on poverty and child poverty in the UK:

- 1) **Social Security Measures:** He highlighted how households, especially among migrant communities, are disproportionately affected by measures like the benefit cap and the two-child limit on benefits. Tom emphasised that pushing families into destitution through such policies doesn't save the government money in the grand scheme of things. The focus should be on reducing poverty, making it a more humane and cost-effective approach.
- 2) **Immigration Policies and Destitution:** Tom discussed the effects of immigration policies, particularly on families needing state support. He mentioned how the lack of access to funds due to immigration status pushes families into destitution. This results in increased difficulties for households seeking support, leading to a rise in those reaching out for help, with many more potentially in need but not seeking assistance.
- 3) **Residence Status and Bureaucracy:** He highlighted the additional layer of bureaucracy brought about by residence status, affecting those under the EEA National and EU Settlement schemes. Individuals under these schemes are unable to access social security benefits, creating legal and humanitarian concerns, especially as some cases might warrant access based on human rights grounds.

Tom's overarching point was that these policies target a relatively small section of families in need and removing or amending them could significantly alleviate poverty and maintain dignity for affected individuals without creating an unsustainable cost for the government. He emphasised the importance of considering the human impact and practicality of these policies in supporting families during times of need.

Section 2: Direct Costs (Baroness Lister CBE)

Q. Baroness Lister to Catherine Houlcroft - NRPF Network

In your evidence you mention the pressure of “high immigration application fees”. (*NRPF Submission, page 1, paragraph 8*) Can you tell us about this pressure in reference to those supported by Local Authorities? What would be your top recommendation to help alleviate this pressure?

A. Catherine Houlcroft - NRPF Network

Catherine highlighted several challenges faced by individuals supported by local authorities in terms of immigration and settlement.

- 1) **Fee Waivers:** Many individuals supported by local authorities may qualify for fee waivers due to destitution. However, accessing immigration advice to apply for fee waivers and subsequent main applications causes delays in receiving support, extending the period for which local authorities need to provide assistance.
- 2) **Settlement Issues:** Families reaching the end of their 10-year settlement lease face challenges in applying for indefinite leave to remain due to the absence of fee waivers for this application. This financial hurdle prevents them from achieving settled status, leading to a perpetual cycle of applying for further leave to remain and the risk of becoming destitute.
- 3) **Financial Burden:** Individuals in the community, not fully supported by local authorities, face financial strain due to having to find fees every two and a half years for their applications. This pressure on their household budgets can lead to families prioritizing immigration fees over basic needs like food, potentially causing destitution and further reliance on local authority support.
- 4) **Recommendations:** Catherine suggests that lower fees or capping settlement rates to five years could reduce the burden of frequent fees. Additionally, introducing a fee waiver for indefinite leave to remain applications, especially for those in family immigration groups, could alleviate financial hardships faced by these individuals.

Overall, Catherine emphasised the challenges arising from high immigration fees, leading to delays, perpetuating cycles of insecurity, and impacting the well-being of families, proposing potential solutions to address these issues.

Q. Baroness Lister to Josephine Whitaker-Yilmaz – Praxis

In your recommendations you stated that “certain groups of people on the 10-year route should automatically be granted a fee waiver”. (*Praxis Submission, page 11, paragraph 1*) What effect would this have on reducing poverty amongst those in-migrant communities and what political barriers exist to implementing such a policy?

A. Josephine Whitaker-Yilmaz – Praxis

Josephine provided insights based on research conducted with IPPR and the Greater Manchester Immigration Aid Unit regarding experiences on the 10-year route and fee waivers. They found that lengthy delays by the Home Office in processing applications for further leave to remain were causing significant issues. This delay affected fee waiver applications as individuals had to apply for a fee waiver first and then apply for further leave to remain, both requiring Home Office decisions.

The recommendation proposed automatic fee waivers for individuals accessing public funds, as they have already undergone means testing to qualify for benefits. This would streamline the process and reduce the extended periods of uncertainty and precarity individuals face. Despite some reduction in

waiting times over the past year, recent trends indicate increasing waiting times, impacting families receiving Section 17 support.

Josephine highlighted the narrow scope of fee waivers, limited to individuals with leave to remain based on human rights. Those with work or study visas (comprising two-thirds of people with limited leave to remain) and those seeking indefinite leave to remain lack fee waiver options. The evidence suggested that the cost and length of routes to settlement contribute significantly to pushing individuals into poverty, strengthening the case for fee waivers for indefinite leave to remain.

Political barriers, focused on reducing migration rather than considering the implications for those already in the country, hinder progress. Josephine echoed the recommendation for reducing fees on the 10-year route and suggested shortening the route itself to ease the precarious situation for individuals and reduce administrative burden for the Home Office.

Overall, Josephine advocated for broader fee waivers, especially for those in vulnerable situations, and highlighted the need to address systemic issues to alleviate financial burdens and reduce prolonged uncertainty for immigrants navigating the settlement process.

Q. Baroness Lister to Catherine Houlcroft - NRP Network

In one of your recommendations, you suggested exempting “all people receiving local authority support from secondary healthcare charging.” (*NRP Network submission, page 8, paragraph 5*) How many people would this affect and what would the benefits be in regard to poverty reduction? Do you know of any current political barriers to achieving this?

A. Catherine Houlcroft - NRP Network

Catherine discussed NHS charges for households supported by local authorities, indicating that while the number of families and adults subject to charging for secondary health care is relatively small (around 650 families and 300 adults), the impact on these individuals is significant. Particularly, when adults with high-level care needs cannot access required health treatments, their care needs worsen, increasing reliance on local authority services.

Local authorities spend considerable staff time negotiating debt repayments with hospitals on behalf of these families. Additionally, individuals in local authority support who accumulate NHS debts often repay these from subsistence money meant for basic living needs. Some resort to borrowing from unsuitable sources, creating additional financial strain and stress.

Catherine highlighted the broader repercussions: the inability to access necessary healthcare exacerbates existing social care needs, amplifies financial pressures, and raises concerns about potential refusals in future immigration applications for these individuals.

Despite advocating for free secondary care access for this small group for over a decade and presenting evidence, Catherine expressed uncertainty about why the recommendation consistently gets turned down. She speculated that the government might not wish to incentivize individuals to remain in breach of immigration rules, but she emphasised that the majority of supported households eventually obtain leave to remain and move toward settlement, undermining this reasoning against providing access to free secondary care for this subset of individuals.

Section 3: Indirect Costs (Lord German OBE)

Q. Lord German to Cat Baron - Women for Refugee Women

In your evidence you bring up the issue of the ban on working for people in the asylum

system and as a recommendation you suggest allowing people awaiting a decision on their asylum claim to work. (*WFW submission, Page 5, paragraph 3*) Do you recommend that people in the asylum system should be allowed to work right away, or after a specific time period e.g. after 6 months? Could you also outline the impact on poverty reduction that this would have on the women you work with?

A. Cat Baron - Women for Refugee Women

Cat addressed the interconnected issues of the ban on asylum seekers working, insufficient asylum support rates, and home office decision-making within the asylum system. She highlighted how these factors exacerbate the harm caused by the ban on working, particularly for the women they assist.

From Cat's perspective and considering the challenges faced by these women, she recommended lifting the ban on working for asylum seekers from the moment they submit their claim. She emphasised that not being able to work negatively impacts mental and physical health, leading to feelings of worthlessness and depression. Allowing work from the beginning would provide financial independence, reducing reliance on insufficient support and benefiting both individuals and the government. Cat acknowledged that while lifting the ban is crucial, some individuals may still face barriers to employment. Therefore, alongside this change, there should be an increase in asylum support rates. Moreover, she highlighted the difficulties faced by those eventually granted status due to long waiting times, leading to challenges in entering or re-entering the job market often due to long CV gaps and de-skilling. Allowing work from the start would mitigate these challenges, potentially reducing poverty earlier and improving long-term outcomes for individuals.

Section 4: Housing and Accommodation (Baroness Lister CBE)

Q. Baroness Lister to Cat Baron – Women for Refugee Women

One of your recommendations regarding asylum accommodation spoke of “ending the use of hotels as a long-term accommodation option for women”. (*WFW submission, Page 5, paragraph 5*) Do you think, politically, there is more opportunity for a win to focus on women’s use of hotels rather than ending hotel use for asylum seekers in general?

A. Cat Baron – Women for Refugee Women

Cat highlighted concerns about the unsuitability of using hotels as long-term accommodation for individuals within the asylum system, emphasising that this issue isn't limited to any specific gender but affects everyone. However, her focus, given her organization's work, centres on the specific challenges women face in such accommodations.

She noted that while women constitute a minority within the asylum system, around 20% (around 20,000 people) of asylum applications relate to women as the main applicants, making it crucial to address their specific needs. Many women seeking asylum have experienced gender-based violence, and the lack of access to women-only accommodation can be distressing for survivors. Cat also highlighted instances where women in hotels have faced sexual harassment and abuse, either from other residents or male staff members.

Cat emphasised the importance of acknowledging these issues, pointing out the disconnect between the government's policies, particularly their commitment to supporting survivors of gender-based violence, and the realities faced by women seeking asylum in hotel accommodations. She sees addressing the harms women face in these settings as an opportunity for the government to demonstrate its commitment to supporting survivors and improving conditions for individuals within the asylum system.

Q. Baroness Lister to Cat Baron – Women for Refugee Women

In your evidence you stated as a recommendation that the government should “Stop the practice of 7-day eviction notices for people granted refugee status and increase the ‘move-on’ period to at least 56 days”. (*WFW Submission, page 6, paragraph 1*)

Are you aware of any political or practical barriers to achieving this policy and do you have thoughts on how they could be overcome?

A. Cat Baron – Women for Refugee Women

Cat discussed the insufficiency of the move-on period for individuals granted asylum status, highlighting that even before the recent curfew changes, the 28-day move-on period was inadequate. There has been a longstanding call across the sector to extend this period to 56 days, as the existing timeframe isn't enough for individuals to secure accommodation, access benefits, or find employment after gaining status.

Cat speculated that the government might have reduced this period to showcase moving people out of hotels, but this decision shifts and exacerbates the problem while transferring responsibility and costs to local authorities, the NHS, charities, and other public bodies. This imposes significant social and economic costs due to the inadequate move-on period.

She mentioned that quicker and fairer decision-making processes could naturally reduce the total time individuals spend in accommodation. Additionally, she highlighted practical barriers related to the move-on periods, such as delays in receiving Universal Credit payments or conflicting timeframes outlined in the Homelessness Reduction Act of 2017, which do not align with the 28-day or seven-day move-on periods.

Cat referenced a cost analysis conducted by the London School of Economics, commissioned by the Red Cross, estimating that extending the move-on period to 56 days could result in a net benefit of over £7 million. Despite the practical benefits and feasibility of this change without requiring legislation, Cat suggested that political barriers seem to hinder this logical policy change, stressing that it's a simple adjustment within the Secretary of State's authority to extend the asylum support obligation.

Q. Baroness Lister to Deborah Garvie – Shelter

In your evidence regarding the “right to rent” policy you recommended the abolition of the right to rent checks. Are there any more limited reforms short of abolition which you would like to highlight?

A. Deborah Garvie – Shelter

Deborah discussed the significant barriers created by the "right to rent" policy, highlighting two main issues. Firstly, the policy creates obstacles for individuals seeking to rent, often leading them into exploitative situations or even street homelessness. Secondly, she pointed out that the policy has a broader impact as landlords, wary of potential legal ramifications, become hesitant to rent to individuals they perceive as non-UK nationals due to their name, accent, appearance, etc.

Deborah emphasised the policy's racist implications, citing previous court judgments that labelled it discriminatory. She highlighted that while the policy targets certain individuals, it disproportionately affects people of colour and specific nationalities. Additionally, she mentioned the already challenging private rental market, which presents numerous barriers, including the "right to rent" policy, making it difficult for anyone, even those with financial means, to secure housing.

She illustrated instances where individuals, despite having financial capability, face homelessness due to being restricted from renting under the "right to rent" policy. Deborah concluded that due to the policy's inherently discriminatory nature based on nationality and race, it's challenging to propose mitigations for its effects.

Section 5: Financial Support (Lord German OBE)

Q. Lord German to Cat Baron - Women for Refugee Women

On the issue of inadequate levels of asylum support you mentioned "increasing levels of cash support for those in hotels on Section 95 support, and provision of some cash support for those on Section 98 'emergency' support". (WFW submission, page 5, paragraph 4) What exact increase would you like to see and is there any analysis of what the cost to the Exchequer of this policy would be, that you are aware of?

A. Cat Baron - Women for Refugee Women

Cat discussed recommendations and interim measures related to asylum support rates for individuals in full board accommodations such as hotels under sections 98 or 95. She proposed that these individuals should receive at least the current asylum support rate for those in self-pay accommodations, which stands at £47.39 per week. However, she highlighted that while this is a significant increase from their current support, it still amounts to just £6.77 a day, emphasising the need for co-production with claimants and additional assistance.

Cat outlined the significant needs that this support should cover, including expenses for warm clothing, transportation to appointments, phone credit for legal consultations and maintaining connections, as well as non-prescription medicines. She also mentioned the challenge of culturally inappropriate or intolerant food in provided accommodations, forcing individuals to decide between health and limited financial resources.

She extended the discussion beyond the immediate question, pointing out the need for a general increase in section 95 support for those in self-catered accommodations, suggesting a minimum of 70% of the standard over-25 rate for Universal Credit as a recommendation.

Regarding the cost analysis and risk assessment related to increased asylum support rates, Cat acknowledged a lack of specific data but highlighted potential cost recoveries if waiting times were reduced and support rates increased. She referred to evidence indicating potential savings - £876 million saving from additional tax, national insurance and reduction in the cost of asylum support particularly if the ban on working for asylum seekers were lifted, noting the detrimental impact of keeping individuals in prolonged poverty on mental and physical health, which could lead to increased burdens on services like the NHS.

Q. Lord German to Deborah Garvie – Shelter

In your evidence you spoke of the "inadequate housing benefits" which can "cause homelessness for migrants". (*Shelter Submission, page 2, paragraph 3*) Presumably a universal increase in housing support would be your preferred outcome. Are there specific benefits that this would bring to migrant populations and are there any other proposals that you would like to highlight?

A. Deborah Garvie – Shelter

Deborah highlighted the significance of the Chancellor's announcement at the Autumn Statement about unfreezing the Local Housing Allowance from April. She acknowledged the positive impact this

would have, providing vital support for individuals facing the risk of eviction or struggling to find accommodation due to insufficient coverage of rents by the local housing allowance. However, she emphasised that the allowance should ideally cover at least the bottom third of local rents in each area to effectively meet housing needs.

She pointed out that while the allowance being unfrozen is a positive step, historically, the coverage of the local housing allowance at the bottom third of rents was an austerity measure. Initially, it covered average rents in each area, which was already challenging. Deborah noted that in some places, like London, the allowance barely covered the bottom 2% of rentals, and across the country, it covered a very low percentage, around 5%, making it crucial to align the allowance with the actual housing costs to ensure effectiveness.

Deborah stressed the significance of the local housing allowance for recent migrants, providing a crucial top-up, especially for those on low pay, enabling them to afford suitable accommodation, particularly for families with children. Insufficient support led to significant shortfalls, over £160 a month on average, increasing the number of families in temporary accommodation, impacting children's well-being and even leading to tragic deaths in temporary housing situations.

Moreover, Deborah called for an urgent review of the benefit cap, emphasising its arbitrary nature and lack of adjustment to income changes over the years. The cap's freeze has affected many individuals, preventing them from benefitting from the local housing allowance increase as they hit the cap level. She highlighted the harsh realities faced by families in temporary accommodation, urging the abolition of the cap or, at the very least, a thorough government review due to its severe impact on homelessness, local authorities' costs, and the well-being of affected families and children.

Section 6: No Recourse to Public Funds (NRPF) (Baroness Lister CBE)

Q. Baroness Lister to Catherine Houlcroft - NRPF Network

Could you outline the main impacts that the NRPF policy has at local authority level? What are your top policy recommendations for the Home Office and what do you perceive are the main political barriers which exist from stopping these recommendations from being implemented?

A. Catherine Houlcroft - NRPF Network

Catherine discussed the significant financial burden faced by local authorities in providing accommodation and support to families and individuals who lack sufficient income due to various reasons. Based on data from 72 councils, the collective yearly cost for accommodation and subsistence was around £64 million, excluding additional resources spent on staffing and immigration advice. This support is crucial for individuals shut out from mainstream benefits and often extends into long-term commitments.

The data revealed the average duration of support for families to be about 1.6 years and nearly three years for adults with care needs. Notably, a substantial portion, 83% of families and 60% of adults, eventually obtained leave to remain. However, a significant proportion remained in long-term support, about 17% of families and 35% of adults. This support is not funded by the central government, straining already overstretched social care budgets and impacting the workforce in social care due to immigration complexities.

Catherine highlighted the need to move away from this form of support being a secondary tier of welfare to a short-term safety net intervention. Recommendations included reimbursement for local authorities providing this support and potentially granting long-term supported individuals leave to

remain, acknowledging that they are unlikely to leave the UK. This extended support impedes integration into the community and has impacts on child poverty.

Operational recommendations centred on resolving long-standing cases effectively, ensuring Home Office resources support local authorities adequately, and advocating for access to benefits for individuals with blue status. The political barriers largely relate to the lack of acknowledgment of this form of social care service in the same way as homelessness services, lack of statutory guidance, and the issue being less prominent on the political radar.

Q. Baroness Lister to Tom Lee – CPAG

Given the impact on children, what policy amendments would you suggest to safeguard the welfare and rights of children living in NRPF households?

A. Tom Lee – CPAG

Tom's answer covered four key points:

- 1) Additional Funding for Local Authorities:** He emphasised the need for increased funding to aid local authorities in providing support to various sections. The backdrop to this is severe budget cuts, around 20-25% in real terms over the past decade. He mentioned that even though there have been improvements in local welfare assistance, such as the Household Support Fund, it was only a temporary solution, which acted as a sticking plaster.
- 2) Impact of Universal Credit Cuts:** Following the £20 cut to Universal Credit, local authorities have been compelled to ration support due to the limited funding they receive, creating recurring shortfalls in support.
- 3) Reclassification of Child Benefit and Disability Living Allowance:** CPAG propose reclassifying child benefits and disability living allowance to make it accessible to those with NRPF status. Tom estimated that around 150,000 children could be reclassified, costing up to £200 million. However, he acknowledged that some families might still be ineligible due to their level of income.
- 4) Access to an Adequate System:** The primary focus is to grant families access to what they deem an adequate support system. Tom emphasised that this initiative isn't about providing privilege or special treatment but aims to address the flaws in the current system that create unnecessary bureaucracy and drive people deeper into poverty.

Section 7: Last comments (Baroness Lister CBE)

Baroness Lister and **Lord German** invited the panel members to make any concluding remarks.

Josephine from Praxis made the following points.

- 1) Undocumented Individuals:** The discussion had primarily centred on people with limited leave to remain, NRPF status, or within the asylum system. Josephine urged attention towards the estimated 600,000 or more undocumented individuals, a number expected to rise with the implementation of the Illegal Migration Act.
- 2) Access to Immigration Advice:** She stressed the need for improved access to immigration advice, particularly for those without regular immigration status. While advocating for immigration matters to be included in legal aid, whilst recognising the challenges in achieving this but proposed local authorities commissioning more immigration advice as a positive step.

- 3) **Reasons for Lack of Status:** Many individuals receiving Section 17 support lack legal status, and immigration advice is crucial to resolve this. She referenced a report from the Joint Council for the Welfare of Immigrants (JCWI) which found that 80% of the people that they spoke to as part of their research had previously had status and had lost it. Research suggests that factors like high immigration fees, complexity in the process, and lack of support contribute to people losing their legal status.
- 4) **Abolition of NRPF:** The speaker strongly advocates for the abolition of the NRPF condition to alleviate poverty and destitution among migrant communities. They acknowledge the need for interim measures but emphasise the necessity of eliminating NRPF to address the persistently high levels of poverty.
- 5) **Right to Accommodation:** Josephine condemned the inhumanity of leaving individuals without suitable emergency accommodation or support and expressed concern over proposed punitive measures criminalising rough sleeping and stressed the importance of ensuring the right to accommodation in such scenarios.

Her main recommendations included the need for enhanced access to immigration advice, the elimination of NRPF, and ensuring adequate support and accommodation for individuals at risk of rough sleeping or homelessness.

Deborah added that Shelter strongly advocates for a fundamental right for individuals at risk of homelessness to receive appropriate emergency accommodation and adequate support. She finds it unacceptable and inhumane that in a wealthy country like Britain, people are left on the streets without assistance. Deborah expressed concern about advisors having to inform individuals that there's nothing they can do for them, highlighting the dire situation faced by many.

She criticised the potential implication of the Criminal Justice Bill that will criminalise rough sleepers and stressed the necessity of ensuring the right to accommodation if such punitive measures are being considered as acceptable. Deborah firmly believes that it's unjustifiable for politicians to accept leaving people without shelter and insists on the importance of providing suitable support and accommodation for those at risk of homelessness.

Baroness Lister concluded the meeting by expressing gratitude for the valuable contributions made by everyone present. She encouraged further communication with the Secretariat if any additional thoughts arose after the meeting. She highlighted the interconnectedness of immigration policies and their collective impact on creating and exacerbating poverty. She acknowledged the Secretariat's role in organising the meeting and providing helpful briefings and mentioned the intention of having the final report published in the spring.