

**Written evidence submitted by Crisis (COR003)**

1. Crisis is the national charity for people facing homelessness. We are committed to ending homelessness. Every year we work side by side with thousands of people experiencing homelessness, to help them rebuild their lives and leave homelessness behind for good.
2. People experiencing homelessness, particularly those who are rough sleeping, are especially vulnerable in this outbreak. They are three times more likely to experience a chronic health condition including asthma and COPD. Many of the people we work with are unable to access healthcare or housing because of No Recourse to Public Funds (NRPF) and benefit restrictions. This includes; people who are appeals rights exhausted, EU and EEA migrants, people with existing visas, those whose status is not regularised, domestic workers and other migrant workers, and victims of trafficking and torture. It is critical that anyone who is at risk of, or is already homeless, can access self-contained accommodation so that they can self-isolate, regardless of their immigration status or nationality. Emergency public health measures do not work unless they apply to everyone living in our communities.
3. We welcome the steps that have already been taken to protect people sleeping rough, including the £3.2 million of emergency funding provided to help rough sleepers to self-isolate. However, more needs to be done to ensure that anyone facing homelessness can access self-contained accommodation, healthcare and support to meet their basic needs. The Home Office has a critical role to play in this to ensure that vulnerable non-UK nationals who are at risk of, or already experiencing homelessness, have access to vital support while the pandemic is ongoing. Our response to this call for evidence will focus on the action the Home Office needs to take to protect vulnerable non-UK nationals who face restrictions accessing public funds in the UK and those who are currently receiving asylum support.
4. This should include:
  - The suspension of NRPF conditions for all migrants, enabling everyone to access Universal Credit and Statutory Sick Pay where needed.
  - All applicants for section 95, section 4 or schedule 10 support should be automatically and appropriately accommodated within the Home Office asylum support system while applications are being processed. Any decision that someone is not, in fact, eligible for support should not be actioned until after the current health emergency has passed.
  - The suspension of all evictions from Home Office asylum support accommodation. This includes the evictions of people who are appeals rights exhausted and of those who have recently been granted their refugee status.
  - The suspension of the right to rent policy.
  - The suspension of all NHS charges.
  - A commitment should be made that NHS data will not be shared with the Home Office and used for immigration enforcement.
  - An extension of the deadline for the EU Settlement Scheme and sufficient support made available to support people who are at risk of or experiencing homelessness so that vulnerable EU citizens living in the UK are able to successfully apply to the scheme.

**How the Home Office and its major contractors are working together to ensure the safe and effective operation of contracted services is maintained, particularly where these services affect vulnerable people**

**Asylum seekers and refugees**

5. No one should face evictions while this pandemic is ongoing. The Government have said that no renters in private or social accommodation need to be concerned about the threat of eviction and have brought forward emergency legislation to suspend evictions for the next 3 months. Asylum seekers need to be given the same protection and the Home Office should ensure that providers of asylum accommodation suspend evictions for at least the next 3 months, with the potential to extend this for longer if needed.
6. The Home Office have confirmed that they have instructed providers to alert them to cases where people in their accommodation are exhibiting symptoms and would therefore need to stay in their accommodation to self-isolate. They have also said that they are speaking to local authorities about the impact on their services of the current situation, including their capacity to provide housing assistance. However, newly recognised refugees are continuing to receive notices to quit, giving them 28 days to leave their accommodation. We have also seen confirmation from at least one provider that until there is a change in legislation they will continue to issue notices to quit.
7. We know that even in normal circumstances 28 days is not enough time for newly recognised refugees to move onto mainstream benefits or find somewhere new to live. This often leaves people facing extreme poverty and homelessness. The current crisis situation makes this significantly more difficult. The services that refugees need to access to be able to claim benefits and find housing are already under increased pressure as more people are losing employment and needing to claim Universal Credit and local authorities seek to find suitable accommodation for people who are rough sleeping. In addition to this, most support is now available online or by telephone only, making it much more difficult to access, especially for new refugees who have been living on a very small budget and may well not have access to the internet or be able to afford to make lengthy phone calls.
8. This leaves new refugees in an incredibly vulnerable position, greatly increasing the chances that they will become homeless during this time. It also puts local authorities and voluntary organisations under unnecessary additional pressure. The Home Office must suspend evictions from asylum accommodation immediately and ensure that no one receives a notice to quit during this period.
9. ***Recommendation:*** All evictions from Home Office asylum support accommodation should be immediately suspended. This includes the evictions of people who are appeals rights exhausted and of those who have recently been granted their refugee status.
10. It is critical that anyone who is living in the UK can access financial support to meet their basic needs. This must include asylum seekers who have had their appeal denied and those who are appeal rights exhausted. Due to the current COVID-19 pandemic it is impossible for people in this situation to leave the UK, so people must be able to access asylum support. This could be provided through a continuation of section 95 support even after an appeal has been denied, or through section 4 support.

11. **Recommendation:** *All applicants for section 95, section 4 or schedule 10 support should be automatically and appropriately accommodated within the Home Office asylum support system while applications are being processed. Any decision that someone is not, in fact, eligible for support should not be actioned until after the current health emergency has passed.*

#### **No recourse to public funds**

12. Many non-UK nationals who are living and working here are not eligible for many statutory support services, including statutory homelessness support from their local authority and Universal Credit, due to a condition of no recourse to public funds (NRPF). As a result of the COVID-19 pandemic many businesses have closed in the UK and many of those who are self-employed are unable to work and will be losing earnings. People with NRPF are not eligible for statutory support through the benefits system so are left facing homelessness and destitution when they can no longer afford to pay their rent.

13. **Recommendation:** *NRPF conditions should be suspended for all migrants, enabling everyone to access Universal Credit and Statutory sick pay where needed. This will help to ensure people do not become homeless because they are unable to access support to pay their rent if they are unable to work due to the current pandemic.*

#### **Hostile environment measures**

14. Hostile or compliant environment measures are part of the Government's strategy to make it more difficult for irregular migrants to access work, housing, health care and financial services in the UK. This is largely achieved through an increase in secondary immigration control, which makes private citizens and public bodies – including banks, landlords and the NHS – responsible for immigration enforcement.

15. This approach to immigration reform and tackling irregular immigration can be both a cause of homelessness and make it harder to end homelessness for people who are not originally from the UK. While the hostile environment is aimed at people without valid leave to be in the UK, there are regular reports of people with a lawful right to be here being caught up in the system. It also makes some migrants who are experiencing homelessness more reluctant to approach homelessness services for support because they fear their details will be passed on to the Home Office. Crisis services report that some of the people they work with are fearful of engaging with statutory organisations for this reason.

16. Current global travel restrictions mean no one can be expected to return to another country while the pandemic is ongoing. For this reason, it is vital to ensure that everyone living in the UK can access support while this situation is ongoing. No one should be deterred from seeking support or prevented from accessing essential services because of hostile or compliant environment measures.

17. The right to rent scheme requires private landlords and letting agents in England to check that tenants have a right to rent. If they rent their property to someone who does not have the right to rent, they will face criminal charges and may get an unlimited fine or a prison sentence. Increasing numbers of people may find that they are unable to leave the country or to renew

their visa as a result of COVID-19 and they should not face eviction from their home as a result of this.

18. **Recommendation:** Suspend the right to rent policy.
19. We welcome the Government's confirmation that no one will be charged for testing and treatment in relation to COVID-19. However, many of the people who this will affect will not come forward for care if they become ill because of fears of charging and of their details being passed to immigration enforcement. For example, there is evidence that the current NHS charging policy has a deterrent effect on people with TB, despite TB being an exempt condition. This deterrent effect has led to delay in diagnosis and to an increase in time between diagnosis and treatment. It was estimated that people born outside the UK were 37% more likely to have a delay in diagnosis following the introduction of the current NHS charging policy.<sup>1</sup>
20. The exemption for COVID-19 also only applies up until the point that someone tests negative for the virus. At this point, a person can then be charged for any other treatment they need. For many people, the potential exposure to large bills if they are found not to have COVID-19 is likely to be a significant deterrent to them seeking care in a timely way.
21. The Department of Health and Social Care has also given no assurance that NHS data will not be shared with the Home Office and used for immigration enforcement, including for those people with a confirmed COVID-19 diagnosis. Evidence shows that this will be a significant deterrent and will make non-UK nationals who have any concerns about their status less likely to access health care.<sup>2</sup> In comparison, these assurances have been provided by the Irish Government as part of their COVID-19 response.
22. To be effective, it is important that these changes are widely and effectively communicated so that the public and NHS staff are aware.
23. **Recommendation:** *Suspend all NHS charges.*
24. **Recommendation:** *Confirm that NHS data will not be shared with the Home Office and used for immigration enforcement.*
25. **Recommendation:** *Ensure these changes are effectively communicated to the public and NHS staff.*

## EU Settlement Scheme

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<sup>1</sup> Potter, J et al (2017). Have recent changes to health policies increased diagnostic delay amongst migrant patients with active tb? *British Medical Journals, Thorax* (2017);72:A20. Available from: [https://thorax.bmj.com/content/72/Suppl\\_3/A20.1.info](https://thorax.bmj.com/content/72/Suppl_3/A20.1.info)

<sup>2</sup> Martinez O, Wu E, Sandfort T, Dodge B, Carballo-Dieguez A, Pinto R & Chavez-Baray S (2015). Evaluating the Impact of Immigration Policies on Health Status Among Undocumented Immigrants: A Systematic Review. *Journal of Immigrant and Minority Health / Center for Minority Public Health*. 2015; 17(3): 947–970. Available from: <https://doi.org/10.1007/s10903-013-9968-4>

26. EU citizens currently living in the UK will need to apply to the EU Settlement Scheme by the 30 June 2021 if they want to continue living here after the UK leaves the EU. Although the application process itself is relatively straightforward, people experiencing homelessness face significant barriers to accessing the scheme and getting the status they are entitled to. Lack of ID and proof of time spent in the UK are significant barriers for people who are homeless, which makes it much more difficult for the people we work with to apply to the EU Settlement Scheme. Access to the technology needed to complete the application is also an issue for many.
27. Crisis have been supporting EU citizens to apply to the scheme, and our services are continuing to hear from people who need help with their application. It can take a long time to support people to obtain the ID and documentation they need to apply. This can often take months and in some cases our services have worked with people for more than a year before they were in a position to make an application. While the COVID-19 pandemic is ongoing it will be increasingly difficult for EU citizens to access support to complete their application and to obtain the necessary supporting documentation. Lack of access to IT can also be a significant barrier to applying for many people experiencing homelessness and as support services are primarily being provided remotely during this time, it will be impossible for many people to submit an application while current restrictions remain in place.
28. The Government have also confirmed that the EU Settlement Scheme Settlement Resolution Centre has closed its call centres for the duration of the quarantine period. This means that as it stands queries can only be made via the online enquiry form and this is likely to remain the case until the current restrictions are lifted. Organisations supporting applicants can also make queries via this route.
29. This means that increased numbers of vulnerable people are likely to be unable to submit their application by the 30 June 2021 deadline.
30. It is unknown how long restrictions will be in place in the UK to respond to the COVID-19 pandemic but the Government have indicated that it is likely to be at least 12 weeks and may be longer. The deadline for the EU Settlement Scheme should be extended to take account of the difficulties people will face making an application in this period and to ensure that as many people as possible are able to apply before the deadline. Alongside this, it is important that sufficient support is made available to help people who are more vulnerable to successfully apply.
31. **Recommendation:** Extend the deadline for the EU Settlement Scheme to take account of the difficulties people will face making an application while restrictions to respond to the COVID-19 pandemic are in place.
32. **Recommendation:** Ensure that sufficient support is available to support people who are at risk of or experiencing homelessness so that vulnerable EU citizens living in the UK are able to successfully apply to the scheme.