

Impact of the Illegal Migration Bill on Homelessness & Destitution

This briefing, co-authored by NACCOM and Praxis, was originally published as part of a cross-sector briefing into the impacts of the Illegal Migration Bill for the House of Lords. The full joint briefing can be read [here](#).

Summary

The Refugee Council estimate that at the end of three years following the provisions coming into effect, between 161,147 and 192,670 people will have had a claim for protection deemed inadmissible but will not have been removed from the UK, due to the lack of returns agreements in place with third countries.¹ People in this position, as well as being unable to have their claims processed, will be unable to work. Although some will be eligible for destitution-related support from the Home Office, many may face barriers to accessing this.

With the Bill denying any asylum-related route to settlement in the UK, disengagement from the asylum system will likely increase, as will the number of people who choose to disappear into the community upon arrival rather than presenting themselves to the authorities. Those who do this will be dependent on informal support networks.

Years of experience working with non-UK nationals experiencing homelessness tells us that people seeking protection in the UK must be supported to unlock their full potential within communities. Yet the Bill thus leaves people whose claims have been deemed inadmissible in permanent purgatory. As such, it is likely to drive the growth of an ever-larger population of people unable to put down roots in our communities, and highly vulnerable to destitution, homelessness, and exploitation, as well as worsening health and wellbeing.

Risk of homelessness and destitution amongst persons subject to Clause 4

Clause 4 provides that any 'protection claims' and/or 'human rights claims' made by people meeting the conditions in Clause 2 must be declared inadmissible. People whose claims are deemed inadmissible will have no right to work. As within the current system, most will also have restricted or no recourse to public funds (NRPF), and be ineligible for specified welfare benefits, homelessness assistance, and social housing, whilst also being barred from legally accessing private rented accommodation.

People whose claims are deemed inadmissible may be eligible for support and accommodation from the Home Office. However, anyone who does not fall within the eligible groups will be dependent on informal or insecure housing arrangements (e.g., sofa surfing), or support from voluntary services, if they are to avoid rough sleeping. NACCOM (the No Accommodation Network) is a UK-wide network of voluntary services supporting refugees, people seeking asylum, and other migrants facing homelessness and destitution. Last year, 45% of people who approached the network for accommodation arrived directly from informal or insecure accommodation arrangements.² These arrangements are precarious and liable to break-down,

¹ Refugee Council, Illegal Migration Bill - Assessment of impact of inadmissibility, removals, detention, accommodation and safe routes (2023), <<https://www.refugeecouncil.org.uk/wp-content/uploads/2023/03/Refugee-Council-Asylum-Bill-impact-assesment.pdf>> accessed 25 April 2023.

² NACCOM, Annual Survey Data 2022 (2022), <<https://naccom.org.uk/wp-content/uploads/2022/12/NACCOM-Briefing-Annual-Survey-Data-UK-Version-.pdf>> accessed 25 April 2023.

placing people at constant risk of rough sleeping.

Voluntary services supporting migrants experiencing homelessness, such as those within the NACCOM network, will play a vital role in helping people whose claims are deemed inadmissible to avoid destitution and homelessness, both via delivering accommodation services, and assisting people to make asylum support applications. However, the voluntary sector supporting migrants experiencing homelessness is already operating at capacity and facing additional pressures due to the cost-of-living crisis. We are concerned that the Illegal Migration Bill will result in people experiencing prolonged periods of destitution and homelessness.

Risk of exploitation and disengagement from support

The prospect of having any potential asylum claim deemed inadmissible under Clause 4 of the Illegal Migration Bill and the closing off of asylum-related routes to settlement presents a major risk that many people arriving in the UK in search of protection will choose not to engage with the system upon arrival rather than presenting themselves to the authorities. Meanwhile, those who initially engage with the Home Office process may later choose to disengage from asylum support when threatened with removal or faced with the prospect of never being able to regularise their status and move on with their lives.

Those who disengage from the system will be entirely dependent on informal support networks, and face a heightened risk of destitution, homelessness, and exploitation in the housing and labour market. Some may resort to unregulated housing provided by rogue landlords, where they will not only be susceptible to exploitation, but also unsafe, inappropriate, and insecure housing far short of legal requirements and lacking in legal protections from eviction.³ This may make it more difficult for people to access legal advice on whether they have other rights to remain in the UK.

With no access to asylum-related routes to settlement that would provide pathways for improving their situation, people have far fewer incentives to continue to engage with the system.

Health implications of long-term homelessness and unsettled status

By closing off asylum-related routes to settlement for those whose claims have been deemed inadmissible, the Bill will result in tens of thousands of people left in permanent limbo, constantly at risk of homelessness, destitution, exploitation, detention, and deportation, with no hope of gaining settled status or being able to independently support themselves or their families.

The physical and mental health implications of this would be unprecedented, though there is already clear evidence of the damage to health caused by homelessness, and prolonged precarity in the asylum and immigration system. A recent briefing by leading medical and humanitarian organisations in the UK on the medical consequences of the Illegal Migration Bill lays out the serious implications for the “health, wellbeing and dignity of people seeking safety and trafficked people in the UK.”⁴

³ JCWI, COVID-19: Briefing to the Home Affairs Committee (2020) <<https://www.jcwi.org.uk/Handlers/Download.ashx?IDMF=b904a8c1-4a3b-4833-b035-f494de60702f>> accessed 25 April 2023.

⁴ Doctors of the World *et al.*, The Medical Consequences of the New ‘Illegal Migration Bill’ (2023), p.1. <<http://www.doctorsoftheworld.org.uk/wp->

These implications include the fact that “people experiencing homelessness face significant health inequalities and poorer health outcomes than the rest of the population. Mortality rates are ten times higher than the rest of the population and life expectancy is around 30 years less.”⁵ Research from the Equality and Human Rights Commission found that even people in receipt of destitution-related support from the Home Office experienced barriers to accessing healthcare.⁶

In a recent research report by Praxis on the 10-year-route to settlement, even people who had hope of eventually being able to secure settled status experienced negative health and wellbeing impacts due to their prolonged precarity in the immigration system and restrictions in accessing welfare. The research showed that two thirds of people on the 10-year-route reported feeling constantly stressed and anxious; nearly half said their mental health had worsened; and three-fifths of parents stated that both their children’s physical and mental health had worsened as a result.⁷

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[content/uploads/2023/04/Illegal-Immigration-Bill-Briefing_FINAL.pdf](#)> accessed 25 April 2023.

⁵ National Institute for Health & Care Excellence (NICE), New Draft Guideline to Help Reduce Health Inequalities in People Experiencing Homelessness (2021) <<https://www.nice.org.uk/news/article/new-draft-guideline-to-help-reduce-health-inequalities-in-people-experiencing-homelessness>> accessed 25 April 2023.

⁶ Equality and Human Rights Commission (EHRC), Research Report 122: The lived experiences of access to healthcare for people seeking and refused asylum (2018) <<https://www.equalityhumanrights.com/sites/default/files/research-report-122-people-seeking-asylum-access-to-healthcare-lived-experiences.pdf>> accessed 25 April 2023.

⁷ Praxis, Experiences on the 10-year Route to Settlement (2023) <<https://www.praxis.org.uk/briefings/experiences-on-the-10-year-route-to-settlement>> accessed 25 April 2023.