



# **Young Homeless Refugees in London**

## **An exploratory research**

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### **The Social Policy Research Centre (SPRC), Middlesex University**

The social policy research centre (SPRC) was established in 1990. It provides a focus for research in the social sciences at Middlesex University and supports high quality research of national and international standing. Members of staff are involved in a wide range of projects funded by research councils, the EU, government departments and the major charities. The Centre supports postgraduate research students, including research funded students and a number of well-established masters programmes. The Centre runs events, including conferences, seminars and short courses. Main areas of interest include: migration, refugees and citizenship, welfare restructuring, governance and risk, urban policy, regeneration and communities, drug and alcohol policy, human security and human rights, tourism policy.

Website: [www.mdx.ac.uk/hssc/research/centres/sprc/](http://www.mdx.ac.uk/hssc/research/centres/sprc/)

### **Community Advance Project (CAP)**

Community advance project was constituted in January 2007, with the specific aim of linking different areas of community needs and community advancement. Creating linkages that may not already exist, or are not clearly focused, helping to shape better futures for our communities. CAP is a registered charity working across London to develop and engage communities, particularly vulnerable or marginalized people. CAP has a holistic grassroots approach to engaging with communities and dealing with difficult issues. CAP endeavours to make community engagement meaningful for all parties, helping to build long term relationships. Their key areas of work are: health, refugee and migrant Integration, older People, intergenerational Work, organisational support and capacity building, training, research and video production. CAP's mission is to develop better futures for Communities, Community organisations, and Community members by focussing on their future needs and development. CAP's current project manager is Suj Ahmed.

Website: [www.caplondon.org.uk](http://www.caplondon.org.uk)

# Young Homeless Refugees in London

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*Alessio D'Angelo, Mattia Fumanti, Robert Brown*

### **1. Introduction**

This report is based on an exploratory research project focussing on the causes of homelessness among young refugees. The project aimed to carry out a preliminary exploration of the needs of this new population and the ways in which service providers can intervene to prevent homelessness. It also aims to raise awareness about homeless refugees and their integration into society.

'Homeless Refugees' is a partnership project between Community Advance Project and researchers at the Social Policy Research Centre, Middlesex University. We are grateful to the informants from community and voluntary organisations and local authorities and to the individuals who contributed their time for the research. This research report is accompanied by a 20 minute DVD - "My Place? Refugee Homelessness" – containing further interviews with refugees who are homeless or have faced homelessness as well as service providers and campaigners<sup>1</sup>.

### **2. Key Findings**

Data collected in the course of this exploratory research, albeit limited, seems to confirm statistics on the increasing number of young homeless refugees. Of the five interviewees who took part to the study, four were under 22, the youngest 18 and the oldest 22 years old, with the fifth interviewee in his mid thirties. However the age drops significantly when considering the life trajectories of the interviewees and their different experience of homelessness. In one case the interviewee first experienced homelessness at the age of 13.

Three major themes emerged from the interviews with refugees and key informants:

- The emergence and consolidation of new intergenerational differences within refugee families often creates the condition for young homelessness. Young refugees, through schooling and other processes of socialisation tend to assimilate cultural values and practices of the host society much faster and more easily than their parents. They also see London as a place of youthful freedom where it is possible to form new identities away from the models offered by their parents and members of the older generation. Their youthful cultural

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<sup>1</sup> The DVD is produced by Community Advance Project and Future Focus Films and directed by Suj Ahmed. For further information or to order a copy email [community\\_advance@yahoo.co.uk](mailto:community_advance@yahoo.co.uk) or [fffilmstld@yahoo.co.uk](mailto:fffilmstld@yahoo.co.uk) or visit [www.caplondon.org.uk](http://www.caplondon.org.uk). CAP's activities within this project are funded by Awards for All.

practices and aspirations often create tensions within the households that lead in some cases documented here into homelessness<sup>2</sup>.

- A significant proportion of young homeless refugees fall into the category of 'intentional homelessness'. Although this category is used and accepted by policy makers and statutory bodies we find its use very problematic because it does not take into account the structural reasons that lead young refugees into homelessness. As this research shows, with resettlement in small towns and villages across Britain asylum seekers experience high levels of isolation and open discrimination. Waiting for the final decision on their status in this hostile environment can be a daunting experience. It is for this reason that once asylum seekers receive the confirmation of their official status as refugees they opt for returning to London or other major UK cities to be reunited with families and communities and to look for work in what are perceived as more accessible job markets<sup>3</sup>. Yet, because the current legislation restrict the rights to housing and benefits to their dispersal locations, in doing so, the refugees, especially young and single, lose their housing rights and often end up homeless.
- The concept of 'homelessness' needs to be used in a much wider sense, inclusive of the cultural perceptions, needs and aspirations of this young and culturally diverse group. Participants in this research were not literally homeless. They had experienced at some point in their lives homeless as we know it, i.e. sleeping rough, but were now housed in temporary accommodation and hostels. The precariousness of these housing arrangements, the poor state of the accommodation and the overcrowding conditions elicited comments in the course of the interviews in which the housing arrangements were considered a novel form of homelessness<sup>4</sup>. Homelessness can therefore be defined beyond the physical home, as lack of an idea of 'home', a space of sociality, nurture, and intimacy.

### **3. Research Methods**

This exploratory research project took place between July and October 2009 and aimed at conducting a preliminary literature review of existing data and collecting the life histories of a small number of young homeless refugees from different ethnic and national backgrounds living in London. The project focussed mainly on the boroughs of Hackney and Islington. However, because of the high level of geographical mobility among homeless refugees and the wide geographical reach of community and voluntary organisations, informants were also contacted in other London boroughs. The research also included voluntary and community organisations and the local council refugees and housing services based in Islington and Hackney.

The research included the following methods:

- **Review and analysis of existing data and literature** on homeless refugee in London to gain an understanding of available information and major research and policy themes.

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<sup>2</sup> Family conflict, often sexual and physical abuse, has been identified as the main cause of youth homelessness. According to Randall and Brown (2001) for at least 90% of young homeless conflict within the household was identified as the main reason for leaving home.

<sup>3</sup> In a recent study Patricia Haynes found that there was a significant relationship between dispersal locations, the 88 most deprived local authority districts and areas with high level of unemployment (Haynes 2006: 3).

<sup>4</sup> See for a similar point Homelessness, Fact Sheet, Shelter, 2007.

- **Interviews with:**
  - **5 refugees** from different ethnic and national backgrounds, with a range of life trajectories, family situations, housing needs, legal status and homelessness experiences. 3 interviewees came from Africa, one from Afghanistan and one from Turkish Kurdistan.
  - **5 service providers** from community organisations and local councils with firsthand knowledge of the problems, causes and needs of this group.
- **Participant observation** in refugee and community organisations' meetings and activities.
- **Use of photography as research tool** - disposable cameras were given to interviewees in order to be freely used and elicit memories, commentaries and personal reflections on their lives.

Great care was taken to protect the identity of the informants throughout this study. In order to safeguard their anonymity, the names used in this report are not the interviewees' real names.

Service providers and statutory bodies that lend their support to this research or provided us with information include:

- Islington Refugee Forum
- Eritrean Community Organisation in the UK
- Street League
- Refugee Art Project
- Islington Refugee Integration Service (IRIS)
- Hackney Council, Housing Needs Department
- Sahil Housing Association
- Shelter from the Storm Project

## **4. Refugees Housing and Homelessness in the UK - An overview**

### **Processing Asylum Applications - The Legal Context**

In recent years the government has introduced a number of tougher measures and legislation in order to regulate the presence of asylum seekers in the country. Under the rhetoric of a 'firm and fair' policy, an increasing number of asylum seekers are denied refugee status, facing expulsion or an underground life of poverty and destitution. Asylum seekers receive limited, reduced or a complete lack of rights in a number of areas. They are not eligible to apply for social housing or to make an application to a local authority as homeless, although they can apply for accommodation and other support while they await a decision on their case. Since July 2002 asylum seekers have not been allowed to work or undergo vocational training.

They have restrictions and controls of their movement and may be detained in an Accommodation Centre or required to report to the authorities. Under these new rules benefits are set at 30% below payments to other households. Under new regulations that came into force on 5<sup>th</sup> October 2010, benefits for asylum seekers were cut even further to £35.13 a week for people aged under 25 and £42.16 a week for lone parents.

The Nationality Asylum and Immigration Act 2002 saw a significant tightening of controls on asylum seekers. It was passed in the aftermath of the tragic deaths in June 2000 of 58 Chinese people arriving in a refrigerated lorry at Dover. Media attention at this time was focused on the number of asylum seekers attempting to smuggle themselves through the Channel Tunnel from the Sangatte Refugee Camp near Calais. The conclusion drawn by Government from these incidents was that economic migrants were abusing the asylum system and that closer control of low-skilled workers was required in order to stem illegal immigration (for a more detailed analysis of current legislation see Appendix I).

The 2002 Act gave voice to the restrictive measures proposed in the White Paper, *Secure Borders, Safe Haven: Integration with Diversity* (Home Office, 2002a) which introduced the concept of 'managed migration' and proposed changes to the law on citizenship and the introduction of Accommodation Centres. Asylum seekers were required to claim asylum immediately upon arrival in the country. The presumption of support for destitute asylum seekers from the National Asylum Support Service (NASS) was removed. The Refugee Council raised concerns that this measure would lead to 'widespread homelessness and severe destitution' for asylum seekers that did not immediately apply for asylum on arrival in the UK (Refugee Council 2002). The measure was similar to the earlier provision in the Asylum and Immigration Act 1996 to withdraw benefit entitlement from in-country asylum seekers – this a provision having been subsequently successfully challenged in the courts.

The government justifies its restriction on working on the grounds that decisions on asylum applications are made within 6 months and that employment acts as a pull factor (Refugee Council, 2002). In 1998, the government inherited a backlog of 50,000 asylum applications and 20,000 waiting for an appeal, so it set itself a target to assess most applications within 6 months. This target was not met. A new PSA target between the Treasury and the Home Office to assess 60% new applications within 61 days was agreed in 2001. New applications were defined as applications received after 1<sup>st</sup> January 2001. In effect a policy decision was taken to delay assessment of older applications. This delay was declared unlawful by the Court of Appeal in *SSHD v R (S)* [2007] EWCA Civ 546. In this case an Afghan national applied for asylum in September 1999 but did not have a decision on the case until February 2002.



On the Government's most recent figures, just 61% of asylum applications are concluded within six months (Home Office, 2009, p.41)

The Governments' own research also indicates that employment does not act as a pull factor for asylum seekers (Home Office, 2002a). Furthermore, there is evidence of public support for allowing asylum seekers to work and so reduce public expenditure costs.

The third and final report of the Independent Asylum Commission, *Deserving Dignity* (2008) called for asylum seekers to be treated with dignity, for alternatives to detention, and for a system that allows asylum seekers to support themselves through work. The underlying principle should be;

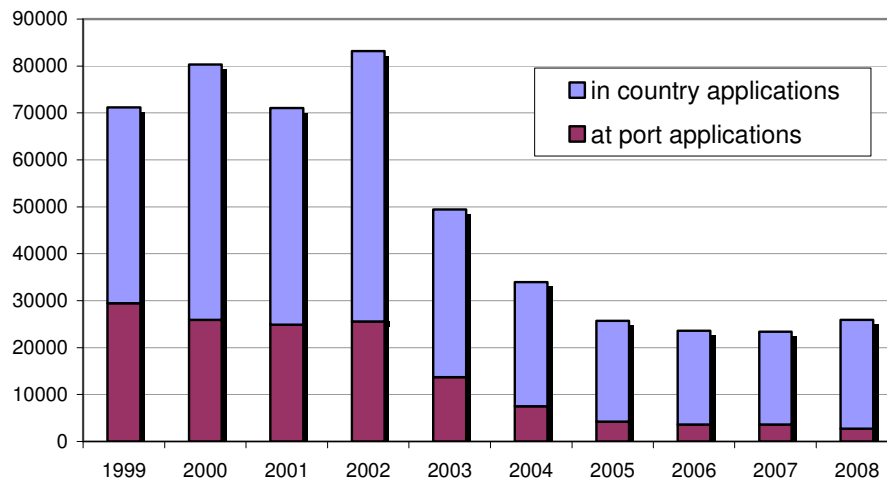
*"People seeking sanctuary should be treated fairly and humanely, have access to essential support and public services, and should make a contribution to the UK if they are able"*  
(Independent Asylum Commission, 2008, p.6)

This report shows the experiences of asylum seekers and refugees in the UK are far from the humane and fair handed treatment claimed by the government: the judicial process on asylum applications take a number of years; the housing conditions are often appalling; and new legislation impinges dramatically on the welfare and well-being of asylum seekers and refugees.

### Asylum Applications

At the turn of the last century the number of asylum applications made in the UK was rising rapidly, reaching a peak of 80,315 in 2000, but it has since fallen back to less than a third of that number. The number of applications reduced to 25,930 in 2008, which was itself an increase of 11% over the previous year. Over the same period, the proportion of in-country applications has risen from 51% to 90%. This is shown in figure 1 below.

**Fig. 1 Applications for asylum in the UK, by location of principal applicant**



(Source – Home Office, 2009)

The number of refused applications is relatively high. In 2008, decisions were made in 19,400 cases (74% of applications) and 19% of claims were accepted, 11.5% granted humanitarian protection or discretionary leave, and 70% were refused (Home Office, 2009, p.21). At the end of 2008, 10,600 applicants were awaiting an initial decision (Home Office, 2009, p.24). 730 applications were rejected in 2008 on the grounds that the application was not made 'as soon as reasonably practicable after arrival in the UK' (i.e. not made on arrival).

It is apparent that policy towards asylum seekers and refugees can no longer be dealt with on an individual country basis and a common European asylum system sharing responsibilities between Member States would be far more effective. Across the European Union, asylum applications (including dependants) increased by 6% in 2008, from 228,200 to 241,300. Most applications were to France (15%), UK (13%) and Italy (13%), (Home Office, 2009, p.21).

We can also note the changing profile of asylum applicants. 40% of applications in 2008 were from African nationals, 37% from Asia or Oceania, 19% from the Middle East and 5% from Europe or the Americas (Home Office, 2009, p.20). We can compare this to the peak year of 2000 to identify changes in asylum patterns. In 2000, 30% of applications were from nationals of Africa, 28% from Europe, 22% from Africa and 18% from the Middle East (Home Office, 2001, p.4). This clearly shows changing international conditions, with a much higher proportion of applications from European nationals in 2000 and a lower proportion from Africa. The main nationalities represented among asylum seekers in 2000 were Iraq, Sri Lanka, Yugoslavia, Iran and Afghanistan.

It is estimated that there are between 340,000 – 420,000 refugees and asylum-seekers living in London (Rees and Boden, 2006).

### **Refugees and Access to Housing and the Quality of the Accommodation**

The Government has identified housing as a key aspect of its refugee integration policy, aiming to provide decent, secure and affordable accommodation. In one study of five English Local Authorities, it was found that although there was some good practice and some local successes, asylum seekers continued to experience housing disadvantage and insecurity (Phillips, 2006). Further obstacles to refugee housing integration arise from gaps in provision, choice and support (Phillips, 2006).

Asylum seekers can apply for accommodation, and they must normally do so at the same time as making their asylum application.

Asylum seekers who apply for support can receive:

- Accommodation only – where they are offered accommodation in a dispersal area, but must otherwise support themselves
- Subsistence only – where they receive cash support but must find their own accommodation
- Accommodation and subsistence – where they are offered accommodation in a dispersal area and cash to support themselves.

There were 11,920 applications for accommodation in 2008 and 3,155 for subsistence only. 2,010 applications were rejected or needed to provide further information. Of these applications for support, 13,520 were from single adult applicants, of which 68% applied for accommodation (Home Office, 2009, p.25).

At the end of 2008 there were 32,580 asylum seekers (including dependants) in receipt of support, a decrease of 27% over the previous year. 25,145 of these were supported in dispersed accommodation.

The report *Safe and Sound* (Mayor of London, 2004) estimated that there were about 47,000 asylum seekers in London living in some form of temporary accommodation, much of it publicly funded. This report found that asylum seekers were living in "some of the poorest housing conditions in the most deprived areas and socially excluded communities" (p.5).

Asylum seekers that provide for their own accommodation often have to rely on poor quality privately rented accommodation, in lodgings, hostels, multi-occupied dwellings or in shared houses.

The Asylum Support Partnership, funded by the Home Office consists of five agencies, including the Refugee Council, to provide advice and support to newly arrived asylum seekers. This includes "Initial Accommodation Wraparound Services" which provides temporary accommodation, legal and health care advice and advice on how the asylum system works. A one-stop service is provided from 22 offices and 8 Initial Accommodation Wraparound Services. Help is given to resolve accommodation issues, applying for support to the UK Borders Agency and approaching mainstream services.

The Dispersal Policy was introduced by Government to disperse asylum seekers in clusters around the country to take the pressure off areas of high housing demand in London and the South East and the port areas. The Dispersal Areas are the North West, Midlands, North East and Wales and Scotland. The main towns receiving asylum seekers in 2008 were Birmingham, Liverpool, Manchester and Glasgow (Home Office, 2009, p.25)

If offered accommodation in a dispersal area, there is no choice; it has to be accepted. The UK Borders Agency says specifically on its web-site that accommodation will not be offered in London and that only limited accommodation is available in the rest of the South East of England.

There is some evidence of asylum seekers being dispersed to areas where there were high levels of vacant council housing and deprivation. The support in the dispersed areas varied considerably and there was some experience of racial harassment of asylum seekers in some dispersal areas (Home Office, 2005). Other research has described asylum seekers being sent to "highly volatile" areas where they experienced hostility, prejudice and racial attacks. Dispersal to areas of social deprivation only added to problems of social exclusion and lack of support (Hynes, 2006).

NASS provided rent-free accommodation through contractual arrangements with local authorities, housing associations and private landlords. About half was provided directly by private landlords. While the asylum claim is being assessed, emergency accommodation or accommodation in an Induction Centre may be offered. Induction Centres were introduced to provide initial accommodation, enable health checks and to give asylum seekers an explanation of their rights and responsibilities in their own language. The first centres were in Dover, Leeds and Manchester. In Northern Ireland, the Council for Ethnic Minorities (NICEM) arranges emergency accommodation (Perry, 2005).

The quality of privately provided accommodation has not been of a high standard in the past, partly because of infrequent NASS inspections. However, the National Audit Office (NAO) report (2005) on the provision of accommodation by NASS recommended that more of the risk should be transferred from NASS to accommodation providers. At the time, NASS paid for contracts even if accommodation was unoccupied. The NAO also recommended increased performance monitoring and inspections of accommodation. It further recommended that Immigration Officers should be

based at Induction Centres, so reducing the need for asylum applicants to travel to Croyden or Liverpool.

Once an asylum seeker achieves refugee status, there is only a short period in which to find alternative accommodation as support is withdrawn after 28 days. Refugees are eligible at this point to apply as homeless to a local council or to apply to a local social housing register. They may need to find some form of temporary accommodation initially. Good advice and support is essential at this stage in order to avoid becoming destitute and having to sleep rough.

## **Refugees and Homelessness**

A cursory look at official figures indicates that levels of homelessness and rough sleeping are decreasing. But, we need to ask, what lies behind the figures?

When the Government set up the Social Exclusion Unit (SEU) one of the first investigations that it carried out was into rough sleeping (SEU, 1998). Following this investigation the Government set out its strategy in to reduce rough sleeping by at least two-thirds by 2002 (*Coming in from the Cold*, SEU, 1999). Annual street counts were carried out in places where there were known or suspected to be rough sleepers. Street counts were carried out on one night a year by volunteers in local areas. The standard methodology adopted showed what the Government called the "direction of travel", indicating that this target was met well ahead of time.

The Government's evaluation of the policy (CLG, 2008a) claimed that the target was met ahead of time in early 2001 and has been sustained since. So, by 2007, there was a 73% reduction to 498. The largest reduction was in London from about 1250 to 250, including just 10 in Hackney (CLG, 2008a). The street counts carried out between January 2008 and May 2009 found 464 people sleeping rough, down from an estimated 1,850 (CLG, 2009). 20% of rough sleepers in London are A10 Nationals (CLG 2008b).

However, the Government's methodology has been criticised by homelessness campaigning and other voluntary agencies. The approach provided just a snapshot in time and does not take into account people moving on and off the streets. This problem has belatedly been recognised by Government and a new methodology is being developed in its *Street Needs Audit*.

The Government has also now renewed its original commitment to reduce rough sleeping as near as zero as possible by 2012 in a 15 point strategy published in *No-one Left Out – Communities Ending Rough Sleeping* (CLG, 2008b).

Shelter, in its response to the Government's evaluation, welcomed the renewed focus on ending rough sleeping and the improved guidance on rough sleeping counts issued in 2007 (Shelter, 2008). It recognised that the counts provided "some measure of rough sleeping over time, we do not believe that counts are the best way to understand the nature and extent of rough sleeping" (Shelter, 2008, p.3). Even with the improved methodology, Shelter highlights a number of deficiencies:

- There is little information on the profile and needs of people sleeping rough
- Fails to identify people sleeping in less visible places
- Fails to capture intermittent rough sleeping
- It is problematic in rural locations
- Takes no account of strategies in some areas to "design-out" rough sleeping which leads to displacement
- No count is required where it is estimated that there are less than 10 rough sleepers.

The CLG evaluation report found that in London there were three main groups still living on the streets;

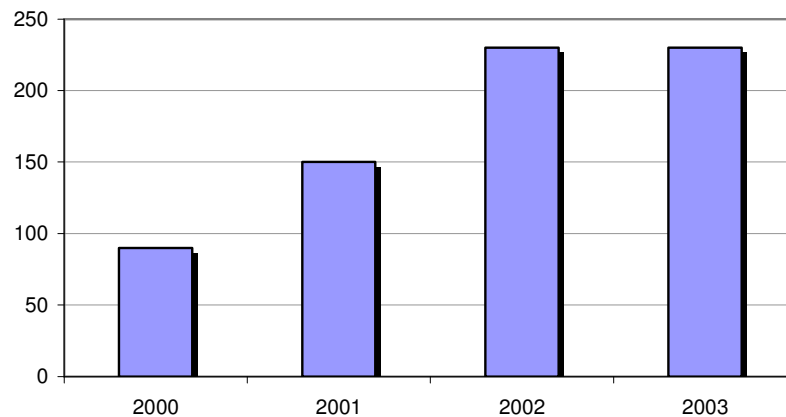
- A continuing flow of new rough sleepers
- Entrenched rough sleepers resistant to service provision
- Migrants without recourse to public funds – which accounts for 15% of rough sleepers in London

(CLG, 2008a, p.5)

People experiencing homelessness belong to an increasingly diverse population. Across Britain and especially in 'super diverse' London many homeless households and people sleeping rough are from ethnic minorities and very often refugees (Shelter, 2007). Many among them are young, often teenagers. According to a report published by Shelter in 2005 the number of young people being re-housed rose from 5,800 in 2001/02 to 10,560 in 2004/2005, an increase of 80% (Shelter, 2005). This can tentatively be related to the extension of the priority need groups by the Homelessness Act 2002 to include 16 and 17 year olds and 18 – 20 year olds leaving care. In inner London boroughs, social services and community organisations are helping an increasing number of young homeless refugees, both men and women. Services for young people and initiatives such as Foyer developments have grown significantly over the last few years.

In 2004 the organisation Centrepoin reported that one in four of the young people staying in its hostels were asylum seekers and refugees, nearly three times the level recorded in 2000 (Centrepoin, 2004a).

**Fig. 2 - Number of Refugees entering Centrepoin Hostels each year**



(Source: Centrepoin, 2004b)

The Government's strategy to eliminate rough sleeping includes a focus on outreach services for migrants who "will become entrenched if they remain on the streets" (CLG, 2008b). The strategy commits the UK Border Agency to work jointly with other agencies, for example to disseminate information on support available under the provisions of Schedule 3 of the Nationality Immigration and Asylum Act 2002. This includes enabling local authorities to "re-connect migrants with their home country" and UKBA resettlement schemes for non-EEA migrants (CLG, 2008b, p.40).

## **Failed and destitute asylum seekers**

Asylum seekers and refugees require a range of other services in addition to decent affordable accommodation. Particularly for applicants refused asylum, they may soon find themselves destitute and forced to sleep rough or on friends' floors.

Information about services and provision of adequate support is very important. Access to competent Legal Advice, in particular, is critical, especially given the perceived poor quality of Home Office decision-making. *Into the Labyrinth* (Mayor of London, 2005) highlights the poor access to competent legal services for asylum-seekers in London, which can lead to wrongly refused applications and destitution (Home Office, 2003; Home Office, 2005c; Hynes, 2006; Zetter et al, 2005; National Aids Trust, ND).

Disabled asylum-seekers and refugees often find themselves isolated with a lack of support services. They experience unsuitable housing, lack of personal care and lack of information on access to services and benefits (Roberts and Harris, 2002).

Where an asylum application is refused and the applicant is temporarily prevented from leaving the UK, the applicant is entitled to vouchers under section 4 of the Immigration and Asylum Act 1999 for food and other essential items. At the end of 2008, there were 10,295 applicants (excluding dependants) in receipt of section 4 support (Home Office, 2009, p.26).

Perry (2005) cites studies of destitute people in Coventry and Leicester where the main reason for destitution was that an asylum claim had been rejected or support had stopped for other reasons (see Woodcock, 2004 and Leicester Refugee and Asylum Seekers' Voluntary Sector Forum, 2005).

In cases of destitution applications to the local authority can be made under section 21 of the National Assistance Act 1948. The Immigration and Asylum Act 2006 enables local authorities to give assistance to 'hard cases' under section 4 of the 1999 Act.

The Centre for Social Justice Report on the Asylum System (2008) considered the cause and effect of destitution in these terms:

*"Rather than take up the statutory provision already described, many refused asylum seekers will choose to shun the authorities and choose a life of illegal action and destitution. Many choose this option as they feel they have been badly treated by the UK Border Agency and fear that if they continue to cooperate with the authorities they will be forced to return home"*

(Centre for Social Justice, 2008, p.54)

This report, in the absence of official figures, cites an estimate by the Red Cross that there were 26,000 destitute asylum seekers living on Red Cross food parcels. This report claims Government is using forced destitution as a means to encourage people to leave voluntarily. This is described by the report as a failed policy as only one in five asylum seekers leave the UK voluntarily. This is contrasted with Sweden, where a more supportive system sees a far higher proportion leaving voluntarily.

Among a number of recommendations to improve the processing of asylum applications, the report calls for the continuous provision of housing and support up to a maximum of six months.

A recent report by the Joseph Rowntree Charitable Trust (JRCT) found that the number of asylum seekers living in destitution remains unacceptably high and that mothers with children were denied employment and access to benefits. This puts a strain on local voluntary and statutory agencies, and causes anger among those affected asylum seekers (Lewis, 2009). This was the third survey in Leeds commissioned by the JRCT. Key findings were that destitution remains high, with 273 recorded cases over a period of four weeks; that destitution happens at all stages of the asylum process and administrative delays worsen destitution.

The Information Centre about Asylum and Refugees (ICAR) notes that there is no Home Office policy on tackling destitution among refugees and no centrally collated statistics. Research on the issue remains at a local level. Government legislation is cited as a direct cause of destitution, such as section 55 Nationality, Immigration and Asylum Act 2002 and section 9 Asylum and Immigration Act 2004 (ICAR, 2006)

Section 55 denies support to asylum seekers who do not make their claim as soon as is reasonably possible on arrival in this country. The Mayor of London's report, *Destitution by Design*, (2004) looked at the impact of this legislation in London. This report estimated that UK wide up to 14,000 asylum seekers could be caught by section 55.

There are indeed many local examples of self-reported destitution among asylum seekers. Research for the Leicester Refugee and Asylum Seekers' Voluntary Sector Forum found 308 destitute asylum seekers. One-third of these had slept rough and two-thirds slept on floors in friends' houses (Jackson and Dube, 2006).

The review of the UK asylum system by the Independent Asylum Commission (2008) called for those seeking sanctuary in the UK to be treated with dignity over and above "mere administrative convenience". The UK Border Agency is primarily responsible for this, but also policy makers, the media and individual citizens.

## **5. Young homeless refugees in London: life histories**

In the course of this research project five refugees were interviewed. Initially and after consultation with Community Advance Project (CAP) a number of organisations working with homeless refugees and asylum seekers in Hackney and Islington were contacted. After an initial phone call and an email a visit was paid to their offices to introduce the researchers and the project. This was to make sure that consent was sought from gatekeepers and that the project and its aims were fully understood by all participants. This stage of the research has proven to be a major hurdle. Very few organisations responded to the initial enquiry and when they did they guarded the privacy of their clients stressing their vulnerability and the very sensitive nature of the research topic. Visits were paid to five community organisations and other service providers based in Islington and Hackney, and one charity based in Stratford that was providing services in Islington.

Once the gatekeepers agreed to lend support to the project a number of informants were approached for interviews. Great care was taken as to establish an informal relationship from the start avoiding reinforcing an often familiar position for refugees who have been exposed to lengthy interviews by immigration office and service providers of subordination between interviewer and interviewees. Meetings were arranged in public spaces such as bars and cafes across London and in one occasion a football training practice was attended, with the interview conducted at the end of the training session. The interviews were semi-structured and open ended and focused on the interviewees' life histories, their journeys from their home countries, their arrival in Britain and their experience of homelessness.

Further to reverse the power relations between interviewer and interviewees, the interviewees were issued with a disposable camera. They were asked to record their daily lives, significant places and people that mark their experience of homelessness and their life in London. The photographs were helpful to elicit memories, commentaries and personal reflections on their lives. Thus a second more interview was arranged to collect the photographs.

### **Intergenerational conflict and homelessness**

Three of our interviewees come from Sub-Saharan Africa, i.e. Sierra-Leone, Rwanda and Congo DRC. All these countries share a recent past of long and violent conflicts and the personal life trajectories of the interviewees reflect this traumatic and painful history. All of them were separated from their families in the course of the conflicts and only later were reunited with their families in London.

John, from Sierra Leone, came to London at the age of 16. He came alone to be reunited with an elder sister who had been living in the capital for many years. He had lost his parents during the Sierra Leone civil war and had not seen his sister for many years.

Paul, from Rwanda, had been separated from his parents and siblings in the course of the genocide. He made his way to Uganda on his own where he spent some time in a refugee camp before ending up a street child in the capital Kampala. There he lived on the street for a number of years until a "*very good woman*", as Paul describes her, took pity on him and adopted him as her son. A few years later this woman was instrumental in tracking down through the UNHCR his real mother who lived in the UK. Paul was reunited with her in London and a few months later they were rejoined by his elder brother who, unbeknown to him, had also been living in Kampala.

Mark, from Congo DRC, was left in Kinshasa with his younger siblings and his mother while his father had fled the country for Portugal for fear of persecution. His mother soon died and he was left in Kinshasa with his grandparents and siblings. Eight years later his father, who had now moved to London, came for them.



All the informants recalled the painful separations and loss, but also the joy at the reunion with long lost relatives. Yet these reunions seem to have had unexpected and dramatic consequences upon these young refugees, leading to homelessness, destitution and in one case to crime. The informants stressed how adjusting to the new life in London was difficult. The long years of separation had drawn people apart. Their parents and family members had moved on, often remarrying and having other children, and the informants felt there was no space for them in these new families. They were strangers to each other and often perceived as a threat for the household stability.

*You know I started to know my mother when I came here... because I did not know her before...it was a long time. (Paul, London, 2009)*

Mark, who had been separated from his parents in the course of the Congolese war, talked openly about his feelings for his parents. He felt they had abandoned him and his siblings to a life of misery in Congo for almost a decade. During this time his father had moved to Lisbon and had other children with another woman, while his mother travelled to Belgium and France to earn a living as a transnational trader. Coming to London at the age of 11 was not easy for Mark. He recalled in particular the difficult relationship with his authoritarian father, *'my father took us away from one misery in Congo to put us into another misery.'* His father had turned into a fervent Christian and had imposed a strict discipline on his children. Mark soon found himself running away from home. He recalls how at the age of 13 he ran away spending the whole summer sleeping rough in parks, abandoned cars and temporary shelters. After almost two months he was reunited with his father and step mother. Mark grew more and more restless: he left home once again and spent a year in a car. Initially the social services did not want to deal with him and his mother kept saying she wanted him home, but after a year they gave him a home. He stopped talking to his parents and went to live on his own. Mark also joined a local youth gang and, at the age of 15, was arrested and prosecuted for a very serious crime. He was sentenced to six years in jail for which he served three and a half on ground of good conduct. He is now on parole waiting for a final decision on his refugee's status from the Home Office. This could lead to his expulsion and forceful removal to Congo. Mark lives 'suspended' as he says. He feels invisible. *'I do not exist in the system. I exist in the police records, but with no NI number I do not exist... It is so confusing... they play with my head.'* He cannot work, nor apply for benefits. *'There are no cash in hand jobs.'* He is homeless and destitute and sleeps at his ex-girlfriend's flat: he has to stay with her because he needs an address for his parole.

The informants also recalled how intergenerational tensions within the household were exacerbated by different and contrasting views about education, youthful morality and sociality, parents-children relations and more generally about how to lead their lives in London.

Mark stresses this point:

*I came into this country at the age of eight in 1995 to live with my parents. I came here and having lived in Africa with my grandmother I could already do things for myself. But they did not want me to do things for myself. So I started having troubles and after few years in 2000 I ran away from home for two weeks. I was 13. We left with my brother. We got on the bikes and cycled all the way to Barking and we stayed in a park for two months. They wanted us to come home but I could not. We did not want to. We had friends who were playing football or basketball but I could not because my parents wanted us to go home and look after my younger brother. We could not do what we wanted. May be today I could have been a basketball player. I had a talent. But now all this is gone because I had to go home and look after my brother, so problems and problems.*

*You know we are from a community, the African community where if you are young you have no rights to talk. We need to listen to what your parents say; even if they say silly things you have to listen and accept it. (...) And then my father kept telling me you have to listen to me. But my father where were you? They forget that we are the product of their shortcomings. Don't do this and that. Yes but where were you? You are not my father. You did not teach me how to tie my laces. (Mark)*

John recalls how living with his sister and her husband had been very hard. He found it difficult to take the pressure and demands of domestic labour expected of his role as junior sibling. This leads to continuous arguments, especially with his brother-in-law, *'I did not like him'*. John left the house and slept rough for a few months in different places in London. He then moved into a hostel in Forest Hill, a temporary accommodation in Stratford and was finally given a council flat.

Mark also recalls how he did not want to do the chores demanded by his father and step-mother. Both respondents commented on these issues explaining that they were now living in London and they did not want to do things like in Africa. London was seen and perceived as place of freedom and opportunities for these young refugees. Freedom and opportunities that were curtailed by their parents: *'Here we are in London and you want to be free, want to go out and enjoy, you don't want this African education.'* (Mark)

Paul made a similar point: he described the great joy when finding out that his mother was still alive and living in the UK. Full of expectations for the new life in London with his new found mother he recalled how for a few months life was good. Yet soon after the arrival of his brother things turned for the worst. His mother grew suspicious of their behaviour. Paul describes his brother as rebellious and wanting to experience the enjoyments and opportunities that life in London could offer. He wanted to dress up and go out against his mother's will. Arguments often erupted and then suddenly and apparently for no reasons, Paul and his brother found themselves on the street. He recalls how his mother drove them to Camden borough's office to find help with their accommodation. She did not want anything to do with them anymore. Paul begged her to reconsider her decision but she ignored his plea and left them there.

*People ask me: what did you do to your mum? Me nothing, but maybe my brother. Not that he did anything but everyone is different you know, and my brother may be he wanted to do something when he came here, he wanted to be a welder; he wanted to have a job. He wanted money, and he wanted to go to college to do welding and things and I did not know why my mum was not happy. I think the problem started when my brother came: that is when everything started to change. (...) When I was with that woman in Uganda she was controlling me and she used to control me like giving her respect; I did respect her, and when I came here I did not change. I used to respect my mum as my mum but after my brother came, things started to change, because my brother is 'sharp', he started to do his own things. That was the problem, and when he did it my mum thought we were doing it together. She was afraid; maybe we can teach even the girls [his step-sisters]. Until my mum she says - you know (...) I still remember it was a Thursday. We sat down in a sitting room. She gave us two letters. One each, but it's the same letter. 'Take those letters to the housing'. When we got the letters it was like 'go out of the house. Because you are now a big boy you can do whatever you want to do, be independent'. Then she left the room (Paul, London, 2009)*

Paul moved through a number of shelters and he is now living in a temporary accommodation in central London.

## **Structural conditions of homelessness: asylum dispersal and sleeping rough**

These three accounts illustrate the wide number of reasons leading young refugees to homelessness: late family reunion; intergenerational conflicts and the way in which London life is lived and perceived by different generations. These reasons of course need to be brought into perspective within the legacy of traumatic war experiences, in the socio-economic conditions of refugees living in the UK and within the government's housing and immigration policies. In particular this research confirmed how the dispersal of asylum seekers has often dramatic consequences, leading in many cases to homelessness.

An activist from East Africa working in a community organisation that helps immigrants dealing with housing problems painted a bleak picture of the current state of affairs for many refugees who had been dispersed outside London. Living in small and medium-sized towns, villages and also rural communities, asylum seekers find themselves in complete isolation. With often little language skills, they are unable to communicate with their neighbours or local authority officials and have great difficulty in doing their shopping or other simple tasks. Unlike London or other major cities, in smaller communities they cannot rely on informal networks of support from co-nationals: *'they can't even go to church because the services are in English.'* In these locations they also experience a greater degree of open discrimination. In mostly white-only neighbourhood with high-level of unemployment and deprivation asylum seekers are verbally and physically attacked. Neighbours are openly hostile often hurling stones and abuses at them. Children are bullied in school: *'The children ask them how they live at home? Do they have a hut? What do they eat? They are children of course, they ask these things, but still it is bullying.'* (Mary, London, 2009)

For these reasons, it is very understandable that when asylum seekers are granted refugees status they want to leave for London to flee isolation, destitution and harassment. They see London as a better place to live. In London they have greater hopes to find a job, but mostly they can feel safer from harassment. By being reunited with their communities, families and friends, they can rely on informal networks of mutual aid, help and assistance.

However, new legislations imposes restrictions on housing for refugees who have been dispersed across the UK. Refugees can only apply for housing in the place of residence and cannot be re-housed in London. Despite this restriction refugees are ready to travel to London and face homelessness instead of facing harassment and isolation. This has dramatic consequences for community organisations and statutory bodies. While community organisations lament the lack of resources, especially of volunteers that limits their work beyond minimal assistance. The service providers in Islington and Hackney have to face some tough decisions by daily turning down a large number of applications from refugees who want to be re housed in London.

The same activist recalled the painful stories of two women coming from East Africa. The first, a young single woman, came to London from a small town in rural England. There she had been racially abused and harassed by her neighbours. She arrived in London asking to be re housed but it was denied. She then went sleeping rough around Victoria station: *'she went there, and she was helped by other homeless, they gave her blankets and food... then she came to us and we tried to help her, we find her a hostel.'* The second, also a young single woman, came to London with a similar story. She approached the local council for re housing but was also refused. She then started sleeping rough in different places until she found a group of homeless co-nationals who helped her with blankets and food. They became very instrumental for her safety. When other homeless men demanded sex from her, they stepped in to protect her. Soon, the woman recalls, a fight broke out between the two groups with one man being slashed across the face with a broken bottle. The next morning somebody took her to a community organisation where she was helped to find accommodation in the Salvation Army's hostel.

## A new definition of Homelessness

If the growing homelessness among young refugees emerges as the combination of conflicting intergenerational relations within households and of existing refugee law, it then becomes crucial to develop a more nuanced definition of homelessness. Homelessness needs to be understood not just as the physical absence of an abode, but as the absence of an idea of 'home', a space of care, nurture and sociality. Living in London in overcrowded hostels and temporary accommodation with basic facilities, waiting to be re-housed and finally being assigned accommodation in run down housing associations and council flats in deprived estates becomes for some of the interviewees another form of homelessness. A space away from home - the refugee's country of origin - and away from an idea of 'home'.

This point was brought forward very clearly by Anthony, a Kurdish refugee. Anthony is an activist in the Kurdish community. He arrived in London several years ago and settled in the borough of Hackney. He is married and has two children: they all live in a one bedroom flat. During the interview Anthony made clear that he was not homeless in the traditional sense, *'I am not on the street.'* However because of the state of his present accommodation, *'I feel that this is homelessness'* he stressed. Anthony laments how sharing a small space with four people is an incredible burden that has put strain on his marriage, on his children and on his social life. Culturally, he explains, Kurdish speaking people consider home as a space for sociality. In Kurdistan, he explains, people invite friends and family at home, *'neighbourly relations are quite important in our culture.'* It is something he and his wife would like to do in London but it is impossible for the time being: *'we want to invite people but we can't... we have to say we cannot invite you.'* Often they are unable to accept other people's invitations because they will be unable to reciprocate: *'some friends want to invite us but we can't explain to them, look we don't have space (...) culturally that social relation is quite important because people visit each other, and spend time together in the evening and they share the space. So culture may be relevant in that respect.'* (Anthony, London, 2009)

Anthony's children are also suffering: they sleep and play in the living room and they often get into an argument because they are forced to share the same space with each other and their parents:

*It impacts all other aspects of life: children education, children psychology. They interfere with each other space and they argue. As children they need space. They should have their space. With the lack of space is difficult to buy things for them to develop their skills motor skill and learning because all this needs space. Basically their frustration is our frustration because we want the best for our children. And children need a lot of toy to play for their learning. We have a storage room there so that means we can't keep things for the children to read and play. We can't have a toy library and don't want to get bored with the same toys. Children get frustrated and they have express their frustration and we live in two storey building and they make noise and neighbours get frustrated and neighbours bang the ceiling and put loud music. We had to tell them off. (Anthony, London, 2009)*

Lack of space has an impact also on Anthony's work pattern.

*I find it very difficult. I have to work in the kitchen and because of the lack of space in the kitchen I have to use my children's chair and I started to develop sciatica and pay a lot of money to the osteopath. (...) To do the work I take it home and I can't use the sitting room, because we are using that as a bedroom and if I use the computer and the children are sleeping it is a problem. The computer makes noise; there is light and also radiation that creates not a healthy environment. They want to play but it is not a thing to work at that time I need to think and concentrate, write, open my emails and may be write something at*

*that age children want to play. They think it is a game. It is very frustrating. It is sometimes I don't want to talk about housing problems. It makes me nervous because it is a very big issue. (Anthony, London, 2009)*

Finally the lack of space has an obvious impact on the couple's intimacy.

*We don't have time to spend with my partner because of lack of space. We don't have a room of our own. So that is quite frustrating and also the sleeping arrangement. (Anthony, London, 2009)*

Anthony has tried to move house but it is difficult to be re housed. The points system for allocating social housing doesn't work in their favour. Further to rub salt in the wound Anthony felt he had been blamed for his lack of space. As he puts it:

*For refugees waiting for such a long-time has an impact on their lives. They have to wait for so long, even two years to be re housed and sometimes it is difficult to get in the council list as you need to have some points. At present we live in a one bedroom flat with a boy of one a half and a girl who is four. And it is very difficult. It is crucial that we have a 3 bedroom house that we can have enough space for all this. It is taking long-time with the housing association, the process I don't understand it. And you know we were kind of blamed for having children at the housing association meeting. If you don't have space, why having children? We were the cause for the lack of space, which made me really angry. Housing is the biggest problems for us. (Anthony, London, 2009)*

Anthony sums up his problems with the following words:

*It is a form of homelessness. We live like in a hotel room. That is what we say to each other in the family we live like in a hotel. You can't spend money on the house, like some renovation in the kitchen. We have to wait for two weeks. (...) In that respect you feel that you can't make plans for tomorrow, for next year, you don't know what is going to happen. And of course renting or buying is impossible. (Anthony, London, 2009)*

In another interview Paul explains that having been housed in a hostel near Tottenham Court Road for the last four years he finds the experience extremely daunting. He feels isolated and far from his memory of what it was like to have a home. Being alone in his room his minds drifts back to his childhood in Uganda. To the life as a street child and to the woman who picked him up from the street and adopted him as his son.

*Some people find it easy to live in a hostel. Some people find it hard. I find it difficult, especially if you are alone. You live in that room, all alone, a small room; you feel alone, isolated, that is the problem. You know every time my mind goes to that thought (...) it always wonders off to Kampala, to my Muslim mother and back there where it started, as a street child (...) it was like family. (Paul, London, 2009)*

## **Helping young homeless refugees to integrate into society**

As pointed out before, the research informants were not homeless in the strict sense of the term, but they had experienced at some of point in their lives severe homelessness - i.e. sleeping rough – and are now housed in temporary accommodation and hostels. This section illustrates the case of a young refugee from Afghanistan: his experience is significant because it shows the path from

homelessness to decent and comfortable accommodation. His story is the combination of the successful work of organised charities such as Street League and this young man entrepreneurship.

Mohammed came from Afghanistan seven years ago. He left Afghanistan with another twenty one people. The perilous and dangerous journey across land and sea took two months. Many did not make it and when Mohammed arrived in the UK, in the back of a truck, only he and another person from the initial party were left. After being identified and taken to a detention centre, he filed for asylum and started the extensive wait on his status. (In fact he is still waiting for a final decision from the Home Office). Mohammed spent a year in temporary accommodation, he was moved to two different locations and was then sent to a hostel in Kent. He remembers this experience as isolating and tiring. However he kept his mind always focused and never gave in.

*You know at this stage I have been through different things, I have been like in a detention centre, like a jail, I have been homeless, I had no money, nothing to do the whole day, without job, anything. Somehow you do not lose your confidence. I remember one day I was on the street I had nothing to do; and an old lady asked me to help her, she said she had some rubbish to take out from the garden. I said ok. When I finished she gave me 50 pounds. Just like that, half an hour job. She just asked me for help. Take the rubbish out. An old English lady... I wasn't looking for job. (Mohammed, London, 2009)*

After a year Mohammed was assigned a flat in London. Mohammed has been studying, social services in a college in North London, and played for the Street League. This organisation, Mohammed says was very important.

*Street League helped me a lot. They give a space to meet friends, they give you something to do, but also they teach you skills. I did lot of courses, I have the certificates, for coaching. At the moment the team I am playing for I am also the manager. You need something to do. They help you with what you want to be. Basically with everything you need, they can help you. (...) They gave us transport expenses, also food you can get from them. They give us tracksuits, football boots: a lot for someone who doesn't have it. The Street League they always keep you busy. They give you something to do. They keep your mind away from thinking about your difficult situation. I have very good friends there, like my coach; they can help you and never let you down. They keep you away from worrying about your status. (Mohammed, London, 2009)*

This positive experience, alongside his determination, kept him focused and gave him a focus in life. Mohammed wants to be a fire fighter and plans to be a football player and work as a football coach part-time. As he explains he wants to do a job that would give something back to the community:

*All I want to be is a fire-fighter. I want to do something good to the community and for you as well. Being a fire-fighter is good for the community, for everybody. And the public image of a fire-fighter as well. If anybody wants help they will do it. I am going to train to learn how to help people. If you help others is good for yourself. (Mohammed, London, 2009)*

Mohammed now is working part time in an Indian Restaurant, finishing his studies and playing football.

## **6. Life reflections through the photographic lens**

This section aims to bring to bear the personal reflections of the interviewees through a number of photographs taken by them. These photos capture moments, spaces, and people that are and have been significant to the experience of these young refugees in London. Every picture has a commentary provided by the refugees themselves. The comments capture the themes highlighted in the research findings, but they also introduce us to the daily lives of young refugees in London: their sociality; their personal networks; their friends; their activities; their dreams and aspirations. Some of these photographs capture joyful moments, a football match or a church service; others recall painful memories, the experience of homelessness or the memories of home. They also reveal something about London as it is seen, perceived, constructed and ultimately captured by these young photographic lenses.

### **John - My days**

This set of pictures was taken by John, a young refugee from Sierra Leone. They were taken over a week in August 2009 and depict a series of places and people who play significant part in his life.



*This church... I feel it is something that belongs to me. I believe in God and Jesus. No matter what you tell me about other religions I will always be a Christian. This picture gives a full testament of my life. It really helps me a lot. I love this church, I love the fellowship, in there, it is the same every time when I go there I feel happy, I feel the spirit there, I always have to go there.*

*The church is in East-Ham. I feel a lot at home. It is a church of all Nations, people from Ghana, Nigeria, Chinese, they all come there, not just black, it is preached in English.*

*This is Pastor Julius. Going to church gives me a lot of energy; it makes me more obedient in a Godly way. I don't believe in any other religion, I really believe in Christ, I am happy and proud to be a Christian. A lot of people don't love going to church. It is uncomfortable for some people...*

*When I want to have a quiet time I go to the library. This is something that makes my head calmer, when I don't want to be disturbed. If someone has distracted me or disturbed me in a way I don't like, I go in and read a lot. I remember when I was homeless it was a place I always went. It made me busier... more useful... even now that things are improving I go to the library. I like going to the library to read books. I look at a book I like; I pick it and read it. I loved going to school but some days when I was little and the rain was falling hard, then I will not go to school. I used to pray a lot that it will rain hard so that I will tell my parents I don't want to go to school. It is only now that you realise that you had to go to school.*



*The library is like your quality time, at the time (when I was homeless), you can do something careless and stupid, but in the library you can meet new people, it is more social. The library is like a school. When you are in you can learn. That shows the power of learning. When you are homeless it moves you away from doing stupid things, from putting your problems onto others. So rather than going out and do silly things, if you don't take time and help yourself the government can't help you. You need to do that and motivates you.*



*This is the team, Street League, training at Whitechapel sport. These guys are ready to learn, very competitive. They want to learn everyday, although I am very good with fitness, they try to get you fitter. So I took a picture of it. It reminds me of the way they are in the pictures some of them are very aggressive, some of them are very polite. Some of them want to learn. Some want to have fun.*





*I was in Stratford one day and I was going to Kenning town. The train was not working and there was a bus replacement service. So they were there. They had this music, very powerful, I liked them. I felt very happy. When it comes to tradition, this is what I like. It was very powerful. They look like Egyptians, no Americans. Their background, it was like an aspect of it, it was like the whole world, the whole background. I liked them, they made me very happy.*

*This is me playing table tennis. Well this kid took a picture. He made me invisible. I told him take the picture... ah these kids. Me I want to be real... in real life... I want to be physically...clear... bright.*





*Multicultural day at the church... I loved the way they were dressing in a kind of tradition. Every one dressed in their traditional dress... what ever you liked to dress on that day.*

*It was wonderful day for the church. It was all in traditional dresses, the way they had done their hair. We go to church together. They love me a lot. They love me as their son. They give me advice. They have the love of God for me. I love the women. I took a picture to remember. I have the respect of God for them. I love them.*

### **Paul- London, a place of first**

These pictures were taken by Paul a young refugee from Rwanda. They were taken over one week in August 2009.

*This is the first place we went when we left my mum's house. We went there to get help. Somewhere to stay and sleep... My mum told us to go there, they can help you. They helped me to get a place to stay.*





*This is Sainsbury's in Camden. This is the first one I ever went to into this country.*



*This is King's Cross. This is the first station I used when I came to this country. We were going to Bank, to get my travel documents from the refugee centre. I was scared because I never used the train before but I enjoyed myself. At the refugee centre I got my documents.*



*This is Westminster Kingsbury College. This is the first college I went to learn English, when I came into this country. I could not speak English. This is where I came that summer.*

*This is Bernick Street hostel. The first hostel I stayed. I spent 28 days. This was very dangerous. There were people fighting, all the time, they had knives. You could not sleep at all. It wasn't good at all.*





*This is where I came for my driving lesson, my first driving lesson. I remember that one. There are many crossings. It is hard. There are different lanes. It is good how they built it, but you have to be attentive.*



*This one is about the man and the bus. When I came here it was the first time I saw this bus, and the first time I used it when I came here. In my country I saw cars but never saw a bus like this... and the man... it is sad... anyway he is doing his job... because in my country we don't have people sweeping streets. I didn't know there was a job to do like that and you get paid for.*



*I saw these people sleeping on the street... you can't see them they are far... and it remembered me of my home country where you have people like this... we used to sleep on the street... it reminded me of the way we used to sleep on the streets... it is the same... only these people here have blankets and sleeping bags*

## **7. Conclusions and ways forward**

Although based on limited fieldwork, this exploratory research highlighted several key issues which would be worth exploring with further research:

- Traditional definitions of homelessness are inadequate to capture the complexity of this phenomenon. Homelessness also encompasses the experience of people being housed in temporary accommodation, hostels and overcrowded flats. Asylum seekers and refugees are particularly affected by this situation. Further research is needed on housing in inner London boroughs and on cultural understandings of home and dwellings among refugees.
- Intergenerational conflicts within refugees' households are often a cause of homelessness among young refugees. Further research is necessary to explore the extent of this problem and the ways in which refugees households and intergenerational relationships are reconfigured in London.
- The dispersal policy has had a dramatic impact on the wellbeing of asylum seekers and refugees in the UK. The dispersal to deprived communities has often made asylum seekers and refugees vulnerable to open discrimination, racism, isolation and unemployment and it is one of the causes of homelessness among asylum seekers and refugees. Further research is needed on the relation between asylum dispersal and homelessness and on the interactions between refugees and host communities in deprived areas of the country.
- Some charities and service providers play a key role in potentially turning refugee's life around. There is the need for more research on the way in which some charities organise their work more effectively than others and on the extent of their institutional relations with local authorities and the government.

More generally, the interviews with service providers and the review of existing literature confirmed that homelessness amongst asylum seekers and refugees is still understudied and there is an overall lack of awareness about its social and legal implications. It would be therefore important to develop, both at national and local level, a number of initiatives to raise awareness on these issues - including training activities for local authority staff and other practitioners - as well as promoting knowledge exchange initiatives to identify good practice of service provision.

## **Appendix I - The Legal Background**

The administrative approach towards asylum seekers and refugees has developed considerably over the last 12 or so years. Public concern was raised towards the end of the Conservative Government when numbers were rising rapidly during Michael Howard's tenure as Home Secretary, and there was a heavy backlog of cases waiting to be dealt with. The number of applications peaked at 80,315 in 2000, but has since fallen back to 25,930 in 2008 (Home Office, 2009).

So the incoming Labour Government in 1997 inherited this backlog, and a number of different measures to deal with it were introduced. Responsibility for provision of services and support for asylum seekers initially lay with local authority Social Services Department. Social Services were responsible, among other things for securing accommodation for asylum-seekers, often in very unsatisfactory and unsuitable bed and breakfast accommodation. Some local authorities were concerned about the number of asylum seekers in their areas, and in order to avoid concentrations in some areas, the Government introduced the Dispersal Policy under which asylum seekers and refugees were sent to areas of less housing demand where social housing was more readily available. The issue arising with this was the lack of other services in these areas, such as employment, interpretation services, and notably the lack of local support networks from an existing community.

Asylum seekers were only entitled to some form of temporary accommodation until their application for refugee status was determined, when, if successful, responsibility for securing accommodation shifted to local authority Housing departments.

In 2000 support for asylum seekers and refugees, including the provision of accommodation was transferred from Local Authority Social Services to the newly created National Asylum Support Service (NASS). NASS is now part of the UK Borders Agency, which is itself part of the Home Office.

The key legislation that affects the rights of asylum-seekers and refugees include:

- **United Nations Convention on Human Rights 1951**

The United Nations Convention relating to the Status of Refugees, 1951, (sometimes known as the Geneva Convention) as amended by the 1967 protocol forms the basis for international protection of refugees. It was drafted in the aftermath of the Second World War when the numbers of refugees and displaced persons remained very high. By 2008, 144 States (out of the UN membership of 192) had signed up to it.

Article 1A defines a refugee as a person outside their country of origin who is unable or unwilling to return on account of a "well-founded fear of being persecution because of race, religion, nationality, membership of a particular social group or political opinion". The term persecution is not defined, but includes fear for one's own life or freedom, or the threat of torture and cruel, inhuman or degrading treatment. The refugee need not have actually experienced persecution, but could be in fear of future persecution.

Under the Convention, the United Nations High Commissioner for Refugees (UNHCR) supports national governments to find solutions for refugees, which could range from voluntary return to acquisition of a new nationality. The Convention is reactive rather than preventative, in the sense that the rights of refugees come into play once they have crossed international borders.

- **European Convention on Human Rights**

The UK is a signatory to the European Convention on Human Rights (ECHR) Article 3 of which prevents people from being sent back to countries where they are exposed to a real risk of torture,



inhuman or degrading treatment or punishment. The ECHR was incorporated into English Law by the Human Rights Act 1998.

The ECHR is not specific to asylum-seekers or refugees, but the rights within the Convention do have a significant impact on asylum seekers and refugees.

Asylum-seekers may also be protected by other articles of the Convention, but only where there is a "flagrant breach". The House of Lords decision in *Ullah and do* [2004 UKHL 26] concerned article 9, the right to freedom of thought, conscience or religion. This case concerned the removal of applicants to Pakistan and Vietnam which was challenged because of a fear of persecution on the grounds of religious belief. The House of Lords held that articles other than article 3 could be relied on, but set a high threshold test, thus applicants need to show that there was a real risk of a "flagrant violation" of their rights under the article.

- **European Directives**

We should consider the Law on and procedures for dealing with refugees in the UK within the wider context of the European Union (EU). Since freedom of movement was adopted within the European Union in the early 1990's, Member States have sought to agree a common set of principles for dealing with asylum claims. The Hague Programme 2004 was adopted with a view to developing a Common European Asylum System (CEAS) and is due to be further extended in 2010. The Programme aims for practical co-operation and common procedures between Member States. There are a number of other important European Directives:

- The Dublin Regulation – Regulation (EC) 343/ 2003 - sets out rules for Member State responsibilities for assessing asylum applications
- The Reception Conditions Directive –Directive 2003/9/EC - sets out minimum standards for the reception of refugees, including housing, education and health
- The Qualification Directive – Directive 2004/83/EC - sets out criteria for qualifying for Refugee or other protected status and what rights appertain to that status
- The Asylum Procedures Directive – Directive 85/2005/EC - setting out the minimum standards to be adopted for processing initial applications

These regulations aim for a common approach across the EU, providing effective protection for accepted asylum seekers and dealing fairly and efficiently with rejected applications.

The Green Paper on the future Common European Asylum System (Memo 07/229) published by the European Commission in 2007 consults on proposals to further improve the quality of decision-making across the EU and to give structural support for co-operation between Member States. It also addresses some specific issues, such as the need for legislation, "burden-sharing" and the "external dimension of asylum".

The concept of a common system has been welcomed by the UK House of Lords Select Committee on European Union (tenth report, 2009), but criticised for adopting minimum standards. It calls for a full evaluation of the first stage of the Hague programme before embarking on enhancements in the second stage. It also suggests that the achievement of the second stage by the end of 2010 was ambitious. It rejects joint processing of applications but believes in improving asylum processes and decision-making within Member States.

- **Asylum and Immigration Act 1996**

Section 9 of this Act introduced new rules on entitlement to housing accommodation and assistance. The Act prohibited local housing authorities from providing housing accommodation

under Part II of the Housing Act 1985 (now Part VI of the Housing Act 1996) to persons subject to immigration control unless they were in a class specified in an Order made by the Secretary of State.

A person subject to immigration control is defined by section 13 (2) of the Asylum and Immigration Act as a person who requires leave to enter or remain in the UK, whether or not that leave has been given. That includes everyone who is not a British Citizen, Commonwealth Citizens with a right of abode in the UK, European Economic Area (EEA) Nationals or their family members, with a right to reside in the UK under European Union Law, which depends on the economic status of the person and persons such as Diplomats and some Military Personnel who are exempt from immigration control. (The EEA includes the European Union, Iceland, Norway, Lichtenstein and Switzerland).

A person subject to immigration control was also deemed ineligible for homeless assistance under Part III of the 1985 Act (now part VII of the Housing Act 1996 Act as amended by the Homelessness Act 2002) and should be disregarded in determining someone else's eligibility or priority need.

Furthermore **Schedule 3, Nationality, Immigration and Asylum Act 2002** provides that certain persons are ineligible for support or assistance pending a local authority review under section 188 (3) Housing Act 1996 or pending an appeal to the County Court under section 204 (4).

The **Homelessness Code of Guidance for Local Authorities: July 2002** gives the following advice:

*"Housing authorities should ensure that staff who are required to screen housing applicants about eligibility for assistance are given training in the complexities of the housing provisions, the housing authority's duties and responsibilities under the race relations legislation and how to deal with applicants in a sensitive manner"* (CLG, 2006, paragraph 9.2)

The Code recognises that this is a complex area of Law and recommends that housing staff contact the Home Office Immigration and Nationality Directorate in cases of uncertainty.

The relevant regulations setting out classes of persons that are eligible for homelessness assistance are the *Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006* (SI 2006 No.1294) ("the Eligibility Regulations"). Under these rules a person granted refugee status is eligible when an asylum application is accepted. Prior to 30<sup>th</sup> August 2005, indefinite leave to remain in the UK was granted. Since that date, limited leave for 5 years is granted.

Where an asylum application has been refused, Exceptional leave to enter or remain in the UK may be granted for a limited period where there are compelling humanitarian or compassionate grounds to allow them to stay. If this is subject to a condition that the applicant should not have recourse to public funds, then the applicant is ineligible for homeless assistance. Exceptional Leave is granted at the discretion of the Secretary of State and since April 2003 will either be in the form of humanitarian protection or discretionary leave.

Asylum Seekers who applied after 2<sup>nd</sup> April 2000 are not eligible for homeless assistance, and only become eligible once they have Refugee Status or acquire Exceptional leave as described above. A small number of asylum seekers whose claims were made before this date is eligible but only in very limited circumstances.

- **Housing Act 1996**

This Act sets out the framework for access to social housing and the eligibility rules for asylum seekers and refugees. Local Housing Authorities must ascertain under section 160A Housing Act 1996 whether applicants are eligible for an allocation of social housing.

These eligibility rules were a new innovation introduced by the Act, so, for example homeless applicants in addition to a number of other tests to be accepted as homeless (priority need, not intentionally homeless and local connection provisions) also had to prove that they were “eligible” for accommodation. In effect certain people from abroad were excluded from social housing unless they were in an excepted category. These exemptions are set out in the *Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006* (SI 2006 No.1294) (“the Eligibility Regulations”). Guidance for local authority housing officers is given in the *Homelessness Code of Guidance for Local Authorities, Chapter 9* (CLG, 2006).

Guidance for allocations under local authority choice-based lettings schemes is given in *Allocation of Accommodation: Choice-based Lettings – Code of Guidance for local Authorities* (CLG, 2008).

Under section 186 Housing Act 1996, an asylum seeker that would otherwise be eligible for homeless assistance becomes ineligible if he or she has any accommodation in the UK “however temporary”.

- **Nationality, Immigration and Asylum Act 2002**

Part 2 of this Act contains provisions for the support of asylum seekers and their families in specially built Accommodation Centres. Asylum seekers who refuse the offer of a place in an Accommodation Centre or voluntarily leave it will not qualify for other forms of support and assistance. The Government sought planning permission for three sites at Bicester in Oxfordshire, RAF Newton in Nottinghamshire and Throckmorton in Worcestershire.

Parts 3 and 4 relate to other support for asylum seekers and to detention, temporary release and removal. Under the Act, asylum seekers who fail to meet reporting restrictions imposed on them may have other support removed. The Act also makes provision for funding the Voluntary Assisted Return and Reintegration Programme (VARRP). This programme is open to failed asylum seekers and those given limited leave to remain in the UK. There were 67,980 removals or voluntary departures in 2008, 4,295 under VARRP (Home office, 2009, p.27). 7,030 asylum seekers were removed from the UK after being held in a Detention Centre. At the end of December 2008, there were 1,525 asylum detainees (Home Office, 2009, p.29). Although most are held in detention for up to four months, many are held for as much as six months and a few for over a year.

Under section 55 of the Act, single, non-disabled asylum seekers over 18 are not entitled to support unless they make their claim for asylum “as soon as is reasonably practicable” after arrival in the UK. This provision was successfully challenged in the courts, and there are now very limited circumstances where support can be denied (Perry, 2005).

Part 5 amends the Immigration and Asylum Act 1999 in relation to the process for Immigration and Asylum appeals. Rights of appeal lie to the Asylum and Immigration Tribunal. Roughly three-quarters of initial claims for asylum are unsuccessful, and a quarter of appeals are successful.

- **The National Assistance Act 1948**

Section 21 of the National Assistance act 1948 places a duty on local authorities to make arrangements to provide accommodation for persons over 18 who “*by reason of age, illness, disability or any other circumstances are in need of care and attention which is not otherwise available to them*”. Section 116 of the Asylum and Immigration Act 1999 adds that accommodation

may not be provided where a person is in need because they are excluded from receipt of benefits under section 115 of the 1999 Act, and the need arose because they are destitute or because of the physical effects of being destitute.

A person is destitute as defined by section 21 (a) 1B of the Act if:

- They do not have adequate accommodation or means of obtaining it or
- Does have adequate accommodation or means of obtaining it, but cannot meet other essential needs.

Not surprisingly, this harsh legislation has led to a spate of cases in the courts.

The term "care and attention" was defined by Baroness Hale in *R (on the application of M) (HC) (respondent) v Slough Borough Council* (2008) UKHL 52, as:

*"the natural and ordinary meaning of the words "care and attention" in this context is "looking after". Looking after means doing something for the person being cared for which he cannot or should not be expected to do for himself"*

The respondent in this case was a 42 year old Zimbabwean national who was HIV positive, and eligible for housing support from NASS pending an appeal. He needed medication and needed to keep it refrigerated. The House of Lords held that his medical needs were being catered for the NHS. A prospective need for support does not bring the applicant within the remit of section 21.

It was held in the earlier Court of Appeal case of *R v Wandsworth London Borough Council, Ex parte O, R v Leicester City Council, Ex parte Bhikha* [2000] 1 WLR 2539 that

*"if an applicant's need for care and attention is to any material extent made more acute by some circumstance other than the mere lack of accommodation and funds, then . . . he qualifies"*

- **Immigration, Asylum and Nationality Act 2006**

This Act takes forward the Government's five year strategy on immigration and asylum (Home Office, 2004 and 2005b).

The Act makes a number of changes in the appeals process, notably restricting the right of appeal against the refusal of entry clearance for dependants, visitors or students. Only asylum seekers continue to have full rights of appeal. The Act also provides a new right of appeal for people no longer recognised as refugees but who are allowed to stay in Britain on other grounds.

The Act gives a right to Refugees to stay in the UK for a period of five years, during which they can be removed at any time if the situation in their country improves. Only after the five years expires are they given a right to remain permanently.

Asylum will not be granted to persons who have carried out or encouraged others to "commit, prepare or instigate terrorism". The campaigning group Liberty has argued that this definition is too broad, and it could catch people who are subject to persecution in their home countries.

There are also powers granted to the Home Secretary to remove British Citizenship where this is deemed "conducive to the public good". Liberty has argued that where people are suspected of crimes they should be dealt with through the criminal justice system and not by stripping them of British Citizenship.

Appeals against deportation on the grounds of national security will normally only be allowed to be brought from outside the UK. Where the appeal is on human rights grounds, it can be brought in-country unless the Secretary of State certifies that there is no breach of the European Convention on Human Rights. A person can be excluded by the Secretary of State from protection as an asylum seeker or refugee if they are deemed to be a terrorist or major criminal.

Local authorities are given powers to give assistance to "hard cases" under section 4 of the 1999 Act and to provide tenancies or licences (i.e. board and lodging) to persons subject to immigration control. Such tenancies will not be secure tenancies. Section 4 support is available for failed asylum seekers who are unable to return to their country for example because of a lack of medical support

or because there is no safe route of return. The provision of vouchers instead of grants is brought back for section 4 support.

The policy on the use of vouchers to support asylum seekers was reversed in 2002 and replaced by cash support, but has continued for failed asylum seekers who are unable to return home. Research by the Refugee Council has found the use of vouchers to be ineffective and to only lead to destitution (Doyle, 2008).

Instead of grants, refugees are given an "integration loan". Integration loans are available to people who have been granted Refugee status or humanitarian protection since 11<sup>th</sup> June 2007. These are interest-free loans to enable people to start a new life in the UK. It may be used for housing deposits, essential items of furniture, travel to job interviews or basic living expenses for students. The amounts vary between £100 and £1,000. Repayments begin after six weeks.

Other campaigning bodies, such as the Refugee Council have argued that the Act will lead to many asylum claims being pre-judged rather than assessed on their merits. Furthermore, it is considered unfair to force Refugees to go through five years of uncertainty before being accepted permanently. This process flies directly in the face of the Government's stated policy on integration.

- **Borders, Citizenship and Immigration Act 2009**

Sections 39 – 41 introduce from July 2011 a new pathway to citizenship for refugees. This increases the qualifying period for an application for citizenship for refugees from five to eight years. Applicants are expected to complete 50 hours of voluntary or other civic work or environmental activities.

Refugees are given five years of leave initially before their status is confirmed by the UK Borders Agency. This legislation means they can no longer then apply immediately for citizenship, but must wait another three years. Exceptionally, the Government has discretion to allow periods while waiting for an asylum decision to be counted.

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## **Appendix III - Useful web-sites**

UK Borders Agency

<http://www.bia.homeoffice.gov.uk/asylum/>

<http://www.ukba.homeoffice.gov.uk/asylum/support/>

Home Office – Immigration statistics

<http://www.homeoffice.gov.uk/rds/immigration-asylum-stats.html>

Independent Asylum Commission

<http://www.independentasylumcommission.org.uk/>

Information Centre about Asylum and Refugees (ICAR)

<http://www.icar.org.uk/2078/about-us/about-icar.html>

Hackney Council

[www.hackney.gov.uk](http://www.hackney.gov.uk)

Islington Council

[www.islington.gov.uk](http://www.islington.gov.uk)

Hackney Refugee Forum

<http://www.hackneyrefugeeforum.org.uk/>

Islington Refugee Forum

[http://www.islington.gov.uk/directories/page.aspx?dir=council\\_services&dir\\_name=LTRSD&docid=0901336c80432ade&sectionTitle=](http://www.islington.gov.uk/directories/page.aspx?dir=council_services&dir_name=LTRSD&docid=0901336c80432ade&sectionTitle=)

Centrepoint

<http://www.centrepoint.org.uk>

Praxis

<http://www.praxis.org.uk/>

Street League

<http://www.streetleague.co.uk>

Shelter

<http://www.shelter.org.uk>