

**Enforced Destitution:
Experiences of Poverty
amongst the Asylum
Seeking Community in
Belfast**



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Housing4All are a group of asylum seekers and supporters who are trying to ensure that the human right to housing is realised for destitute asylum seekers in Northern Ireland. The group actively campaigns against the policies of enforced destitution and housing deprivation.

This report will outline the experiences of enforced destitution amongst the asylum seeking community in Belfast, citing the relevant human rights violations which accompany these experiences.

We ask that the UN Special Rapporteur for Poverty recognise the damaging impact of enforced destitution on Asylum Seekers by deliberate British State policies.

Table of Contents

Introduction..... P1

Enforced Destitution.....P2

 Food.....P2

 Clothing.....P3

 Travel.....P3

 Communications.....P4

 Toiletries.....P4

 Children and Families.....P5

 Funeral Poverty.....P5

 Housing Conditions.....P6

 Homelessness.....P7

 Section 4 Support.....P8

Right to Work.....P9

Housing4All – Our Work So Far

In 2015, the Housing4All group was formed in direct response to human rights violations felt and witnessed by the asylum seeking community here in Belfast. Research by Housing4All among destitute asylum seekers in Belfast in 2015 found that 63% had been homeless on more than one occasion since seeking asylum in NI, while half of those had been homeless over three times. Enforced destitution comes as an additional blow to people who have already had to leave their countries under extreme duress and who may have suffered trauma during their flight: in 2016, 87% of destitute asylum seekers surveyed by Housing4All reported that their living situation negatively affected their mental and physical health.

Housing4All have campaigned for the Northern Ireland Executive, which has devolved responsibility for housing, to find a legal way in which enforced destitution can be addressed. Raising the issue with Members of the Assembly and committees was showing potential before the NI executive fell.

Women in this situation find themselves at very real risk of abuse and exploitation. In response, Housing4All proposed a partnership project to house destitute women asylum seekers in Belfast. The Housing Executive blocked use of a housing association property from the social housing stock; a housing association generously provided two flats which would otherwise have been privately rented, and four women moved in during September 2018.

Another area of work for Housing4All has been campaigning on the lack of health and social care assessments for asylum seekers. This work continues.

The Housing4All group is currently developing a survey of asylum seekers' ability to access a wide range of rights including adequate standard of living, housing, health, work, education and family life.

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Enforced Destitution

The United Nations views poverty both economically and as a form of social exclusion. Per economic definitions, asylum seekers are living in absolute poverty as they cannot afford food, clothing, housing, and other basic costs. Housing4All feel the destitution of asylum seekers is enforced as it is a direct result of British Government policy. This enforced destitution is felt throughout the asylum claim process as will be explained in the following sections of this report.

Asylum seekers with ongoing claims qualify for section 95 support, provided by the Home Office through the National Asylum Support Service (NASS). This support consists of an allowance of £37.75 per week per person, and the provision of accommodation on a no-choice basis. The accommodation element of this support is provided by private companies subcontracted by the Home Office. In the north of Ireland, these companies are Serco and the Northern Ireland Housing Executive (NIHE).

Evidence gathered by the Housing4All group demonstrates how the £37.75pw allowance asylum seekers receive leaves them in absolute poverty, defined as the inability to afford the basic needs of life¹. This is in violation of several international human rights standards.

Food

Members of the Housing4All group report that asylum seekers frequently use Food Banks, either as their sole source of food or to top-up their groceries. Because the price of fresh food is so high, asylum seekers rely on Food Banks to provide staple items such as bread, rice, pasta, cereals, and tinned goods. Not only does this demonstrate the insufficiency of the weekly support allowance, but also that asylum seekers are struggling to fulfil their dietary requirements. In addition, Housing4All group members have stated that being forced to use Food Banks is degrading and stigmatising, negatively impacting the mental health of asylum seekers further. Asylum seekers cannot afford to buy food that is culturally appropriate. This is deeply upsetting for people who have been displaced from their home country; they cannot maintain traditions and a sense of identity. It is also important for parents to be able to pass on their cultural traditions and culinary skills to their children.

“The right to adequate food is ‘indivisibly linked to the inherent dignity of the human person’. It is realised when ‘every man, woman and child, alone or in a community with others, have physical and economic access at all times to adequate food or means for its procurement’. The core content of the right

¹ <https://fullfact.org/economy/poverty-uk-guide-facts-and-figures/>

includes not just the availability of food, but also that it be ‘acceptable within a given culture’. (CESCR General Comment 12: The right to adequate food (art 11) paragraphs 4, 6, and 8).

Clothing

Housing4All members also report that asylum seekers rely on charities to provide them with clothes, this is a degrading experience. It is also extremely difficult for asylum seekers to save up for more expensive items such as winter coats and shoes as their allowance is given on a weekly basis, often asylum seekers will sacrifice buying food in order to purchase these items.

“The States Parties to the present Covenant recognise the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing” (ICESCR, art 11.1). *In the Universal Declaration of Human Rights, clothing as a component of adequate standard of living is linked to health* (UNDHR art 25.1); *clothing is also recognised as an element of the right to take part in cultural life* (CESCR General Comment 21, para. 13).

In addition to being unable to afford the cost of food and clothing, Housing4All report that asylum seekers are unable to afford essential travel enabling them to access education and health services. The cost of public transport is something Housing4All report asylum seekers cannot afford. Because allowances are provided weekly, asylum seekers cannot take advantage of discounts available when buying monthly travel passes. The cost of children travelling to school by bus would absorb almost all of an asylum seeker’s entirely weekly income, especially where parents have to travel with young children. In addition, due to the insecurity of accommodation provision, asylum seekers are relocated frequently, often far away from their child’s school.

Travel

Being unable to afford travel to access basic services is a form of poverty which is deeply isolating for asylum seekers. Housing4All recognise that asylum seekers cannot afford the cost of public transport. Because allowances are given weekly, asylum seekers cannot take advantage of discounts available when buying monthly travel passes. Taking young children to school on public transport is a huge expense, costing the majority of the asylum seeker’s weekly income. Asylum seekers rely on charities to provide bus cards. In addition, asylum seekers are frequently relocated during their claim. This means they are given the choice between disrupting their child’s education or spending extra money on public transport to remain in their school. The cost of travel also stops asylum seekers realising their own educational needs. The amount of travel allowance provided to asylum

seekers should be seriously reviewed by the Home Office taking into account access to education, both, for their children and for themselves.

Asylum seekers are unable to access education; this is a violation of their human rights and a form of poverty. Third level education is out of the question for all asylum seekers unless they can access limited scholarships from universities or colleges. Adult asylum seekers even struggle to access free education due to their legal status and inability to afford the cost of study materials or travel.

“The right to receive an education includes components of availability, acceptability, adaptability and accessibility; the latter includes both physical and economic accessibility, as well as non-discrimination” (CESCR General Comment 13: the right to education, para. 6)

Communication

Housing4All recognise that being able to access and afford communication is a major issue for asylum seekers. Phone top-ups are unaffordable which impacts their ability to communicate with family, friends, support staff, and solicitors. Asylum seekers have reported to Housing4All that they go without food in order to afford the cost of phone credit, particularly parents who need to stay in contact with their children. In addition, allowance for wi-fi is currently not provided under the s95 or s4 supports. This has a detrimental impact on children especially as schools are increasingly asking that homework be completed online, leaving asylum seeking children at a disadvantage.

“The States Parties to the present Covenant recognize that the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children.” (ICESCR art. 10.)

Toiletries and household cleaning items and non-prescription medicines

Housing4All are aware that asylum seekers in Belfast cannot afford toiletries. Female asylum seekers in particular have reported being unable to afford monthly sanitary items. They rely on charities and Food Banks to access these products. In addition, asylum seekers frequently report that properties they move into are not clean despite the contractual obligations of the Northern Ireland Housing Executive to ensure they are. Asylum seekers rely on charities and Food Banks to provide cleaning products, or resort to having to buy the cheapest items which are often a false economy. Most troublingly, asylum seekers state that they go to their GP for prescriptions of over the

counter medicines such as Paracetamol and Calpol. It costs the NHS around £3 to provide painkillers which are available for as little as 19p in shops.

“Health is a fundamental human right indispensable for the exercise of other human rights. Every human being is entitled to the enjoyment of the highest attainable standard of health conducive to living a life in dignity.” (CESCR General Comment 14: the right to the highest attainable standard of health, para. 1).

Children and families

Housing4All report that asylum seekers are unable to afford items for children. For parents of young babies nappies are the biggest expense. Items like this cannot be bought in bulk as asylum seekers cannot afford to do so with such a small weekly allowance.

Parents also report being unable to afford school uniforms and supplies; the grant given for uniform allowance is not enough. Often the entire allowance goes on one or two branded items of uniform which have to be purchased from the school. In the UK the average parent spends £175 on back to school supplies; the uniform grant available is just £73. For asylum seekers the required expense of school uniforms is higher than average, given the Home Office policy of relocations on a no choice basis often resulting in sudden and frequent changes of school. As well as the detrimental effect on the child’s education and social needs, this is another huge anxiety for parents who cannot afford school uniforms.

Asylum seekers report that they are unable to buy additional items for their home and family due to their low income; this impacts upon their mental health and wellbeing, particularly when requests come from children for toys, activities, and school trips.

“States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development... States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.” (Convention on the Rights of the Child, art 27.1, 27.3)

“All human beings are born free and equal in dignity and rights” UNDHR art 1

Funeral Poverty

According to the Fair Funerals Campaign, the impact of funeral poverty can be financial, in the form of unmanageable debt, but it can also be emotional in

the form of the distress, shame and the perceived stigma of not being able to provide a 'decent send-off' for someone we love². Funeral poverty has increased 50% in the past three years, due to the rising cost of funerals and cuts to government support. Asylum seekers are disproportionately affected by this issue due to the fact they have a weekly income of £37.75 and they cannot access Funeral Payments from the Social Fund as they have no recourse to public funds³. Asylum seekers cannot afford the cost of a funeral -- often they are forced to rely on friends, their communities, and charities for support, although this is not an option for those who are isolated with limited personal networks. The other option is for people to relinquish responsibility over their loved one's funeral to the state, for a pauper's burial. The Welfare Services Act 1971 states that local district councils must make suitable arrangements for the disposal of bodies⁴. Even the language in this act is undignified. It is a fundamental part of the grieving process to be able to bury loved ones in a respectful way. Between 2008 and 2015, local authorities spent £180,000 on pauper's funerals for 90 people⁵. This works out at around £2000 per funeral. This money could be held in a fund by councils to be accessed by people with no recourse to public funds.

Housing4All are aware that other groups are working to alleviate funeral poverty, however it is vital asylum seekers are included. The Home Office does not publish statistics on mortality rates for asylum seekers; we do not even know how accurately these statistics are recorded. However, we do know that asylum seeking women, 0.03% of the population in the UK, make up 12% of all maternal deaths. Similarly, further research has shown high levels of perinatal deaths to asylum seeking women compared with perinatal deaths amongst the wider population⁶. Asylum seekers are overrepresented in the mortality rates, considering how few there are as a percentage of the population. Yet they are not able to access any help to pay for funerals. There is also the additional impact on the mental health of asylum seekers.

Housing Conditions

Housing is a fundamental human right. In addition, extensive academic research has demonstrated the importance of housing for the successful reception and resettlement of asylum seekers and refugees⁷. Housing4All recognise that a home is more than just bricks and mortar; it is a place of safety, security, and comfort, a place where individuals and families should

² <http://fairfuneralscampaign.org.uk/content/what-funeral-poverty>

³ <https://www.nidirect.gov.uk/articles/funeral-payments>

⁴ <http://www.legislation.gov.uk/apni/1971/2/section/25>

⁵ <http://www.irishnews.com/news/2015/12/24/news/paupers-funerals-cost-180-000-in-northern-ireland-363332/>

⁶ https://www.childrenewsociety.org.uk/sites/default/files/tcs/Policy/asylum-inquiry/dr_jenny_phillimore.pdf

⁷ Zetter and Pearl 2000, Robinson et al 2007.

be able to flourish. Despite this, asylum seekers experience housing deprivation and insecurity on a wide-spread scale.

Housing4All run weekly housing clinics to assist asylum seekers in resolving issues with their accommodation. These issues have included: damp, mould, pests, cleanliness, structural damage, lack of heating and hot water, ongoing essential maintenance issues, unsuitability of accommodation to meet medical needs of asylum seekers, racism, violence and anti-social behaviour. These issues have been raised with subcontractors and have not been addressed through systematic change.

Homelessness

Unlike in many European states, in the UK if an asylum seeker's initial claim of refugee status is refused, Home Office housing and financial support is withdrawn after 21 days and they are deemed to have 'no recourse to public funds', despite the fact that they may be in the midst of compiling an appeal. The same is true for rejected asylum seekers who are waiting for travel documents to return home or who are from a country judged by the Home Office or the courts to be unsafe for return. If their claim is rejected they are no longer even eligible for emergency accommodation in homeless hostels.

- According to the Refugee and Asylum Forum, in Northern Ireland in 2015/16, roughly 100 rejected asylum seekers suffered enforced destitutionⁱ.

Enforced destitution comes as a crippling blow to people who have already had to leave their countries under extreme duress and who may have suffered additional physical, mental and emotional trauma in the course of their flight. Many will have arrived in the UK with serious physical and mental health needs as a direct result of their experiences. These are if anything exacerbated by the stress of being evicted and cut off from support. Women in this situation find themselves at very real risk of abuse and exploitation.

- In 2016, 87% of destitute refused asylum seekers surveyed by Housing4All in Belfast reported that their living situation negatively affected their mental and physical healthⁱⁱ.

A partnership project concept has been developed by Housing4All and PPR, linked in with Choice Housing Association, Community Foundation for Northern Ireland and East Belfast Mission. We have developed a model of accommodation provision for destitute asylum seekers who, unlike in many other European states, currently have 'no recourse to public funds' in the UK and are denied basic fundamental human rights to accommodation, employment and social security. Choice has provided two two-bedroom flats in south Belfast at no cost to us. They are covering the electricity and heating

bills and also furnished the flats with white goods and some additional furniture. The rest of the furniture was provided through a generous donation from Embrace NI. The Community Foundation are providing a weekly allowance for each asylum seeker, and are also covering the costs of a support worker from East Belfast Mission for the project. This support worker maintains a relationship with the asylum seekers in the accommodation and works with them to try and help them get back into the asylum system.

This has been necessary because emergency/temporary accommodation and related support are denied, in law, to destitute asylum seekers. Alternative schemes are up and running in other parts of the UK, and now Northern Ireland, to provide accommodation for destitute asylum seekers, and research and a legal opinion commissioned by the Rowntree Foundationⁱⁱⁱ demonstrate that the model being used by ourselves does not fall foul of the rules regarding people who have 'no recourse to public funds'. We are delighted that Choice and other partners have committed to this project.

Housing Associations in Northern Ireland must make all their properties available for tenants on the common waiting list, unless they have a good reason to use them in some other way. There are agreed exceptions. The housing association property initially proposed for the scheme, for instance, was from the social housing stock, but had been scheduled for eventual demolition and could not therefore be used for permanent tenancies. However, the Northern Ireland Housing Executive, from which permission is required to take any property out of the Common Selection Scheme, refused to back the plan – despite the fact that this approach required no funding or support from the Housing Executive and could make an enormous practical difference to the lives of vulnerable asylum seekers. Further, as stated above, the approach follows a model that has been reviewed and found *not* to fall afoul of restrictions on public funds used for Immigration Rules purposes^{iv}.

Social housing stock being blocked from use is an obstacle to the growth of the pilot from one property to the full number of properties required to address the need, which is at any one time around 100 people. Considering the response of the Housing Executive, Housing4All is now asking the Department for Communities to give its permission for this model of accommodation for destitute asylum seekers to be taken forward. We are merely asking for parity with the rest of the UK.

Section 4 Support

Section 4 Support is made available to refused asylum seekers who meet certain, very restrictive, eligibility criteria. The support constitutes the provision of accommodation and a weekly cashless support allowance of £30. Housing4All recognise that the restrictiveness of the entitlement to this

support leaves many refused asylum seekers destitute. One of the main conditions for entitlement is agreement to return to the person's country of origin, however for many refused asylum seekers this is not possible. In addition, Housing4All recognise the detrimental impact cashless support has on the mental health and wellbeing of individuals; it further forces individuals into poverty and isolates them from their communities. The 'aspen' card cannot be used to purchase bus tickets in Belfast meaning individuals must rely on charities for bus cards if they wish to move around the city. Section 4 Support prevents the free movement of individuals.

Right to Work

Housing4All are currently surveying asylum seekers living in Belfast. One of the things we are looking at is what qualifications and employment experience these asylum seekers possess and are being wasted by the current blanket ban on access to the labour market. Whilst research has shown that asylum seekers have valuable skills which would be a valued contribution to society⁸, this issue must also be seen as a denial of asylum seekers rights and a direct cause of the poverty they experience. Not being able to work is a great source of stress for asylum seekers⁹, it prevents them from integrating in our communities which inevitably causes tensions. In addition, being forced to rely on monetary allowances from the Home Office whilst simultaneously being unable to work creates the false assumption amongst some sections of society that asylum seekers are lazy, scroungers, and only here to take handouts from the state.

Refused asylum seekers with no legal working rights and no recourse to public funds often fall victim of labour exploitation and/or human trafficking. It is virtually impossible to safeguard this particular group because of their lack of legal status.

Giving asylum seekers the right to work would enable them to escape the destitution and poverty forced upon them by deliberate state design.

ⁱ Refugee & Asylum Forum, *Preventing destitution within the asylum process: urgent action required*, Jan 2017 at <http://lawcentreni.org/Publications/Policy-Briefings/Preventing-asylum-seeker-destitution-RAF-Jan-17.pdf>, p. 3.

ⁱⁱ PPR, *A Place of Refuge: a monitor of homelessness among destitute asylum seekers*, Apr 2016 at <https://www.pprproject.org/sites/default/files/A%20Place%20of%20Refuge.pdf>, p. 12.

ⁱⁱⁱ See *inter alia* The Housing and Migration Network, *Housing associations and provision for destitute migrants: a practice pack* at <https://www.jrf.org.uk/sites/default/files/jrf/migrated/files/housing-destitution-pack.pdf>; Joseph Rowntree Foundation, *How to Improve Support and Services for Destitute Migrants*, Jul 2015 at [---

⁸ Pillimore and Goodson 2006](https://www.jrf.org.uk/report/how-</p></div><div data-bbox=)

⁹ McColl et al 2008

[improve-support-and-services-destitute-migrants](#), pp. 6-8 and 40-44; Joseph Rowntree Foundation, *Guide to housing and support services for refugees and asylum seekers*, 2005 at <https://www.jrf.org.uk/report/guide-housing-and-support-services-asylum-seekers-and-refugees>.

^{iv} *In the matter of an opinion requested by the Association of Charitable Foundations, the Joseph Rowntree Trust and the Rowntree Housing Trust: Opinion*, 13 Jul 2015 at https://www.acf.org.uk/downloads/member-briefings/Legal_Opinion_-_Improving_support_for_Destitute_Migrants.pdf, paras. 13, 87(ii), 93. The Opinion concludes that “the meaning and use of the term ‘public funds’ is far narrower than might be thought. It does not block charities from providing accommodation to persons subject to a NRPF [‘no recourse to public funds’] restriction but raises the question of how such accommodation is to be funded.” The potential ramifications of this opinion are briefly discussed in Northern Ireland Assembly Research and Information Service Briefing Paper, *Support to Appeal Rights Exhausted Asylum Seekers in Northern Ireland*, Mar 2017 at www.niassembly.gov.uk/globalassets/documents/raise/publications/2017-2022/2017/executive-office/2617.pdf, pp. 11-12.