

A SLOW VIOLENCE:

How immigration
control forces
people in Greater
Manchester into
destitution

POLICY BRIEFING



Greater Manchester
IMMIGRATION AID UNIT

boaztrust

DESTITUTION MUST BE DESIGNED OUT OF OUR IMMIGRATION SYSTEM

Across Greater Manchester, thousands of members of our communities are being forced into destitution, often for years or even decades, solely on account of their immigration status.

- Some may be recently arrived in the UK; some have been resident for decades.
- Some are destitute because they have been refused asylum amidst the Home Office's longstanding 'culture of disbelief' – although they will later be recognised as refugees and granted protection.
- Others are European Economic Area (EEA) nationals who had lived in the UK lawfully, but fell out of status following Brexit immigration changes and requirements to apply for pre-settled or settled status.
- Others may have lost their leave to remain following a relationship breakdown, or because they couldn't afford the fees to renew their visa.
- Others may have leave to remain, but with the No Recourse to Public Funds (NRPF) condition attached to their status.

Many, or most, will end up regularising their immigration status and gaining access to public funds, and may go on to become British citizens – but until then, they are denied the right to contribute and support themselves, and forbidden access to any form of social safety net.

The report that accompanies this briefing shines a light on the often hidden experiences of destitution in our region. It shows destitution as a form of racialised violence embedded in immigration law that intersects in myriad ways with individual life stories. This is not spectacular violence like detention and deportation, but a slow, debilitating, often unseen violence that is insinuated into everyday life, damaging physical and mental health, and restricting people's capacity to live as members of our society.

Hostile environment policies over the last decade have intensified internal borders in our society, turning fellow residents, including head teachers, GPs and landlords, into faces of border control. This means that we are all, as Greater Manchester residents, statutory sector bodies and voluntary organisations, caught up in this violence, whether we like it or not. But we have a choice as to what to do about it – and the report that accompanies this briefing highlights the series of positive statements and policy developments from local political leaders over recent years. These local developments pose a welcome contrast to the increasingly negative policy environment emanating from central government, including the Illegal Migration Act 2023, which will push thousands more in our city-region into destitution.

KEY FINDINGS

01

People are forced into destitution by the complexity and opacity of immigration law

People in Greater Manchester become destitute if the Home Office fails to recognise their right to remain in the UK. In the hostile environment surrounding asylum and migration, this means that they are not allowed to work or access benefits. Reasons include: being refused asylum; being pushed out of status by exorbitant visa fees; status lapsing due to change in life circumstances or inability to meet high evidential thresholds. People also find themselves pushed into destitution if they are granted leave to remain but denied access to public funds, through the No Recourse to Public Funds (NRPF) condition applied by the Home Office.

Immigration laws over the last half century have been passed in response to the concocted moral panics of the day – but they shape people's lives decades down the line, constricting their agency and funnelling them into impossible choices. People living in destitution in 2024 may have fallen prey to the layers of hostile legislation that have accumulated over the decades.

Destitution will be significantly exacerbated by the Illegal Migration Act 2023, which, when implemented in full, will disincentivise people seeking sanctuary from engaging with the Home Office, forcing them into destitution. This legislation risks leaving a toxic residue on communities in our region for years to come.

02

There are multiple barriers to escaping destitution

People often remain trapped in destitution even when according to the letter of the law they should be able to regularise their status. These barriers include:

- Difficulty finding a legal advisor amidst the crisis engineered by a decade of cuts to legal aid

In the North West, the legal aid deficit for immigration law in 2022 was estimated to be 6,470.

- High evidential thresholds and difficulty of gathering evidence, especially when destitute

And it's like I need find some proof, and more proof, more and more and more and more, every time. Of course, it somehow destroyed me mentally.

- Visa fees and the Immigration Health Surcharge
- Home Office delays in making decisions

03

Access to accommodation for people in Greater Manchester who are destitute is highly inconsistent

Despite positive moves within the city region, such as the 60 'A bed every night' spaces for people with no recourse to public funds, there is inconsistency across different local authorities in the city region, as well as inconsistency within local authorities, as practice varies over time according to political and/or financial pressures. With no transparency over what accommodation is available for people with no recourse to public funds, people are often dependent on advocates from local community and voluntary organisations.

Some facing destitution become street homeless. Some may be housed in emergency local authority provision, but often with no certainty of how long it will last.

In our research we spoke to a torture survivor re-traumatised by months of street homelessness.

Because in this situation, when you living on the street, it's quite complicated to, feel yourself safe.

However, most people experiencing destitution in our communities are living in precarious arrangements with friends, family or acquaintances with varying degrees of security and (in)dignity. As these experiences are largely hidden from public view, they have attracted little political concern.

Some of them were starting stories, like Oh, police are here, you cannot live with me, you know they would make up stories and it was so stressful ... They want me to move, but they cannot tell me.

04

The slow violence of destitution impinges on people's dignity and damages physical and mental health

Destitution forces people into dependency on others, which many find intensely demeaning. People who may be desperate to work and contribute to our society are blocked from doing so. With severe constraints on their agency, people are pushed into impossible choices just to survive. Many in our region find themselves trapped in unsafe and abusive relationships as a result.

You don't have the peace of mind because once he opens the door, you don't know what to expect that day, that's the kind of life I used to live, so you know, I really lost, now I'm slim, but I had really lost weight, you know, sometimes, it's, you sleep without eating...

Along with the everyday pressures of getting by, experiencing destitution blocks long-term hopes and dreams. These factors, together with the complex and burdensome legal processes people are entangled in, have pushed some people towards self-harm and suicide.

When I was at [the hotel], I used to go for a walk of an evening. Just from [hotel] to the bridge there. And there was a couple of nights, I was down. And I contemplated jumping over.

05

Destitution is not a fixed state: people often find pathways out of destitution, despite the hostility of the policy environment

Stable accommodation brings obvious benefits to wellbeing to people experiencing destitution in the city-region. In Greater Manchester, limited stable bedspaces for people with no recourse to public funds are available under the 'A bed every night' (ABEN) scheme, commissioned by the Greater Manchester Combined Authority; and in shared houses provided by The Boaz Trust. Stable accommodation also gives people the peace of mind and security to engage in the arduous process of preparing an application to the Home Office that will offer a route out of destitution.

... at least in Boaz I had now, I was in a place to say ok this is my home, so I was, I was stable in myself a bit, so at least I could organise, go here, go there, but if I'm living with friends, I have to think, ok, she's not happy, or this, you know, there'd be a lot of things going on in my head, I'm not going to be stable to say, ok I'm trying to sort this paperwork, or do that, but at least at Boaz, I was a bit settled, and that now, I could manage to say ok, I have this appointment, ok I'm going to print out this, I'm doing that, so at least, the other part of my condition was sorted, so it gave me an ease as well.

People have also been supported out of destitution through joined up partnership working between different organisations, whether as part of a Boaz or ABEN accommodation offer or outside these models. While expert immigration advice is crucial, the benefits of this advice have often been amplified by a support worker helping people engage with the advice and supporting them to gather the relevant evidence.

06

Against the odds, people are finding and co-creating spaces of welcome

The research found evidence of these spaces in homeless centres, refugee charities, community gardens and many more. These are spaces where people find and share support, dignity and solidarity; spaces where people regain a sense of autonomy and not only survive, but flourish. These spaces cannot undo the webs of violence that people are caught in, but they mitigate harms, and produce solidarities that are reshaping our society in Greater Manchester for the better.

RECOMMENDATIONS

The key recommendation from the research is for the government to **stop using destitution as a weapon of immigration control**. The ostensible justification for destitution as a policy tool is that it incentivises people to return to their country of origin. But this report, based on experiences in Greater Manchester, adds to a catalogue of previous research showing this does not work. Instead it rips years out of people's lives, punishing them for simply being here.

TO NATIONAL GOVERNMENT:

01 Repeal section 115 of the Immigration and Asylum Act 1999, which excludes people who are 'subject to immigration control' from the welfare system.

02

Key changes to the immigration and asylum system must be made to prevent people being unnecessarily forced into destitution:

- a) Repeal the Illegal Migration Act 2023
- b) Create a just and humane asylum system that is not subject to political pressures to disbelieve and discredit
- c) Ensure visa fees are no more than the administrative cost of processing an application and are coupled with an accessible system for people to apply for a fee waiver
- d) Abolish the Immigration Health Surcharge
- e) End the use of the NRPF condition

03

Following an asylum decision people must not experience a cliff-edge of destitution:

- a) For people newly granted refugee status, pause evictions where local authorities and voluntary sector services are clear that there are insufficient housing options for them
- b) Extend the eviction notice period for people given an asylum decision to 56 days in line with the Homelessness Reduction Act 2017
- c) Inform local authorities when people are being evicted from asylum accommodation, again in line with the Homelessness Reduction Act 2017
- d) Adequately resource local voluntary and statutory sector bodies that are supporting those evicted from asylum accommodation

04

Measures must be taken to make it easier for people to escape destitution:

- a) Create a new, simplified route to regularisation based on five years residence, offering a clear route back into lawful immigration status for anyone forced out of it
- b) Increase legal aid fees by 50%, return to hourly rates and restore legal aid for all immigration issues, not just asylum, as was the case before the Legal Aid, Sentencing and Punishment of Offenders Act 2012
- c) Process applications for leave to remain within six months, rather than leaving people waiting for a year or more
- d) Allow people claiming asylum the right to work in any job while they are waiting for a decision

TO GREATER MANCHESTER COMBINED AUTHORITY, LOCAL AUTHORITIES AND VOLUNTARY & COMMUNITY ORGANISATIONS:

As long as destitution is baked into the national immigration system, local government and voluntary and community organisations must build on the positive developments of the last few years to design destitution out of our city region.

05

Access to accommodation must be improved for Greater Manchester residents who are destitute, regardless of their immigration status:

- a) Coordinate local authority homelessness strategies across GM to embed the principle that anyone presenting as homeless should be positively and proactively supported to access accommodation, regardless of immigration status
- b) Voluntary and community organisations should work collaboratively with local authority homelessness teams to facilitate move-on from emergency accommodation
- c) Local authority homelessness strategies must incorporate regular training to ensure that housing options services are trauma-informed, person-centred and literate in immigration law

06

We need more stable bedspaces available in Greater Manchester for those with NRPF:

- a) The Greater Manchester Combined Authority should work with the GM Mayors Charity to fund an additional 60 ABEN bedspaces available for people with NRPF, doubling the current provision
- b) In addition to the ABEN offer, voluntary and community organisations should seek funding to further increase the number of stable bedspaces

07

As destitution is not a fixed state, further measures should be taken by voluntary and community organisations and local government in partnership to help break down barriers to escaping destitution:

- a) Local authorities should invest in long-term funding for immigration advice for people facing destitution
- b) Building on the positive partnership working that has crystallised in the Restricted Eligibility Support Service (RESS), GMCA should fund this model further to increase the number of support worker roles

08

More must be done to support spaces of sanctuary and solidarity in our city-region amidst the hostile environment, embedding anti-racist practice in all statutory and voluntary sector services:

- a) We need to see all local authorities join Salford and Manchester on the journey of becoming Boroughs of Sanctuary, embedding a culture of welcome and best practice across all public services
- b) Voluntary sector organisations need to be given the recognition, time and resource not just to pick up the pieces, but to co-create – in dialogue with people facing destitution – spaces of welcome, offering dignity, support and solidarity
- c) Local government and voluntary sector partners should ensure that hardship funds are resourced, in order to promote wellbeing, reduce dependence on others and risk of exploitation, and offer a degree of dignity

To read a more detailed set of recommendations and findings, see the full report: *A slow violence: How immigration control forces people in Greater Manchester into destitution*