

Urgent Question: Plans to prevent homelessness and protect rough sleepers during the second national lockdown.

Shelter is the UK's largest housing and homelessness charity. Throughout the pandemic, we have continued to provide information, support and advice to thousands of people experiencing bad housing and homelessness.

In March, the government was swift in protecting rough sleepers via funding for the Everyone In scheme. This action doubtlessly saved lives. However, not everyone at risk of street homelessness was helped, and from the very beginning of lockdown we were contacted by people either sleeping rough or at risk of street homelessness who were refused emergency accommodation. This winter, we cannot allow the same to happen again and the Protect Programme must truly mean that everyone is supported into accommodation.

In addition, changes to the Immigration Rules published on 22 October will make rough sleeping grounds for refusing or cancelling someone's right to remain in the UK. The new rules will punish people for being street homeless and take them further away from seeking support if they feel it would risk deportation. It could push people into exploitative situations (such as modern slavery) to avoid the street.

To protect rough sleepers from COVID-19 and from the cold this winter, the government must:

- **Provide unequivocal guidance to local housing authorities that everyone at risk of sleeping rough must be accommodated during the national lockdown. Everyone must mean everyone.**
- **Deliver the necessary funding to every council to enable them to procure suitable accommodation (not night-shelter beds) and support services.**
- **Reverse the changes to the Immigration Rules to prevent rough sleeping from being grounds for refusing someone's right to remain in the UK.**
- **Invest in a new generation of social housing and ensure housing benefit is fit for purpose, to tackle the root causes of homelessness.**

Everyone in must mean everyone

- In March, MHCLG announced a dedicated fund to reimburse local authorities for emergency accommodation and support for street homeless people. This was followed by a letter to local authorities from Luke Hall, then Minister for Homelessness, stating that it was imperative that all "rough sleepers and other vulnerable homeless" were to be supported into appropriate accommodation.
- Shelter welcomed the government's action to protect people at risk of rough sleeping. However, from the beginning of lockdown, we were contacted by people who were refused emergency accommodation by council housing options services. Crisis and the No Accommodation Network (NACCOM) have experienced similar problems.
- There were also instances where the approach required the individual to 'bed down' on the street in order to be 'verified' by Streetlink as a rough sleeper before accommodation was offered.
- Last week, the Secretary of State announced the Protect Programme which was intended as a response to the new national lockdown "offering everyone sleeping rough on our streets today somewhere safe to go."
- In this announcement, MHCLG said the Secretary of State would ask councils "to make sure every rough sleeper [was] offered somewhere safe to go, as new national restrictions start"

- To fulfil the government's intentions, and ensure we can help people into emergency accommodation, we need MHCLG to direct councils to accommodate everyone by issuing robust guidance that clarifies the legal basis on which everyone should be accommodated.

New immigration rules will penalise rough sleepers

- New Immigration Rules published on 22 October will now make rough sleeping grounds for refusing or cancelling someone's right to remain in the UK.
- The rules effectively punish people for being street homeless, penalising some of the most vulnerable people we work with. The reason people can be on the streets in the first place is because they are not eligible for homelessness assistance or housing benefit because of their immigration status. When applied, it will also undoubtedly mean fewer people come forward for help or support, to avoid putting themselves at risk of deportation.
- Those legally in the UK with no access to state support, and for whom employment is not possible during the pandemic, risk staying in abusive relationships, being pushed into exploitative work and potentially modern slavery to avoid sleeping rough and the risk of deportation.
- **We need these rules to be reversed.** Every man and woman sleeping rough is the symptom of a homegrown housing emergency, driven by unnecessary rules that prevent people accessing a home, and by the failure of successive governments to build social homes. **Only by reversing these rules and by investing in a new generation of social housing will we tackle the root causes of homelessness and end rough sleeping for good.**

Evictions

- The government has announced that during the national restrictions, no enforcement activity can take place by bailiffs. While this is not the same as the original total shutdown of eviction proceedings, it does mean that people will not be physically evicted while the national restrictions are in place. This was the case previously in Tiers 2 and 3.
- The government has also committed to suspending bailiff activity over Christmas, so no bailiff evictions will take place until January 11th. This does not however, prevent landlords from serving eviction notices, or prevent the court processing the eviction.
- As we know, most renters will leave the property once a notice has been served. **The government should therefore issue clear guidance to renters of their right to remain in their home.**

Suggested Questions

- While the recent funding from the government is very welcome, the Protect Programme only distributes funding to a limited number of councils. Safe access to emergency accommodation during this lockdown must not be a lottery. Will the Minister speak to his colleagues in the Treasury, to ensure that every council has the necessary funding to accommodate anyone at risk of sleeping rough this winter?
- During the first national lockdown, Shelter reported that they were contacted by many people at risk of sleeping rough, who were turned away from their local council when they were at risk of the street. The same cannot happen again this winter. Will the Minister issue clear, unequivocal guidance to local authorities that they must accommodate every single rough sleeper during this lockdown? And will this guidance be backed up by the necessary funding?
- Throughout the pandemic, people with no recourse to public funds have struggled to survive, as industries and businesses close down. They have been working, paying tax, and are legally resident in the UK – but they are not eligible to claim Universal Credit if they fall on hard times. Does the Minister agree that the no recourse to public funds condition is driving homelessness, and will he speak to his colleagues in the Home Office about suspending this condition for the duration of the pandemic, so that everyone who needs it can access our welfare safety net?
- The Minister's announcement last week made it clear that the Protect Programme funding is there to ensure "everyone sleeping rough on our streets has somewhere safe to go". Could the Minister please confirm that this funding will be used to house everyone at risk of the street, including those with no recourse to public funds?
- The government's new immigration rules will make rough sleeping a cause for removal. This would punish people for being street homeless, criminalising some of the most vulnerable members of our society. Will the Minister speak to his colleagues in the Home Office about reversing this decision?
- Shelter has warned that people will be less willing to come forward for support if doing so would risk them being deported. Why has the government decided to punish people for rough sleeping and will it reverse this decision, which undermines its own commitment to ending rough sleeping?
- Does the Minister accept that if people are unable to seek support to access accommodation during a pandemic where there is limited ability to find work, it risks leaving them vulnerable to exploitation and modern slavery?

If you have any questions or would like more information on this briefing, please contact reshima_sharma@shelter.org.uk.