

## The Children's Society submission to 'Tackling illegal immigration in privately rented accommodation' consultation

August 2013

### Introduction

1. The Children's Society works intensively with just over 13,000 children and through our outreach and awareness raising activities we work with many thousands more. We work directly with the most disadvantaged children, many of whom have nowhere else to turn. With them we fight childhood poverty, harm and neglect. Our network of programmes includes drop-in services for runaways, children's centres, support for young carers, refugees and migrant children and children in care. We transform the lives of many more children by pressurising government and local authorities to change policy and practice to protect them, and we challenge the negative attitudes that perpetuate harm and injustice.
2. Our response is based on our extensive experience of working directly with approximately 1,500 migrant and refugee children and their families across the country every year for over 15 years. For further information, please contact Lucy Gregg, Policy Officer at The Children's Society on 020 7841 4400 ext. 3016 or at [lucy.gregg@childrenssociety.org.uk](mailto:lucy.gregg@childrenssociety.org.uk).

### Key Messages

3. We strongly oppose these proposals and believe they will fail to achieve the stated outcome 'to discourage those who intend to stay illegally or encourage those who are here illegally to leave'<sup>1</sup>. Instead the proposals are likely to adversely affect already vulnerable children and families with an uncertain immigration status, particularly those who are unable to leave the UK or those at risk on return to their country of origin.
4. The proposals are likely to exacerbate the already existing problem of sub-standard and overcrowded accommodation for migrant and refugee families by deterring legitimate landlords from housing vulnerable children and families. This could lead to greater levels of homelessness as well as shift pressures and costs to local authorities and other agencies.
5. Although we welcome the exemption of some children to the proposals, this is not likely to be meaningful unless parents are also exempt because a refusal of accommodation to parents or carers will also make any children within the family homeless. We also believe that all children under 18 should be exempt, not 16 as the proposals currently state.
6. The proposed scheme is very likely to cause discrimination. Landlords who are unclear about an individual's status or if they do not get a satisfactory answer from the Home Office will be able and likely to simply refuse accommodation altogether. We believe

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<sup>1</sup> Page 6, point 11 of consultation document

this will disproportionately affect those with decisions pending, those with limited leave to remain or those with particularly complex immigration status.

7. We are disappointed that the government has missed a vital opportunity to address the problems of overcrowded, poor quality and exploitative housing arrangements for children living in immigrant families. Rather than addressing public concerns around immigration, promoting community cohesion and fostering good relations, this policy is likely to propagate distrust and division between communities, further isolating and marginalising already vulnerable children and families, leading to higher levels of homelessness and exploitation.

Below we set out our in more detail our concerns and our alternative recommendations:

### **Problematic definition**

8. The references to 'illegal immigrants' in this consultation are very problematic. The division of migrants into two mutually exclusive and exhaustive categories as either 'legal' or 'illegal' is not clear in practice or legal terms, nor does it conform to migrants' own experiences and conceptions of their status. Many groups are critical of this term as it refers to individuals rather than their actions. It does little to promote an understanding of why different individuals and vulnerable groups, such as children and young people, refugees and victims of human trafficking, might find themselves in this country without documentation or a legal status<sup>2</sup>.

### **Home Office decision-making in immigration cases**

9. Research has consistently highlighted problems with the quality of decision-making by the Home Office in asylum claims generally<sup>3</sup>, as well as in family<sup>4</sup> and children's<sup>5</sup> cases specifically. The first report of the Independent Family Returns Panel highlighted that of the families that the UK Border Agency (UKBA) had considered to have no right to be in the UK and should return, 41% (77 out of 186) were subsequently granted leave to remain in the UK<sup>6</sup>. It is deeply worrying that the UKBA tried to remove so many children and families who were found to have a legitimate right to be in the UK. It is evident from our own work with children and families that many have real fears about returning and do not believe they have had a chance to have their case fairly considered. Often this is due to inadequate legal advice and representation early on in their case, a lack of adherence to guidance by Home Office decision-makers<sup>7</sup> as well as a 'culture of disbelief' within the Home Office<sup>8</sup>.

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<sup>2</sup> For example see recent letter to the editor: <http://www.theguardian.com/world/2013/aug/08/van-campaign-turning-back-clock>

<sup>3</sup> Amnesty International (2013) *A Question of Credibility: Why so many initial asylum decisions are overturned on appeal in the UK*: [http://www.amnesty.org.uk/uploads/documents/doc\\_23149.pdf](http://www.amnesty.org.uk/uploads/documents/doc_23149.pdf)

<sup>4</sup> UNHCR (2013) *Untold Stories; Families in the asylum process*: [http://www.unhcr.org/fileadmin/user\\_upload/pdf/aUNHCR\\_Report\\_Untold\\_Stories.pdf](http://www.unhcr.org/fileadmin/user_upload/pdf/aUNHCR_Report_Untold_Stories.pdf)

<sup>5</sup> UNHCR (2009) *Sixth Report of the Quality Initiative Project*: [http://www.unhcr.org/fileadmin/user\\_upload/pdf/6\\_QI\\_Key\\_Observations\\_Recommendations6.pdf](http://www.unhcr.org/fileadmin/user_upload/pdf/6_QI_Key_Observations_Recommendations6.pdf)

<sup>6</sup> p8, Independent Family Returns Panel Annual Report, 2011/12

<sup>7</sup> Amnesty International (2013) *Question of Credibility: Why so many initial asylum decisions are overturned on appeal in the UK* [http://www.amnesty.org.uk/uploads/documents/doc\\_23149.pdf](http://www.amnesty.org.uk/uploads/documents/doc_23149.pdf)

<sup>8</sup> The Children's Society (2012) *Into the Unknown: Children's journeys through the asylum process* <http://www.childrensociety.org.uk/news-views/press-release/children-seeking-safety-uk-face-damaging-culture-doubt>

10. Furthermore, there are a number of countries which are internationally recognised as too unsafe to return to or where the courts have ruled that it is unsafe to return for a period of time. This is frequently not acknowledged in UK asylum policy and decision-making<sup>9</sup>. These barriers to return will therefore not be reflected in the immigration status of children and families but will prevent removal or voluntary return. In addition, some families will be unable to obtain documentation in order to return. For example, we work with many young people from Iran, who are refused international protection, however; they cannot get documentation to return as there is currently no embassy in the UK. This leaves them in limbo without a regular immigration status or access to services, but unable to leave the UK.

### **Targeting vulnerable migrant children and families**

11. We are increasingly coming across children and families who are destitute because of immigration restrictions on their access to vital services and the labour market<sup>10</sup>. Research shows that many of these families would rather live in poverty and in constant fear of deportation – reliant on friends, transactional relationships, commercial sex work or low-paid informal work – than return to their country of origin<sup>11</sup>. There is no evidence that making it more difficult for families to secure accommodation would make them more likely to leave the UK even if they were in a position to do so. The likely result is that families will instead seek to secure accommodation wherever possible, through hidden and insecure means via landlords who will avoid detection and therefore unlikely to conduct immigration document checks.

12. According to the University of Oxford, there were an estimated 120,000 undocumented or irregular migrant children living in the UK in 2011 at risk of destitution, exploitation and social exclusion<sup>12</sup>. The majority of these children – approximately 65,000 – were born in the UK or came here at a young age and have spent their formative years here, without any control over their situation or understanding that something may be wrong with their immigration status. From our experience these children often have very strong grounds for a human rights claim based on Article 8 of the European Convention on Human Rights<sup>13</sup> and therefore would likely have a right to remain if they were able to present their case.

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<sup>9</sup> The UN Committee Against Torture for example recently criticised the UK for not amending its asylum policy on Sri Lanka despite the High Court ruling earlier this year suspending removals of Tamil refused asylum seekers to Sri Lanka. 5th periodic report – May 2013: <http://www2.ohchr.org/english/bodies/cat/cats50.htm> The Refugee Council (2012) *Between a Rock and a Hard Place* recently illustrated other examples of the protection gap for nationals from the Democratic Republic of Congo, Eritrea, Somalia, Sudan, and Zimbabwe who have been refused asylum but may still have a well-founded fear of return.

<sup>10</sup> Pinter, I (2012) *I don't feel human: Experiences of destitution among young migrants and refugees*, The Children's Society [http://www.childrenssociety.org.uk/sites/default/files/tcs/research\\_docs/thechildrenssociety\\_idontfeelhuman\\_final.pdf](http://www.childrenssociety.org.uk/sites/default/files/tcs/research_docs/thechildrenssociety_idontfeelhuman_final.pdf)

<sup>11</sup> Crawley, H; Hemmings, J and Price, N (2011) *Coping With Destitution: Survival and livelihood strategies of refused asylum seekers living in the UK*: <http://policy-practice.oxfam.org.uk/publications/coping-with-destitution-survival-and-livelihood-strategies-of-refused-asylum-se-121667>

<sup>12</sup> Sigona, N and Hughes, V (2012) *No Way Out, No Way In: Irregular Migrant Children and families in the UK* [http://www.compas.ox.ac.uk/fileadmin/files/Publications/Reports/NO\\_WAY\\_OUT\\_NO\\_WAY\\_IN\\_FINAL.pdf](http://www.compas.ox.ac.uk/fileadmin/files/Publications/Reports/NO_WAY_OUT_NO_WAY_IN_FINAL.pdf)

<sup>13</sup> Article 8 provides protection against interference with a person's private or family life. For example, for unaccompanied minors who have been in the country a long time, have established a private life and for whom it would be in their best interests to remain here particularly if they have no family, support networks or lasting connections with their country of origin.

**CASE STUDY: A lone young mother from Jamaica with two young children**

Claire\* was sent to the UK from Jamaica as a child when she was 12 years old to stay with her older sister following the death of her father. She came to the UK on a visa. She was kicked out of home at 14 and began having sex with men for money in order to survive. She was abused by older men but stayed with them because she had no place to go. She then became pregnant. When she came to The Children's Society she was 19 years old and did not know her immigration status. With support from a partner organisation and legal aid she received immigration advice to put in an application for her case to be considered. Eventually, she was granted leave to remain through a non-asylum immigration claim on human rights grounds.

**IMPACT:** Claire was undocumented for a number of years even during adulthood. With the implementation of this policy at that time she and her two children would have been refused access to private rental housing and would have been made homeless or vulnerable to further exploitation. This is despite the fact that she and her children did have a legitimate case to remain in the UK<sup>14</sup>.

13. There is an assumption within the impact assessment that irregular migrant families will be able to regularise their status<sup>15</sup> in order to resolve their situation. However, given that non-asylum immigration cases are no longer within scope for legal aid even for children<sup>16</sup>, and that these families will be unlikely to be able to afford legal advice privately, it is difficult to see how this is a viable option.
14. Children with an irregular status are likely to be substantially affected by these proposals because a refusal of accommodation could render a whole family homeless whether the children are exempt or not. In addition, the discriminatory nature of these proposals could also affect children of parents who have limited leave to remain because these families might be perceived as a less favourable choice of tenant for any landlord despite their regular status.

**Impact on children and their rights**

15. We believe the impact assessment does not give adequate consideration to the impact on children and young people or their rights under domestic and international legislation. The government has not taken into account the impact on children's rights under the United Nations Convention on the Rights of the Child (UNCRC) despite repeatedly stating its commitment to giving "*due consideration to the UNCRC Articles when making new policy and legislation*"<sup>17</sup>.

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<sup>14</sup> With recent cuts to legal aid which took non-asylum immigration cases out of scope, Claire would now not qualify for legal aid and would not have been able to resolve her status. With the implementation of the proposed policy, she would therefore still be homeless or living in a very precarious setting.

<sup>15</sup> Pg 49 of the consultation document

<sup>16</sup> See the Refugee Children's Consortium briefing on the impact of legal aid cuts under LASPO:  
[http://www.refugeechildrenconsortium.org.uk/images/RCC%20LASPO%20Act\\_Final.pdf](http://www.refugeechildrenconsortium.org.uk/images/RCC%20LASPO%20Act_Final.pdf)

\* Name changed to protect identity

<sup>17</sup> Written Ministerial Statement from the Department for Education in response to the independent review of the Children's Commissioner:

<https://www.education.gov.uk/consultations/index.cfm?action=conResults&consultationId=1761&external=no&menu=3>

16. The recent report by the UN Committee on children within the context of international migration advises that “States should make clear in their legislation, policy, and practice that the principle of the child’s best interests takes priority over migration and policy or other administrative considerations”<sup>18</sup>. Whilst the assessment states that the welfare of children has been considered under Section 55 of the Borders, Citizenship and Immigration Act 2009, there is little evidence of how this has been done and indeed how children’s best interests have been considered within this policy.
17. Article 2 of the UNCRC makes clear the State’s obligation to protect children from any form of discrimination and to take positive action to promote their rights irrespective of the child’s or his or her parent’s race, nationality or other status. More recently the UN Committee has urged governments to ensure that adequate measures are in place to “combat discrimination on any grounds”. It specifically stated that efforts to combat xenophobia, racism and discrimination and promote the integration of families affected by migration into society should be strengthened<sup>19</sup>. It is difficult to see how this policy will have the effect of better integrating migrant children and families.
18. Furthermore the Home Office has misapplied the Section 55 duty to cover only children under 16 even though it covers all children under 18. This is inconsistent with other government policy, such as mainstream welfare policy that recognises all children under 18 and with changes in legislation to raise the school-leaving age to 18 by 2015<sup>20</sup>. The UN Committee has also recently re-stated its position that the UNCRC applies to all under 18s, including those above the age of 16 years, regardless of their migration status<sup>21</sup>.

### **Increased homelessness and pressure on local public services**

19. The costs associated with this policy have not been adequately considered in the impact assessment. If vulnerable families are unable to obtain accommodation from private providers, the pressure will consequently increase on forms of accommodation exempt from this policy, including emergency homeless hostels and refuges. This is at a time when homelessness is on the rise and services are already under increased strain following budget cuts and changes to welfare<sup>22</sup>. In addition, local authorities may be under an obligation to support and accommodate some families under Section 17 of the Children’s Act 1989 if they are refused accommodation in the private sector and made homeless. Contrary to the government’s intentions, this policy will fail to make any savings, resulting instead in a cost-shift from the private sector to local public services.
20. Particularly concerning is that families who are undocumented will have no recourse to public funds (for example, access to mainstream benefits such as housing or child

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<sup>18</sup> UN Committee on the Rights of the Child (2012) *Day of General Discussion on the rights of all children in the context of international migration*: <http://www2.ohchr.org/english/bodies/crc/discussion2012.htm>

<sup>19</sup> Ibid.

<sup>20</sup> Department for Education: *Raising the Participation Age*:

<http://www.education.gov.uk/childrenandyoungpeople/youngpeople/participation/rpa>

<sup>21</sup> UN Committee on the Rights of the Child (2012) *Day of General Discussion on the rights of all children in the context of international migration*: <http://www2.ohchr.org/english/bodies/crc/discussion2012.htm>

<sup>22</sup> Fitzpatrick, S; Pawson, H; Bramley, G and Wilcox, S (2012) *The Homelessness Monitor: England* : [http://www.crisis.org.uk/data/files/publications/HomelessnessMonitor\\_England\\_2012\\_WEB.pdf](http://www.crisis.org.uk/data/files/publications/HomelessnessMonitor_England_2012_WEB.pdf)

benefit) and will not be eligible for homeless shelters or refuges. This problem is a particular issue for children and families fleeing domestic violence<sup>23</sup>.

21. Although children's homes and boarding schools have been exempt, we wish to raise concerns around the lack of exemption for fostering placements or other independent accommodation provided by local authorities for children in care or care leavers. We support many children aged 16 or 17 who fall into this category.

### **Exacerbation of sub-standard and overcrowded accommodation**

22. Overcrowding and poverty are significant issues for children in immigrant families: one in four children in immigrant families live in overcrowded housing, compared to one in ten of native-born families<sup>24</sup>. One stated aim of this policy is to reduce overcrowded and poor conditions created by unscrupulous landlords as well as reduce abuses of housing law. However, we believe this policy could have the opposite effect and place further pressure on already vulnerable children and families in finding suitable accommodation.

23. As the government acknowledges in the consultation, migrants make particularly high use of the private rented sector<sup>25</sup>. Migrant families need access to this sector because homeownership and social housing are not readily available to them. The landlords most likely to offer tenancies to migrant families are likely to be those that are not complying with other existing laws such as licensing schemes, planning permission or fire safety. For example, of the families we work with across London, most live in overcrowded accommodation. At this present time, we are supporting 21 families each living in only one room.

24. The proposed policy will discourage landlords who are already finding it difficult to manage other requirements. They are likely to prevent incurring extra costs by avoiding housing migrant families. A reduction in housing available to migrants would force a deeper underground culture of sub-standard accommodation and further increase overcrowding and housing insecurity. This will place additional stress on people without access to good quality housing and will give landlords greater control over the lives of vulnerable migrant families and children. For example, our practitioners in London find that many landlords already exploit the particular vulnerability of families. This might be because of particular situations involving parental health problems, lack of English, single mothers, pregnant women, undocumented people with no legal status and no financial means of support, or simply because people are unaware of their rights.

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<sup>23</sup> Pinter, I (2012) *I don't feel human: Experiences of destitution among young migrants and refugees*, The Children's Society [http://www.childrenssociety.org.uk/sites/default/files/tcs/research\\_docs/thechildrenssociety\\_idontfeelhuman\\_final.pdf](http://www.childrenssociety.org.uk/sites/default/files/tcs/research_docs/thechildrenssociety_idontfeelhuman_final.pdf)

<sup>24</sup> Crawley, H. (2010) *Moving beyond Ethnicity: the socio-economic status and living conditions of immigrant children in the UK*, Child Indicators Research

<sup>25</sup> Perry, J (2012) *UK migrants and the private rental sector*, Joseph Rowntree Foundation

<http://www.jrf.org.uk/sites/files/jrf/migrants-private-rental-sector-full.pdf> For example, a survey of recent migrants in West Wiltshire found that 85 per cent lived in the private rental sector.

**CASE STUDY: Family living in overcrowded accommodation with strangers**

Anthony\* a Spanish national, aged 16, lived in one small room with his mother and father in a shared house with strangers. Other residents drank heavily and would stay up late at night playing loud music, making it very difficult for Anthony to sleep. Anthony had no privacy to do his homework and had to sleep on the floor whilst his parents slept in the bed. Living in such close quarters caused Anthony to argue with his father. His father had previously worked in construction but due to an injury was unable to find suitable work which he was physically able to do. His mother was struggling to pay the rent herself on one salary as they were not receiving any benefits. The landlord was trying to evict them but had not given them the correct notice nor acknowledged their right to receive one. The landlord would let himself into the house whenever he wanted and would threaten the family. The landlord removed the washing machine and gas card from the meter. The family could not afford the deposit and rent in advance on another property and the local authority would not place them in temporary accommodation as they were not technically homeless. During this time, Anthony's mood and mental health deteriorated and he reported feeling depressed and stopped going to school.

**IMPACT:** Families who do not know about their rights and entitlements, and experience language barriers, are vulnerable to exploitation by unscrupulous landlords. The proposed policies will only increase the power of these landlords over these families, increase overcrowding and put more children like Anthony at risk.

**Encouraging discrimination**

25. We are concerned this scheme encourages discrimination based on nationality and race. The level of control given to landlords could lead to discrimination because some landlords might conduct document checks selectively, based on their assumptions about the immigration status of prospective tenants. Families from ethnic minority backgrounds or with nationalities thought to be at high risk of irregular stay in the UK may find themselves particularly targeted for document checks. However, even assuming that all landlords adhere to the guidance and check all individuals regardless of their nationality or appearance, it will be easier for landlords to prioritise those individuals with permanent status, who are also by default more likely to be British. On this basis we believe that the government is undermining its obligations under the public sector equality duty<sup>27</sup> by setting up a scheme which encourages discriminatory behaviour.

**Proof of status and documentation**

26. Families who do have a right to be here but do not have documentation, including British families, will be unable to prove their status. This will be particularly difficult where their immigration status is complex or where family members have multiple forms of immigration status which may not be adequately understood or easily identified by landlords. For example, non-EU parents who have British children - known as 'Zambrano' carers - may have no form of ID which would identify their regular status. Another example is where a family makes an 'in-time' application to

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\*Name changed to protect identity

<sup>27</sup> The public sector equality duty under section 149 of the Equality Act ensures that that public authority must have due regard to the need to eliminate discrimination, harassment and victimisation and also to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not

extend their leave but will have no way of proving this even though they have a pending application with the Home Office and therefore cannot be removed. To add to this complexity, we find that immigration rules change frequently and that people's status can take different forms over an extended period of time, whilst children and family's documents are often with the Home Office at crucial times during the course of their application.

27. Our work in disadvantaged predominantly British communities has highlighted that many people who were born and raised in the UK have difficulties with proving their identity. Research suggests for example that almost two-thirds (64%) of benefit recipients exhibit characteristics which may lead to difficulty in having their identity verified<sup>28</sup>. We also know that 17% of usual residents in England and Wales do not hold a passport<sup>29</sup>. This policy could therefore have unintended consequences on the non-migrant population, particularly young people leaving home seeking accommodation in the private rental sector. These young people may not be able to afford the cost of a passport application and may not hold other forms of ID such as a driving license.

### **Impact on education and health**

28. One impact of this policy may be an increase in families being forced to move accommodation frequently. There is overwhelming evidence that low income, poor housing and parental stress create disadvantages for children in the short and long-term<sup>30</sup>. Frequently moving accommodation breaks support networks in local communities, and the lack of a permanent address to give at GPs' surgeries can mean families forgo preventative treatments and are forced to use emergency healthcare such as A&E when health concerns become more urgent. The impact on health is particularly pronounced for example when scrutinising the effects of the government's dispersal policy on asylum seekers<sup>31</sup>.

29. Frequently moving accommodation also impacts on children's education. Our experience of working with refugee and migrant families, as well as with Roma families, shows that high mobility in part caused by insecure accommodation either encourages moving children from one school to another or means the children and parents have to endure long commutes. Our research with Roma families<sup>32</sup> for example, has demonstrated that family mobility has directly impacted on educational attainment. Ensuring children's school attendance is important to parents for its educational value and provides children with a sense of normality and stability in their

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<sup>28</sup> Work and Pensions Committee - Universal Credit implementation: meeting the needs of vulnerable claimants: Written evidence submitted by Consumer Focus:

<http://www.publications.parliament.uk/pa/cm201213/cmselect/cmworpen/576/576vw21.htm>

<sup>29</sup> 2011 Census: Passports held, local authorities in England and Wales (27 March 2011):

<http://www.ons.gov.uk/ons/publications/re-reference-tables.html?edition=tcm%3A77-286262>

<sup>30</sup> Joseph Rowntree Foundation (2009) *Estimating the costs of Child Poverty* <http://www.jrf.org.uk/sites/files/jrf/2313.pdf>

<sup>31</sup> Report of the parliamentary inquiry into asylum support for children and young people: see page 16:

[http://www.childrensociety.org.uk/sites/default/files/tcs/asylum\\_support\\_inquiry\\_report\\_final.pdf](http://www.childrensociety.org.uk/sites/default/files/tcs/asylum_support_inquiry_report_final.pdf)

<sup>32</sup> Ureche, H and Franks, M (2007) *This is who we are: A study of the experiences of Roma, Gypsy and Traveller children throughout England* The Children's Society

everyday lives<sup>33</sup>. The process of securing a school place in a new area can also be lengthy and difficult.

**CASE STUDY: Eight house moves and children commute hours to school**

A mother and her three daughters aged 12, 7 and 3 have moved accommodation 8 times in eight years. The eldest has had to change school because of these moves. The family have an outstanding immigration application and at one point lived all together in one room in a house shared with six other adult strangers. They shared the bathroom and kitchen and other than their bedroom they had no space for privacy, to play or to do homework. They were illegally evicted from this house and could only find accommodation in another borough far from the children's schools. The family now get up at 6am so as to get to school on time. The youngest two daughters go to the same primary school 1.5hrs journey away. They have to get two buses. The 7 year old goes to school at 8.50am but the 3 year old does not go until 12.15pm. The mother therefore does not have time to go home so she has to wait around to pick them both up at 3.30pm. The children are extremely tired and they often sleep on the buses to and from school. The mother is reluctant to move the children as it is a good school and she knows it very well.

**IMPACT:** Although the family in this case does have a right to remain in the UK while their claim is being determined, the proposed changes will mean accommodation for families like this becomes more scarce and insecure. This is likely to increase the impact on children's schooling as housing mobility increases.

**Alternative recommendations**

30. It is clear that the private rental sector will continue to be the main provider of housing for migrants in future because the demand for accommodation from migrants will not disappear. This is especially likely given increasing pressure on social housing and increasing house prices. Landlords are being discouraged from meeting the needs of potential tenants from poorer or more disadvantaged groups, including migrants because of a combination of obstacles<sup>34</sup>. These include the costs of accreditation, problems with direct payments of housing benefit and administrative delays in returning deposits under deposit protection schemes.
31. A number of suggestions have been highlighted which could provide sensible approaches to deal with the issue. These shift the focus away from deterring migrants and instead attempt to address the root causes of the problem. These might include establishing local schemes aimed at improving conditions in the private rental sector and creating better access arrangements<sup>35</sup> or ensuring that local strategies deal

<sup>33</sup> Sigona, N and Hughes, V (2012) *No Way Out, No Way In: Irregular Migrant Children and families in the UK* [http://www.compas.ox.ac.uk/fileadmin/files/Publications/Reports/NO\\_WAY\\_OUT\\_NO\\_WAY\\_IN\\_FINAL.pdf](http://www.compas.ox.ac.uk/fileadmin/files/Publications/Reports/NO_WAY_OUT_NO_WAY_IN_FINAL.pdf)

<sup>34</sup> Perry, J (2012) *UK migrants and the private rental sector*, Joseph Rowntree Foundation <http://www.jrf.org.uk/sites/files/jrf/migrants-private-rental-sector-full.pdf>

<sup>35</sup> For example, Sandwell's Brushstrokes project (developed as part of HACT's Accommodate West Midlands project) worked with accredited landlords to inspect and accredit the properties, provided advice to landlords on the support that may be required by refugees, and provided training to refugees covering their rights and responsibilities in the private rental sector. <http://hact.org.uk/accommodate-2>

adequately with the private rental sector<sup>36</sup>. Another option is to facilitate better advice for migrants on how to obtain accommodation, challenge poor conditions and exercise their tenancy rights<sup>37</sup>. We would welcome the government's further consideration of these proposals.

32. In order to address the issues of community cohesion and confidence in the immigration system, we recommend, as the UN Committee does, that the government undertake programmes for improving knowledge and addressing the negative perceptions regarding migrants. This would aim to protect migrant children and their families from violence and discrimination and promote access to rights, equity, and respect.

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<sup>36</sup> For example, West Wiltshire District Council commissioned a specific survey about migrant use of the private rental sector to inform its housing strategy. [www.idea.gov.uk/idk/aio/8920342](http://www.idea.gov.uk/idk/aio/8920342)

<sup>37</sup> Spencer, S., Ruhs, R., Anderson, B. and Rogaly, B. (2007) *Migrants' Lives Beyond the Workplace: The Experiences of Central and East Europeans in the UK*. York: Joseph Rowntree Foundation