



## Evictions from asylum accommodation briefing Nov 2023

**Background.** Two months into his period as Prime Minister, in December 2022, Rishi Sunak made a [statement](#) on what he termed ‘illegal migration’. Alongside measures to crack down on small boat arrivals and to use disused holiday parks and surplus military sites as asylum accommodation, he announced plans to speed up asylum decision making in order to “abolish the backlog of initial asylum decisions” (thereby reducing the government’s spend on asylum accommodation) by the end of 2023.

One of the Home Office mechanisms for doing this was a new ‘streamlined asylum process’ for ‘legacy’ (eg before 28 June 2022, when the Nationality & Borders Act came into force) and subsequent ‘flow’ cases from certain countries with high asylum grant rates (Afghanistan, Eritrea, Iran, Sudan and Syria). For these, asylum could be granted using questionnaires / without an interview (Refugee Council briefing June 2023 [here](#)).

At the time of Sunak’s announcement in December 2022 the Home Office recorded [3,103](#) asylum seekers and dependents in Northern Ireland. By end June 2023 (the most recent set of figures publicly available) this had risen to [3,348](#) people.

In August, [press reports](#) highlighted a shift in Home Office procedures around newly-recognised refugees' "notice to quit" their asylum accommodation, significantly reducing the time they had to arrange new lodgings. In September an unprecedented number of asylum seekers in and around Belfast told PPR that they had received their asylum decisions; in October PPR submitted Freedom of Information requests to the Housing Executive, the PSNI, The Executive Office and the Home Office seeking information about asylum decisions; information sharing with NI duty bearers in light of people’s change in status; plans and procedures for eventual evictions from asylum accommodation; actors involved in evictions; and preparations and resource allocations.

### Information from FOI Responses

**1/ Numbers.** The Home Office, by FOI response FOI2023/04181 of 7 November, confirmed that 156 “cessations” of asylum support had been taken in NI since August 2023: 136 of them following a positive asylum decision and 20 following a negative one.

**2/ Procedures for people to leave asylum accommodation after their status decisions.** Up until July/August, people were advised of their asylum decision by the Home Office, generally finding out their status before Mears did. The Home Office would inform Mears separately, causing a delay of a few weeks before Mears would trigger the beginning of the tenant’s notice period of their asylum accommodation and support ending<sup>i</sup>.

The new system described in the Home Office 'Discontinuations FAQ' of 23 August<sup>ii</sup> does away with this 'buffer period'. The Home Office now writes a **letter communicating the asylum decision** to the person and to Mears at the same time, and that letter also informs of the date (by law, 28 days later, if the asylum claim has been admitted, 21 if it has been refused) that the person's access to support and accommodation will end.

(The FAQ acknowledges that this may result in people approaching local authorities and partners for support, "appearing to have a shorter notification period to vacate properties" – but it asserts that there is no change in policy, just in procedural application of policy.)

The FAQ says that a **second letter giving formal 'notice to quit'** should be issued to the person 'at least 7 days' before the end of the notice period. It says that in the event that receipt of the second letter is delayed, the person is still entitled to the 7 days' notice; they must however submit a "reinstatement request" with Migrant Help / Mears – and only a further 7 days of support will be given.

The Home Office FAQ stipulates that **Migrant Help** are responsible for "supporting newly recognised refugees during the 28-day 'move on' period", including through providing advice on

- Accessing the labour market
- Applying for Universal Credit [[ NOTE there's no reference to the built-in five-week delay in receiving UC support & its impact on these people ]]
- Signposting to local authorities for assistance with housing

The Home Office FAQ stipulates that "support will not be ceased unless a **valid BRP** [Biometric Residence Permit] **card** has been produced to allow applicants to take the necessary next steps with DWP [in NI, DFC]. There will be a period of adjustment to allow data sharing to begin as close to the service of decision as possible".

The TEO FOI annexes also contain multiple references to 'heat mapping', to identify 'areas which will be able to cope with the expected rise in positive decisions on asylum cases as a result of the streamlined asylum process'.

**3/ Actors involved.** The **PSNI** FOI response<sup>iii</sup> said that it does not hold relevant information on any of the questions asked. The **Housing Executive** said that it was not involved in the eviction process and held no information about eviction procedures or the actors involved. For its part the **Home Office** refused to provide information on this, claiming exemption under Section 43(2) of the Freedom of Information Act 2000: "prejudice [to] the commercial interests of *both the Home Office and those companies with whom the Home Office enters contracts*". This presumably means that those implementing evictions are contracted by the Home Office -- eg **Mears Group** (AASC asylum accommodation and support contract), Migrant Help (AIRE asylum advice, issue reporting and eligibility contract).

PPR to date have not heard of anyone being forcibly evicted from their asylum accommodation, although numerous people have come under strong pressure.

The TEO FOI response included as annexes some sets of redacted minutes from various duty bearer meetings. Several of these refer to ‘**overstayers**’ amongst asylum seekers who refused moves to dispersal asylum accommodation (7 August minutes<sup>iv</sup> refer to Mears employees ‘tackling overstayers’ through clinics ‘to set expectations’). The 7 September minutes<sup>v</sup> includes this use of ‘overstaying’ amongst people with asylum decisions:

“[redacted] placed on record that SAP has placed significant strain on their services, and that they overall increase will likely lead to greater number of **overstayers**. He said that the solution will most likely include greater dispersal outside of Belfast, but that he appreciates the burden this will place on health / education services.”

**4/ Procedures for notifying local authorities of people’s change in status.** The Home Office said that it provides a weekly list of asylum decisions to “the Housing providers and Migrant Help”, “to ensure that they are informed at the earliest point within the start of the Grace period following decision service. That enables the start of the Move on service to support our customers.”

The Home Office Discontinuations FAQ says that “providers [in NI, Mears] notify local authorities [in NI, the Housing Executive] within two days, thereby giving [them] as close to a minimum of 26 days to begin their own processes for accommodating those who may seek this”.

The Housing Executive (by FOI response 187 of 7 November) said that Mears, in addition to issuing people’s ‘notices to quit’ their asylum accommodation, would notify the Housing Executive of the ‘notice to quit’: “the Housing Executive would then make contact with people who have been granted leave to remain, in order to determine their needs and preferences for housing and any statutory homelessness duties” (under NI legislation a person must meet four tests (eligibility, homelessness, priority need and intentionality) in order to [qualify as being legally homeless](#)). The Housing Executive did not mention a specific timeframe for this.

#### **5/ Planning and resource allocation.**

The TEO Annex E minutes<sup>vi</sup> referred to a question about contingency planning:

“[redacted] asked if the streamlined asylum process might increase the risk of homelessness, and whether any **contingency planning** had been done around this. [redacted] stated that this will increase pressures. NIHE was informed of SAP heatmaps the previous week and is now implementing contingency plans to respond. NIHE has sought clarity from HO on the timelines for the new process and other key operational details. Even before SAP, the pressures on housing were already very hard to deal with. There are also risks for those who receive a negative decision and have NRPF status, including a potential rise in rough sleeping. [redacted] queries where responsibility lay in **NRPF** [No Recourse to Public Funds] **cases** as it does not sit with NIHE.”

The Housing Executive FOI said, “where the household is choosing to remain in Northern Ireland a homelessness assessment will be completed by the local Housing Solutions and Support Team,” responsible for “for case management and completion of homelessness assessments and housing applications”. In addition, the Housing Executive has set up a Refugee Integration Team “to assist with managing the transition for individuals from Asylum Seeker to refugee with a specific focus on accommodation” ... “The Refugee Integration Team would have oversight of the move on from Mears accommodation to accommodation provided under statutory homelessness duties. The team would also hold information sessions in Mears contingency accommodation to provide generic advice on housing options in advance of asylum decisions and to discuss individual cases where leave to remain has been granted.”

The Housing Executive confirmed that it holds a weekly meeting with the Mears Group “to monitor cases that have been granted leave to remain and have been given notice to quit their accommodation”. It added, “these meetings are used to confirm move on arrangements and to try and manage a smooth transition from asylum seeker accommodation to alternative accommodation including temporary accommodation provided under homelessness duties” but specified that “these are operational meetings that discuss individual cases and a minute is not recorded”.

**TEO coordination.** The TEO said in its FOI response,

as part of its coordination role TEO is member of a multiagency group set up in response to concerns raised on this issue in recent weeks. This multi-agency response also includes Home Office, NIHE, Mears Group PLC, Department of Health, Department of Education, the Education Authority and Department for Communities. The role of TEO in this regard is to provide a coordination and engagement function for the group. Given that this work is only in its initial stages, we do not have any documentation to share at this time. TEO has however also been part of wider discussions at strategic level around preparedness in addressing the accommodation needs of those who have received a positive asylum decision. To that end, please see Annex E, which contains excerpts from RDG and Council Engagement Group minutes.

On the question of resources, the **Home Office** FOI response said, “Mears have written a paper that has been delivered to the Home Office for consideration. A number of points require answers before an accurate process can be confirmed”. This would indicate that a process will be undertaken; meanwhile however people have already been issued ‘notices to quit’ their asylum accommodation.

According to **TEO’s** FOI response,

- “we can confirm funding under the Home Office Full Dispersal policy has been allocated to support the transition of asylum seekers gaining leave to remain from Mears accommodation to that provided by NIHE. This funding has been made available in both 2022-23 and 2023-24 and the **Department for Communities** has received funding to support with managing the transition from Mears

accommodation into alternative accommodation, at a cost of £77,000 in 2022/23 and £197,538 for 2023/24.

- **councils** are receiving HO funding for refugees (not asylum seekers), amounting to £50k per council for 2023-24 and 2024-25 (apparently the same total for each, regardless of number of refugees in their area etc)

A number of other issues of interest were also alluded to in the responses:

- **Education Authority highlights need for mitigation in some cases.** TEO Annex E minutes<sup>vii</sup> said: “[redacted] (EA) noted that there are particularly challenging cases (eg those with special needs) in which EA will flag the need for mitigation, as moving area would not be appropriate.”
- **Discussion of the need for ‘specially adapted’ properties, and the possibility of transfer to GB.** TEO Annex E minutes<sup>viii</sup> said: “[redacted] said that NIHE and Mears have recently come to an agreement about transfer of specially adapted properties; there are challenges with properties being procured but subsequently being required for another family, moving the process back to the start. [redacted] stressed that legally, AS who present in NI do not need to be settled in NI. If the need cannot be fulfilled and the only way to find accommodation is in GB, this is an option. Mears / HO would be reluctant to go down this route, but the option is there if it is the only way forward”
- **‘Capacity building’ of ‘moving on’ support work.** The TEO FOI minutes<sup>ix</sup> also state, “Mears said there had been an increase of people moving on from [dispersal accommodation] with leave to remain. As a result, there is a shortage of support for moving on; Mears are meeting with officials from DFC and Extern to discuss capacity building’. There was no more information provided.

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<sup>i</sup> TEO FOI 2023 – 0085 of 9 November, Annex D, excerpt from minutes of Regional Development Group and Council Engagement Group relating to procedures to inform NIHE / other agencies of people’s change in status

<sup>ii</sup> TEO FOI Annex B

<sup>iii</sup> F-2023-03339 of 31 October

<sup>iv</sup> TEO FOI’s Annex E, ‘minutes of the Regional Development Group and Council Engagement Group relating to preparation for / resource allocation to address evictions / subsequent accommodation needs of the people affected’

<sup>v</sup> TEO FOI’s Annex E, ‘minutes of the 7 September meeting of the Council Engagement Group on Asylum Accommodation’

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<sup>ix</sup> TEO FOI's annex E, 'minutes from 2 Aug meeting of the Council Engagement Group on Asylum Accommodation'