

UK government refuses support to unemployed migrant workers facing destitution during pandemic

Harvey Singh
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Charities and local authorities are calling on the Johnson government to suspend the “no recourse to public funds” (NRPF) stipulation for migrant workers for the duration of the COVID-19 pandemic. Being categorised as NRPF has resulted in one million migrant workers and their families falling into poverty, destitution, and homelessness.

UK immigration law states that migrant workers have “no recourse to public funds” if they are subject to immigration control. This draconian attack on democratic rights was introduced by the last Labour government in Section 115 of the Immigration and Asylum Act 1999.

It was subsequently strengthened with the NRPF policy introduced in 2012 by the May government and became symptomatic of the “hostile environment” for immigrants policy of successive Conservative governments. Under its provisions, migrant workers can work in the UK but are prevented from accessing most state benefits if they become unemployed. It ensnares even those who moved to the UK to live with their British families.

Many of these individuals work in the restaurant and hotel industry and have lost their jobs since the lockdown closed their workplace and are now struggling to feed their families and pay rent. An increasing number now face becoming homeless once the restrictions on evictions—that were put in place during lockdown—are lifted.

Although exact figures are difficult to obtain, at least 100,000 and up to an estimated 250,000 children could directly be threatened with poverty due to the NRPF status of their parents.

According to the Local Government Association (LGA), which represents councils in England and Wales, increasing numbers of NRPF workers struggling to survive during the pandemic have approached councils for emergency assistance.

A consortium of over 40 migrants’ rights organisations has called on the government to scrap the NRPF status permanently because it “bars most migrants from accessing

a vast proportion of the social security net we all rely on in times of crisis”. Among the state benefits that workers with an NRPF status are excluded from are: Universal Credit, disability allowances, local authority homelessness support, free school meals and access to mainstream refuges for victims of domestic violence.

Sally Daghlian, the chief executive of the migrant rights charity Praxis (associated with the uncovering of the Windrush scandal), said, “We have seen parents going without food to try to ensure their children eat, and people facing homelessness and mounting debt. In the face of this pandemic, people with NRPF have not been supported through the government’s COVID-19 safety net. If the government is committed to ending destitution, child poverty and homelessness, it should permanently suspend NRPF as a matter of urgency.”

During the lockdown, which began on March 23, charities across the country have been desperately trying to feed NRPF families after they were plunged into unemployment and potential destitution.

The *Guardian* recently cited a typical NRPF case in London:

Ali and Noreen (who asked for their full names not to be printed, due to fear of complicating their immigration applications) moved to the UK from Pakistan 15 years ago. Until lockdown, Ali ran a business assisting international students hoping to study in the UK. This came to a virtual halt during the lockdown and he and his wife have been unable to pay rent on their one-bedroom flat and struggle to buy food for their three teenage children.

The family now rely on food banks to survive.

The cost for visa renewals for a family of five is around

£12,000, payment of which is mandatory every two-and-a-half years—until eligibility to apply for British citizenship after a process that lasts 10 years. This has meant the family have no savings and do not know where they will find the money to renew their visas again this October.

The family have been told that they will face eviction later this summer if they are unable to pay their arrears in rent. “We came here legally. I had a respectable job and paid taxes. It feels unfair—there is no safety net,” Ali said.

Noreen found a part-time job as a care worker in a care home but her precarious minimum wage, zero-hours contract does not pay enough to cover their rent.

In the nearby London borough of Newham, charities have begun feeding hundreds of mainly Indian students who have lost their part-time jobs in local shops and restaurants, which had subsidised their studies. Their international student visas also have an NRPF status attached, and some of them have faced starvation in the capital.

The secretary of the Tamil Sangam local community centre, Kumar Arumugam, said, “We’ve seen real desperation. People have been queuing in the streets in their hundreds and we have had to turn people away.”

Homelessness across Britain had already reached record levels months before the COVID-19 pandemic. As with all social ills under capitalism, the pandemic has tremendously exacerbated the already immense suffering of the most vulnerable who are homeless. Now, thousands are to be thrown back onto the streets from temporary accommodation as part of the governments “back to work” drive.

Government spokespeople have briefed the press about various ways in which those with NRPF status can supposedly extricate themselves from their difficulties by applying for assistance. However, when asked recently, the Home Office was unable to say how many had applied for an exemption, or how many had been granted it. Charities say getting the NRPF status lifted is extremely difficult, to near impossible, as it requires actual proof of destitution. Furthermore, the government’s “advice” to “anyone eligible to submit an application,” is a thinly veiled threat to jeopardise their immigration status.

An open letter to council leaders published on June 18, and signed by more than 100 charities (including; Refugee Action, Praxis and the Big Issue Foundation) urged them not to evict homeless people with NRPF status and not to share their information with the Home Office without their consent. The letter read, “As lockdown measures are eased, we are extremely concerned that some homeless people, particularly those with NRPF, may be evicted from council-provided accommodation and be forced to return to destitution.”

Benjamin Morgan, coordinator of the homeless rights

project at the Public Interest Law Centre, told the *Independent* he had seen at least two cases where homeless people with NRPF had approached councils during the pandemic and “had been told their information would be shared with immigration enforcement if they accepted support.” Although the local authorities relented following intervention by the charity, he said, “this raised concerns about what happens to people who don’t have a charity supporting them.”

Last month, a case was brought to court to force a legal challenge to the status of NRPF. An unnamed 8-year-old British national had the claim brought on his behalf by his mother, a Ghanaian national who had been granted leave to remain as his parent subject to NRPF conditions. She worked as a carer but the imposition of the NRPF conditions led to her and the claimant enduring periods of destitution where they were forced into living on the streets. They had to move house repeatedly, with the claimant having to change school five times before the age of eight. Their applications for the NRPF condition to be lifted were refused. Although in “*R (W, a child) v Secretary of State for the Home Department*”, the court ruled NRPF as unlawful, it is clear the government will treat this as a technicality as it is left to the Home Secretary to determine whether there is an “*imminent risk of destitution.*”

This is of a piece with Prime Minister Boris Johnson’s appearance before an online liaison committee, at the end of last month, in which he unconvincingly feigned ignorance of the issues surrounding NRPF workers. This sparked media speculation about an imminent change of government position on the issue. Within days, this was shown to be smoke and mirrors. When Home Secretary Priti Patel was asked if the status would be suspended during the pandemic, she said unequivocally, “The answer is no.”

The government will not be deterred by legal challenges from its stated aim—which preceded and will follow the pandemic—of “completing the Thatcher revolution” and boosting the wealth of the super-rich while imposing austerity on workers—native and foreign-born.



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