



Destitute immigrants in UK are threatened with having children removed

'We'll take care of your children, but not you,' scores of families are told by local authorities

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Homeless immigrants are being told they can secure housing for their children but not themselves, effectively forcing them to break up their family or sleep rough with their children, the Guardian has learned.

Charities around the country working with people with no recourse to public funds have said they have encountered multiple cases in which people approaching local authorities for housing were told social services would accommodate the child but not the parent.

"It's very widespread," said Abi Brunswick, director of Project 17, a London-based organisation working with families who do not have access to mainstream welfare due to immigration

problems. She said they had seen at least 11 families in eight different London boroughs in the last year who she says “were wrongly threatened with having their children taken into care”.

“In our view it’s a scare tactic to get families to disappear because they are so frightened of having their children taken into care and quite often it does work. People are so afraid of having their children taken away that they will put up with living in very substandard accommodation to avoid this perceived threat.”

Charities say that as a result some parents who would be entitled to housing and support are too afraid to go to the local authority for help, choosing instead to sleep in dangerous situations. Charities report families, often single mothers with children, sleeping in the corridor of an apartment block, on buses, or in overcrowded dwellings with other people, after social services refused to help them, and of at least two mothers who went into sex work to provide for their family after being turned away by their local authorities.

Legal experts say separating a child from its parents in this way, if there are no safeguarding concerns, is in breach of the Children’s Act.

Durani Rapozo, supervisor of the social work team at Greater Manchester Immigration Aid Unit, said he had seen so many cases of social services saying they would only accommodate children and not parents that “it’s normal now”.

“In most of the cases where we do a referral to social services, the frontline staff will say we don’t have a duty to care for the mum, just to care for the child,” said Rapozo.

He estimated that more than 30 cases in his current caseload involved parents who claimed this had been said to them, and said he had seen cases of this occurring in at least eight local authorities in the Greater Manchester and Merseyside areas.

Jennifer Blair, a barrister from No 5 Barristers Chambers in London, who works with the Haringey Migrant Support Centre, said she had seen dozens of cases where parents claimed the local authority had refused to help them but offered to take their child in.

“Clients constantly say that’s what they are told,” said Blair. She estimated that more than half of families whose main issue was destitution would face this threat.

Sunny Singh, a senior caseworker at Positive Action in Housing, a homelessness charity in Glasgow, said that they had seen about 15 cases since the beginning of 2016 where parents approached the charity terrified after being told by social services at Glasgow city council that the local authority could not accommodate the parents, just the child. Singh said this affected roughly half of the destitute families they had supported.

“If it was two or three clients [I might think they were making it up], but half our clients, or more, are saying that. These are clients from different parts of the world – some from China, some from the Middle East, some from Africa. Why would they all say the same thing? And why would they all be in such fear of going to social services?” said Singh.

A spokesman for Glasgow city council said: “We are fully aware of the difficulties faced by asylum seekers who have no further appeal rights and no recourse to public funds. We do look at cases on their individual merits to establish whether support can be provided within the context of what is a complex area of the law.

“It’s impossible to comment on the cases being referred to in this instance without being made aware of further detail. It would help if the third sector organisation making these claims contacts us directly to discuss this issue as they haven’t already done so.”

Valerie Clark, solicitor at Youth Legal in Putney, south-west London, said roughly 10 of the 30 clients currently on her books said social services had either said or intimated to them that the only way they would help their child not to be homeless was for the child to be taken into care.

“They are very scared. They believe it. They think that because it’s the local authority they know what they are talking about,” said Clark. “It’s a ploy to try and scare you away.”

Those being threatened include people with no right to work or receive benefits, such as those with pending immigration claims, immigrants who have left their partners, and refused asylum seekers who for various reasons cannot return home.

Blair said that in nearly all of the dozens of cases she had seen the children were born in the UK, and roughly one quarter of the children affected were British citizens. She said many of these people’s immigration claims were very strong.

“These people are by and large going to be given leave to remain,” she said.

Advocates say that social workers who tell parents they only have a duty to house the child are failing their obligations under section 17 of the Children’s Act, which requires local authorities to accommodate children in need and “so far as is consistent with that duty, to promote the upbringing of such children by their families”.

“Section 17 specifically requires the promotion of the upbringing of a child in need by their family, where this is beneficial to the child’s welfare,” said Catherine Houlcroft, project officer from the No Recourse to Public Funds (NRPF) Network at Islington council. “If there are no safeguarding issues identified in addition to the child’s destitution, then failing to consider whether support can be provided to the family as a whole under section 17 is likely to be unlawful, not in the best interests of the child, and ultimately will result in a greater financial burden to the local authority.”

Rapozo and Blair said they had seen instances where women had been forced into sex work to support their children after social services turned them away. Blair has worked on two such cases.

“It was really grim sex work where they were picking up men on buses, or being paid in clothes and food,” she said. She said she had also seen cases where children were removed from the care of their mothers because they had been illegally working to support the family after being refused help by the local authority.

Charity workers told the Guardian that when they confronted local authorities about why they had told a parent that only the child would be housed, the allegations were routinely denied.

“If we go back to the local authority and say: ‘You said this,’ and ask for a record of the meeting, they say: ‘That definitely wasn’t the case. That wouldn’t possibly be the case.’ But too many people have told me the same thing,” said Jude Lancet, welfare adviser of the Haringey Migrant Support Centre.

Maria Houlihan, service manager at Asylum Support Housing Advice in Manchester, said she had dealt with a smaller number of these cases - three over the last two years - but that in one of them she had been told by the social worker that the child would be accommodated, but not the parent.

Reading from her case notes made at the time of the incident in December 2015, Houlihan said she had spoken to a social worker at Bury council who had told her: “We’re just looking at whether we have got a responsibility to the daughter, but we won’t be accommodating the family.”

Houlihan said she told the social worker she could not make those kinds of threats and asked her if she had been told to say that by managers. To which Houlihan said the social worker replied: “Yes, I don’t agree with it, but I’ve been told to say it.”

A spokesman for Bury council said the council did not recognise “either the specific circumstances of this matter or the general practice.

“We would always assess the situation in line with the Children’s Act and provide services dependent upon the assessed needs of the children. General practice, for which there are many examples, has been to provide temporary accommodation (generally hotel) during the period of assessment. It is not the practice of the council to seek to separate children from their families solely on the basis on NRPF [no recourse to public funds].”

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