

Briefing from Hibiscus Initiatives for the Illegal Migration Bill: House of Lords Committee Stage, May 2023

Proposals to repeal the Houses in Multiple Occupation (Asylum-Seeker Accommodation) (England) Regulations 2023

Introduction

[Hibiscus Initiatives](#) ('Hibiscus') is a national voluntary sector organisation which has been delivering services to Black, minoritised and migrant women in contact with the criminal justice system and immigration system for over thirty years. Hibiscus works with clients in prison and in immigration detention and in the community. Many of Hibiscus' clients are victims of trafficking.

This briefing highlights the barriers faced by migrant women in accessing safe accommodation. It is provided in support of proposals to repeal the Houses in Multiple Occupation (Asylum-Seeker Accommodation) (England) Regulations 2023 (the 'Regulations') which have been the subject of a report by the [House of Lords Secondary Legislation Committee](#) and were [debated](#) by the House of Lords Grand Committee on 16 May 2023.

About the Regulations

According to the government minister speaking during the House of Lords Grand Committee's debate, the Regulations are intended to reduce the number of asylum seekers living in hotels (currently over 50,000), which are neither intended nor adequate to serve as long-term accommodation.

Currently the Housing Act 2004 requires all houses in multiple occupation (HMOs) where five or more people from two or more households share facilities to be licensed. The Regulations temporarily exempt from these licensing requirements HMOs which begin use as asylum accommodation before 30 June 2024. The Regulations will cease to be in force on 1 July 2026.

Why the Regulations should be repealed

The government minister sought to give assurances during the Grand Committee debate that the Home Office asylum accommodation and support contract (AASC) standards are broadly equivalent to mandatory HMO licence conditions and that Home Office service providers are contractually required to provide safe, habitable, fit for purpose and correctly equipped accommodation for all asylum seekers. She pointed out that Home Office contracts for housing also set out a minimum standard for all asylum accommodation, and that the Home Office is doubling the size of its inspection team.

Despite these assurances, amid an increasingly hostile environment for asylum seekers, Hibiscus is concerned that removing these licensing requirements will put an already vulnerable group at greater risk of poor and unsafe housing conditions, comprising another way in which asylum seekers and migrants more generally are treated as 'second class' residents in this country and denied their basic rights. Evidence of the poor quality of existing provision for this group (despite being under Home Office contracts and subject to

Home Office inspections) should act as a warning against any relaxation of the requirements that would apply for other tenants.

Asylum seekers' accommodation requires investment and better regulation, not less regulation

There is a wealth of evidence that the accommodation currently provided for asylum seekers under contract with the Home Office is often not safe or suitable. For this reason alone, the proposal to exempt new accommodation providers – even temporarily – from mainstream regulation and instead place them mainly under the obligations imposed by Home Office contracts and inspections, does not inspire confidence. This is of particular concern when considering the vulnerability of many asylum seekers.

A report published earlier this year by Migrant Voice ([No rest, no security. Report into the experiences of asylum seekers in hotels \(migrantvoice.org\)](https://migrantvoice.org)) provides evidence of ongoing inadequacies in asylum seekers' hotel accommodation including:

- 'Rancid' food
- Cramped conditions and lack of privacy
- Lack of adequate toilet and washing facilities
- Verbal abuse from some staff
- Issues accessing healthcare.

Lack of suitable accommodation for female asylum seekers who are victims of trafficking

These problems date back some years, as a report published by Hibiscus Initiatives in 2020 makes clear. Hibiscus is a charity that works with migrant women in contact with the criminal justice system and immigration system. Many of their clients are victims of trafficking. Hibiscus' [Closed Doors report](#), published in 2020, examined the inequalities faced by female asylum seekers who were victims of trafficking in accessing safe and appropriate housing. The report found that despite eligibility for safe house accommodation, some trafficked women were still receiving mainstream asylum accommodation and support which was not suitable for them. Problems included:

- Lack of safety
- Lack of gender sensitivity
- Overcrowding
- Poor housing and sanitation conditions
- Overlooked mental health needs.

For example, one woman who was a potential victim of trafficking was housed in asylum accommodation in East London alongside a tenant who was aggressive towards other tenants and damaged property including smashing windows. Her recovery was seriously undermined as a direct result of these unsafe living conditions. Despite concerns being raised over safety, it took a long time for the woman to be moved to a studio flat.

Hibiscus has supported numerous women whose asylum accommodation was in poor condition, including where there were missing or faulty facilities, major leakages, rat infestations or broken windows. Housing managers in these cases took a long time to arrange repairs and, in some cases, did not take action at all. In one case reported to Hibiscus, a woman was housed in accommodation infested by cockroaches and both she and her baby got skin rashes as a result.

The report recommended:

- Improvements to the Modern Slavery Victim Care Contract;
- Improvements to training for those delivering services;
- Improvements in provision of appropriate and secure accommodation; and
- Strengthening monitoring and accountability mechanisms.

Hibiscus is not satisfied that these recommendations have been addressed. They will shortly be publishing a new report focused on race, migration, criminalisation and mental health. In this report, they point out the impact of the combination of Hostile Environment policies including No Recourse to Public Funds, the illegal working offence and 'right to rent' checks, which mean migrants are more likely than others to live in unsafe and overcrowded housing. The impact of this on pregnant women and those with children who were living in asylum accommodation during the Covid-19 pandemic is highlighted in this quote from Ardita (not her real name):

“My child and I lived in a house with damp everywhere, and we had to share it with nine other people, men and women. They behaved very disrespectfully towards us, going out when we were not allowed due to the high number of Covid-19 cases. I was very afraid that we would catch the virus from one of them and die from it. Sadly, there was nothing I could do, as I didn't have any resources to move to a safer and more suitable house.”

Solutions to inadequate housing provision for asylum seekers

Improving asylum seekers' accommodation and making it sustainable requires investment and better regulation, not less regulation. Hibiscus advocates investment in suitable social housing in communities for asylum seekers, taking a gender-informed and trauma-informed approach to meeting the needs of women (including victims of trafficking and gender-based violence), pregnant women and children, and increasing the availability of women-only safe house accommodation and support.

Hibiscus also calls for the Home Office and asylum accommodation providers to work with women with relevant lived experience and specialist organisations to co-design and co-deliver training and guidance:

- For all agencies that deliver accommodation and support to migrant women and their families; and
- For local authority housing and social care teams

to ensure a gender informed, trauma-informed and culturally competent approach that respects the rights and meets the needs of migrant women and their dependants.

Conclusion

The proposals put forward by the government to address current challenges in accommodating asylum seekers – and the accompanying assurances by the minister – are not sufficient to address the serious concerns set out in these reports, which provide evidence of unacceptable living conditions for often vulnerable individuals and families under existing provision under contract with the Home Office. The government might argue that the Regulations allow them to end the use of unsuitable hotel accommodation and replace it with better accommodation. However, as these reports make clear, asylum seekers' accommodation requires investment and better regulation, not less regulation.

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