

## Supplementary written evidence from Scottish Refugee Council: Asylum Accommodation

### From “Written evidence from Scottish Refugee Council to the **Asylum Inquiry Scotland**”

#### Part one: critical analysis of the asylum accommodation and support system in the UK

1. In our experience, human rights are not well understood or applied by the Home office, or their asylum accommodation contractors or by those that they sub-contract with. If they were, then we do not think we would witness persistently, the provision of accommodation that too often is not of adequate standard or is simply inappropriate. For the avoidance of doubt, however, ultimate responsibility starts and ends with the Home office.

2. People who seek refugee protection come to the UK for safety. They need the stability and privacy that a home can provide. As with others whose lives are riven by disruption, unpredictability and chaos. Such as persons with serious addictions contribute with trauma to homelessness predicaments, so too with refugees who have suffered often different but very adverse, traumatic and disruptive events<sup>1</sup>. They need a home that can be the basis for instilling normalcy in their lives. That is what can weaken or loosen the hold that complex trauma and post-traumatic stress disorder frequently exert on the lives of refugees<sup>2</sup>. It is also the necessary basis for being able to navigate a difficult and delay-ridden asylum procedure<sup>3</sup>. For our most comprehensive analysis of the past, present and worrying future of this public service, we recommend you read [Submission by Scottish refugee council to ICIBI inspection into Home office contingency asylum accommodation](#) (February 2021).

3. For a decade, the public service of housing to refugees has been outsourced<sup>4</sup> to large-scale private companies, including those understandably described as “shadow state”<sup>5</sup> actors. Since September 2019, despite consistently-articulated recommendations from a range of bodies<sup>6</sup>, the Home office largely carried over the same structure of a commercial asylum accommodation contract that, actually, provided enhanced terms<sup>7</sup> to the successful bidders.

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<sup>1</sup> Burnett, A. & Peel, M. (2001) Health needs of asylum-seekers and refugees. *BMJ*, 322, 544–546

<sup>2</sup> Anxiety, depression and PTSD in asylum-seekers: associations with pre-migration trauma and post-migration stressors. Silove, D., Sinnerbrink, I., Field, A., Manicavasagar, V., Steel, Z., *The British Journal of Psychiatry* Apr 1997, 170 (4) 351-357 and *The Relationship Between Trauma, Post-Migration at journals.sagepub.com*, *The Relationship Between Trauma, Post-Migration Problems and the Psychological Well-Being of Refugees and Asylum Seekers*

<sup>3</sup> [New FOIs reveals chronic slowness of the UK's asylum system](#), 5 January 2022 and in relevant appendices, “Real crisis in asylum of chronically slow decisions etc.”, Scottish refugee council, 7 June 2022

<sup>4</sup> [Darling, J., \(2022\) Systems of suffering: dispersal and the denial of asylum](#)

<sup>5</sup> [The shadow state: how to stop outsourcing scandals](#), 13 June 2016

<sup>6</sup> There has now been seven UK-wide inquiries into asylum accommodation in the last five years. That level of scrutiny is no accident; “there is no smoke without fire”, as they say. The Home affairs committee has published three: (a) in [2017](#), [2018](#), and [2020](#); (b) the National audit office also in [2020](#); the Independent chief inspector of borders and immigration in [2018](#) and [2022](#); and finally (d) the Public Accounts Committee in [2020](#). They were all highly critical of the Home Office’s management of asylum accommodation. They all censured the Home Office and its providers for the same failures: inadequate housing and oversight; neglect of wellbeing and vulnerabilities; and poor consultation with and no direct funding to local areas, which were typically those most blighted with deprivation and poverty, in the country.

<sup>7</sup> The National audit inquiry report in 2020) noted such, and especially please note its paras. 2.7-2.11: “The Department set out to make the contracts more sustainable than COMPASS by transferring risk away from providers through changes to the pricing

4. The result has been a perpetuation and expansion of a largely parallel world<sup>8</sup> comprising the Home office, its three asylum accommodation contractors and refugees under their responsibility, being routed into accommodation in the cheaper-end of the private rental sector<sup>9</sup>, including HMOs. Such accommodation is nearly always in the cities towns and communities with entrenched multiple deprivation<sup>10</sup> and, relatedly, that were at the sharpest end of the UK government's austerity cuts, specifically in levels of core grants given to councils since 2010<sup>11</sup>. For more detail, our systemic analysis is laid out as cited in FN<sup>12</sup>.

5. This longer-term trend has been accompanied since the new commercial contracts started in autumn 2019, by an exponential deployment of institutional forms of accommodation, largely ex-hotels or ex-military barracks. Such that 1,000-1,500 people<sup>13</sup> were in institutional setting, like ex-hotels, at the start of the contracts. By June 2022, that number was near 30,000<sup>14</sup>. We are deeply concerned about this growth of institutional accommodation. That is first of all as it is deeply harmful to the health of refugees<sup>15</sup> placed in such places especially insofar as it is for the long-term.

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mechanism. Providers told us that this positively influenced their decisions to bid for the accommodation contracts. For the new contracts, the Department negotiated with providers on contract pricing rather than using an auction. We estimate that the new service costs some £560 per month for each person compared with £437 under COMPASS – a 28% increase, although this estimate is sensitive to the assumptions used. The Department estimates that the increase is currently 26%.” It follows that the more people that can be put in a shared bloc, the greater economies of scale that can be achieved and, hence, profit. This is especially if the shared bloc is “cheaper”, as confirmed in relation to barracks, by the Home Office Minister statement ([here](#)), with institutional accommodation reducing the need for multiple contracts with landlords for flat accommodation. Furthermore, the National audit office estimated there was a 28% increase in service costs, and a more generous profit range, in the new AASC contracts, as well as higher volumes of monies, up to £4b over 2019-2029 – all going to the contractors and none to local areas.

<sup>8</sup> [Home Office condemned for ‘parallel world’ of ‘unsuitable’ asylum accommodation in Scottish hotels](#), 30 January 2022 and [Use of UK hotels for asylum seekers trebles despite Home Office promise](#), 21 July 2022

<sup>9</sup> For example, please read, “Out of the UK’s 379 unitary and lower-tier local authorities (Office for National Statistics, 2020), 231 were recorded as having at least one asylum seeker registered there as of 30 June 2020, meaning that 148 (39%) were recorded as having no asylum seeker registered (although the data also include 127 asylum seekers in an “Unknown” local authority, who could be registered in any local authority). Just 20 local authorities [typically the vast majority of asylum seekers are moved to cheaper private housing in the most deprived local authorities and wards therein, heavily concentrated in the North of England, the West Midlands, Yorkshire & Humber, South Wales, and Glasgow], 5% of the total, hosted around 50% of all asylum seekers on Section 95 support.” (Our emphasis and insertion) in [Asylum and refugee resettlement in the UK - Migration Observatory - The Migration Observatory \(ox.ac.uk\)](#), 19 August 2022

<sup>10</sup> For example, [Asylum and refugee resettlement in the UK](#), 19 August 2022, [Majority of asylum seekers and refugees housed in poorer areas while dozens of councils support none](#), 8 November 2019 and relevant document “Submission to National audit office”, Scottish refugee council, in appendices.

<sup>11</sup> [Austerity cuts ‘twice as deep’ in England as rest of Britain](#), 9 October 2018.

<sup>12</sup> As a result of prioritising the issue of asylum accommodation for nearly a decade, we have either helped initiate or make significant contributions to the seven national reports cited at FN 6 and specifically to a systemic problem analysis as laid out as follows, across most of these reports. There has been a plethora of recommendations made in the above inquiry/inspection reports, the vast majority of which were not accepted by the Home Office, with none reflect in the then new AASC contracts. The subjects of the recommendations we identified in recent years, were wide-ranging including: (a) accommodation standards at Chapter 3 HAC 2018; Chapter 7 ICIBI 2018; and Chapters 5 and 6 HAC 2017; (b) pressures on dispersal system at to Paras.89-92 HAC 2018; (c) responsibility/cost-shunting from Home Office to local areas at Paras.79-80, 89 HAC 2018 and Para.118 HAC 2017; (d) failing performance management system at Chapters 8 and 9 ICIBI 2018 and Paras.83-91 HAC 2017; (e) need for direct funding to local dispersal areas at Chapter 4 especially paras.74 and 90 HAC 2018; (f) imperative for joint working and plans between Home Office and local authorities on dispersal policy at Paras.44 and 48 Home Affairs Committee (2017) and Paras.18, 34-35, 37 and 91 HAC 2018; (g) case for an open and effective performance management system with formal local authority inspection role at Chapter 9 and, especially, Conclusions 3.10-3.22 and Recommendations 2-4 ICIBI 2018. We were delighted to collaborate with Refugees for Justice sharing this problem analysis towards a shared vision for an alternative system of asylum accommodation, reflected in [Asylum Accommodation and Support Provision in Scotland](#), 30 June 2022.

<sup>13</sup> Para.3.17 and figure11, [Asylum accommodation and support](#) (2020)

<sup>14</sup> Relevant appendices, “Asylum support in numbers”, June 2020

<sup>15</sup> [Lives on hold](#), July 2022

6. We do not regard this growth as adequately explicable by Covid-19, indeed we think that the pandemic was only ever part of the reason for the exponential rise growth. As the pandemic public health measures have eased, for us the predominant reason for their expansion may well be that it serves excellently the powerful commercial benefits for the two main private interests (the accommodation contractors and the “ex-hotels”), which accommodate this 30,000 and growing number of people. These interests found common ground in deriving eye-watering and unsustainable public monies<sup>16</sup> from the Treasury channelled via the Home office and onto them. This is ultimately reflected in burgeoning revenues, profits and share price<sup>17</sup>; which then attracts investment. Beyond rhetoric of “social value”, asylum accommodation is now entrapped in a private monopoly market, where only behemoth companies that exist mainly or only to win public contracts, exist<sup>18</sup>.

7. We note with deep frustration that only a tiny fraction of these burgeoning public monies go to support refugees in the form of the egregiously inadequate asylum support<sup>19</sup> of either £1.24 or £5.83 per day. Equally, that after a decade of calls for direct funding to local authorities and services from the Home office, to recognise the costs of being an asylum dispersal area (typically the poorest in the country) it was only from April to May this year that the Home office conceded this was needed through its “full dispersal” proposals<sup>20</sup>. Albeit that funding was conservative and short-term, lasting only until December 2023.

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<sup>16</sup> Oral evidence for Scottish refugee council as in the Official report of the Social justice and social justice committee, 10 February 2022: “As I touched on a minute ago, the costs are eye watering and, in our view, wasteful. It could be done much better. The Home Secretary gave evidence to the UK Parliament Home Affairs Committee last Wednesday and she confirmed, and the Home Office later clarified, that £3.5 million per day was being paid at that point to accommodate 25,000 asylum seekers in so-called contingency accommodation, which is generally ex-hotels and barracks. When you do a simple sum and multiply that £3.5 million by 365 days, you come to £1.277 billion that the Home Office is spending on private companies—Mears, Serco or Clearsprings—which then contract with hoteliers. “I do not blame the hoteliers for taking those contracts, because many of them have lost their market during the Covid crisis. However, that figure represents a gross waste of public moneys. If even a fraction of that was diverted into local authorities, it would enable them to identify areas and—to go back to my first point—place people in communities where they can live their lives and be the normal people they are. It is just that they have faced extraordinary challenges in their lives.

“Zooming out from that figure of £1.277 billion that is what is being spent in relation to only one third of the current asylum seeker population. There are 80,000 people in asylum accommodation across the UK, so about 25,000 to 30,000 are being placed into accommodation that is inappropriate because it is ex-hotels. That is not right for people; it is traumatising for many of them. However, that £1.277 billion constitutes more than a quarter of the £4 billion that was budgeted by the Home Office and the Treasury for those 10-year contracts. Putting that all together, we can see that it is dysfunctional and wasteful, as the committee will know better than I. It does not need to be like that and it is not sustainable.

“Nobody is winning. The situation is not only very damaging for the people who are placed in that accommodation, especially the longer they are in there, but bad for the Home Office and the Treasury. I imagine that the Treasury must be wondering what on earth is going on and thinking that it cannot be allowed to happen. The present Home Secretary was the first for the best part of a decade to say, as she did in the Home Affairs Committee last Wednesday, that they will now fund local authorities directly. It is important that that promise is made good on quickly across the UK, including in Glasgow and other local authority areas in Scotland, because that is the solution.

“We need to work in partnership, with direct funding for local authorities, rather than having that distribution of resources to huge private companies that then contract with hoteliers. As I have just outlined, those costs are unsustainable and wasteful. The profits that are, unsurprisingly, being made by the private companies, specifically the accommodation contractors, are there to be seen. In 2020, Clearsprings, which covers much of London and the south-east of England, was making £4.4 million of profit. The three directors share the dividends of £7 million between them. That is £2.3 million each.”

<sup>17</sup> [Home Office housing provider to make urgent repairs to asylum seeker flats](#), 11 January 2022; [Mears CEO pay rises to over £800,000, 50 times care workers](#), 9 August 2022; and [Serco Group PLC raises full-year profit forecast again after better-than-expected first half](#), 4 August 2022.

<sup>18</sup> [Carillion's collapse shows that we need an urgent review of outsourcing](#), 16 January 2018 and [Out of Contract: Time to move on from the ‘love in’ with outsourcing and PFI \(2018\)](#)

<sup>19</sup> [Our calls for increases to asylum support](#), 18 August 2022

<sup>20</sup> [LA funding instruction: asylum dispersal scheme grant 2021 to 2022](#), 12 May 2022

8. It is hard not to interpret “full dispersal” as a desperate effort by the Home office to get them out of the unsustainable expense driven by its own mismanagement of a chronically slow asylum decisions system and associated to that, the exponential growth and costs of its institutional accommodation estate. It is not well recognised or admitted that these two trends serve well the interest of the accommodation contractors and “ex-hotels” but no one else and least of all the refugee or the Exchequer. The tried n’ trusted adage of “following the money” may well pinpoint the real centre of contemporary asylum accommodation; of too much weight being placed on the commercial health of the private interests who run this public service to vulnerable people seeking refugee protection, as opposed to where it should be, in the best interest of the women, men and children seeking safety itself here.

9. We start with that summary critical analysis to contextualise and support our fundamental point here. That human rights, the actual individual needs and patterns of vulnerabilities within this population, are not taken anywhere near seriously enough. If they were, there would be a functioning and end-to-end vulnerability assessment process that as such, directly affects accommodation decisions. The “en masse” forcible moves of people in Glasgow would not have been possible. As human rights considerations should primarily be framing accommodation policy, and not as seems too often, it is secondary to commercial matters in the private companies, with Home office politicians satisfied with such priorities.

10. In so far as it fits with its political and legal denigration of the right to asylum<sup>21</sup> and those who need to exercise such. We regard that far closer to the truth and actual practice. Too often, it is seems to about accommodation at the right or the lowest price. In so far as accommodation decisions are based on commercial interest trumping human rights that is wrong. And, it is the person under the Home office’s jurisdiction in the asylum procedure and its support and accommodation system, who is left to deal and endure with the consequences. For us, this is a basic insight as to what is too often motoring decisions in this outsourced public service of housing to vulnerable people seeking refugee protection.

11. It is this unbalanced relationship between commercial interests and human rights and the individual needs of the person, a relationship set and condoned by the Home office, that for us lies at the root of the corrosion in standards and accountability over the last decade. For most of that time<sup>22</sup> we have prioritised working for human rights and promoting a restoration of the public sphere and ethos into asylum accommodation. We know also how important a home is to a person seeking safety, and the need for some structure in life.

12. We have been heavily involved in starting or collaborating in local, national and state campaigns and accountability towards a better system. This includes the seven national inquiries cited earlier. Through these, we have articulated the structural problems in the

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<sup>21</sup> [The Anti-Refugee Bill - an expert legal opinion](#), 16 November 2021

<sup>22</sup> For example, please read: (a) [The extent and impact of asylum accommodation problems in Scotland](#) (2014); (b) [Scottish refugee council written evidence to Home affairs committee inquiry into asylum accommodation](#) (2016); (c) Relevant appendices, “Scottish refugee council submission to National audit office inquiry into asylum support and accommodation” (2020); (d) [National Audit Office report reveals damning failures in asylum accommodation contracts](#), 3 July 2020; and (e) [Submission by Scottish refugee council to ICIBI inspection into Home office contingency asylum accommodation](#) (February 2021).

outsourced system as well as the corresponding public sector ethos alternative. In that vein, we were delighted to work with Refugees for Justice<sup>23</sup> earlier this year in a fresh iteration of that positive alternative. That stems from a clear-eyed analysis of the problems and a resolute focus on an alternative of a publicly accountable and run service of housing to those seeking refugee protection.

13. Essentially, there should be no profits and only public investment in housing. Any such program of public investment in housing should prioritise all disadvantaged groups in most need of all the good that a “home” can bring. That includes refugees given what they have endured as displaced and in outsourced asylum accommodation for a decade. But, it equally can and should apply to other socio-economically deprived groups who have for years been accommodated in and out of unsuitable temporary places<sup>24</sup>, often provided by large private interests<sup>25</sup>.

14. Whilst not intending such, private interests can still benefit from housing injustices of homelessness and a lack of affordable and suitable housing<sup>26</sup>, especially if they possess or can swiftly access that which people in housing need; accommodation. This capability, if not regulated or checked, is a root of housing injustice across many vulnerable groups, including but not limited to refugees. We need governments to have some political courage and to flip priorities here, so that the most vulnerable get the most appropriate accommodation, with support, for the long-term and with no space for private profits. That means political leadership to properly regulate and legislate against any vested private practices, so to shift the axis of housing injustice to justice of access to suitable housing for the most vulnerable.

15. Since 2000, UK governments have regarded people seeking asylum as basically a problem. Without offering wider detailed views as to how these UK governments this century are part of a wider selfishness and insularity in the Global North against persons from the Global South seeking to flee deep inequities and precarious lives, there is wilfully flawed prejudice that people are “pulled” by the attraction of the UK to leave their countries of origin, when the evidence and in our own experience is that has never been substantiated. Rather, only an extremely small number anyway, of the world’s refugees seek asylum in the UK<sup>27</sup>. Of those that do, they typically come from countries that the Home

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<sup>23</sup> [Asylum accommodation and support provision in Scotland](#) (2022)

<sup>24</sup> For example, please read; (a) [I won't last long in here experiences of unsuitable temporary accommodation in Scotland](#) (2018); (b) [Households in temporary accommodation in England](#) (2022); and (c) [“I Want Us to Live Like Humans Again”: Families in Temporary Accommodation in London](#) (2022).

<sup>25</sup> [Councils spent almost £300m on private firms 'profiting from misery' of homeless](#), 1 May 2022

<sup>26</sup> [Homelessness monitor](#) (2022)

<sup>27</sup> In particular, please read Figure 10 and its commentary in [Asylum and refugee resettlement in the UK](#), 19 August 2022.

office recognise<sup>28</sup> as refugees albeit it persistently takes an inordinate time to get even an initial decision<sup>29</sup>.

16. People arriving and who seek asylum normally cite reasons such as the English language, family ties, or colonial links or the reputation of the UK as a country that – relatively speaking – respects human rights<sup>30</sup>. Frequently, however, people do not really have much room to influence where they end up<sup>31</sup>, especially given the control exerted over them by smugglers, which can of course shift into trafficked exploitation also. It is certainly not to get benefits or to engage in the insulting term – “asylum shopping”. These are glib assertions that have masqueraded for a generation as policy rationale, with devastating human consequences of those under them.

17. From this narrative stemmed the systemic removal or erosion of socio-economic and political rights from people seeking safety here. Basically, under this narrative, people are dehumanised through a Home office politician-led regime that pretty relentlessly, has sought to strip them of their inherent human dignity. Ugly parts in this narrative include denial of the right to work, then rendering people into state-sanctioned extreme poverty and no-choice accommodation. It is a small step from that, to shift those that we see as people to government contracts that define them as units on a commercial spreadsheet with their value inhering in their fixed price under a contract. Humanity is the casualty.

18. Relatedly, in passing over this public service to such an extent, to large-scale often “shadow state” private interests. It is not only unsurprising, regardless of the rhetoric of corporate social responsibility and social value, that the “real game in town” is revenues, profits and share prices. The Home office have made the political decision to allow the

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<sup>28</sup> In the latest asylum statistics published in late August 2022, please read: “Just over three quarters (76%) of the initial decisions in the year ending June 2022 were grants (of asylum, humanitarian protection or alternative forms of leave), which is a substantially higher grant rate than much of the past decade, when around a third of initial decisions were grants. The grant rate in the year ending June 2022 is the highest grant rate in over thirty years (since 82% in 1990, although volumes were lower at the time, so this amounted to 3,320 grants of asylum or other leave).” For more detail please consult section 3.1, [how many people do we grant asylum or protection to?](#), 25 August 2022.

<sup>29</sup> In the latest asylum statistics published in late August 2022, please read: “At the end of June 2022, there were 95,827 cases (relating to 117,945 people) awaiting an initial decision, over double the number of applications awaiting an initial decision at the end of 2019 (40,032, relating to 51,228 people). The number of cases awaiting an initial decision has increased in the last 10 years, and risen more rapidly since 2018 when there were 27,256 cases awaiting an initial decision at the end of that year.” For more detail please consult section 3.4, [how many people do we grant asylum or protection to?](#), 25 August 2022.

<sup>30</sup> For example, please read, [Chance or choice?](#) (2010)

<sup>31</sup> [Destination anywhere? Factors affecting asylum seekers’ choice of destination country](#) (2013). In particular, consider this finding: “When examining the ‘choices’ made by asylum seekers in relation to destination countries, it must be remembered that for many, choices are limited, and sometimes do not exist at all. One of the dominant themes which emerges from the literature in this area is that refugees and asylum seekers make choices within a very limited field of options. Their ability to make decisions about their journey and their destination is constrained by factors such as geography, finances, available travel routes (for example flights, accessible land borders), visa options, and the networks and routes used by people smugglers. It is also important to remember that refugee movements almost always involve an element of chance and this is often more important in influencing the eventual destination country than choice: ‘No study of refugee movement would be complete without some mention of the determining role that chance plays in the entire process. From being in the wrong place at the wrong time, to meeting an agent, to reading a particular newspaper article, any event has the potential to influence a refugee’s choice of country.’ Further, refugees’ decision-making is a dynamic and flexible process. Decisions are made on the run, and may change according to circumstances encountered during their journey, or information (real or rumoured) heard along the way. Thus, a person may leave their country of origin with an intention of travelling to a particular destination, but change these plans due to encountering obstacles in reaching that country, or seizing opportunities which arise to travel to another country.”

commercial sector, mind-set and imperative in to the public service of a crucial social good - housing - to a group in inherently vulnerable predicaments. The Home office in asylum are not peculiar, the same happens in immigration detention, escorting, enforced removals, and also in social care, prisons and so many other public services.

19. In one sense, what has been happening in asylum accommodation for the best part of a decade is part of the wider outsourcing and erosion of the public sphere. And, the corresponding growth of large-scale private interests and power. Just as this approach has been normalised, it can and should be disrupted, in order to ensure public services - especially those where there is inequities in power between the state and the individual - are restored to being in the best interests of people and communities, untainted by commercial interest that should have little place or influence in their lives.

20. Long-term outsourcing is also perverse from a housing justice perspective. As it these private interests and the market power that comes from asylum accommodation and housing deeply vulnerable people pursuant to local authority duties also, which enables the perpetuation of the homelessness and housing shortages that they as companies benefit from. In other words, the genie is somewhat out of the bottle, when the UK state as it has done in asylum accommodation and more broadly with other vulnerable groups, allows large private interests to exercise undue power over the nature and provision of housing.

21. From the macro level to the more important micro level, of real people in the asylum accommodation too often not being safeguarded, not being seen for the individual they are beyond the refugee label, and as such a persistent tendency for the system not to assess their needs, understand their vulnerabilities or appreciate their talents and resilience. Neither in the current or previous Compass asylum accommodation contracts - what the Home office refer to as "safeguarding" - has it ever been a sufficient priority. Too often it is not well applied, or considered at all, in individual cases where it should have been. There is, though, a jarring irony in Home office notions of "safeguarding". In that even if it were to work as it should, it typically deals with the consequences of the very systemic denial of key socio-economic rights and supports that it imposed in the first place on those under its care.

22. Furthermore, despite pushes from Scottish refugee council, the Home affairs committee and many others there is for still not even a KPI on safeguarding in the present contracts. To compound matters, there was not even a Home office safeguarding framework in place for the first two and half years of the asylum support and accommodation contracts. In this vein, we further attach the minutes of the Home office's senior safeguarding board for the contracts for the period November 2019 to August 2021, as evidence. But we enclose them also as insightful as to the nature, issues and apparent lack of actions in these meetings.

23. The board meeting minutes reflect no seeming consideration or action by the most senior "safeguarding" people in the Home office and its contractors of the traumatic events in Glasgow as a result of the "en masse" forced moves. Whilst acknowledging the mental health harm done to many refugees stuck longer-term in institutional asylum

accommodation, no effective actions seem to be taken about it, in fact during this period the “institutionalised” asylum population and sites increased, building momentum to the present circa. 30,000 stuck in these places for months on end, as cited elsewhere in this submission. Additionally, there is no evidence of even awareness or hence any action to get a handle on the dreadful acceleration in people losing their life, including deaths in despair, in the asylum accommodation estate over this period. More of which is set out below.

24. What happened in Glasgow with tragic deaths was no outlier. We know now that it was an early warning that the Home office’s “safeguarding” did not seem to extend to the most awful thing possible – loss of life - principally as its (instructively-named) “High profile notification” (HPN) forms rarely led to a case review or any lessons learnt work. So, quite irresponsibly obviating any chance of prevention work. That persistent omission – and it seems to be just that – is unforgivable. It cannot be tolerated. And, as the Independent chief inspector of borders and immigration critiqued in his report in “contingency asylum accommodation” published in May this year, the Home office’s “safeguarding hub” does not even have a referral recording system to enable any trends, patterns, “safeguarding hotspots” etc., to be ascertained<sup>32</sup>. So, no national framework on safeguarding for the first two and half years of the contract, and no central monitoring either. That indicates a lack of Home office priority on safeguarding the people. It may also help to explain and account for the lack of identification, grip and action against the escalating loss of life over this period.

25. We worked with Liberty Investigates for over a year, in a collaborative investigation that focused on the extent and nature of loss of life in the asylum support and accommodation system, across the UK. What we found was profoundly concerning, particularly a worrying quickening in the rate of loss of life since January 2020. We also identified a systemic failure and vacuum around case reviews and learning lessons within the Home office asylum support and accommodation system, which included even in those cases which were clearly or likely suicides. As flagged elsewhere in this submission, the Home office asylum support contracts senior safeguarding board itself, comprising the persons responsible for “safeguarding” in the Home office and its contractors for accommodation and advice, failed to even identify this grim acceleration. As such they were unwittingly part of the problem.

26. Relatedly, the Ferret investigative journalism platform itself collaborated with Liberty Investigates to bring out the Scottish dimension to the UK-wide investigation findings. We supported that process also. We strongly recommend that one reads the following articles: (a) [Dozens of at-risk asylum seekers died during pandemic amid alleged safeguarding failings - Liberty Investigates](#) and [Revealed: dozens of vulnerable asylum seekers have died in Home Office housing since 2020 - The Observer](#); (b) [Calls for inquiry after asylum deaths in Scotland escalate | The Ferret](#); and (c) [95 died in asylum seeker accommodation in five years](#)

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<sup>32</sup> Please read, in particular, paras., 7.72-7.73 in [An inspection of contingency asylum accommodation](#): “However, inspectors were concerned to hear from the Hub lead that it was limited by the fact that there was no system in place to record referrals in a way that identified trends in referrals or helped to build a broad picture of safeguarding issues. [and] Inspectors noted that without this, planning and responding to safeguarding trends was almost impossible and represented a significant gap in capability. A senior manager said: ‘The only way to identify trends or gain a broad view of safeguarding concerns would be to do a manual trawl of all the data’, adding that ‘broad data would be useful for UKVI to see if particular hotels were causing issues’.



[amid fears Home Office downplayed toll - Liberty Investigates](#) and [Asylum accommodation deaths 'twice as high' as Home Office admitted - The Observer](#).

27. We now know that 142 people have lost their lives in asylum accommodation<sup>33</sup> from April 2016 to August 2022 (6y4m). We have obtained and analysed 115 HPNs from these 142 deaths (the Home office are currently refusing to disclose the remaining HPNs). Of those 142 deaths, 114 or 80% of the deaths have been since January 2020. Of those 115 HPNs we have read, we estimate that between one-quarter to one-third were deaths in despair or likely/confirmed suicide. From one-third to possibly as many of half of all these 142 deaths had a safeguarding issue identified beforehand, but no apparent commensurate measures would seem to have been put in place by the Home office to either mitigate risk before or learn lessons after, the tragic loss of life.

28. This is a frighteningly high proportion of deaths in despair or possible/confirmed suicides within an already worrying escalation in loss of life. Of the 115 HPNs we read, very few had a Home office case review conducted. An utterly intolerable systemic omission. Many deaths were in institutional accommodation. These grim trends would and should have been identified and acted against, case-by-case and as a systemic problem, if there were effective safeguarding in the Home office. For us, this is evidence that there is not. Even though we have now exposed this issue, in collaboration with Liberty Investigates and the Ferret, the Home office seem to have done nothing to review or address the issues. Certainly, if they have – and we invite them to say what – they have not involved us at all.

29. These criticisms of the lack of a genuine and effective safeguarding of people in the asylum accommodation system are mixing to render this system for far too many people, as simply unsafe for refugees. And, tragically for an accelerating number, this is just unbearable with likely/confirmed suicides and deaths in despairs on the rise, with no evidence of any lessons learnt by the Home office to start as far as possible, prevent them. Whereas primary jurisdiction over people in the asylum procedure and support and accommodation system is reserved and sits with Home office. There is a substantial devolved part too; health, legal aid, community planning, education, and of course the justice system and Crown office and procurator fiscal service in matters of loss of life.

30. We are very worried about the conditions and directions in legislation, policy and practice, in the asylum procedure as well as in the support and accommodation system. We fear we are witnessing some of the most severe consequences through this frightening acceleration in loss of life. That seems to sit alongside an apparent denial or lack of will in the Home office to grip this issue and, at the very least, institute monitoring of, transparency around, and lessons learnt mechanisms over unexplained or sudden loss of life of people in its asylum support and accommodation system.

31. This all has direct relevance to Scotland, as we currently have around 5,400 asylum seekers in Glasgow, mainly in “dispersal” housing and a very fast-growing use of institutional accommodation across a number of other Scottish local authority areas, with around 600 presently housed in this way. The Home office wish to increase the number of asylum

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<sup>33</sup> Meaning their last registered address at the time of death was Home office asylum accommodation.

seekers in Scotland to 9,000-10,000 by December 2023. We anticipate that most of this increase will, in practice, not be housed in residential “dispersal” housing but, rather, in institutional forms of accommodation. Energy prices rises make that even more likely.

32. Asylum is reserved but people are not. We think there is an urgent need for the Scottish government, the NHS and the Crown office and procurator fiscal service to intervene and grip this issue of an increasingly unsafe asylum accommodation system, especially but not only in respect of forcing the Home office – at least in Scotland – to better identify, learn from and most importantly prevent loss of life in asylum accommodation in the country.

33. Specifically, we need in Scotland a NHS-led preventative multi agency pilot that activates an enhanced intervention in cases of potential suicide, such as where self-harm and suicide ideation are gripping a refugee’s welfare. And, relatedly to also pilot a monitoring and learning lessons system for those who lose their lives in Scotland in sudden or unexplained ways that indicate a death in despair or likely or confirmed suicide, whilst they were in asylum accommodation or immigration detention. We must require the Home office and its contractors’ involvement in these pilots. And, model to them what is needed across the UK.

#### **Part two: critical analysis of asylum accommodation in Covid-19 lockdown, esp., Glasgow**

34. Based mainly on regular conversations with various frontline contacts, I understand from Friday 27 March 2020 through to week commencing Monday 20 April 2020, Mears moved at least and approximately 300<sup>34</sup> asylum seekers from temporary serviced apartments, either 1 or 2-bedroom flats, into one of six hotels<sup>35</sup> in Glasgow. The asylum seekers affected by these forced moves were largely settled in these apartments, but moved by Mears under its contract to the Home Office, pursuant to its legal duty to support those who would otherwise be destitute. In this instance the vast majority<sup>36</sup> were supported under s98 Immigration and Asylum Act 1999.

35. We understand that the vast majority of these 300 individuals had been accommodated in Glasgow, for periods ranging from a number of weeks up to 5months. Section 98 is temporary asylum support, commonly referred to as “initial accommodation”. However, as both the Home Affairs Committee<sup>37</sup> (HAC) and National Audit Office<sup>38</sup> (NAO) reports have exposed, an increasing number of asylum seekers had been in “contingency” initial accommodation for months<sup>39</sup>, so well beyond the Home office’s internal target<sup>40</sup> for “initial or contingency accommodation” stays.

36. The Home office often describe such accommodation as contingency, but this is extremely misleading given the exponential growth (29,475 at end of June 2022) and

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<sup>34</sup> [Urgent Question Debate on Asylum Support and Accommodation](#), 29 June 2020

<sup>35</sup> Park Inn hotel, Mercurae hotel, MacLays hotel, Tartan Lodge, IBIS Springfield Quay and Beaversbrook Lodge

<sup>36</sup> Based on contact with frontline workers, a small number of serviced apartment residents were on s95 support.

<sup>37</sup> [Home Affairs Committee Covid-19 inquiry report into institutional accommodation](#), 28 July 2020

<sup>38</sup> [National Audit Office inspection report into asylum accommodation and support](#), 3 July 2020

<sup>39</sup> [Paras. 3.14-3.18 of NAO report](#)

<sup>40</sup> [Paras. 63-64 of HAC report](#), noting previous 19days internal target for move-on and then reference to the NAO report, which noted the sudden and silent loosening of that target from 19days to 35days.

average (median) length of stay (of 122 days or 4 months)<sup>41</sup>. “Contingency” means short-term or needed in exceptional circumstances, but it is neither in the present case. So-called contingency accommodation accounts for around one-third of all those accommodated presently across the UK. Its deployment has been exponential since October 2019, when it was used to accommodate 1,000-1,500. That proportion is now 29,475 people in the UK.

37. The new asylum support and accommodation contracts started in Glasgow from Monday 16 September 2019. Whereas in the rest of the UK since September 2019, an increasing number of hotels were being used to accommodate an expanding number of asylum seekers on s98 support, and for longer periods. The equivalent to hotels in the pre-Covid-19 lockdown phase in Glasgow, were – in the main<sup>42</sup> - these serviced apartments. Glasgow City Council objected to the use of hotels in the pre-Covid-19 period and, by and large, the Home Office and Mears Group respected this.

38. We obtained data from the Home office confirming the relatively extensive use of serviced apartments to accommodate asylum seekers in the pre-Covid-19 period, reaching a peak at the time the “stay-at-home” lockdown was announced, and then a very drastic reduction in the use of these apartments that reflects the “en masse” forced moves from these apartments to the six hotels. It is important to note that pretty much all of these apartments were in and around the city centre, so postcode districts G1-G5<sup>43</sup>. These are areas very rarely used for asylum accommodation. These apartments were far more expensive than the residential “dispersal” housing that Mears and their predecessors normally use. Those were concentrated in the poorest areas of the city, such as the postcode districts of G22 (Possil, Milton etc.), G31 (Tollcross, Parkhead etc.), G32 (Shettleston, Springburn etc.), G33 (Carntyne, Ruchazie etc.); and G51 (Govan). The Home office data disclosed serviced apartments being used at significant levels, for asylum accommodation in 31 December 2019 (33 apartments) and 31 March 2020 (62 apartments) but by 30 June 2020 (10 apartments). We suspect this underestimates the extent of serviced apartments. It is clear that these (relatively expensive) apartments were emptied from April to June 2020.

39. As the UK entered lockdown with effect from Tuesday 24 March 2020, there were approximately 300 individuals, supported under s98, and accommodated in these serviced apartments. We have subsequently learned from the Home office’s “Glasgow evaluation” that the population in serviced apartments was over 400, but there is no evidence proffered by them to substantiate that. Either way, we are clear that the vast majority of those subject to forced moves to these six hotels were previously in safe and settled serviced apartment accommodation. Furthermore, we understand that people in these apartments would be provided with up to £37 per week in cash (reflecting that they were being accommodated on a self-catering basis and hence needed that cash to meet Home office-defined “essential living needs”<sup>44</sup>).

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<sup>41</sup> Relevant appendices, “Asylum support in numbers”, June 2020

<sup>42</sup> There were some residential flats being used to accommodate folk on s98 initial accommodation support.

<sup>43</sup> Relevant appendices, “FOIs 64855 and 65206”, July to August 2021.

<sup>44</sup> Report of review of cash allowance paid to asylum seekers: 2017, January 2018 and our recent paper on this UK state sanctioned severe poverty in the Home office’s asylum support system at Our calls for increases to asylum support, 18 August 2022

40. The provision of this cash support came through Mears staff either delivering it to individuals, or people would collect it at Mears' office in Govan, Glasgow. This financial support was stopped in its entirety on arrival at the hotels, causing shock and distress for many. This was, in our view, both a disgracefully harmful decision, contributing in some cases to rapid deterioration in the mental health of some known (to the Home office) vulnerable persons who were directly and very adversely affected by this decisions. It is our experience that the provision of any financial support is crucial to mental wellbeing, as it gives a sense of independence and choice, and a semblance of control over one's life. Having none also increases risk of exploitation. Without any monies, people suffer, lose hope and may unravel, as that choice and control is lost.

41. The Home office knew this but they still acted as they did and, indeed, refused to budge on the no-financial support rule to those in so-called "contingency" (ex-hotel or barracks) accommodation. That is until they were ordered by the High Court<sup>45</sup> to give monies, in a legal challenge led by individuals directly affected. That tells you all you need to know about the scandalous and wilful Home office neglect of the wellbeing of those under its case in such inherently inappropriate institutional accommodation. There was no person-centeredness here.

42. We consider that many in these serviced apartments were settled and constituted "households" in public health terms, as the country entered lockdown. Home office advice to its asylum accommodation contractors<sup>46</sup> was, in line with UK government instructions, to avoid all non-essential travel and the creation of new "households" in public health terms. When we learned of these moves on Monday 13 April 2020 - over two weeks they started - at the heart of our concerns was why was anyone moved from secure housing, in a lockdown, to accommodation that, by its nature, is occupied by scores to hundreds of people? We did not think then and are clear still now, that there was no persuasive or any public health justification for this decision. Relatedly, we are concerned that commercial considerations may at the very least formed of this decision. In so far as that is the case, that in our view is very wrong and cannot be justified on those or indeed in any terms.

43. We noted that sometime after the original moves, the Home office minister claimed that there were an additional 102 people that were not moved from serviced apartments to hotels. Rather they were asserted to have moved from these apartments to other Mears residential accommodation in the city. We spoke with various frontline contacts, one of whom described this claim as "pure fantasy". This was a completely new assertion by the Minister. We are sceptical of it. However, at this stage it cannot be disproved, albeit in our view, it is for Mears and the Home office to provide evidence, as this is a population that is under their jurisdiction and they have responsibilities to. To date, they have failed or decided not to provide such evidence, despite it being in the public interest to do so.

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<sup>45</sup> [Home Office faces legal challenge over asylum seeker payments during Covid](#), 1 December 2020

<sup>46</sup> Please refer to the three accommodation contractors' representatives answers on these issues of non-essential travel and households, at respectively: Q454, Q459 and Q460, HAC oral evidence session, 7 May 2020, [here](#).

44. However, upon inquiring at the time of these “en masse” moves, we were told by Mears<sup>47</sup> that as we entered lockdown, there were around 200 individuals also on s98 support in Glasgow but already accommodated in presumably the less costly residential flats – not the more expensive serviced apartments – and that these 200 were not moved into hotels, despite being classed as s98 “initial accommodation”. These 200 people would presumably have continued to receive cash support directly from Mears staff (see 46{e} below), in order to meet their Home office-defined “essential living needs”. We question therefore why that were possible for those 200 but not those approximately 300 who were moved from the (more expensive) serviced apartments.

45. Fundamentally, however, and as we have consistently raised including directly with the Home office<sup>48</sup> at the time – it was possible to just switch all those on s98 support in the city irrespective of they were in serviced apartments or residential accommodation, onto Aspen debit cards, whereby the asylum support cash allowance would be uploaded. No explanation has been given as to why that did not happen. It should have. It has since been claimed in the “Glasgow evaluation” report that these “en masse” moves prevented over a 12-week period, some 6,000 visits<sup>49</sup> to all the serviced apartment. We hear that, but we are clear that the need for those 6,000 visits could have been comfortably minimised or removed if the Home office took this simple step to switch these residents onto Aspen debit card support. Mears welfare checks and local health assessments could have been online initially with follow-up for serious cases. That would have been far better and safer for all.

46. Mears Group and the Home Office have sought to explain these moves from serviced apartments to hotels, at the time and since in the following, varying ways; our comments on each “reason” is offered, in italics):

(a) Shortage of suitable dispersal accommodation to move people into.

*This may or may not be true but any gaps in suitable housing to disperse people into, is a reflection of the Home office’s strategic mismanagement of the asylum accommodation contracts over a considerable period, plus Mears Group procurement strategy, which merely left them both ill-equipped to deal with the public health lockdown. It is not a reason in itself to move people from one type of housing (serviced apartments) to another (hotel rooms). And, especially not to do so during a public health lockdown that ruled out non-essential travel, the creation of new “households”, and not into accommodation of scores of people in one bloc.*

(b) Serviced apartments were short-term lets they could not keep any longer.

*This was only forwarded as a reason on one occasion by Mears - in the Ferret<sup>50</sup> media article from when the “en masse” hotel moves story broke - as part of their*

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<sup>47</sup> Relevant appendices, “Emails to Mears from Scottish refugee council including on behalf of Stop lock change evictions campaign”, April 2020.

<sup>48</sup> Please read FN47.

<sup>49</sup> Evaluation of accommodation and support services experienced by asylum seekers in Glasgow during COVID-19, Home office, August 2020; as embedded in [Soaring rates of suicide and self-harm by asylum seekers linked to 'institutional' accommodation](#), 14 April 2022.

<sup>50</sup> [Asylum seekers' lives 'put at risk' by decision to move them to hotels](#), 22 April 2020

*justification for these moves, but it then disappeared from all future public statements on Mears' rationale for these moves. It is our understanding that there was no Scottish legislation in effect at that time, which placed any legal restriction on the length of such a let, nor powers available at that time to Scottish local authorities to set such a "maximum length" rule. On checking the relevant Glasgow City Council development plans applicable at the time of these "en masse" forced moves, we could not find a policy that requires a maximum length limit. Fundamentally, we now know that it was Mears, not the landlords that made the decision to end these lets.*

- (c) Mears Group state they had no alternative, therefore, but to procure hotel rooms - based on points (a) and (b) above.

*Again, this "no alternative" claim, disappeared from all future public statements, after the Ferret media article. For us, it was clear that there was an alternative and it was this: (i) leave people in the safe and settled accommodation they were in, as stable household in public health terms, as they did for – it was claimed - around 200 "initial accommodation" persons in residential housing or also – they claim – as they did for the 102 persons the "assessed" as not to be moved into the six hotels but rather were apparently moved into residential accommodation that Mears had (presumably vacant) in the city.*

- (d) That having everyone in hotels would make it easier for local health workers to access asylum seekers<sup>51</sup>;

*We think there is some merit in this argument, however, we were told clearly at the time by frontline contacts that (i) they were not consulted or given any advance notice of these moves and, if they were, most would have advised against many people being moved from the serviced apartments in the first place given vulnerabilities and that people were relatively settled and many were also concerned as to the state of many people moved as they were bewildered and distressed due to the suddenness of the moves, the loss of cash support, and the aggravated trauma.*

- (e) That having this group in hotels would reduce Mears' workers and asylum seekers having to make trips from serviced accommodation to get the £37 cash support<sup>52</sup>.

*We do not think this is a convincing reason. Whilst we stress that Mears staff were defined by the UK government as "key workers" for the purposes of "lockdown" and that Mears staff still had to get cash to the approx., 200 individuals on s98 in residential flats (which they have been doing since the start of lockdown every second Wednesday). It is not convincing as they did not need to be making these trips at all, save for genuinely serious welfare or health reasons. That is because all the Home office needed to do was, as emphasised throughout this evidence, was switch the relevant group onto Aspen debit card where the weekly allowance could be uploaded. That would have been removed the need for most visits and, actually, would have been in the best interest of frontline Mears staff, who also rightly needed*

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<sup>51</sup> This reason has been forwarded in multiple platforms throughout the lockdown period and beyond.

<sup>52</sup> Same as in FN12.

*to be best protected from the risk of COVID-19. As it would seem to have only or at least mainly be those in the (more expensive) serviced apartments that were moved. That would have enabled everyone to stay in such settled accommodation, not be moved in hotels, and prevented therefore the arguable “non-essential” travel of these “en masse” hotel moves. It would, as we say, have better protected Mears and health front-line staff. For us the onus is on the Home office to at last explain why they did not do this, especially only a few days after learning of these forced “en masse” moves, we on behalf of many refugee rights organisations in Glasgow, urged them to do this<sup>53</sup>. They refused.*

47. There has been multiple reports relating to the rushed, disruptive and therefore very upsetting manner in which these moves appear to have been done by Mears, to the residents of the serviced apartments. We have spoken with clients, agencies, advocates and MPs who all report that only a few hours’ notice was given, or less in some reports. Under the contract, the Home office does reserve the right to “transfer an IA service user to alternative accommodation at any time”<sup>54</sup> – the contractor does not have that right, and by implication it must get the consent of the Home office so it can authorise it. Rather, the contractor can relocate a person on s98 from their agreed (with the Home office) initial accommodation, once only, and even then they must notify the Home office within 1 working day of that move<sup>55</sup>.

48. However, it should be noted that this was a specific plan to move people from one form of contingency accommodation (serviced apartments) to another (hotel rooms). Straightforwardly, the scale of this undertaking would necessitate Home office authorisation, under the contract and in practice. And, it is clear from the following statements from Mears and the Home office that they were coordinating and implementing this plan together:

*Mears*

“We obviously consulted the Home Office. We talked to Migrant Help. Certainly, the health partners in the IA facility in Glasgow were notified.”<sup>56</sup> [We are not clear to who and when precisely this “talking” was done by Mears, in particular before or after the moves had started] – Our insertion

*Home office*

“Mears did keep the Home Office and my colleagues in asylum support closely in touch with their decision-making. I know that colleagues in asylum support absolutely were involved in, and understood, the reasons for that decision.”<sup>57</sup>

49. What is in dispute, however, is did Mears and the Home office consult and liaise with Glasgow City Council (GCC) / Glasgow Health and Social Care Partnership (GHSCP) - including the Public Health Director; on this specific plan to move around 300 people from serviced

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<sup>53</sup> Please read FN47.

<sup>54</sup> E.1.4 Schedule 2 Statement of Requirements: “The Authority [Home office] reserves the right to transfer IA Service Users to alternative accommodation at any time.” (my insertion)

<sup>55</sup> Please refer to C.3.1-C.3.3 Schedule 2 Statement of Requirements.

<sup>56</sup> John Taylor, Mears, Oral evidence to Home Affairs Committee 7 May 2020, Q457 [here](#).

<sup>57</sup> Shona Dunn, Home office, Oral evidence to the Home Affairs Committee 1 July 2020, [here](#) – I recommend reading the exchange in full on this issue at Q23-28.

apartments to hotels. We were told by senior officials at GHSCP and the Lead Councillor for refugee issues at GCC that neither had advance notice of this plan, and found about it after it started being implemented. That accords with what we have been told by various frontline workers. We have also been told that the extent of the lockdown hotel use agreement<sup>58</sup> reached between GCC/GHSCP and Mears and the Home Office was for the accommodation of destitute new arrivals to the city and not for the accommodation of those who were already accommodated by Mears e.g. including the “initial contingency accommodation” population in serviced apartments. That is a vital distinction.

50. Ultimately, of course, these are matters for the above organisations to sort out. We hope they do so generally and as part of this Inquiry. We would add, however, that Mears are required under its asylum accommodation contract with the Home office to “liaise and consult with Local Authorities regarding the location of Accommodation for Service Users, and the appropriate information to be shared with Local Authorities to support their planning and activities”<sup>59</sup>, so by extension the Home office should also be consulting and liaising with the local authority on a move of this magnitude and speed. Our position on what we knew and when etc., of this specific plan for forced “en masse” hotels moves is [here](#). Finally, I recommend the “Decision-making process” section (paras. 96-99) of the HAC report into institution accommodation, [here](#). This summarises the position well. Additionally, it sits in a fair treatment of the “en masse” forced hotel moves (paras. 93-126), [here](#), including whether and how vulnerabilities were considered.

51. Those seeking refugee protection typically have had experiences of forced displacement, arduous migratory journeys involving trauma and exploitation, and a difficult asylum process in the UK; all of which make resilient individuals – as they have had to be – also often acutely vulnerable. The new asylum accommodation contract with schedules, at least in paper reflects that. We have serious doubts that this translates enough into practice.

52. Whereas it is positive that there are provisions relating to safeguarding, our overarching concern is that there is insufficient status or infrastructure in the Home office-contractor performance management system for safeguarding and vulnerabilities. This is important in itself but also given the widely-held concerns that very little if anything seems to have actually or credibly been done by Mears or the Home office on vulnerability monitoring, assessments and safeguarding prior to and in implementing the relocation of circa. 300 people from serviced apartments to hotels. As mentioned elsewhere in this statement, we have seen or heard no evidence to prove they were done. Reverting to the relevant safeguarding provisions in the contract and its schedules, for ease these are:

### *Schedule 2 “Statement of Requirements”*

1.2.1.3 The Provider further acknowledges and agrees that some Service Users will have particular characteristics including:

- Physical disabilities;
- Mental illness or disabilities;

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<sup>58</sup> In the article at FN11, “A spokeswoman for Glasgow City Council said, as far as the council was aware, the use of hotels had been agreed for new arrivals. She added: ‘We would expect people to be able to adhere to the lockdown and guidance on social distancing in any accommodation provided.’”. In addition, note (a) Paras, 99 and 106 [here](#) and (b) Q24-Q25 [here](#).

<sup>59</sup> Asylum accommodation and support, Schedule 2 Statement of Requirements, 1.6.2.



- Medical conditions;
- Age related characteristics; *and/or*
- Other characteristics related to Service Users having specific needs or being at risk.

1.2.1.4 Where the Authority is aware of a Service User who may have specific needs or be at risk, the *Authority* shall notify the Provider and *provide instructions* on any specific Accommodation or support requirements the Provider shall provide to meet the needs of the Service User.

1.2.1.5 Given it may not be immediately apparent whether a Service User is at risk or has specific needs, the Authority shall require the Provider to be proactive in monitoring and identifying Service Users with specific needs or at risk Service Users within their care. The Provider shall also be proactive in making referrals to relevant statutory and/or voluntary services for an assessment of Service User needs, where appropriate.

1.2.1.6 Where a Provider believes, or has reasonable grounds to suspect that a Service User may be at risk or have specific needs, in accordance with the Authority's guidance and Annex G of this Schedule 2, the Provider shall respond appropriately to the Service User's needs to ensure the safety and wellbeing of the Service User, in accordance with the Authority's requirements.

*Schedule 25 "Safeguarding Children and Vulnerable Adults"*

1.2 For the purposes of this Contract; a vulnerable adult, an adult at risk or an adult with specific needs is to be in accordance with Annex G of Schedule 2.

1.3 The Provider shall appropriately respond to the needs of at risk Service Users or Service Users with specific needs in their service delivery, to assure their safety and wellbeing in accordance with Paragraphs 1.2.1 and 1.2.5 of Schedule 2.

1.4 The Provider shall comply with any reasonable request by the Authority for monitoring information to demonstrate the Provider's compliance with the provisions referred to in Paragraph 1.1 above. [Note that there is no equivalent requirement for "monitoring information" to "demonstrate compliance" with paras. 1.2 or 1.3 above]

53. After considering Schedules 2 and 25 as above, we recommend consulting:

(a) *Schedule 7 ("Contract Management")* which describes the monthly Contract Management Group (CMG) and quarterly Strategic Review Partnership Board (SRPB);

(b) *Schedule 14 ("Monitoring and Management Information")* that sets out the "management information" that must be in the "Performance Reports" that go to the CMG and SRPB, with no mention of safeguarding or vulnerability in that required "management information"; and

(c) *Schedule 13 (“Performance Management Regime”)*, focused on the ten Key Performance Indicators (KPI) in this Contract, with the only mention of safeguarding etc., being in KPI 9 “Management Information”, with measurement of compliance against which, solely about timely provision of such information to the Home office, including, inter alia, information from the accommodation contractor at 1.2.1.5 at Schedule 2 (for ease of reference to the reader here, that is “the Authority shall require the Provider to be proactive in monitoring and identifying Service Users with specific needs or at risk Service Users).

54. There are long-standing concerns about how seriously safeguarding and vulnerabilities are treated in asylum accommodation contracts. Both the NAO and the HAC reports have considered these issues, the latter through the lenses of the events around the “en masse” hotels moves in Glasgow.

*NAO concluded:*

“The Department planned to introduce a new assurance framework including all the providers’ responsibilities, such as the identification and safeguarding of vulnerable people, for the start of the new contracts. The Department told us that this had been delayed until May 2020 because of a lack of resources.”

*HAC recommended:*

“The Department should ensure that lessons learned from the handling of asylum moves during the lockdown are referred to the safeguarding board and incorporated into the safeguarding and assurance frameworks. The Department should consider how local authorities and third sector partners in asylum support can be engaged in the work of the safeguarding board. The Department should also report its progress in developing the assurance framework to us every two months, from an initial report to us four weeks after receiving this report. Given the importance of safeguarding as part of the asylum accommodation system, we would encourage the department to explore whether a KPI could be used to ensure that contractors are properly held to account for their work to safeguard vulnerable individuals. For the same reasons and in the interests of transparency, we believe that the safeguarding framework should be published.”<sup>60</sup>

55. The trigger, as noted above, for HAC’s analysis and recommendation on “vulnerability” at paras. 105-114 ([here](#)), was the hotels situation in Glasgow. And, in particular, the tragic events at MacLays Hotel on 5 May 2020 and at Park Inn Hotel on 26 June 2020, which the moves were a context for. We recommend these paras. In the HAC report, as a fair summary with appropriate recommendations on safeguarding etc. (as above), and on what did (or did not) happen in Glasgow on “vulnerability assessments”. This is all set out for ease below:

*HAC recommended:*

“Asylum seekers should not have been moved to new accommodation during the pandemic without justified and urgent reasons for doing so or without a

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<sup>60</sup> Please also refer to the relevant PQ answers [here](#), [here](#), and [here](#) - please note with this latter answer that this information pursuant to 1.2.1.5 Schedule 2 Statement of Requirement should be readily available in a reportable format, that is if it actually reported by Mears to the Home office as but one strand of KPI 9 “Management information” – see para. 53(c) in this paper.

vulnerability assessment demonstrating that the move could be made safely. This must happen in future. If, following such an assessment, a move is found to be necessary and appropriate, sufficient notice must be given to the individual, to medical and other caseworkers working with that individual and, if they are to be moved to another area, to the local councils, to ensure they are effectively supported. In light of other evidence expressing concern about a lack of primary medical care in hotels, the Home Office should also review the adequacy of health service provision within hotel accommodation to ensure that asylum service users are easily and safely able to discuss concerns about their physical and mental health.

56. Whilst we fully agree with this recommendation, it is important to note, briefly, the chain of events that led to the controversy around the question of whether or not vulnerability assessments were done prior to the “en masse” forced moves of hundreds of people from serviced accommodation (we offer some comments in italics where relevant).

(a) First is Mears position from the moves prior to Thursday 25 June 2020, best captured in its supplementary written evidence<sup>61</sup> to HAC:

“Prior to the moves, we risk assessed which service users it was appropriate to move, taking account health advice. Children, pregnant women, and all service users with documented health conditions that are COVID-19 vulnerabilities, were not moved into hotels. Prior to the moves our team spoke to service users to make them aware they were to move and the reason for this move to other accommodation. At this stage, any identified vulnerabilities were taken into account before moves took place”

(b) Then, at a Mears-initiated press event in Glasgow on Thursday 25 June 2020, Mears’ Chief Operating Officer, John Taylor - when questioned on whether such assessments were done (given that multiple asylum seekers, many frontline workers we had spoken with and other agencies were clear no such assessments were done and that children, families, pregnant women and trafficking and torture survivors had been moved from serviced apartments to hotel rooms) – Mr Taylor was reported as stating:

“We needed to make a decision, so we made the decision, rightly or wrongly, to move everyone<sup>62</sup> from the initial accommodation apartments into hotels, and that was a blanket decision, because we felt that we could assess and support people better in that setting. Once in the hotels, it became obvious that there was vulnerabilities and that the hotel setting isn’t appropriate for some people, and there were pregnant women, some people who had suffered trafficking and there were family groups.”<sup>63</sup>

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<sup>61</sup> Supplementary written evidence from Mears to HAC, 10 June 2020; following on its oral evidence to HAC on 7 May 2020, see esp., Q457, [here](#).

<sup>62</sup> This is not consistent with the finding of the Home office official who drafted the “Glasgow evaluation” report who stated in that report: “A brief vulnerability assessment was made based on the information available to Mears. On the basis of this assessment, 102 service users from a population of 416 (25%) who were considered to be vulnerable were moved to dispersed accommodation rather than hotels.” (our emphasis)

<sup>63</sup> [Home Office contractor admits putting vulnerable asylum seekers at risk - then backtracks hours later](#), The Independent, 26 June 2020

(c) Later that day (Thursday 25 June 2020), Mears then claimed:

“Our staff had discussions with everyone affected prior to moves and as a result a number of people were identified as needing Mears accommodation rather than hotel accommodation. There were a small number of cases of pregnant service users, and families initially moved to hotels who following further health and welfare discussions were moved on quickly to alternative accommodation”<sup>64</sup>

(d) Which has since formed into a new claim, this time from the Home office:

“Prior to the moves into hotels Mears considered individuals’ health records and a meeting took place with each service user. Based on this, 102 (not 109 as stated in the question) service users were moved to alternative Mears accommodation, rather than hotels. All other service users were moved to hotels, where further health and welfare assessments were carried out, and some service users were subsequently moved to alternative dispersed accommodation.”<sup>65</sup>

*We have never seen or heard evidence of such meetings with service users, and we are sceptical that this happened, but if by meeting, the Home office are referring to when people were contacted to actually pack up their stuff and move, then that is clearly not a meeting to discuss whether to be moved and far more akin to an instruction to the asylum seeker to leave current accommodation and be moved to the new accommodation, which in this case was one of the six hotels.*

(e) Then, in the “Glasgow evaluation” or more formally, the “Evaluation of accommodation and support services experienced by asylum seekers in Glasgow during COVID-19” - which the Home office had refused to publish before it was leaked to BBC Scotland<sup>66</sup> and then published by the Ferret<sup>67</sup> - the Home office official drafting that report stated, in apparent contradiction to the evidence cited earlier by Mr Taylor particularly that the moves were a “blanket decision”, the official found that:

“Mears’ approach to moving people from self-contained accommodation to hotels recognised families, those with mobility issues, elderly or in the late stages of pregnancy as vulnerable. Whilst there is evidence to support Mears’ assertion that those who were classed as vulnerable were not moved to hotels, that assessment of needs was reliant on people previously having been identified as vulnerable. It became clear when examining the circumstances of the individual case, which culminated in the incident at the Park Inn Hotel and listening to the experience of other asylum seekers that individual needs changed during lockdown and there was no mechanism to re-evaluate their needs.” [And] “A brief vulnerability assessment was made based on the information available to Mears. On the basis of this assessment, 102 service users from a population of 416 (25%) who were considered to be vulnerable were moved to dispersed accommodation rather than hotels.”

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<sup>64</sup> Ibid

<sup>65</sup> [Asylum: Housing: Written Question - 74639](#)

<sup>66</sup> [Asylum seeker made 72 calls before hotel stabbings - BBC News, 12 April 2022](#)

<sup>67</sup> [Soaring rates of suicide and self-harm by asylum seekers linked to 'institutional' accommodation, 14 April 2022](#)

57. Clearly, there is a dispute on the facts. We note that no evidence has been provided by Mears or the Home Office to substantiate that assessments of vulnerability were (a) done and (b) reported on in accord with KPI 9 (as above); (c) what exactly that involved or (d) evidence of health records being checked or (e) meetings take place with each affected person, prior to the moves. Many reports including from those directly affected and front-line workers, are that none of the above were done, and that this was a “blanket decision”, as stated by John Taylor, Chief Operating Officer at Mears, on Thursday 25 June 2020. We cannot say definitively either way but we do think the lack of substantiating evidence from the Home office and Mears, with the patterns across testimonies from those subject to the moves, and the inconsistencies in accounts cited, point to that no assessments were done.

58. Fundamentally, Mears are contractually obliged “to be proactive in monitoring and identifying Service Users with specific needs or at risk ... within their care ... and shall also be proactive in making referrals to relevant statutory and/or voluntary services for an assessment of Service User needs, where appropriate”. Relatedly, the Home office are also required to check whether Mears are meeting these obligations. We have no seen or heard of no evidence that either did so. It is suggested that positive duties are never more relevant in an accommodation contract than on decisions about whether and where to relocate and accommodate someone. And, even more so when conducting such moves at the inherently stressful time of an unprecedented and legally mandated “stay at home” public health lockdown.

59. What has transpired in and since the leaking and publication of the “Glasgow evaluation” report are the following key points and admissions<sup>68</sup> of failure, from the Home office official that wrote the report: (a) [putting it mildly] that “the move from self-contained accommodation to hotels could have been handled more sensitively”; (b) that “listening to the experiences of other asylum seekers that individual needs changed during lockdown and there was no mechanism to re-evaluate their needs” (such is a dreadful omission and furthermore, we are question how it could have been “re-evaluate” given most seemed unlikely to have any assessments done in the first place, prior to the moves); (c) relatedly, that those parties that should have been ensuring the vulnerabilities and health needs of those in such hotels where identified and acted upon but, alarmingly, “they did so in the absence of a framework that joined those efforts and services up and did not have a system of proactive needs assessment reviews built in”. To be clear, such a system is primarily and fundamentally, a Home office and Mears responsibility and the accountability for there being no system sits with them; and (d) that the “combined impact of previous trauma, being accommodated long term in hotels and the restrictions put in place to prevent the spread of COVID-19 had a significant impact on the mental wellbeing of service users at a time when it was difficult to get access to support services” and as was admitted elsewhere, both “service users and NGOs on their behalf reported the negative impact, particularly on their mental health, of having no access to cash upon moving to hotels”.

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<sup>68</sup> The “Glasgow evaluation” has still not been published by the Home office. However, aside from being leaked to BBC Scotland, it was also swiftly published by the Ferret investigative journalism platform, within its [Soaring rates of suicide and self-harm by asylum seekers linked to 'institutional' accommodation](#), 14 April 2022.

60. In summary, this all strengthens our view, expressed at the time and since to the Home office and Mears, that these “en masse” moves were not a responsible decision in public or mental health terms. They were far closer to being done to people and very far away from being done with them. This decision was, in our view, deeply flawed and has contributed to significant harms upon those directly affected by them. We do not think lessons have been learnt, and certainly see or hear no evidence of such. It is time for the Home office to do so.

### **Part three: recommendations for change in housing and support for those seeking asylum**

61. We suggest three key recommendations:

- (a) The Home office end commercial asylum and institutional accommodation. They should restore this as a genuine public service. It should be managed and delivered in accord with the principle of subsidiarity, so in this case by either devolved or local government. It should enjoy public investment and form part of a wider housing justice programme to provide safe and appropriate housing for all those in vulnerable socio-economic and legal predicaments. It should also be closest to the people - refugees and local communities – so democratically accountable to them.
- (b) The NHS establishes a specialist function that takes over the health and wellbeing responsibility of people seeking, granted and refused refugee protection. This specialism should replace the current and unsatisfactory Home office safeguarding function. The relationship should be flipped in order that Home office safeguarding work contributes to, but does not define or have sway over, the recommended NHS specialism. To be clear, that specialism will have final say on the suitability of accommodation of refugees so that housing enables not aggravates good health.
- (c) There should be a full ECHR-compliant public inquiry with evidence gathering and disclosure powers and legally binding recommendations, into (a) the Home office and its contractors’ discharge of their safeguarding responsibilities to all those in their asylum support and accommodation system during the Covid-19 period; (b) especially on the “en masse” moves in Glasgow; and (c) that also include a clear focus on the extent, nature and systems around escalating loss of life in this system.

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