

StrEEt Aware: Challenging Destitution and Homelessness for EEA Nationals in Edinburgh

A Social Justice Collaboration between JustRight Scotland and Shelter Scotland

What Did We Do?

Our joint 3-month pilot project delivered:

(1) Two free awareness raising sessions to over 50 frontline homelessness advocacy staff on the rights of EEA nationals, covering immigration and EU law, trafficking, homelessness and entitlement to benefits

(2) Six free, confidential and specialist legal outreach surgeries – staffed by experienced immigration and housing solicitors – to 19 EEA Nationals who were rough sleeping or at risk of rough sleeping, at the premises of our partners, Streetwork, Edinburgh

Why Did We Do It?

The pilot was a crisis response to evidence that **EEA nationals across the UK were being detained** following a Home Office policy which defined rough sleeping as possible misuse of EEA Treaty Rights, and our **concerns about trafficking and potential exploitation**.

That policy has since been found unlawful (*Gureckis & Ors v Sec State Home Dept* [2017] EWHC 3298 (Admin))

What Did We Learn?

Through our surgeries, we learned:

- The majority were eastern European males, and workers (exercising EEA Treaty Rights)
- The majority **required an interpreter** to access legal advice
- Many had a right to remain in the UK and access housing and financial support, but **thought they had no right or entitlement** because of lack of documentation
- Many **were potentially trafficked** or suffered labour exploitation

Through our awareness raising sessions, we learned:

- EEA nationals and professionals supporting them receive **conflicting and misleading advice** on their rights
- Government departments (UKVI, local authorities and HMRC) make **conflicting and inconsistent yet overlapping decisions** about rights

So What Next?

Based on our joint pilot project, we recommend:-

- Funding for provision of **free, specialist and targeted legal advice**, in the areas of immigration and housing law, not only in Edinburgh, but also in other major cities in Scotland with large at-risk EEA national populations, such as Glasgow and Aberdeen
- **A collaborative cross-sector approach to providing legal advice** was an effective response to the challenge of advising **in an area with complex and overlapping legislation and administrative decisionmaking**. Our model was human rights-based, and client-centred, and allowed us to resolve matters for many individuals in a single, one-off appointment
- Funding for delivery of **training and second-tier advice** to frontline advice sector and local authority workers on immigration law, trafficking and exploitation, and the rights and entitlements of EEA nationals at risk of destitution and homelessness
- Increased access to **specialist benefits advice and employability support** targeted to meet the needs of EEA nationals
- A funded programme to assist at risk EEA nationals who require **to make applications for Permanent Residence or settled status**, but will struggle because of vulnerability, lack of documentation and/or language barriers
- **Review of legislation and guidance covering eligibility for homelessness accommodation** and assistance and **effective legal protection** for those who are not eligible for homeless accommodation and assistance to prevent destitution
- Targeted resource to **investigate the scale of trafficking and exploitation** amongst at risk EEA nationals and to **address the gap** by providing specialist advice and support

“The most common way people give up their power is by thinking that they don't have any”

Alice Walker

What to learn more? Get in touch:

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