

# A Site of Resistance

## An evaluation of the Stop Lock Change Evictions Coalition

This report documents the activities and impact of the Stop Lock Change Evictions Coalition, a collaborative social justice movement in Glasgow, Scotland that upholds the housing and human rights of people seeking asylum.





# Recommendations

Below we outline two sets of recommendations. The first of these is addressed to coalition partners and summarises the views of the people interviewed as part of the evaluation. The second set of policy recommendations was developed in consultation with all coalition partners during the evaluation process and has been framed as a Ten-Point Plan to address the systemic problems that led people's access to housing and human rights to be undermined in the first place.

## **The Stop Lock Change Evictions Coalition should:**

**Maintain the coalition:** All interviewees were keen for the model to continue – firstly because the immediate challenge has not been resolved; secondly in recognition of the positive organisational and individual impacts listed above. As one interviewee suggested: *“the legacy is that it is going to make us more work as a movement rather than competing organisations”* (Voluntary Sector Agency).

**Address resource constraints:** For the work to continue, the question of resources needs to be addressed. In every partner organisation, the work was additional to existing, often significant workloads. Building further work simply on people's “hopes and beliefs” would not be sustainable in the longer term without access to additional resources, whether long-term or as regards a fund that could be quickly drawn down in times of crisis or emergency.

**Develop a preventative, proactive approach:** The coalition should consider taking a more proactive, preventative approach. This could involve seeking funding that would enable one or more of the agencies to take on a coordinating and planning role without imposing upon existing workloads. With this in place, some initiatives that were not rolled out - for example, a dedicated phonenumber - could perhaps be re-visited. This would be one way to avoid what one interviewee referred to as the “repetitive” nature of crisis situations such as the lock change announcements. Two interviewees noted that future approaches should be anchored within the local communities where people seeking asylum live.

**Continue to advocate for systems change:** Individual organisations within the coalition already have strong channels for influence at multiple levels. If the work is to continue and have maximum societal impact, it is imperative to draw on the operational, legal and grassroots work of frontline workers across every organisation to support this, backed up by the direct actions and media influencing that have already been a key part of the coalition.



*“The legacy is that it is going to make us work more as a movement rather than competing organisations.”*

## Ten-point plan to end evictions by way of lock changes and destitution

The coalition remains resolute that people seeking asylum should not be subject to summary eviction, destitution and street homelessness by lock change. There is a fundamental need to reform the asylum and asylum support system to end asylum destitution, so that people are not subject to lock-change evictions in the first place.

- 1. The Mears Group**, now providing accommodation on behalf of the Home Office in Scotland, must introduce a policy on how they will deal with people refused asylum and asylum support. This must include a commitment to seek a court order to effect an eviction and not to evict by way of lock changes. This should be adopted by other providers across the UK.
- 2. The Home Office** must place a requirement on all accommodation providers to never conduct summary lock change evictions. The Scottish Government should amend existing housing legislation to ensure lock changes are unlawful.
- 3. The UK Government** must cease to use destitution as a policy tool and instead ensure that all people seeking asylum can access financial support and accommodation so that they can meet their essential living needs until they return to their country of origin or are given leave to stay in the UK.
- 4. The UK Government** must grant temporary protection to people who face barriers to return which are beyond their control; and
- 5. The UK Government** must restore people seeking asylum the right to work, so they can be independent and reduce the cost of asylum support. This should remain in place until people have either been granted leave to remain or returned to their country.
- 6. The Scottish Government and COSLA** must ensure that its forthcoming strategy to prevent and mitigate migrant destitution includes asylum and refugee destitution; upholds rights in housing, health, social care, anti-poverty and human trafficking exploitation; and the strategy funds interventions so those at risk of asylum homelessness are not on the streets.
- 7. Scottish local authorities** must have policies and processes in place to ensure that all vulnerable people can access community care protection under existing legislation regardless of immigration status.
- 8. The Scottish Government** should review the adequacy of the Community Care legislative framework.
- 9. Glasgow City Council**, third sector partners and those with lived experience introduce a locally designed end of asylum process safety net in Glasgow.
- 10. The Law Society of Scotland, Scottish Legal Aid Board and Scottish Government** should address the very limited pool of social justice lawyers with capacity and expertise to work across housing, community care, asylum support, and asylum and immigration laws.

# About this report

To compile this report, we conducted twelve interviews with representatives of eight of the organisations involved in the coalition, from large national charities to small grassroots organisations, and including two legal firms. Four organisations did not respond to invitations to participate.

We analysed project documents including meeting minutes, press releases and planning documents to understand the development and impact of the coalition's work. An initial version of the report was presented to a full coalition meeting, and feedback from the group shaped the revised version presented here.

Where quotes are used, these have been made anonymous. Case studies were provided by Scottish Refugee Council and Community InfoSource's Asylum Seeker Housing Project. All names have been changed.

The report was commissioned by Scottish Refugee Council, JustRight Scotland and Shelter Scotland on behalf of the coalition and written by independent researcher Helen Baillot.

The report was made possible by funding from the Network for Social Change, Shelter Scotland and Scottish Refugee Council.

Stop Lock Change Evictions:  
list of partners & supporters

**Community InfoSource**  
**Asylum Seeker Housing Project (ASH)**  
[www.infosource.org.uk/ash.html](http://www.infosource.org.uk/ash.html)

**British Red Cross (BRC)**  
[www.redcross.org.uk/get-help/get-help-as-a-refugee](http://www.redcross.org.uk/get-help/get-help-as-a-refugee)

**Glasgow No Evictions Campaign**  
[no-evictions.wixsite.com/glasgow](http://no-evictions.wixsite.com/glasgow)

**Govan Community Project (GCP)**  
[www.govancommunityproject.org.uk](http://www.govancommunityproject.org.uk)

**Govan Law Centre**  
[www.govanlawcentre.org](http://www.govanlawcentre.org)

**JustRight Scotland (JRS)**  
[www.justrightscotland.org.uk](http://www.justrightscotland.org.uk)

**Latta & Co Solicitors**  
[www.lattalaw.co.uk](http://www.lattalaw.co.uk)

**Legal Services Agency (LSA)**  
[www.lsa.org.uk](http://www.lsa.org.uk)

**Living Rent Campaign**  
[www.livingrent.org](http://www.livingrent.org)

**Refugee Survival Trust (RST)**  
[www.rst.org.uk](http://www.rst.org.uk)

**Scottish Refugee Council (SRC)**  
[www.scottishrefugeecouncil.org.uk](http://www.scottishrefugeecouncil.org.uk)

**Shelter Scotland**  
[scotland.shelter.org.uk](http://scotland.shelter.org.uk)

# The coalition in numbers

12

Full coalition meetings held  
outside working hours  
(June – December 2019)

123

Destitution grants  
paid out

159

Interim Interdicts  
granted

41

Legal surgeries  
(August 2018 – August 2019)

36

People back onto  
asylum support

60

Media articles  
August – December 2019

4

Large public  
demonstrations  
in August 2019

10

People formerly at risk of  
eviction who now have  
refugee status

1

“The central human right that has underpinned the coalition’s work has been the right to adequate housing.”

**STOP LOCK CHANGE EVICTIONS**

20 Years of the Right to Adequate Housing



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dejan marcas ni manchas  
gladu i plam. Do

FR Papier résistant non-absorbant. Adhésif sans solvant.  
DE Schmierfestes Papier. Lösungsmittelfreie Klebestreifen.  
NL Resistente papier en drukt niet door. Kleefmiddel zonder solvent.  
PT Papel resistente a derrames de tinta. Pegamento sin solventes.  
ES Papel resistente a los derrames de tinta. Pegamento sin solventes.  
PL Papier odporny na przebijanie atramentu. Naklejka bez rozpuszczalników.

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**HOMES FOR ALL**

**STOP LOCK CHANGE EVICTIONS**



Schmierfestes Papier. Lösungsmittelfreie Klebestreifen.  
Resistente papier en drukt niet door. Kleefmiddel zonder solvent.  
Papel resistente a los derrames de tinta. Cola sem solventes.  
Papier resistente a los derrames de tinta. Pegamento sin solventes.  
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**HOMES FOR ALL**

**STOP LOCK CHANGE EVICTIONS**

**STOP LOCK CHANGE EVICTIONS**

# 1 – Context:

## At a legal intersection

*“Everyone has the right to respect for his private and family life, his home and his correspondence.<sup>1</sup>”*

*“The loss of one’s home is the most extreme form of interference with the right for respect for the home.<sup>2</sup>”*

In order to recount the story of the coalition’s work to date, we briefly outline here the four areas of law and policy that interact when people seeking asylum are facing eviction from their homes. Two of these areas: asylum and immigration law and the asylum support regulations, are reserved to Westminster. The third and fourth: housing law and community care law, fall under the competence of the Scottish Government. Across all these areas of law, public bodies, or organisations exercising public functions, must have regard to the human rights impact of their decisions<sup>3</sup>. In this case, the central human right that has underpinned the coalition’s work has been the right to respect for the home (article 8 ECHR)

This is not a comprehensive guide but a brief overview to provide the backdrop to our exploration of the work of the coalition. It is however important to say from the outset that most work with people seeking asylum has until now been analysed only with reference to immigration and asylum support law. Bringing housing law into consideration, and empowering people to exercise their housing rights has been one of the key innovations of the coalition as we explore further below.

Figure 1: intersecting spheres of law and policy



1. European Convention on Human Rights, Article 8(1)

2. McCann v. UK ECHR 385

3. <https://www.equalityhumanrights.com/en/human-rights/human-rights-act>

## Asylum Support Regulations

Since April 2000, people seeking asylum in the UK have had no recourse to public funds<sup>4</sup>. This means that they cannot claim mainstream benefits nor access homelessness accommodation. Most people seeking asylum are not given permission to work by the UK government and so cannot make money to support themselves.

Instead, people who would otherwise be destitute can apply for asylum support. This consists of accommodation and limited financial support of £36.95 per week. Accommodation is offered on a no-choice basis - people cannot choose where in the UK they want to live. If single people with no children have their asylum claims fully refused, the Home Office will stop their asylum support and ask them to leave their homes.

Some people in this situation can apply for a very limited type of support called Section 4 support. Applying for section 4 support can be a long process, with decisions taking weeks if not months to be made<sup>5</sup>. People do not always immediately have the evidence they need; the application is complex and is often refused. Many people, some of whom later go on to be recognised as refugees in need of protection, end up homeless and destitute at this stage.

## Scots Housing Law

In many cases, a court or tribunal order will be required to remove someone from their home. This is the case for tenants in both the private and social rented sector. The position is less clear for other categories of occupiers who have less security of tenure and who might have an occupancy agreement with their landlord instead of a tenancy agreement. Some occupiers will nevertheless be protected because of a longstanding general rule in Scotland that eviction should not take place without a court order first being granted. A landlord or agent who physically removes an individual from their home, is committing a criminal offence. In light of this, it is good practice for landlords to obtain court orders which allows them to instruct Sheriff Officers to enforce removal, where an occupier is refusing to leave.

The lock change eviction policy therefore contrasts with the protection afforded to other types of occupiers in Scotland. Separately, human rights law requires that there are safeguards in place where a public authority is considering eviction. Those safeguards include ensuring that the person at risk of eviction has the opportunity to challenge whether the eviction is proportionate before an independent court or tribunal.

## Asylum and Immigration Law

People seeking international protection must make a claim for asylum to the UK Government. Most people, even if they arrive in Scotland, have to travel to Croydon to register their claims with the Home Office. They then face a series of interviews with Home Office personnel who will assess, based on the narrative they provide and their perceived credibility, whether the person should be granted leave to remain.

If someone is refused asylum, they have a right of appeal to an independent Tribunal. Asylum decision-making can be poor – currently around 43% of negative decisions will be overturned at appeal<sup>6</sup>.

Even if someone loses their appeal, they may still feel that they cannot return home. They may not have any identity documents proving their nationality or may be stateless; they may feel that their lives would be in danger were they to return; or their circumstances may have changed since arrival in UK due to health problems or family bonds formed here. People in this situation may be able to submit new evidence – known as Further Submissions or a Fresh Claim for Asylum – to an office in Liverpool but it can take several months to get an appointment to do so. During this time, people are at high risk of finding themselves destitute.

## Community Care Law

Under Scots social welfare legislation, namely the Social Work (Scotland) Act 1968 and the Children (Scotland) Act 1995, Scottish local authorities have duties to protect the welfare of vulnerable adults and children in their area. In some cases, for example where a person seeking asylum is made destitute and homeless, the local authority will have an obligation to assess the welfare needs of that person, and may be required to provide accommodation and support to avoid a breach of that person's human rights<sup>7</sup>.

4. No Recourse to Public Funds does not amount to a general prohibition on the use of public funds to assist people who are subject to NRP conditions e.g. if somebody has needs above and beyond destitution they can be eligible for assistance under Community Care or Social Work legislation.

5. <https://www.refugee-action.org.uk/wp-content/uploads/2019/09/Missing-The-Safety-Net-Report.pdf> and <https://theferret.scot/refugees-eviction-glasgow-errors/>

6. <https://www.refugeecouncil.org.uk/information/refugee-asylum-facts/top-10-facts-about-refugees-and-people-seeking-asylum/>

7. <http://www.migrationscotland.org.uk/migrants-rights-entitlements/introduction/1-1-how-use-guidance>

# 2

*“Serco first announced their intention to evict people from asylum accommodation by means of lock changes on 27th July 2018.”*



## 2—What did the coalition do?

This work did not emerge from a vacuum. Coalition partners have been working for years with people seeking asylum in Glasgow, to facilitate their applications for asylum support, distribute monies to mitigate destitution, provide immigration advice and offer advice and support on housing issues. This work had in many cases forged strong existing relationships between people and organisations.

The innovative aspect of the coalition's work has been the drawing together of people with different remits and specialisms – immigration law, housing law, asylum housing and support, refugee integration – around a common goal and with common purpose. Discussions with interviewees revealed that the work of the coalition corresponds to two phases: a quieter phase from July 2018 to June 2019; and a more vocal, public-facing phase from June 2019 to the present day. We outline how each phase evolved below.

### Phase one: the beginnings of resistance

Serco first announced their intention to evict people from asylum accommodation by means of lock changes on 27th July 2018. Within one week, a group of lawyers and third sector organisations including several representatives from the refugee voluntary sector and Shelter Scotland's Housing Law Service had convened an emergency meeting to agree tactics to resist Serco's plans.

### Operational response

One immediate response was the establishment of legal surgeries. These were hosted and coordinated by Scottish Refugee Council and delivered by housing and immigration lawyers from Latta & Co, Legal Services Agency, Govan Law Centre, JustRight Scotland and Shelter Scotland<sup>8</sup>. Referral pathways to surgeries were agreed with voluntary sector organisations, primarily British Red Cross, the Asylum Seeker Housing Project (ASH) and Govan Community Project. Anyone at risk of a lock change eviction who sought advice from a coalition partner organisation was offered an appointment with a housing lawyer at one of the surgeries.

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8. The initial design involved joint delivery of advice by immigration and housing lawyers, however it quickly became apparent that the priority was access to housing advice as most people attending surgeries already had immigration lawyers. Voluntary sector agencies went on to take on the role of liaising with immigration lawyers as required.

## Legal surgeries in brief

August 2018 — August 2019

Number of surgeries held: **41**

Number of individuals assisted: **170**



## Legal response

Running alongside this were legal challenges through the Scottish courts. The backbone of the coalition's legal strategy was a challenge to Serco's decision to enact evictions by lock change, rather than by obtaining an eviction order through the Scottish courts. At stake were not only individuals' housing rights; but the wider question of an apparent lack of oversight and accountability for private companies carrying out what, in the view of the coalition, is a public service – the provision of accommodation for people seeking asylum.

On 6th August 2018, Shelter Scotland and Legal Services Agency raised proceedings for interdict in Glasgow Sheriff Court. Govan Law Centre lodged a case - Ali v Serco & Ors – in Scotland's highest court, the Court of Session in Edinburgh. This was first heard by the Court on 7th August 2018. These two legal actions meant that of the six people who had been served with a lock change notice, five had secured legal advice and representation and were able to get an undertaking from Serco that their locks would not be changed whilst the law was clarified.

In October 2018, Latta & Co lodged a Judicial Review in the Court of Session, Edinburgh, which covered wider legal arguments including the scope of the Public Sector Equality Duty. The arguments in the Saeedi case were developed in collaboration with a number of legal firms as part of the coalition model. All these cases remain live in the courts.

# Saeedi Case

Judicial Review lodged with Court of Session

Principal arguments:

Lock changes policy unlawful as

(1) it did not comply with human rights law

(2) it did not comply with government's Public Sector Equality Duty to advance equality of people with a disability where they contract out public services to private companies.

## Ali case

Ordinary action raised at Court of Session. Principal argument: unlawful for Serco to evict someone without first obtaining a court order under Scots Housing Law as well as under Human Rights law



## Public and policy response

Throughout this time, coalition partners were worked closely with local and national journalists to bring attention to the issue. This resulted in widespread media coverage which was broadly sympathetic to the situation of the plight faced by towards people facing eviction and homelessness.

Meanwhile, Scottish Refugee Council adopted various approaches to ensure that the situation was taken seriously by local and national policy makers. This included:

- briefing officials and lobbying policy makers in Glasgow City Council, Scottish Government and the Home Office;
- tabling written and oral questions in the Scottish Parliament, including First Minister's Questions and a Chamber Debates on 1st November 2018; and
- participation in the Glasgow City Council-led Asylum Taskforce<sup>9</sup>.

This latter work focused on promoting the coalition's messages and facilitating the fullest possible involvement of coalition partners in the taskforce sub-groups on legal issues and the process for how statutory agencies would deal with evictions.

Soon after the initial lodging of the Ali case to the Sheriff Court in Glasgow, these legal challenges and the mounting public pressure, expressed most notably through a demonstration in central Glasgow, led Serco to announce that they would put a halt to the planned evictions. However, all elements of the response - operational legal and influencing work - continued regardless until phase two began in June 2019.



9. <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=44501&p=0>

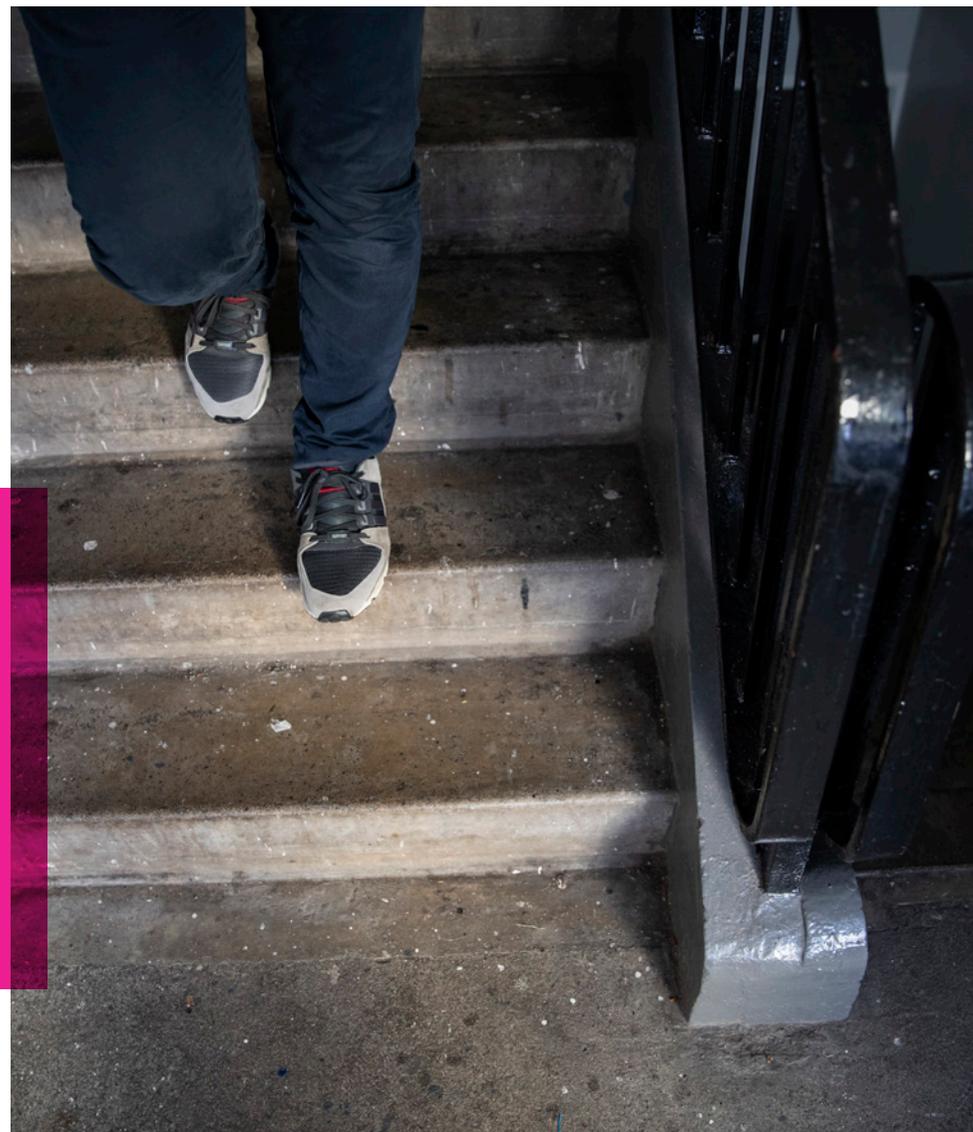
## Phase two: collaborative social justice in action

Serco's announcement on 12th June 2019 that it planned to resume lock change evictions elicited a rapid crisis response from the coalition. While the Ali case was had been refused by the Outer House of the Court of Session in April 2019, the legal issues at stake were still under appeal to the Court's Inner House. The strategies outlined below were still therefore underpinned by the fundamental principle that Serco should not enact lock change evictions before the law had been clarified by Scotland's Courts – in this instance, until a final judgment had been reached in the Ali and Saeedi cases.

At this time, a wider group of people and organisations became involved, most notably grassroots campaigning organisations such as Living Rent, the Tenant's Union; and the Glasgow No Evictions Campaign. Many of these groups had been active outside the coalition during the time period covered by phase one, providing advice and support to affected people and organising direct action to protest the lock change evictions.

As the need for a coordinated legal strategy became more acute in this period, there was agreement to constitute two separate groups: a legal group and a campaigns group. Larger coalition partners – JustRight Scotland, Shelter Scotland and Scottish Refugee Council – took the role of chairing these groups, maintaining communications between them and coordinating the development of joint strategies. An online forum, accessible by operational, policy and management staff from all partners, enabled discussion and updates to be rapidly circulated outside regular face to face meetings.

***“The strategies were underpinned by the fundamental principle that Serco should not enact lock change evictions before the law had been clarified by Scotland's Courts.”***



## Legal strategy

In rolling out their lock change programme Serco advised they were going to be serving up to thirty Lock Change Notices – giving people seven days’ notice of a lock change - per week. The lawyers in the coalition agreed to ensure that everyone presenting with such a notice would be offered legal advice and representation. This meant that for each person, and before the Notice expired, lawyers had to:

- arrange interpreters and squeeze in urgent appointments;
- persuade the Scottish Legal Aid Board to fund the case;
- obtain as much supplementary information from support workers and immigration lawyers as possible; and
- draft court pleadings for interim orders before sending these off to seek a hearing from the court.

Serco publically advised they would provide at least twenty-one days’ notice before a lock change would be carried out.<sup>10</sup> However, in mid-August this was reduced to fourteen days’ notice,<sup>11</sup> and the number of notices issued each week increased substantially. These changes were announced despite Serco having agreed a standard evictions process in February 2019 with local stakeholders.<sup>12</sup>

As a result, there was an increase in the number of interim interdict hearings which in turn increased the time that solicitors had to spend in court. Most importantly, this meant that there were occasions where a hearing was not fixed until after the lock change notice expired. Even when Serco were made aware that an application for Interim Interdict was with the Court, they refused to provide an undertaking that no lock-change eviction would take place. This put people at risk of a lock change eviction without any chance to have a court determine their legal rights.



***“The lawyers agreed to ensure that everyone presenting with a Notice would be offered legal advice and representation.”***

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10. In effect, a fourteen-day Notice to Quit followed by a seven-day Lock Change Notice.

11. As above, this translated into a seven-day Notice to Quit, followed by a seven-day Lock Change Notice.

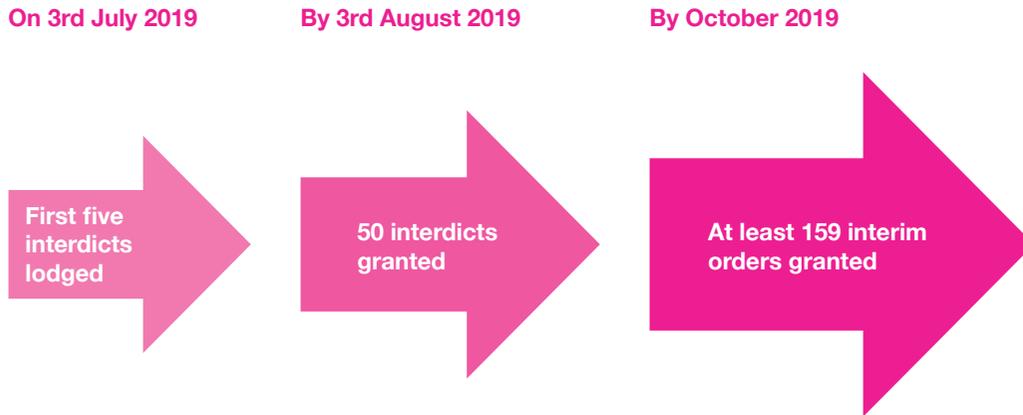
12. <https://glasgow.gov.uk/CHttpHandler.ashx?id=44501&p=0>

Moreover, in almost every case, Serco instructed its lawyers and engaged advocates to oppose the applications for the emergency protection measures. This resulted in lengthy court hearings, contrary to normal practice where interim interdicts are considered.

***“Serco were opposing them all... bearing in mind that all we were doing was saying you can’t change lock as all you need to do is to get court order... they were making sure that we continued to work really hard...”*** (Legal Agency)

Nonetheless, in the vast majority of cases, the Court granted interim interdicts that put a halt to planned evictions whilst waiting for the law to be clarified by the pending judgments in the Court of Session. Every person interviewed as part of this evaluation process agreed that these interdicts were a central element of the coalition’s work.

**Figure 3: Timeline of Interim Interdicts lodged at Glasgow Sheriff Court by Legal Services Agency, Shelter Scotland, Latta & Co.**



In the meantime, as Serco’s contract ended, and before the decision in Ali was handed down, Serco began to raise the very same eviction actions they had refused to consider during the previous twelve months.



***“Interdicts were a central element of the coalition’s work.”***

### Operational strategy<sup>13</sup>

Frontline workers from coalition partners offering direct services to people seeking asylum attended a meeting in early July, to agree a common approach to the crisis. This ensured that every person seeking assistance was given consistent information and advice regardless of which organisation they approached. To avoid duplication of work, where it became apparent that a person was already receiving assistance from another partner agency, they were referred back to that organisation who then acted as the focal point for future work.

In addition to acting as a conduit for information between refugees facing eviction and their housing lawyers in order to support the interim interdict cases, caseworkers and advisers ensured that for each person presenting with a lock change notice or a Notice to Quit, a number of avenues were explored. These included:

- Empowering each person with an understanding of their individual situation and the options open to them;
- Linking that person back to their housing lawyer;
- Ensuring that each person was actively pursuing their asylum claim in any way possible;
- Preparing and submitting new applications for asylum support;
- Where appropriate, enabling them through provision of travel assistance, to lodge fresh evidence with the Home Office;
- Directly supporting people if and when Serco representatives visited them at home.

The Refugee Survival Trust Board took a decision at this stage to offer destitution payments to any person who was at risk of eviction in this period. These funds provided a basic financial safety net that enabled people to focus on asylum and housing matters.

13. Statistics presented in this section were provided by British Red Cross and Scottish Refugee Council. The number of requests for assistance does not equate to individuals (as some people may have approached several agencies) but to the number of people who presented regarding lock change notices/ notices to quit dealt with by each agency.

***“Every person seeking assistance was given consistent information and advice regardless of which organisation they approached.”***



## Zeinab's Story

Where, as in Zeinab's case below, a person clearly had needs above and beyond destitution, for example poor mental or physical health, frontline advisers from all agencies liaised with relevant external organisations, most prominently health and social work, to try to obtain the support that they needed while efforts were made to prevent immediate eviction. The response of statutory agencies to such requests was, to say the least, variable; and will be one focus of the coalition's ongoing work.

Zeinab is a single woman who had been living in destitution for a significant period when she came to Scottish Refugee Council after being hospitalised for injuries suffered due to domestic violence.

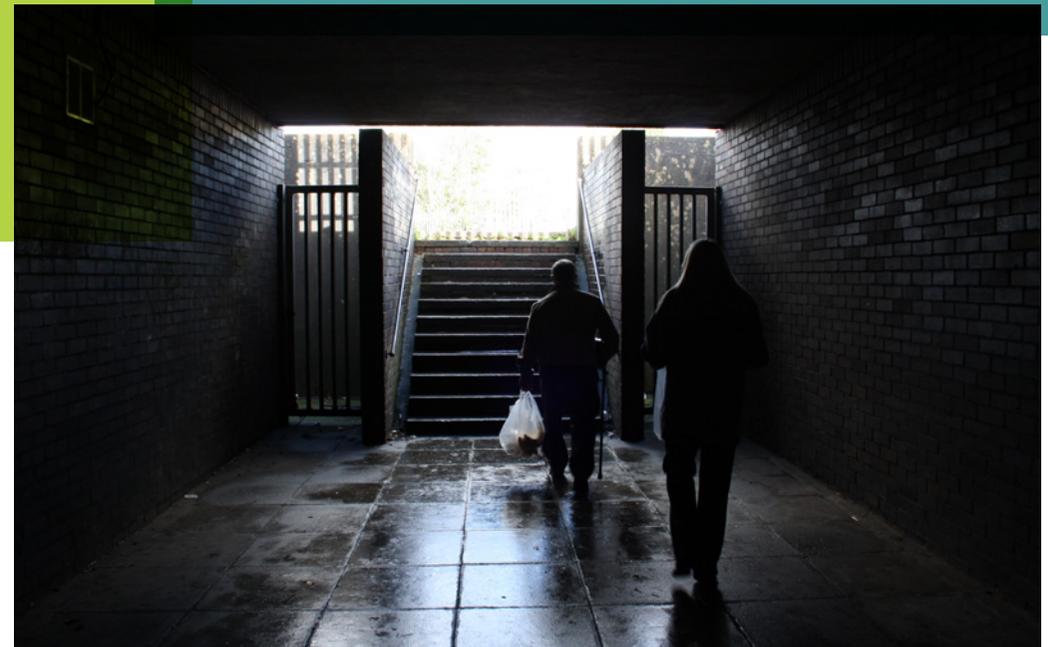
Zeinab's immigration solicitor reported that he was helping her to gather new evidence for her asylum case, however this was going to be a lengthy process.

Due to her poor mental health, Zeinab was referred back to her GP as well as to the Lifelink suicide prevention service and a specialist mental health team. An AP1 referral for adults with safeguarding concerns was sent to Glasgow City Council's Social Work department, however Zeinab's needs were not assessed to be above and beyond destitution and she was deemed ineligible for statutory support.

When Zeinab received a Notice to Quit notice from Serco, her Scottish Refugee Council adviser booked an appointment for her with a housing solicitor who managed to obtain an interim interdict and so stop her eviction. Soon after that, Zeinab's immigration lawyer advised that her new evidence was ready for submission. Refugee Survival Trust funds enabled her to travel to Liverpool to lodge these with the Home Office. Her adviser then helped her to apply for Section 4 support, which was subsequently approved before an eviction was carried out

## Operations in brief

Number of requests for assistance:	165
Number of section 4 support applications completed:	68
Number of people back onto asylum support:	36
Number of people granted leave to remain:	10
Destitution payments made: 123 grants =	£8,856



## Campaigns and media strategy

As in phase one, the coalition used existing relationships with journalists to raise the profile of the issue. The involvement of groups such as Living Rent, with their experience of direct action enabled the coalition to engage more with public protests and demonstrations of solidarity, something that interviewees reflected on positively with regards keeping the situation in the public eye:

***“[A] really strong partner was No Evictions, them doing the leg work, mobilising supporters, organising demos [...] they could mobilise really quickly and those kind of public direct actions are great for media coverage ...”***

(Voluntary sector agency)

A number of direct actions took place over the period, including a public demonstration in the centre of Glasgow, protests outside the City Council’s headquarters and assemblies outside the Court of Session when decisions were due on cases. Through ongoing online communications, coalition partners were all able to discuss and agree the public messages that accompanied these actions; to play a role in organising and facilitating them; and to participate directly in them.

As in phase one, this work was highlighted and consolidated through political and parliamentary awareness-raising. This involved briefing key politicians and opposition leads in the UK parliament, as well as Scottish Ministers, the Scottish Parliament and Glasgow City Council. This resulted in some clear, political support, especially from lead politicians at Westminster and Holyrood. For example, a consistently supportive opposition MP laid a Private Members Bill to raise the need for legislation to fill the vacuum of protections against summary evictions in asylum housing.<sup>14</sup>

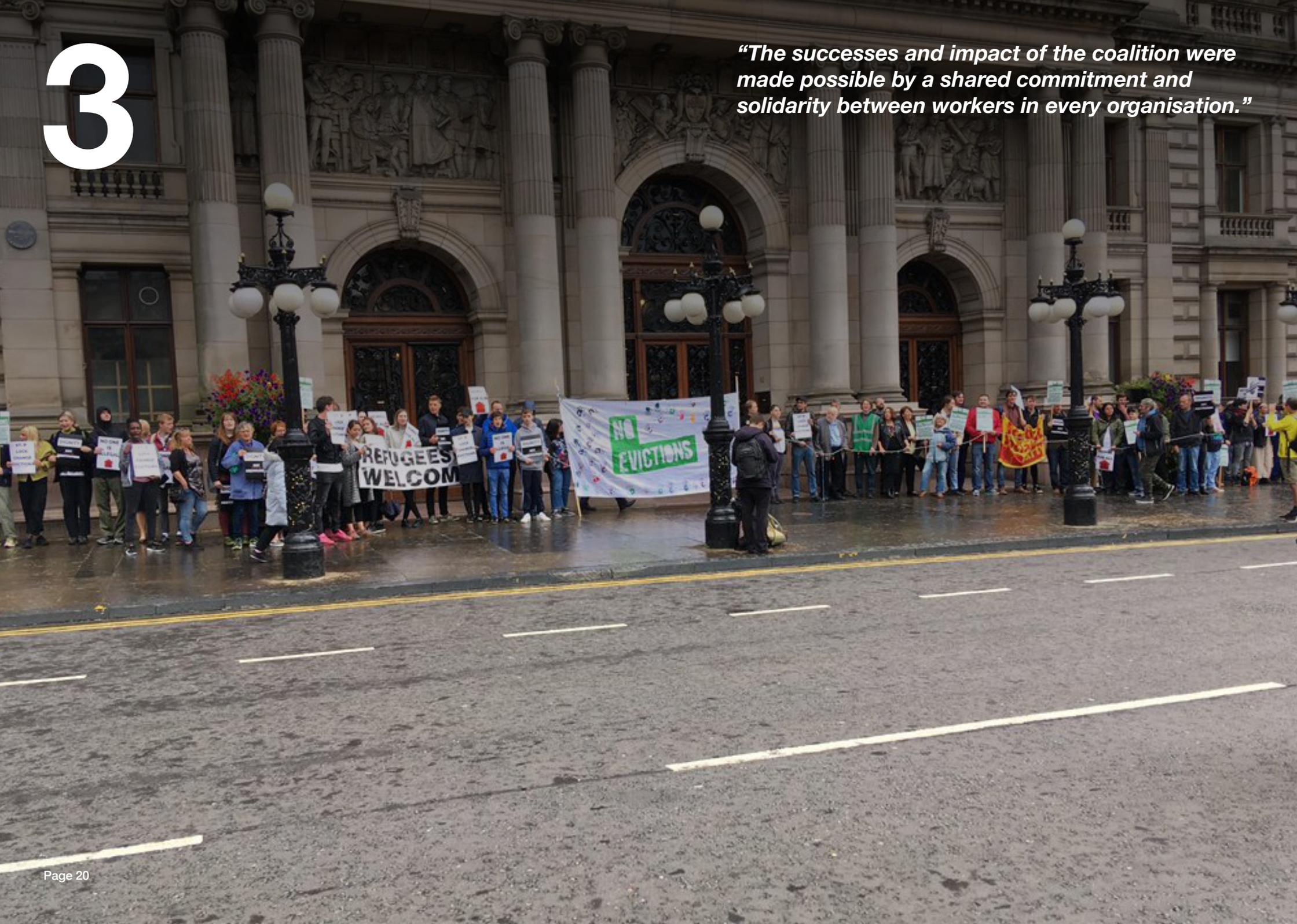


***“(A) really strong partner was No Evictions, them doing the leg work, mobilising supporters, organising demos...”***

14. <https://services.parliament.uk/Bills/2017-19/asylumseekersaccommodationevictionprocedures.html>

# 3

*“The successes and impact of the coalition were made possible by a shared commitment and solidarity between workers in every organisation.”*



# 3—Impact

Here we explore, drawing primarily on the words of our interviewees, the impact that the coalition has had, at individual, organisational and societal level. While we do not focus on resources in this section, we note that the successes and impact of the coalition were made possible by a shared commitment and solidarity between workers in every organisation. This drove the personal and professional efforts required to absorb this work into already significant workloads.

## Individuals

The impact of the coalition’s work upon individuals emerged strongly as the greatest motivating factor behind every organisation’s continued engagement with the partnership. As one lawyer explained:

***“We have saved a lot of people from a street homelessness and even though there have been a lot of challenges, we can’t forget that we have saved people from immediately being put on streets with no right to work, no income, nothing...”***

(Legal Agency)

Another interviewee reflected on a less concrete, but nonetheless positive impact of the work in terms of providing reassurance and solidarity at a time of crisis:

***“there’s a lot of reassurance people felt from having legal advice and having someone represent them in this part of their lives”*** (Voluntary Sector Agency)

For some people who have benefited from the advice offered by coalition partners, this has offered not just temporary respite from homelessness but a far more durable solution. Hamid’s case, outlined below, is one of ten whereby a person who had been living in destitution was able, through engagement with the coalition partners, to resolve their asylum case and finally be recognised as a refugee<sup>15</sup>.

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15. Ten may be an underestimate as this figure refers only to cases recorded by one or more of the coalition partners as having resulted in a grant of leave to remain.



***“We have saved a lot of people from street homelessness and even though there have been a lot of challenges, we can’t forget that we have saved people from immediately being put on streets with no right to work, no income, nothing...”***

A critical element in this type of success, as in Zeinab's story above, is time. The respite offered by an interim interdict that prevented immediate eviction enabled many people to explore their support options, engage fruitfully with their immigration lawyers and either get back onto asylum support, or, as in Hamid's situation, be recognised as refugees.

While these are positive successes for the individual and the coalition, Hamid's story nonetheless reminds us of the deep structural problems within the current asylum system

### Hamid's story

When Serco began issuing lock change notices, Hamid was destitute and had been at threat of eviction for a period of nearly two years. He has significant mental health issues including suicidal ideation.

Hamid was already connected with a caseworker at the Asylum Seeker Housing Project (ASH). When he was served with a lock change eviction notice, he sent a photo of the notice to ASH, who immediately passed this on to his housing solicitor, whom he had met during a legal surgery at Scottish Refugee Council. His housing solicitor then secured an Interim Interdict from the Sheriff's Court, preventing the lock change being enacted.

Despite an interim interdict being granted, Serco frequently attempted to move Hamid to a new flat. ASH quickly passed on Serco's actions to his housing lawyer, who issued rebuttals to Serco and their lawyers. Together, the coalition partners were able to push back against Serco's attempts to manipulate a person's isolation, vulnerability and disenfranchisement; and so to keep Hamid in his home.

This in turn gave Hamid the time he needed submit fresh evidence in his asylum case. As a result, Hamid went on to be recognised as a refugee and now has leave to remain in the UK.



## Organisations

Professionals from every organisation within the coalition felt that they and their colleagues benefited immensely from working in partnership. At one level, interviewees related this to the coalition having allowed them access to new banks of expertise that enabled them to improve their own understanding of the various systems and processes at play in people's lives. This was particularly the case as regards the collaboration between lawyers and non-legal professionals:

***“... lawyers get an understanding of what the issues are from those working directly with client group and on the other side, frontline organisations and advisers are getting the legal updates so it's mutually beneficial...”*** (Legal Agency)

Lawyers too appreciated the opportunity to discuss and run common legal arguments, something that several perceived as being unusual if not exceptional within the legal sector due to an institutional culture that often prioritises individual rather than collaborative working:

***“That collaboration between lawyers is pretty much completely unique, I've never seen anything like that in legal context ... it's been an immensely successful and useful way of doing things...”*** (Legal Agency)

Caseworkers within voluntary sector organisations spoke enthusiastically of the opportunities they have had through the coalition to meet with and discuss casework strategies with their peers, although most would have liked these to be even more frequent. Linked to this were several comments around the ways in which the coalition had allowed these same organisations to overcome previous divisions.

***“this kind of collaborative approach has been good for the culture of the sector – the idea that we can all work together and do all work together pretty effectively given different cultures of working and priorities and inequities of funding”*** (Voluntary Sector Agency)

As noted above, the involvement of grassroots and activist organisations in the coalition has brought new expertise in direct action and complemented existing influencing strategies such as engagement with policy makers through official forums and channels.



***“That collaboration between lawyers is pretty much completely unique, I've never seen anything like that in a legal context... it's been an immensely successful and useful way of doing things...”***

## Phase two: collaborative social justice in action

### Individuals

- People threatened with eviction were able to understand and exercise their housing and human rights.
- The process of obtaining interim interdicts prevented street homelessness and allowed some people the time they needed to pursue new avenues in their immigration cases.
- As a result, at least 10 people were recognised as refugees; at least 36 others got back into the asylum support system and are no longer threatened with imminent eviction.

### Organisations

- Organisations and the people working within them learnt from others with complementary skills and specialisms.
- Lawyers worked together to develop and run common arguments, strengthening their ability to win cases in court.
- Lawyers and non-legal professionals developed close working relationships to the benefit of the people they were assisting.
- Voluntary sector and grassroots agencies agreed a common approach that avoided duplication of work and brought larger organisations into closer touch with local communities.

### Public awareness

- The decision to frame the work around housing rights led to broader and more vocal public support.
- Direct actions and the involvement of grassroots campaigning organisations were central to keeping the issue in the public eye.
- Other professionals such as advocates and personnel working in the Sheriff Court; and policy makers in local and national government became aware of the situation faced by people seeking asylum.
- The coalition's credibility, and the ongoing need for its work, has now been recognised by the Scottish Government's agreement to fund a humanitarian project.

# 4

*“The commitment, energy and passion of the people involved in this work was evident in every evaluation interview, and is demonstrated by the volume of work achieved in a short time period.”*

# 4—Reflecting on challenges

While the views expressed in interviews were overwhelming positive, interviewees were asked to reflect on the challenges of the work. We explore some of these below, whilst recognising that many have now been addressed through discussions and agreement amongst partners.

## Resources

The commitment, energy and passion of the people involved in this work was evident in every evaluation interview, and is demonstrated by the volume of work achieved over a short time period, with much of the coalition's work, including almost every coalition meeting taking place outside normal working hours. As one partner explained:

***“Both for coalition and for our organisation, we have tried to resource this as much as possible but ultimately we only have two solicitors with expertise in housing so it has been very onerous in that respect ... it has led to a lot of late nights, more late nights than normal nights ...”*** (Legal Agency)

Another legal partner concurred, highlighting the increased workload she and colleagues had experienced. Equally though, in her interview she stressed the fact that lawyers and all other coalition partners nonetheless persevered in the pursuit of their common goals:

***“at one point it was standing room only in our waiting area for people try to get advice, it did put a huge strain on our organisation just in terms of begin able to manage new files, we’ve all got existing caseloads as well – but you do what you’ve got to do at the end of the day...”*** (Legal Agency)

One interviewee referenced a decision by Scottish Government in 2018 to disburse some funding in response to the situation, but seemingly without regard for the level of involvement at the frontline of smaller, less well-known organisations. This, in her view, had cemented rather than mitigated existing funding inequalities that in some cases took resources away from the people who were most involved with individual refugees.

## Developing a proactive approach

There was a sense that the coalition to date, and partly for the resource reasons referenced above, had been largely reactive rather than proactive. One interviewee spoke of her sense that meetings were forums for discussion rather than action, although it is important to note that other interviewees felt that it was precisely those opportunities for discussion that had cemented the practical work of the coalition. Several interviewees indicated that for the future, they would hope that the coalition would be resourced in a way that would enable a model more akin to early intervention rather than solely crisis response.

Some time and resources were spent on developing responses that did not come to fruition. As part of the campaign strategy, all partners contributed to detailed plans for a dedicated advice phonenumber staffed by volunteers. This was designed to widen access to good quality advice around evictions and lessen the load on some of the smaller organisations. However, these plans were superseded by developments in the law through the court actions, which fundamentally altered the advice that would need to be given. Similarly, plans to train and support volunteers as observers who could sit with people facing eviction in their homes to observe the evictions process were not finally implemented by the coalition for a range of issues around defining the role and safety of volunteers. There was some frustration that these campaign initiatives had been shelved.

## Working together

It was widely acknowledged that bringing together such a range of organisations with different working styles, skills and cultures had been at times logistically difficult, with several references made to ‘heated discussions’ in the course of the work. During some earlier stages, some interviewees spoke of the fact that it required concerted effort to channel the enthusiasm and passion of coalition partners into a deliberate and focused strategic approach. However, the overall picture is one of a collaboration where those discussions made the work stronger rather than weakened people’s resolve. We explore in the section below how exactly this strong collaborative model emerged, drawing from it lessons for this coalition and other such movements in future.

# 5

*“(It was) something clear for us all to get behind”*



## 5— Building a model of collaborative social justice

As noted above, every interviewee mentioned the benefits to them and their organisations of having worked closely together as members of the coalition, sometimes with organisations and partners with whom they had not previously shared strong links. Several elements made this collaboration both possible and productive.

### Shared aims

The coalition coalesced around a strong commitment to preventing a potential humanitarian crisis on the streets of Glasgow and the importance of standing in solidarity with people threatened with eviction. The extremity of the situation, and awareness of its potential human impact provided an impetus to the collaboration from the outset. Over time the coalition's principal goal was ever more clearly defined as being about upholding people's housing rights, with this clarity of purpose identified as having been of critical importance by interviewees:

*“[it was] something clear for us all to get behind”* (Grassroots Agency).

Crucially though, as the campaign's policy focus developed, partners were able to stand back from some positions, enabling flexibility within the coalition for individual organisations as to whether to actively endorse certain public messages, provided that there was ongoing commitment to the campaign's core aims and ethos.



*“Over time the coalition's principal goal was ever more clearly defined as being about upholding people's housing rights”*

## Equality of representation

While the size and associated access to funding and resources of the different coalition partners varied widely, there was a strong sense from all interviewees that there had nonetheless been a broad equity of representation within coalition meetings. This enabled everybody's own expertise to be recognised, valued and harnessed for the good of the work. This was not only at intra-agency level, but also as regards enabling frontline workers to participate and bring their expertise to discussions:

***“people get brought to meetings who might not otherwise be there - you can have a caseworker communicating with the head of large third sector organisation and lawyers, those kinds of conversations don't happen that often”***  
(Grassroots Agency)

Indeed, for many of the people who took part in the evaluation process, the coalition represents an innovative and welcome approach whereby the impetus for the work emerged from frontline and grassroots work, rather than being decided from upper levels of management.

## Trust and respect

Fundamental to the collaborative approach embodied by the coalition were principles of trust and respect amongst partners. Whilst these took some time to build, it was clear that partners felt able to express their views, debate issues and critique working practices. This created an environment in which agencies felt respected and able to share expertise whilst learning from others.

***“over time, we developed a healthy, transparent open way of talking about issues [...] that enabled us to have agreement that we were a coalition but didn't need to be united privately and publicly in absolutely everything”***  
(Voluntary Sector Agency)

Indeed, any disagreements that were aired appeared to ultimately strengthen rather than undermine the approach.

As regards the social justice ambitions embodied by the coalition, interviewees' responses brought out two principal themes: the coalition's role in imposing accountability and oversight on Serco and the Home Office; and the many instances in which it had upheld individual human rights.

## Accountability and oversight – bringing truth to power

The essence of the coalition's work, and a testament to its impact, is that by “banding together as a sector”, the organisations involved have been able to challenge the policies and practices both of government and of a large private sector company, despite the latter's ability to mobilise significant financial resources. Thus, the coalition agencies overcame the inherent inequality of arms before the law that would otherwise have prevented individual firms from taking effective legal action:

***“we were soon aware that Serco had a big legal firm engaged, and in terms of what they were able to access, no individual firm or law centre could have matched that, we got close to matching it because we pulled together ...”***  
(Voluntary Sector Agency)

That this legal action had an impact, regardless of ultimate case outcomes, is best exemplified through Serco's decision in August 2018 to halt lock change evictions, a decision that lasted for almost one full year. The profile of this work was such that the lawyers involved were granted the Judges Award in the Herald Law Awards of Scotland 2019 in recognition of their contribution to social justice.

The media and campaigning work of the coalition bolstered the legal moves to bring accountability to an otherwise opaque and largely hidden process by inviting and sustaining a public gaze on the actions both of Serco and the Home Office:

***“A key part of my involvement was to raise the issue publicly and through mainstream media and to sustain the media's interest in this issue so that it couldn't happen without a public eye on them [Serco], I wanted it to be happening in full sight and for everyone to be aware of it.”***  
(Voluntary sector agency)

Direct actions such as a call for a boycott of the Serco-run Caledonian Sleeper service reinforced the message that Serco were not going to use their financial might to undermine people's rights without a challenge.

### Enabling people to exercise their rights

While the coalition's campaigning and legal work exposed much that is inhumane in the current asylum accommodation system, the second aspect in which it enacted social justice was at individual level, in enabling people to understand and invoke their rights, in a context where, as one interviewee explained:

***“people are isolated and don't know their rights, and if they do know them, don't feel they can access them”*** (Grassroots Agency)

This had two positive impacts. Firstly, it provided a clarion call to partner agencies in terms of creating a sense of solidarity around a common commitment; second, human rights enabled the discourse around the lock changes to move beyond asylum, highlighting its importance as a question of access to justice and people's ability, regardless of their socio-economic circumstances, to invoke the protections offered by human rights law:

***“lock changes just really smacked of human rights violations ... if this goes ahead it will be seriously damaging when we otherwise have a progressive system in Scotland and a discourse of making things better.”*** (Legal Agency)

This would seem to go to the heart of the potential for the coalition to continue its efforts to bring about systemic change to the benefit of Scottish society.



***“Lock changes just really smacked of human rights violations... if this goes ahead it will be seriously damaging when we otherwise have a progressive system in Scotland and a discourse of making things better.”***

The report was commissioned by Scottish Refugee Council, JustRight Scotland and Shelter Scotland on behalf of the coalition and written by independent researcher Helen Baillot.

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#StopLockChangeEvictions campaign partners and supporters



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