



Lewisham (London)

How to challenge discriminatory authorities

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1. Abstract & Takeaways

Key Takeaways:

1

The Council of the borough has expanded the meaning of sanctuary in the UK to address issues affecting migrants of all kinds, not only asylum seekers and refugees.

2

Migrants participated in designing what a Sanctuary Borough should look like. This allowed them to take back their political agency, and be recognised as experts in the field of migration policy.

What is unique about the city?

Collaboration with local residents and organisations: Lewisham was the first local authority in London to commit to becoming a 'Borough of Sanctuary' in 2018, and has developed strong collaborative relationships with civil society since then. In working directly with the communities affected by the 'hostile environment' (see Country Profile) policies, the Council of the borough has enacted change to longstanding issues in a relatively short space of time, and expanded the meaning of sanctuary politics in the UK to include migrants of all kinds. Lewisham offers up an example of how local authorities can effectively respond to issues identified by migrant communities themselves.

What is the focus of local migration policies?

What are the key factors?

Opposing national hostile environment policies: Lewisham's story is one where the borough's Council has responded positively to the activism, campaigns, and demands of local residents. As a result, the local authority can be seen as resisting national 'hostile environment' migration policies, achieving a number of small successes that improve migrant living conditions. Their approach is especially progressive because migrants have been directly involved in building sanctuary and shaping policy and procedural changes.

What are the most outstanding results so far?

Changes to the Council's Social Care (NRPF) Teams: Until recently, Lewisham Council was known for aggressively deterring migrant families with 'No Recourse to Public Funds' (NRPF) from accessing their rights to care, housing and financial support. However, the city council responded effectively to a campaign led by a group of migrant parents. They

have conducted an independent review of their NRPF team, and now provide free legal advice to unregularised migrants and to those affected by NRPF. The Council has also received case assessment training from migrants themselves, recognising those with lived experience as experts in the field of migration policy.

Political activities and advocacy beyond the city level?

Lewisham has helped pioneer an expansive notion of 'Sanctuary' that advocates for the rights of all migrants. This broad remit is a significant contribution to the national sanctuary movement, which currently only focuses on asylum seekers and refugees. Lewisham's approach more accurately captures the social complexity of large cities, where local migrants hold a range of precarious immigration statuses.



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South East England, London Borough

Bürgermeister:in

Damien Egan (Labour Party)

2. Local background and context

Lewisham is an important case in terms of advancing the remit of sanctuary in the UK. In a relatively short space of time, civil society organisations have mobilised the discourse of 'sanctuary' to enact change on longstanding local issues affecting migrants of all kinds. In the process of doing so, the Lewisham Borough of Sanctuary initiative has successfully addressed the social rights, intercultural and political inclusion, and the institutionalised discrimination of people with precarious immigration status.

Lewisham is located in London, a city where up to a third of the nine million inhabitants are foreign nationals. This diversity is, generally, something that is celebrated by those who live there, especially in Lewisham, **which has a strong history of civil society standing up to discrimination towards migrant communities.** However, there remains a significant number of people living with precarious immigration status across the city, especially in Lewisham. This contributes significantly to the **high levels of child poverty and unemployment that characterise much of**

the borough. In 2018, the newly elected Lewisham Council administration began to address this tension by pledging to become a ‘Borough of Sanctuary’ in its **Corporate Strategy 2018-2022**. Lewisham is notable here because the Council pledged to become a Borough of Sanctuary before a grassroots movement had begun. This set fertile ground for civil society and third-sector organisations in the borough to work collaboratively with the Council through this sanctuary framework.

Gaining momentum: The Sanctuary Campaign

The Lewisham Borough of Sanctuary movement gained real momentum when the **Lewisham Refugee and Migration Network (LRMN)** – a centre that has been offering immigration and welfare advice for over twenty years - engaged other civil society actors through its Sanctuary Campaign. With paid staff working on the campaign, LRMN were able to dedicate the resources needed to properly establish the movement, where other initiatives in London had struggled. On 19 June 2019, over seventy third-sector organisations, businesses, institutions, and residents came together with the Council to pledge their support for Lewisham to become London’s first Borough of Sanctuary. Since then, different groups have mobilised the Council’s sanctuary pledge to develop pre-existing welcoming practices and effect change on longstanding issues.

Solidarity over Charity

Lewisham’s local migration and inclusion policies stand as an important contribution to sanctuary politics in the UK. This is reflected in the partnerships that have been developed between the Council and well-established civil society organisations within the borough, and the implications this has had on migrants’ differentiated access to social rights. It is also evident in the promotion of the political participation of migrants of all kinds, both within the movement itself and in designing local solutions to the national hostile environment policy. This offers a valuable model for other groups to follow.

“I think what has really been lacking in the City of Sanctuary, and the migrant sector more broadly, is that people just don’t trust or believe that refugees and migrants are capable of leading their own change. People see them as a problem to solve or a crisis to tackle, rather than people to build power and solidarity with.”

Interview with Migrant Support Worker in Lewisham

Interview with Migrant Support Worker in Lewisham

Indeed, a significant criticism of City of Sanctuary UK, is that many of the city-based initiatives (and the network itself) are almost always established and run by those who are neither seeking asylum nor hold irregular status. Lewisham Borough of Sanctuary has developed a participatory approach from the start, through its Listening Campaign, as well as the Lewisham Migration Forum.

The Listening Campaign was designed by the Lewisham Refugee and Migrant Network (LRMN), based on the community organising strategies of Citizens UK – a Europe-wide, membership-based network that builds community capacity among third-sector, voluntary, and grassroots groups. The aim of the exercise was to facilitate conversations with local migrant residents about what a sanctuary borough would look like from their perspective, and inform the council about the specific issues affecting them.

Lewisham Migration Forum provides a space for communities, businesses, charities, universities, the Council, health providers, and local migrant residents to discuss issues, share resources and improve migration and inclusion policies in the borough. It has been a critical platform over the past two years for pre-existing groups to engage with the Council and hold them to account on a variety of different issues, such as the **medical charging of undocumented migrants** in Lewisham Hospital (see Chapter 3.2), and, more recently, access to social rights of asylum seekers (see Chapter 3.3).

How to challenge hostile environment policies from below

These are progressive models for developing inclusive ways to include migrants and refugees in the processes of creating sanctuary, and to challenge state policies that isolate these groups and take away their political agency. The political participation of migrants has also been successfully promoted in the “No Recourse to Public Funds” (NRPF) campaign (see Chapter 3.1). Over the course of this campaign, the Council has gone from being a pioneer of notoriously harsh gatekeeping practices to the first local authority to conduct an independent review of its NRPF team. The team got trained by migrant families themselves.

Another example of how Lewisham Borough of Sanctuary is challenging the central government’s hostile environment policies at a local level, is through the way it has used the Borough of Sanctuary status to lobby the Council to resettle families and children through the Vulnerable Persons Resettlement Scheme (VPRS).

“In Lewisham, all these organisations and local structures to support migrants were already in place. But the Borough of Sanctuary movement was kind of a good way to pull everyone together to campaign and basically lobby the council.”

Interview with Lewisham Refugee and Migration Network

Initially, the Lewisham Council was hesitant to commit to the scheme. Once again, civil society responded and put pressure on them. A group of volunteers established Lewisham Refugee Welcome, and subsequently found a house to rent for a resettled refugee family to live in. Having drummed up local support, they marched to council offices to ceremoniously deliver the house key to the Mayor of Lewisham, leaving

the Council little option but to accept families through the VRPS. Since then, the Council has hired a VPRS project manager, and there are now more refugee families and children resettled in Lewisham through the VPRS scheme than in any other borough. The volunteers continue to play an important role too, pairing every refugee that is resettled in Lewisham with a local person to help welcome them into the neighbourhood.

List of local initiatives working together with the administration:

- ◆ Lewisham Citizens
- ◆ Lewisham Refugee and Migrant Network
- ◆ Lewisham Refugee Welcome
- ◆ AFRIL
- ◆ Project 17
- ◆ Immigration Action Group

3. Selected local approaches

3.1 Migrant-led challenges to the Hostile Environment

Lewisham Borough of Sanctuary has been effective at challenging the Council's culture of distrust and racism towards migrant families attempting to access social care. The Council has gone from pioneering notoriously harsh gatekeeping practices, to becoming the first local authority to conduct an independent review of its 'No Recourse to Public Funds' (NRPF) team, which was trained by migrant families themselves.

A joint campaign of local activist networks successfully challenged Lewisham Council's discriminatory practices. Since then, the Council has removed Home Office personnel from social care services, conducted an independent review of the NRPF team, and commissioned specialist immigration advice for destitute migrants seeking care. Most significantly, as part of its sanctuary borough status, the Council agreed to undertake training designed and provided by the parents of migrant families themselves:

“It was the most exciting thing in the world, because it's an actual shift in power, rather than being powerless to the Council, the parents actually have power. It's given them a taste of what campaigning means, which has led them to challenge other aspects of the hostile environment that are affecting them as local parents.”

Lewisham Council, like many local authorities across the country, became complicit in implementing the UK's 'hostile environment' following the **Immigration and Asylum Act 1999**. It introduced the 'No Recourse to Public Funds' condition to prevent people with temporary forms of leave from accessing any public benefit, such as housing and child benefits, or job-seekers' and disability living allowance.

However, in circumstances where children are (at risk of becoming) homeless or destitute, local authorities have a responsibility of care under Section 17 of the Children Act 1989, in the form of housing and financial support for parents irrespective of their immigration status. Crucially, Section 17 comes out of local authorities' own resources, rather than from central government. Consequently, the NRPF policy placed huge financial demands on local authorities, especially those with large migrant communities.

Initially, Lewisham Council developed aggressive strategies to reduce Section 17 expenditure. One of their key practices was to discredit migrants, rejecting a third of all applications as 'fraudulent'. They also threatened to take children into social care, as a strategy to discourage parents from engaging with them at all. In 2017, only 20% of applications received care from Lewisham Council. The same year, the Administrative Court found that Lewisham Council had acted unlawfully in respect of its NRPF procedures. The judge noted that, "Lewisham [Council] have fallen into a trap of considering that this is a battle between themselves and the claimants' mother" (VI, R (On the Application Of) vs. London Borough of Lewisham).

Pressure from below

Numerous civil society organisations in Lewisham, such as AFRIL, Project 17, and Lewisham Refugee and Migrant Network (LRMN) have long been campaigning against Lewisham Council's NRPF practices. However, a campaign led by the parents of children at **St Mary's Primary School** was particularly influential. Lewisham Citizens and **Coram Children's Legal Centre** supported the initiative, and provided training in community organising and free legal advice. The parents identified the issues they were facing as residents and members of the local community, and established the Immigration Action Group. Alongside migrant charging at hospitals (see Chapter 3.2), the impacts of NRPF stood out as a main challenge for them. In particular, many parents had extremely negative experiences engaging with Lewisham Council, especially when trying to access social care. One parent said:

"I'm not a praying person, but whenever I have to go to Lewisham Council to get support for my kids, I go to church, get down on my hands and knees, and pray that they treat me like a human and not like an animal."

These parents were determined that the Council receive training in how to engage with migrants and conduct NRPF assessments in empathetic and fair ways. They took action and ran a campaign, inviting Councillor Kevin Bonavia to the school to listen to their experiences with the Council and the impact it was having on their lives. The group also had the Lewisham Migration Forum (see Chapter 3) by which to hold the Council to account on practical issues.

Taking back political agency

The campaign was hugely effective, with Lewisham Council agreeing to receive training, designed by migrant families with NRPF. This allowed migrants to put forward their own solutions to the issues they are experiencing. In doing so, it offers a reminder to sanctuary initiatives across the country of the importance of centralising local refugees and migrants in the movement itself, allowing them to take back their political agency.

The Council's Response: Commissioning Specialist Immigration Advice

Following this campaign, Lewisham Council has also commissioned specialist immigration advice for Section 17 claimants in the borough. This project funds a full-time immigration solicitor and a part-time paralegal at a local law centre. In addition to assisting undocumented migrants to regularise their status, the project also makes applications to the Home Office to remove the NRPF condition on behalf of families with regularised status. As a result, there are fewer families in Lewisham receiving section 17 support, because they now have access to public funds. According to a recent report by the South London Refugee Association, in one year this project has saved Lewisham Council an estimated £384,000. Lewisham Council is now being used as a model to show other local authorities how providing free immigration advice can both support local migrants to access their rights and reduce authorities' Section 17 expenses.

3.2 Challenging Migrant Healthcare Charges

Lewisham Borough of Sanctuary has also supported undocumented migrants, who are subject to healthcare charging. Again, this has been important in challenging an aspect of the hostile environment that receives relatively little attention, in spite of its harmful, and at times fatal, implications

The problem: Inaccessible healthcare for undocumented migrants

The Immigration Act 2014 introduced National Health Service (NHS) charging regulations for undocumented migrants. This includes billing miscarriages or stillbirths as “complicated”, **charging women £12,000** –

double the regular fee. This has created huge debt among undocumented migrants, which can also have hugely adverse effects on future applications to remain in the UK.

Many national campaigns against migrant charging have sprung up to challenge this legislation, such as **Docs not Cops** and **Keep Our NHS Public**. There are also local hospital campaigns across London and the U.K., involving staff and patients. Lewisham has made a significant contribution to this movement, with regards to their campaign work against the malpractices of Lewisham and Greenwich NHS Trust (LGT).

LGT manages University College Hospital Lewisham, and was one of the first major trusts to start aggressively identifying and invoicing migrants deemed ineligible for free healthcare. One of their strategies was to **share patient data with a creditor agency**, without their consent, to help establish legal residence and therefore entitlement to free medical care. The Trust was also known for referring one of the highest numbers of migrant patients to debt collectors for unpaid charges.

These practices had an incredibly negative effect on Lewisham's undocumented population, **detering some people from seeking medical care** and forcing others to search for more welcoming hospitals across London. In response, numerous civil society organisations came together to challenge these practices, including Lewisham Refugee and Migrant Network (LRMN), Lewisham Citizens, and, most significantly, the **Save Lewisham Hospital Campaign (SLHC)**.

The campaign pressuring the local council

SLHC originally began in 2012, when they successfully prevented the government's planned closure of the hospital's maternity and paediatrics departments. Since then, the group has continued to campaign on other aspects of healthcare. In May 2019, they raised the unjust, and at times unlawful, ways the Trust was carrying out migrant charging. Again, the Lewisham Migration Forum provided an important platform with which to communicate these issues to the Council. Lewisham Migration Forum established a 'migrant charging' working group and the Council followed this up with a Council Meeting with the Trust. This was an excellent example of the Council responding quickly to community concerns.

As a result of this combined pressure, the Trust agreed to launch an Inquiry. An independent chair leads this inquiry and it includes third-sector organisations on the panel, such as LRMN. The Inquiry's goal is to investigate the Trust's overseas creditor checks and charging practices, and understand its effects on staff and patients. The outcome will be a public report that offers another way forward for the hospital, one that mitigates the effects of the migrant charging policy. Overall, the Inquiry is set to make an important contribution not only to Lewisham's status as a Sanctuary Borough, but also to the national movement against migrant charging, as it is the first time an NHS Trust in the UK has conducted an inquiry like this:

“Hospitals have never launched an inquiry with an independent chair that includes campaign and voluntary orgs and promises to publish the outcomes publicly. Normally this whole thing is hush hush and doesn’t condemn the actions outright.”

Interview with member of LMF Migrant Charging Working Group

“We hope the results of this inquiry will be used nationally and that it can be used to put pressure on the Government. We recognise that the Hospital’s charging policy stems from the Government’s ‘hostile environment’ towards migrants and that the Government is trying to use migrants as a scapegoat to cover up the enormous cuts of up to 30% which they have made in the NHS over the last 10 years.”

Interview with Save Lewisham Hospital Campaign

Moreover, the Immigration Action Group at St Mary’s Primary School (see Chapter 3.1), which is located directly opposite the hospital, have now also turned their attention to migrant charging. In a similar vein to their NRPF campaign, they are searching for practical changes the hospital can implement immediately, so that Lewisham residents do not need to travel across London to receive treatment. This project is still in the making, although St. Mary’s Primary School pupils, who are also involved in this initiative, have organised their own action. In December 2020, they sent Christmas cards to the Trust’s billing department, asking them not to charge their parents. St Mary’s School, which has been at the heart of much of Lewisham’s campaign work over the last two years, is now applying for sanctuary status.

3.3 Supporting Residents during the Coronavirus Pandemic

During the coronavirus pandemic, the Home Office began housing 200 asylum seekers in an ‘asylum hotel’ in Lewisham. Lewisham Refugee and Migrant Network (LRMN), Action For Refugees In Lewisham (AFRIL), and Greenwich Refugee Aid & Community Enterprise (GRACE) Aid, who work closely with asylum seekers in the area, were receiving reports of extremely poor living conditions, neglect, and a lack of information and access to key services in the local area.

The Problem:

Poor living conditions and a lack of information

These organisations formed a specific ‘asylum hotel’ Working Group of the Lewisham Migration Forum (LMF) and brought key concerns to the attention of the Council. The Working Group highlighted the importance of needs assessments to be carried out among the hotel’s residents, as

well as a multi-agency group to work together to address those needs. The Council was quick to respond, granting AFRIL permission to carry out needs assessments by phone. It was found that most residents had very little information about local help, such as migrant support centres, legal services, or healthcare. In particular, very few residents were properly registered with healthcare surgeries, even though Migrant Help, a nationwide charity the Home Office contracted to assist with their asylum accommodation, claimed to be helping residents to do this.

The response: improving access

In response, the working group requested Migrant Help and the Home Office to put up posters around the hotel with information about the many local support services available to asylum seekers in Lewisham, and also improved their induction pack to include this information. They also invited local surgeries and the NHS South East London Clinical Commissioning Group to a multi-agency meeting, putting further pressure on Migrant Help to fulfil their responsibilities towards hotel residents. The multi-agency group was able to address this relatively quickly, briefing Migrant Help on free healthcare and registration processes in the local area. This demonstrates the importance of councils integrating different service providers within their constituencies, so that relatively simple issues do not result in disproportionately negative outcomes for local residents. They suggested improving access to mobile phones, so that information on healthcare services was easier to find and more appropriate given the pandemic restrictions. Migrant Help and the private accommodation provider also agreed to this.

Food provision was another issue residents raised at the hotel. In addition to complaints about the lack of quality and variety, many parents found that the food was inappropriate for their children. It was often too spicy, and breakfasts were served after children had already left for school. Moreover, none of the children were receiving Free School Meals whilst at school, which meant that they were only eating once a day. This issue was again fed back to the Council via the Lewisham Migration Forum, as well as Migrant Help and the Home Office through the multi-agency group.

“Last year, we campaigned around Free School Meals, and the council agreed to use its own budget to provide meals to all children, regardless of immigration status. So basically, this was about making sure that the asylum hotel kids got this too.”

Interview with member of LMF Asylum Seekers Working Group

On parental request, there is now a more child-friendly menu, and the Council was reminded that it had committed to provide Free School Meals to all children in Lewisham, irrespective of their immigration status, as part of its Sanctuary pledge in 2019. Although there have been some issues communicating this to all schools, the successes around changing food provision at the hotel demonstrate the efficacy of the

working group format, as well as the importance of Sanctuary status as a means for third-sector organisations to hold the Council to account. The working group is also keeping note of all these issues on a shared database, to track the trends of service provision for asylum seekers in the borough.

4. Update: What is new in 2023?

- ◆ Lewisham celebrated World Refugee Day on 20 June 2023 by welcoming the 100th refugee family in the borough, demonstrating its commitment to a local welcoming policy based on solidarity. Lewisham Council has also committed to hosting 100 unaccompanied minor asylum seekers over the next ten years.¹
- ◆ The Lewisham Refugee and Migrant Network continues to be actively involved in the reception and inclusion of refugees and migrants. In 2021/22 they did a lot of advocacy work during the local elections to influence housing, health and asylum policies. Together with the district, the network wants to bring its campaigns onto the national agenda.²

¹ <https://lewisham.gov.uk/may-orandcouncil/community-support/refugees/borough-of-sanctuary>

² https://www.lrmn.org.uk/wp-content/uploads/2023/01/LRMN-Impact-Report-21_2022-www-final.pdf

The **Moving Cities** project provides an in-depth research of progressive cities in Europe, exploring their most inspiring and successful approaches to migration policies. Find more city reports at www.moving-cities.eu/en.

Read more about the project and how it is funded on the website: <https://moving-cities.eu/about>
