

Understanding the new immigration rules targeting non UK-national rough sleepers

What's new?

The government has announced changes to the Immigration Rules to make rough sleeping a ground for refusal or cancellation of permission to stay in the UK. The changes are due to come into force on December 1st 2020.

What do these changes mean?

Some non-UK nationals could have their visas cancelled if they sleep rough. If they are applying for a visa, their application could be refused on this basis.

Who will the new rules affect?

The rules may affect:

- people on work, visitor and student visas
- some victims of trafficking and modern slavery
- people with UK ancestry visas
- a number of other categories of migrant, including EU citizens who do not apply to the EU Settlement Scheme before June 30th 2021. They could also affect new arrivals from the EU after December 31st 2020.

The new rules will not apply to: most refugees and asylum seekers; anyone applying to remain in the UK on the basis of their private life under Article 8 ECHR within the Rules; family members applying for leave under Appendix FM; people with indefinite leave to remain; former members of the UK Armed Forces and their family members; and applicants to the EU Settlement Scheme.

How can I find out more?

This information sheet is neither comprehensive nor a substitute for legal advice.

If you or anyone you support is concerned about the new rules, please contact PILC at office@pilc.org.uk