

# Asylum Support Partnership

newsletter January 09



**Welcome to the Asylum Support Partnership Newsletter, your bi-monthly update on asylum support policy and practice changes.**

**For further updates please visit the following ASP websites:**

[www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk) , [www.refugee-action.org.uk](http://www.refugee-action.org.uk) , [www.welshrefugeecouncil.org](http://www.welshrefugeecouncil.org) ,  
[www.scottishrefugeecouncil.org.uk](http://www.scottishrefugeecouncil.org.uk) , [www.refugee.org.uk](http://www.refugee.org.uk)

## Government Policy, Reports and Changes in the Asylum System

### **New policy on judicial reviews that challenge removals**

A new policy on handling legal challenges to UKBA removing people from the UK came into effect on 30<sup>th</sup> January. This affects the cases of people who make another application for judicial review (JR) within three months of a judge refusing permission on a previous JR application, particularly where the first claim was found to be clearly without merit or where a case had been withdrawn or concluded. Under previous policy, UKBA automatically stop work on removing a person from the United Kingdom while the new application is going through the courts. From 30 January UKBA will no longer automatically suspend removal, particularly where the first claim has been found to be clearly without merit. It will only affect cases where the claimant has raised:

- the same or virtually identical grounds;
- grounds that could reasonably have been raised previously at the judicial review.

People affected by this policy will need to obtain an injunction to prevent removal taking place. The revised policy aims to "deter claims that are designed simply to disrupt the removal process and ensure claimants do not log a weak claim."

<http://www.ind.homeoffice.gov.uk/sitecontent/newsarticles/policychangeonjudicialreviews>

### **Update on UKBA Criminal Casework Directorate**

UKBA started a regional pilot in the Midlands and East of England Region on September 1<sup>st</sup> '08 to deal with non-detained criminal cases. The aim was to help UKBA remove more quickly foreign national prisoners who are released on bail, to prevent absconding, to reduce the risk of re-offending, to trace those who do abscond and to effectively deal with those who commit further offences. During the pilot, regional caseworkers dealt primarily with those who had already been served deportation orders served and their address was known. For more information please contact the Criminal Casework Team at UKBA, Tel: 0208-196-0930

### **New Refugee Integration and Resettlement Strategy**

UKBA plan to publish a new refugee strategy in February 2009. The strategy will focus on the government's commitment to integrate and resettle refugees. UKBA are developing the document in partnership with the British Refugee Council who are coordinating input from the voluntary sector. For more information contact Adam Whisker [Adam.Whisker@homeoffice.gsi.gov.uk](mailto:Adam.Whisker@homeoffice.gsi.gov.uk)

ASPT is a partnership project hosted by the British Refugee Council

British Refugee Council (commonly called the Refugee Council) is a company limited by guarantee registered in England and Wales, [No. 2727514] and a registered charity, [No. 101445776] Registered office: 240-250 Ferndale Road, London SW9 8BB, United Kingdom;  
[www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk).

## Government Policy, Reports and Changes in the Asylum System

### Home Office announce publication of Borders, Citizenship and Immigration Bill

The Home Office have announced the publication of the Borders, Citizenship and Immigration Bill. The bill aims to “strengthen the border, make newcomers to the United Kingdom earn the right to stay, and ensure we [the Government] have a firm but fair immigration system. This bill allows the UK Border Agency to take forward priority issues that strengthen our law and enable the Agency to be more efficient.”

This bill was introduced to Parliament on the 14 January 2009 and published on the 15 January 2009. The Bill was announced in the Queen's speech on 3 December as a bill to strengthen border controls, by bringing together customs and immigration powers and to ensure that

The Bill and associated documents are available online at:

<http://www.bia.homeoffice.gov.uk/managing/borders/borderscitizenshipbill>

### Scottish Asylum Stakeholder Forum

UKBA intend to set up a quarterly forum that will oversee Scotland's asylum issues early in 2009. Called the Scottish Asylum Stakeholder Forum (SASF) and serve as the Scottish equivalent of the National Asylum Stakeholder Forum (NASF). The objectives will share those of the NASF, which are:

- To facilitate regular and ongoing dialogue between UKBA and key asylum stakeholders on policy, integration and operational asylum issues.
- To provide views on the effectiveness and consequences of asylum strategies, policies and procedures
- To inform the creation or refinement of strategies, policies and operational guidelines.

For more information contact Adam Whisker at UKBA:

[Adam.Whisker@homeoffice.gsi.gov.uk](mailto:Adam.Whisker@homeoffice.gsi.gov.uk)

### Withdrawal of the Seven Year Child Concession

UKBA has withdrawn DP5/96, known as the Seven Year Child Concession. The concession protected the rights of children born and/ or living in the UK continuously for at least 7 years. It meant the child and parents could not be deported to the parents original country, as in most cases, it would be a traumatic and unfamiliar experience. The new immigration rules and Human Rights Act 1998 have superseded the rules of 5/96, which means that any decision to remove a family from the UK will continue to be made in accordance with the UK's obligations under the European Convention on Human Rights and the Immigration Rules. For more information please go to: <http://www.bia.homeoffice.gov.uk/sitecontent/documents/policyandlaw/enforcement/detentionandremovals/chapter53>

### UK Border Agency Code of Practice for Keeping Children Safe from Harm

The UK Borders Act 2007 (Code of Practice on Children) was laid before Parliament on 12<sup>th</sup> December and came into force on 6<sup>th</sup> January 2009. Responses from the consultation UKBA carried out during 2008 are found at:

[www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/consultations/closedconsultations/keepingchildrensafe/](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/aboutus/consultations/closedconsultations/keepingchildrensafe/)

### New Report from the Department for Communities and Local Government

A report for the Department for Communities and Local Government published in January found that many white working-class people across the country feel their concerns about the impact of immigration are being ignored, and that the same rules were not applied to everyone equally. To read the full report, please go to:

<http://www.communities.gov.uk/>

## News from the Partnership Agencies

### **Refugee Council – Update on the Vulnerable Women Project**

Based in London, the Refugee Council's Specialist Team operates an assessment, referral and casework service for refugees and asylum seekers with mental health needs. Many of the women assessed by the Specialist Team have experienced detention, rape, sexual abuse and torture in their countries of origin and in the UK. They may also have been exposed to violence, forced prostitution or trafficking, and destitution. Their countries of origin vary depending on world events but in 2007/8, client groups included Sri Lanka (Tamil), Congo (DRC), Eritrea and Somalia. The Vulnerable Women's Project provides women with a safe space to talk and get intensive therapeutic support. The project works to decrease the risk of further victimisation of women by organising safe accommodation, medical help and support towards their recovery. The project is about to publish a literature review examining international research on the issue of rape and sexual violence against refugee women and a Good Practice Guide for practitioners, covering the Refugee Council approach to assessment and casework with women in this position. Both will be available in February. For more information contact Andy Keefe at:

[Andrew.keefe@refugeecouncil.org.uk](mailto:Andrew.keefe@refugeecouncil.org.uk)

### **Supporting refugee and asylum seeking women at Refugee Action**

Refugee Action in Nottingham has developed a Women's Friendship group for refugees and asylum seekers. The Group is run at the Vine Centre as a Refugee Action OSS volunteer led project. Refugee Action have already secured funding for a crèche, ESOL classes and rental for rooms for the group for two hour ESOL sessions each Monday. City Arts of Nottingham have also been very generous in providing free arts sessions to the women. For more information about the project please contact Keith Grayson, Area Manager of the Nottingham Office at [KeithG@Refugee-Action.org.uk](mailto:KeithG@Refugee-Action.org.uk)

### **Welsh Refugee Council develop Refugee Forum and Life Skills Project**

Welsh Refugee Council has been successful in securing a grant from the Community Foundation for Wales for a 3 year Project to facilitate the development of a Refugee Forum in Wrexham and to coordinate the expanding ESOL/Life Skills Project. The grant enables Welsh Refugee Council to recruit a part-time Project Coordinator to assist with the developments of the project. The Project was implemented from 1<sup>st</sup> October 2008. The ESOL/Life Skills Project continues to prove extremely successful and recently the Welsh Refugee Council has joined in partnership with the Workers Education Association (WEA) which enables learners to work towards OCN (Open College Network) certificates preparing them for the Home Office requirements for ILR and Citizenship if their asylum claims are successful.

The funding for the ESOL/Life Skills Project also enables Welsh Refugee Council to offer volunteers who work on the project the opportunity to study for City and Guilds in Learning Support. Presently 3 volunteers are taking advantage of this 14 week course. For more information contact:

[info@welshrefugeecouncil.org](mailto:info@welshrefugeecouncil.org)

### **Refugee Council report reveals UK border controls may be putting refugees in danger**

New research published by the Refugee Council in December shows UK border controls in countries outside Britain are failing to protect refugees who may be fleeing persecution in their home countries.

'Remote Controls: How UK border controls are endangering the lives of refugees', reveals the UK has implemented a series of measures that extend its border controls far beyond its shores and are having negative implications for people attempting to seek asylum in the UK.

The report can be found at:

<http://www.refugeecouncil.org.uk/news/pres/2008/December/20081217.htm>

## **Refugee Action and Partners hold a successful event for the Somali Community**

Second Step Housing Association in partnership with Refugee Action - Bristol and mental health organisations, held a much needed event that was attended by the Somali community and service providers late last year.

Initial feedback from the event showed that it was successful in:

- Increasing understanding amongst service providers of the mental health needs of the Somali community
- Increasing understanding of Somali cultural perceptions of mental ill-health and its treatment
- Increasing understanding Somali attendees of the structures and provision of statutory and voluntary service providers
- Diminishing barriers between these groups

For more information about this event, please contact Second step on Tel: 0117 909 6630

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## **Asylum Support Partnership produces new leaflet**

A new leaflet for clients on Section 4 support explaining how to apply for additional vouchers for travel and childcare is now available on the Refugee Council multilingual site. The leaflet is available in 18 languages. Please go to:

<http://languages.refugeecouncil.org.uk/english/index.htm>

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## **Welsh Refugee Council re- launch their Hardship Fund**

Welsh Refugee Council have re-launched their Hardship Fund which exists to help destitute clients fleeing from conflict, torture and abuse - all funds go directly to individual clients in greatest need. For more information please go to:

<http://www.welshrefugeecouncil.org/documents/forms/Hardship%20Fund%20Flyer.pdf>

## **Refugee Council response to National Audit Office report on New Asylum Model**

The National Audit Office released its report into the operation of the New Asylum Model (NAM) on 23<sup>rd</sup> January. The NAM was introduced in April 2006, to overhaul the way decisions were made on asylum claims. Key changes were that a single case owner would be assigned to each claim for asylum, and that decisions would be made within a shorter time period and would improve in quality. The report concluded that while some improvements had been made, there were still significant flaws in the system. These related to the quality of decisions, the efficiency of the system, and the level of removals. They point out that there is no mechanism for reversing wrong decisions. In response to the National Audit Office report into the New Asylum Model, Donna Covey, Chief Executive of the Refugee Council said: "We recognise that there have been some improvements as a result of the NAM. But a lot more needs to be done to ensure that refugees are identified and protected. Making the NAM work, with the case owner involved from the outset, and good quality legal advice, will help to get decisions right, and ease the process of removal for people who have no need of safety here." For more information please go to:

<http://www.refugeecouncil.org.uk/news/press/2009/january/20090123.htm>

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## **An update on Refugee Week Simple Acts campaign**

The Refugee Week team and its partner agencies have been planning the 'Simple Acts campaign' which will launch in early February. The campaign is about inspiring individuals to use small, everyday actions to change perceptions of refugees. More information is available at:

<http://www.refugeeweek.org.uk/News/Newsletters/refugee-week-update-January-2009.htm>

## News from the Asylum Support Sector

### **Immigration Law Practitioners' Association produces new Information Sheets**

The Immigration Law Practitioners' Association released new information sheets on the following subjects:

- The draft Borders, Immigration and Citizenship Bill,
- Children's welfare
- Zimbabwe country guidance

For more information please go to:

<http://www.ilpa.org.uk/infoservice.html>

### **ASAP launch Destitution Awareness Week**

Asylum Support Appeals Project (ASAP) launched Destitution Awareness Week on 8 December 2008. The week highlights the struggle of asylum seekers made destitute because they are unable to access legal advice. During the week, ASAP's three legal advisers worked with volunteer barristers and solicitors to provide free advice and representation to individuals with asylum support appeal hearings at the First-Tier Tribunal (Asylum Support) in Croydon. ASAP's Co-ordinator, Eiri Ohtani, says 'Destitution Awareness Week demonstrates the importance of legal representation at the Tribunal. Navigating the asylum support appeals system without legal help can be a terrifying prospect.' For more information:

<http://www.asaproject.org/web/index.php>

### **Foundation for Social Entrepreneurs re-launch RISE Accelerator scheme**

The Foundation for Social Entrepreneurs re-launched their RISE Accelerator scheme, which provides awards of between £500 and £5000, as well as training opportunities and entrepreneurial learning to individuals and small groups of refugees from across England. More information can be found at:

<http://unltd.org.uk/template.php?ID=55&PageName=rise:refugeeawardsscheme>

### **Centre for Social Justice publishes new report**

The Centre for Social Justice, a think tank set up by former Conservative leader Ian Duncan Smith, has produced a new report entitled, 'Asylum matters: restoring trust in the UK Asylum System'. The report discusses issues of refused asylum claims and destitution, and gives policy recommendations to the UK Border Agency to restructure the Asylum System. The report suggests that the current policy of making refused asylum seekers destitute should be stopped. The report argues that withdrawing all support does not make asylum seekers return home as intended, and instead leaves people living on Red Cross food parcels and relying on charities. The CSJ also advocates increased promotion of voluntary return as an alternative to forced removals. The full report can be found at:

<http://www.centreforsocialjustice.org.uk/default.asp?pageRef=37>

### **New Research from Metropolitan Support Trust**

Metropolitan Support Trust/Refugee Support is conducting new research which aims to:

- To increase knowledge and understanding of the issues and barriers LGBT asylum seekers face with regards to accommodation, housing and homelessness in London;
- To identify potential causal relationships between accommodation, housing and homelessness and health/well being, personal safety, alcohol and substance misuse;
- To provide evidence to help develop more effective ways of responding to the housing/accommodation needs of LGBT asylum seekers in London; and
- To produce policy recommendations.

For more information please contact Charlotte Keeble at:

[Charlotte.Keeble@mst-online.org.uk](mailto:Charlotte.Keeble@mst-online.org.uk)

## Upcoming Courses, Training and Workshops

### **Refugee Council Vulnerable Women's Project Conference - 'Sexual Violence and Refugee Women in the UK'**

This conference will take place on 5th February At the Amnesty International Human Rights Centre, London. The conference will cover issues of rape and sexual violence against refugee and asylum seeking women and will include presentations and a series of workshops. For further information and to register email:

[sas\\_events@refugeecouncil.org.uk](mailto:sas_events@refugeecouncil.org.uk)

Please also indicate your choice of workshop.

### **Refugee Council – '*Therapeutic casework model: Supporting clients with mental wellbeing needs*'**

This one day course on 12<sup>th</sup> February is suitable for health workers and front line support workers. The course aims to give participants an invaluable awareness of the health and wellbeing needs of this specific audience, which will aid communication and referral processes. For more information please go to: [training@refugeecouncil.org.uk](mailto:training@refugeecouncil.org.uk)

### **Refugee Council – '*An introduction to working with unaccompanied children*'**

This one day course on 25<sup>th</sup> February is suitable for local authority staff, voluntary staff, legal professionals, and anyone working with unaccompanied children. The course will give practical knowledge of the stages of the asylum process for an unaccompanied child, enabling adults working within the asylum process to better support the child through the process. For more information please go to: [training@refugeecouncil.org.uk](mailto:training@refugeecouncil.org.uk)

### **Refugee Council Conference in partnership with: Barnado's, NIACE, Shelter and TimeBank – '*Integration: Building a Life in the UK*'**

This event is being held on 25th March 2009 in London and is for everyone working with refugees. The conference is an opportunity to influence the Government for the next three years. The Home Office retains responsibility for integration through 2011. It plans to publish a progress update on refugee integration in early 2009. Crucially, UKBA has committed to consider and respond to the recommendations made by this conference. This conference brings together the top experts from leading organisations working with refugees. Further information and a booking form are available on:

[http://www.refugeecouncil.org.uk/eventsandtraining/conferences/conference2009/conference\\_2009.htm](http://www.refugeecouncil.org.uk/eventsandtraining/conferences/conference2009/conference_2009.htm)

### **The Children's Society's LEAP Project - '*Simply human beings - supporting the integration of refugee children and young people and other international new arrivals*'**

The Children's Society's LEAP Project based in Leeds, is hosting this event. LEAP (which stands for Listening, Empowering, Advocacy and Participation) works to promote the inclusion of disabled children, as well as refugee and asylum seeking young people, in education and within the community. This is a free event, taking place on 23 February 2009. For information contact The Children Society

[supporteraction@childrensociety.org.uk](mailto:supporteraction@childrensociety.org.uk)