

# Asylum Support Partnership

## newsletter July 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 Asylum Support subsistence payment rates announced for 2009/10**

UKBA have confirmed that support rates for asylum-seeking children (under 16 and 16-18), couples and those aged 18 to 24 will increase by 5.2% in line with the September CPI. The support rate for lone parents will remain at the current rate of £42.16 per week. There is no change to Section 4 support. The new support amounts can be found at:  
<http://www.ukba.homeoffice.gov.uk/asylum/support/cashsupport/currentsupportamounts/>

UKBA have decided to introduce a new unified rate of support for single adults (excluding lone parents). The existing support structure was modelled in 1999 on that used by Department of Work and Pensions for income support which is set at 70% of DWP income support rates. This system distinguishes between persons aged under and over 25. UKBA has decided that as all asylum applicants have access to accommodation that the essential living needs of supported asylum seekers change on their 25th birthday. Therefore, there will be no increase to the existing over 25 rate and from 5<sup>th</sup> October 2009 a single support rate of £35.13 per week will be introduced for all single adult asylum seekers granted support regardless of age. UKBA will honour the old over-25 rate for those asylum seekers already in receipt of it by 5 October until their appeals rights are exhausted.

### **UKBA changes its published policy on judicial review challenges**

UKBA is changing its published policy on judicial review challenges in cases where they are seeking to remove people from the UK. The changes to the policy will come into effect on 3 August 2009.

The change to the policy covers situations where a person's case has been finally determined and they have exhausted all statutory rights of appeal. If they then issue a claim for a judicial review three months after their statutory appeal was concluded, UKBA current policy is normally to suspend their removal. Under the new policy, UKBA will normally proceed with the removal, although they will still defer removal in appropriate cases.

In addition, UKBA are extending the current policy on people who issue a claim for judicial review up to three months after a judge has refused permission on a previous judicial review application. This revised policy, which came into effect on 30 January 2009, currently applies only to people who have been detained. From 3 August it will be extended to include non-detained cases.

These changes will only affect those cases where the claimant has raised nothing new to the material that was previously considered in assessing their case.

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

### UKBA responds to the House of Commons Public Accounts Committee report 'Management of Asylum Applications'

The government has responded to the House of Commons Public Accounts Committee report which was published on 16 June. The report revisited the subject of asylum applications and removals and found that UKBA have made progress in this area.

UKBA commented that "The agency expects to increase the rate of overall removals by:

- Concluding more new asylum cases within six months - an extra 270 case owners will soon be in place
- Making use of increased detention capacity (including 426 new beds for single males at Brook House near Gatwick, which opened in March 2009).
- Improving processes for securing travel documents, booking flights and escorts - following a successful pilot, the agency will be rolling out a new process nationally from July.
- Building sustainable arrangements with overseas countries to return foreign prisoners and failed asylum seekers.

UKBA explained "By reducing the time taken to conclude new asylum cases, the agency is reducing costs - asylum support costs are £550 million lower than they were in 2003/4, and the agency expects to be able to reduce them further. We are also taking action to reform the appeals process to speed up appeals and control abusive legal challenges. To improve the quality of asylum decisions senior caseworkers and line managers are now reviewing at least 10 per cent of all asylum decisions. Over 155,500 older, 'legacy' asylum cases were concluded by January 2009."

The report:

<http://www.publications.parliament.uk/pa/cm200809/cmselect/cmpublicacc/325/32503.htm>

The response:

<http://www.ind.homeoffice.gov.uk/sitecontent/newsarticles/pac-report-response>

### Delay of the Simplification Bill

The Immigration Simplification Bill will not be introduced in the next parliamentary session. A completed *draft* of the Bill will however be appearing shortly. The ministerial statement detailing the draft legislative programme for the next parliamentary session is available below:

<http://www.commonleader.gov.uk/output/Page2838.asp>

### Government launches Migration Impacts Fund

The Government has launched a Migration Impacts Fund. These funds will be used to minimize pressures on public services, including police, schools and hospitals. The Secretary of State for Communities and Local Government announced that the fund will provide £35 million across the UK for 2009-10.

More information is available at:

<http://www.communities.gov.uk/news/corporate/1277459>

### Detainees and Section 4 support

In June 2009, UKBA released new guidelines for dealing with applications for Section 4 from people in immigration detention.

For some time now those in immigration detention who were applying to be released on bail have been able to apply for Section 4 support. Unlike other Section 4 applicants, detainees do not have to show that they meet the normal Section 4 requirements. This means that they will not need to have made a fresh claim or to have made an application to voluntarily return to their country. All they need to show is that they would not have a place to live if they were released from detention.

A full copy of the guidelines is available at:

<http://www.ukba.homeoffice.gov.uk/asylum/support/apply/section4>

## News from the Partnership Agencies

### **Refugee Council in Yorkshire and Humberside succeed in ensuring UKBA to provides childcare during asylum interviews**

Refugee Council in Yorkshire and Humberside have been encouraging UKBA to provide childcare for clients at asylum interviews. UKBA have agreed to this and are contracting a local charity that specialises in working with 'children in vulnerable accommodation' to provide two play sessions a week on site at Waterside House in Leeds – on a Wednesday morning and afternoon. It is hoped that this service will start in late August or early September and will be accessible primarily to lone parents who live in the Initial Accommodation in the region. The parent can then attend the interview while the child goes into a supervised play room. This is in line with the UKBA Code of Practice for Keeping Children Safe from Harm, which is a mandatory Code issued under Section 21 of the UK Borders Act 2007. The ASP Newsletter will keep you updated on this initiative and report back on its developments in September. Please contact Dinah Beckett for more information:

[Dinah.beckett@refugeecouncil.org.uk](mailto:Dinah.beckett@refugeecouncil.org.uk)

### **Citizenship briefing for clients and advisers from Scottish Refugee Council**

From 2010, the process for applying for and acquiring British Citizenship is set to change. SRC are aware that many people, in particular asylum applicants in Scotland who have recently been granted status under the legacy review, have applied for UK citizenship, had their claims rejected and lost considerable amounts of money as a result of misunderstanding the criteria and the application process. Subsequently SRC have produced a leaflet for clients advising them to seek reputable advice before making a citizenship application. The client leaflet is available as a hand-out at our office or on the website

<http://www.scottishrefugeecouncil.org.uk/advise/en/>.

### **Ipswich Refugee Council 'Talks Team' addresses prejudice in the community**

Ipswich Refugee Council have a group of volunteers called the 'Talks Team' who have been instrumental in challenging both hostility and ignorance towards refugees and asylum seekers in the East of England region by visiting schools, business organisations, higher education establishments and statutory bodies. Any initial hostility is always defused when the audience meet and have a chance to speak to the refugee volunteers. The Talks Team has gained a reputation for informative and professional presentations from speakers and refugees and the invitations to attend meetings and classes is increasing on a weekly basis.

The Talks Team not only gives presentations on asylum issues, but tailors its visits to the needs of the organisation. They were able to introduce a speaker from the Children's Panel to senior managers at 4YP, a local partnership working with young people in Ipswich and this has resulted in a better understanding of and service to young asylum seekers in Ipswich.

For more information on the project please contact: Gillian Holt, Volunteer Talks Team Coordinator at:

[gillian.holt@refugeecouncil.org.uk](mailto:gillian.holt@refugeecouncil.org.uk)

### **Refugee Action Manchester office move**

Refugee Action Manchester has moved to new offices at:

23-37 Edge Street,  
Manchester  
M4 1HW

Client number (0800 917 2719) and email addresses will stay the same.

All other telephone and fax numbers are changing.

Main number: 0161 831 5420  
Casework fax: 0161 831 5496  
Office fax: 0161 834 7715

### **Research published by Refugee Council and Zimbabwe Association on the right to work for asylum seekers**

New research by the Refugee Council and the Zimbabwe Association published on the 14<sup>th</sup> July reveals the range of skills the UK is losing by denying the vast majority of asylum seekers entitlement to work. The study, focusing on the Zimbabwean community, uncovers the range of professions and training among Zimbabweans who are currently in the UK, but who are prevented from working by the UK government.

Since 2002, almost all asylum seekers in the UK have been prevented from working. As a result, those who have waited many years for a decision on their claim, or who have been turned down but are unable to go back because their country remains unsafe, have been forced to rely on minimal state support or left destitute.

The study focuses on the Zimbabwean community, many of whom have been in the UK for several years, either waiting for a decision, or unable to return due to fears for their safety. But many findings of the research also apply to people from other nationalities, who want to contribute their skills and experiences to the UK.

The survey of 292 Zimbabweans showed:

- 64% are educated to GCSE level and beyond
- Only THREE were unemployed at home
- 45 are qualified teachers or lecturers (15% - the highest proportion)
- Other occupations varied widely – from town planners, surveyors and transport managers to engineers, mechanics and IT specialists
- 63% said they would like to return to Zimbabwe when it is safe to do so

To read the full report please go to:

<http://www.refugeecouncil.org.uk/policy/position/2009/ihatebeingidle.htm>

### **New report into refugees and housing by Scottish Refugee Council**

In July Scottish Refugee Council published a report about the experiences of refugees accessing permanent housing in Scotland. *Navigating the Maze: Refugee Routes into Housing, Support and Settlement in Scotland* found that newly recognised refugees generally faced considerable difficulties in gaining access to appropriate accommodation in Glasgow. This was partly due to a shortage of accommodation in areas perceived by refugees to be safe, and a lack of appropriately sized accommodation for larger refugee families. The report also found that the shortage of appropriate permanent accommodation has contributed to prolonged stay in temporary accommodation and rooflessness for a few individuals. There is a need for improved temporary accommodation for refugees, including single young men. This has led to considerable uncertainty and anxiety among individuals concerned, and difficulties in finding employment and settling down. To read the report:

[http://www.scottishrefugeecouncil.org.uk/pub/Housing\\_maze\\_pdf](http://www.scottishrefugeecouncil.org.uk/pub/Housing_maze_pdf)

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### **Educational Grants for Young Asylum Seekers and Refugees from Schwab and Westheimer Trusts**

The Schwab and Westheimer Trusts provide educational funding in the form of grants to young asylum seekers and refugees where alternative sources of funding are inadequate.

The Trusts invite applications at any point in the year including from those with unresolved immigration status. Previous funding has included assistance with course fees, English tuition, computers, childcare, and transport. For further information and to submit an online application please visit the Turst's website at:

<http://schwabwestheimertrust.org.uk/>

## News from the Asylum Support Sector

### **NSPCC publishes new report on child trafficking**

NSPCC has published a new report on child trafficking entitled 'Breaking the wall of silence: Practitioners responses to trafficked children and young people.' The research was conducted by the University of Bedfordshire and the NSPCC and principally funded through The Children's Charity. A team of four researchers worked over a two-year period in three sites in the UK to review international and UK literature on trafficking; conduct focus groups and interviews with practitioners from a range of children's services and analysed cases of children and young people who had been trafficked.

One of the key recommendations of the report found that, "Interventions with trafficked children and young people should be based around their best interests, and should not be framed within concerns about immigration or asylum status."

To read the full report, please go to:

[http://www.nspcc.org.uk/Inform/research/Findings/breaking\\_the\\_wall\\_of\\_silence\\_report\\_wdf66135.pdf](http://www.nspcc.org.uk/Inform/research/Findings/breaking_the_wall_of_silence_report_wdf66135.pdf)

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### **New research on understanding and changing public attitudes to refugees**

New research has been carried out and published by Heaven Crawley at the University of Swansea on 'Understanding and changing public attitudes: learning for the refugee sector and beyond'.

The aim of this report is to assist those working in the refugee sector (and beyond) to a better understanding of the factors that influence public attitude formation, both generally and in relation to asylum and immigration. The report also explores potential learning from campaigning work undertaken in relation to other issues or groups about which the public holds negative or prejudicial views. To read the full report please go to:

<http://www.theworkcontinues.org/download/doc.asp?id=146>

### **Citizens Advice publishes a report calling for publicly funded legal representation for asylum support appeals**

Citizens Advice have published a new report entitled 'Supporting justice. The case for publicly-funded legal representation before the Asylum Support Tribunal.'

The report found that "Of all the substantive decisions made by the Tribunal in the six-month period October 2008 to March 2009, we found asylum seekers to be notably disadvantaged in terms of two factors that bear heavily on their ability to present their case: their proficiency in English; and their socio-economic circumstances. Most require an interpreter to participate in the tribunal hearing, and the great majority – 80 per cent – are either already homeless and/or destitute, or will become so if their appeal to the Tribunal is dismissed. It also shows that legal representation before the Tribunal increases the chances of success from 39 per cent, to between 61 and 71 per cent – a 'representation premium' of 22-32 per cent".

The vast majority of appellants at the First-Tier Tribunal (Asylum Support) cannot get legal representation because there is no public funding available. The only exception to this is the pro bono representation provided by Asylum Support Appeals Project. The full briefing can be read at:

[http://www.citizensadvice.org.uk/index/er\\_immigrationassylum/supporting\\_justice](http://www.citizensadvice.org.uk/index/er_immigrationassylum/supporting_justice)

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### **Destitution Report from Joseph Rowntree Charitable Trust**

Two years after JRCT first published data on destitution amongst asylum seekers in Leeds, the Trust has published the findings from a third survey in the city. The report, 'Still Destitute' shows that numbers remain unacceptably high. The full report is at:

<http://www.jrct.org.uk/text.asp?section=0001000200030006>

## Upcoming Courses, Training and Workshops

### **UK Border Agency open day – Leeds, 9<sup>th</sup> September**

The UK Border Agency in Leeds is holding an open day on 9 September. The open day is intended to increase understanding of asylum processes amongst stakeholders and includes presentations from the Asylum Teams, Enforcement, Local Immigration Team Project and the Regional Migration Partnership. Stakeholders will have the opportunity to ask questions of the teams and to tour the site. Places available are limited and interests should be registered as soon as possible by emailing [claire.murray18@homeoffice.gsi.gov.uk](mailto:claire.murray18@homeoffice.gsi.gov.uk)

### **Asylum Support Appeals Project session on asylum support – Glasgow 7<sup>th</sup> September**

ASAP is offering a free training session on support options for refused asylum seekers for small advice agencies and RCOs. The session is being held on 7<sup>th</sup> September 2009 and will include: an introduction to asylum support; S4 and S95 support criteria; how to apply for asylum support and how to appeal negative decisions. Places are limited to two participants per organisation. More courses are also being run later in the year and early 2010. For more details and to download an application form, please go to: [http://www.asaproject.org/web/index.php?option=com\\_content&view=article&id=59&Itemid=106](http://www.asaproject.org/web/index.php?option=com_content&view=article&id=59&Itemid=106)

### **Refugee Council Training Programme - Asylum seekers, refugees and migrants: Entitlement to housing and other services**

The aim of this training is to explore the legislative framework and routes of access to housing and other services for asylum seekers, refugees and migrants. The course also provides an overview of key issues in the asylum system. The course covers:

- The asylum process and possible outcomes;
- Entitlements to services for asylum seekers, refugees and migrants (including: asylum support, housing, welfare benefits, health, social care, education, etc)
- Identification of accommodation and housing support issues relevant to these groups and the obstacles these groups face
- Relevant legislation surrounding support access

The next date for delivery of this course is the 5th November 2009 or an In-House basis where the trainer can come to a location of your choice and train up to 20 delegates  
For more information: 0207 346 6733 [training@refugeecouncil.org.uk](mailto:training@refugeecouncil.org.uk)

### **Scottish Refugee Council training programme for solicitors**

Since November last year, Scottish Refugee Council has been working in partnership with the Glasgow Immigration Practitioners Group to develop a training programme for legal representatives in Scotland. To date the training schedule has featured speakers including Lord Reed of the Court of Session, officers of UNHCR London and Piya Muqit of Refugee and Migrant Justice. This autumn SRC are planning a full day seminar on the Law of Refugee Status from Professor Hathaway of the University of Melbourne, a world expert. For more information please go to:

<http://www.scottishrefugeecouncil.org.uk/training/forms/>