

Asylum Support Partnership

newsletter May 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 , www.refugee-action.org.uk , www.welshrefugeecouncil.org ,
www.scottishrefugeecouncil.org.uk, www.refugee.org.uk

Government Policy, Reports and Changes in the Asylum System

Update on Health Rights for Failed Asylum Seekers

The Court of Appeal overturned the High Court decision that a refused asylum-seeker who has been in the UK a long time is likely to be ordinarily resident in the UK and so is entitled to hospital treatment free of charge. However patients may be able to access treatment by arguing they need it because it is urgent or immediately necessary and they are unable to return home at present. They are still liable to be charged but treatment cannot be refused if they cannot pay. Nobody is excluded from GP treatment as a result of their immigration status.

CEOP publishes new survey

The Home Office's child exploitation and online protection centre (CEOP) has published a new survey entitled 'Strategic Threat Assessment: Child Trafficking in the UK'.

This presents the most up to date picture of child trafficking into, within and out of the UK. Victim data, alongside details relating to the typology of traffickers, as well as the routings utilised by them and the market enablers of this criminality are highlighted.

To read the full report, please go to:
http://www.ceop.gov.uk/downloads/documents/child_trafficking_report0409.pdf

Voluntary Returns Project for Refused Asylum Families to begin in Scotland

A new pilot project to encourage refused asylum seeker families in Glasgow to return voluntarily to their home country is to start at the beginning of June. The pilot is a partnership between Glasgow City Council, the UK Border Agency and the Scottish Government. Its aim is to reduce the need for the detention and enforced return of those families whom the UK Border Agency and the courts agree do not require international protection.

The families will stay in designated flats, where they will receive targeted help to prepare for their voluntary return to their home country. They will receive dedicated family support to ensure that they realise their time in Scotland is at an end, and that they must make positive plans for a return to their home country to help build a successful life there. Around five families will be accommodated in the project at any one time, and social workers will prepare an individual action plan for each family. The length of time each family spend in the project will be determined on a case by case basis, however, it is anticipated they will be there for up to 12 weeks. The project will cost around £125,000 per year, and will be funded by the UK Border Agency and the Scottish Government. The pilot will run initially for three years, and will be evaluated during this time by all the partners.

ASPT is a partnership project hosted by the British Refugee Council

Government Policy, Reports and Changes in the Asylum System

Asylum Statistics published by UKBA

UKBA has published the control of immigration statistics for the first quarter of 2009 which show that the UK continues to receive fewer asylum applications per head of the population than many of its European counterparts. Applications for asylum have increased from 6,595 in the first quarter of 2008 to 8,380 in the same period this year, mainly driven by Zimbabwean applications.

The number of initial decisions made on asylum applications was up 16% from 4,435 in the first three months of 2008 to 5,145 in the same period this year.

15,840 persons were removed or departed voluntarily from the UK, 6 per cent fewer than in Q1 2008 (16,760). There was a fall of 7 per cent to 2,805 for those leaving who had claimed asylum (including dependants) and a fall of 5 per cent to 13,035 for non-asylum cases.

To read the full report, please go to:

<http://www.homeoffice.gov.uk/rds/pdfs/09/mm1q109.pdf>

Transfer of the Asylum and Immigration Tribunal (AIT) into the unified Tribunals system

Last year the Government published its consultation "Immigration Appeals - Fair decisions, Fairer Justice". This document set out proposals for reforming the way in which immigration appeals are heard. One of the aims of those proposals was to reduce the existing burden of immigration matters in the higher courts. After subsequent discussions between the UK Border Agency (UKBA) and the Tribunals Service (TS) over the last few months, the Government will be proceeding with the transfer of AIT into the new unified Tribunals structure.

The full consultation response paper has been published, setting out details of the transfer of the AIT. This is available on the Tribunals Service website - <http://www.tribunals.gov.uk>

Asylum Cases to be heard in regional Courts

From April 2009 hundreds of immigration and asylum cases and challenges to decisions by government or public bodies will be devolved to the regions as four Administrative Court centres open in Birmingham, Cardiff, Leeds and Manchester. The reform will ease the hugely overburdened Administrative Court in London which has 8,000 asylum and immigration cases a year. For more information please go to:

<http://business.timesonline.co.uk/tol/business/law/article6060351.ece>

New measures to boost United Kingdom fight against human trafficking

The Council of Europe Convention Against Trafficking in Human Beings, which took effect on 1st April, creates minimum legal rights for victims and strengthens the United Kingdom's ability to catch the criminals that exploit victims of trafficking. Key new measures in place include:

- A National referral mechanism, providing a nationally agreed framework to help frontline staff identify victims of trafficking and offer them support;
- £4m over two years to enhance the services for victims including an expansion of accommodation and support through the criminal justice system to ensure more traffickers are brought to justice; and
- Granting a 45 day minimum reflection and recovery period to victims and the possibility of a one-year renewable residence permit.

The government has also announced a further £3.7 million for the Poppy project to help vulnerable victims of human trafficking.

For more information, please go to:

<http://www.bia.homeoffice.gov.uk/sitecontent/newsarticles/boosttougtaginsthumantrafficking>

News from the Partnership Agencies

Asylum Support Partnership publishes Second Destitution Tally

The Asylum Support Partnership has published the Second Destitution Tally. This report reveals the extent and causes of destitution for people seeking asylum and refugees across the UK, and proposes solutions for implementation by policy makers and administrators of the asylum system. It is a repeat of the first Destitution Tally conducted by the Asylum Support Partnership in 2007 and published in January 2008 which demonstrated the extent of destitution among asylum seekers and refugees accessing their One Stop Services across the UK. In October 2008 the Partnership agencies repeated the survey to demonstrate the persistence of destitution as a feature of the lives of asylum seekers and refugees and their independent advice services, and to understand further its extent and causes. Between the 1st and 31st of October 2008, case workers from the 5 refugee agencies which comprise the Partnership completed a short survey for each client contact episode, recording the proportion of the people who were destitute. The report recommends a range of policy and operational solutions to end destitution as a feature of the UK asylum system.

The report shows that destitution is a significant feature of the work of the agencies that took part in this exercise, despite the introduction of the New Asylum Model (NAM), which was intended to improve the efficiency of the asylum system. Destitution is not a short term condition: roughly half of visits by destitute people are by people who have been destitute for more than six months. Most visits by destitute people were from one of a very small number of countries where there are well documented human rights abuses and persecution, impunity for human rights abuses and/or conflict.

To read a full copy of the Destitution Tally, please go to:

<http://www.refugeecouncil.org.uk/policy/responses/2009/destitution.htm>

Refugee Council guide on Employing Refugees

This guide aims to explain and provide clarity on the documents that refugees, and some asylum seekers, have which demonstrate their entitlement to work in the UK. Refugees do not usually have a national passport but instead are issued with separate Home Office documents. This guide outlines the documents that you will need to check prior to employing a refugee or asylum seeker. These documents are recommended by the UK Border Agency's (UKBA) *Prevention of Illegal Working: Comprehensive Guidance for Employers on Preventing Illegal Working* (referred to as Comprehensive Guidance in this guide). This applies to all employees who started working for you on or after 29 February 2008i

http://www.refugeecouncil.org.uk/practice/employersguides/employing_refugees.htm

Updated Asylum Support Partnership leaflet

The Asylum Support Partnership Team has published a new leaflet which is available on the multi-lingual website. You can now download translations of the updated 'Positive decision on your asylum application' leaflet from:

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

Change of Address for North of England Refugee Service

Please note that North of England Refugee Service, Middlesbrough Office have moved. They are now based at:

3rd Floor
Sylvan House
12/16 Woodlands Road
Middlesbrough
TS1 3BE
Tel: 01642 217 447
Fax: 01642 232 414

Refugee Action Bristol works in partnership to support interpreters

Counselling and therapy organisations in Bristol are offering an innovative support programme to interpreters working with BME and Refugee communities in a two year programme funded by the Lloyds TSB Foundation for England and Wales. The Speak Your Mind project, led by the Bridge Foundation for Psychotherapy and the Arts in collaboration with Refugee Action and other counselling providers, aims to develop and offer a training and development programme for interpreters, to establish a support structure for interpreters engaged in counselling/therapy, and in the long run to encourage interpreters to enter the counselling/therapy professions.

Two thirds of the way through the programme, over sixty interpreters have joined a support network. Introductory and advanced training for interpreters – and for counsellors/therapists who work with interpreters – has been provided. A supportive supervision group for interpreters has been put in place. A national conference to disseminate findings and lessons learned is planned for early 2010. For further information contact Bridge.SYM@googlemail.com

Refugee Action – New Film ‘The Destitution Trap’

Refugee Action have made a new film featuring some of their clients speaking directly about their experiences of long term destitution, and how this has affected their lives. Refugee Action has created this film to inform politicians why the deliberate policy of forcing refused asylum seekers into destitution is so devastating. Refugee Action believes it is vital that the government maintain contact with refused asylum seekers and that financial support should continue until their cases can be resolved.

To watch the video, please go to <http://www.refugee-action.org.uk/>

Update on Refugee Week 2009

Refugee Week 2009 is fast approaching (15-22 June), The main activity this year is the Simple Acts campaign, which is about inspiring people to use small, everyday actions to change perceptions of refugees. The campaign consists of 20 actions that can be done by anyone and that encourage people to learn and do more with refugees. The campaign was launched in February and has its own website:

www.simpleacts.org.uk

A toolkit is available for people interested in doing Simple Acts in the workplace. It's packed full of ideas, information and resources to help you get involved. Download it using the link below:

<http://www.refugeeweek.org.uk/simple-acts/toolkit/>

For more information on Refugee Week and activities that are happening near you, visit the Refugee Week website:

<http://www.refugeeweek.org.uk/>

New motion in the Scottish Parliament supports Scottish Refugee Council campaign

Lothians MSP Shirley-Anne Sommerville has tabled a motion in the Scottish Parliament "calling for the UK Border Agency's current limited screening facilities [in Scotland] to be expanded to enable all new arrivals in Scotland to be able to submit their asylum claim both at port and in country".

Currently most people in Scotland who want to seek protection from persecution in the UK have to travel to Liverpool but without the right to work are forced to rely on charitable grants to afford the trip.

To see the full text of the motion please go to

<http://www.scottish.parliament.uk/business/businessBulletin/bb-09/bb-04-06f.htm>

News from the Asylum Support Sector

Children in Detention report published

The Children's Commissioner has published 'The arrest and detention of children subject to immigration control: A report following Children's Commissioner for England's visit to Yarls Wood Immigration Removal Centre.' The Commissioner wrote in the report that "Each year in the UK, we detain around 2,000 children subject to immigration control for administrative purposes. This has to end. The UK should not be detaining any child who has had an unsuccessful asylum claim. Not only is there is no reason to continue the administrative detention of children, we present evidence in this report to demonstrate that it may be harmful to their health and well-being"

To read the full report, please go to:
<http://www.11million.org.uk/resource/di550e08psxhlc9f3mmrlqwd.pdf>

Destitution Report published by PAFRAS

Positive Action for Refugees and Asylum Seekers (PAFRAS) has published a report called Lives, an investigation into the living conditions and survival strategies of destitute asylum seekers in the UK.

To read the report, please go to:
<http://www.pafaras.org.uk/documents/UNDEGROUNDLIVES.pdf>

HM Chief Inspector publishes two new reports

HM Chief Inspector of Prisons has published two new reports on unannounced inspections to non-residential, short-term holding facilities: one at London City Airport and another at John Lennon. To read the reports please go to:

http://inspectrates.homeoffice.gov.uk/hmip_risons/inspect_reports/STHF-reports/London_City_Airport_STHF.pdf?view=Binary

Child trafficking into Britain accelerating according to Guardian

The Guardian reported on 14th April that "Suspected victims of child trafficking from Asia, Africa and the Middle East are being smuggled through Britain's leading ports and airports at an accelerating rate, according to new figures obtained under the Freedom of Information Act reveal. A total of 957 children, including more than 400 from Afghanistan and 200 from Africa, were picked up by local authorities in the eight months between April 2008 and the end of the year. At least 53 came from Iraq."

The figures, obtained represent a 90% increase compared to the annual rate of arrivals over the previous three years. Anti-trafficking campaigners are particularly concerned that one in eight of those taken into care go missing.

To read the full article, please go to:
<http://www.guardian.co.uk/world/2009/apr/14/children-trafficking-immigration-uk>

Refugee Support publish new research on LGBT asylum seekers

New research by Refugee Support highlights the plight of lesbian, gay, bisexual and transgender (LGBT) asylum seeker in the UK. Entitled 'Over Not Out', the report examines the housing and homelessness issues facing LGBT asylum seekers. The report has reaffirmed the view of RS/MST that, to date, there has been little research into issues relating to lesbian, gay, bisexual and transgender asylum seekers.

The full report and executive summary are available to download from the website.

<http://www.refugeesupport.org.uk/researchandconsultancy.html>

For further information or for a hard copy of the report, please contact the Research and Consultancy Manager, Dr Charlotte Keeble:

Email: charlotte.keeble@mst-online.org.uk
Tel: 020 7501 2214

Upcoming Courses, Training and Workshops

Refugee Council Training: Therapeutic Casework: Supporting Clients with mental wellbeing needs.

One day course – 19 June 2009. The course offers an introduction to the Refugee Council's Therapeutic casework model which has been developed specifically for clients with mental wellbeing and psychosocial needs. The model combines counselling and advocacy to address both internal emotional distress and the external factors which contribute to the distress. Fees: £99 reduced rate (NGO or voluntary organisation), £160 standard rate (statutory/educational body/business)

For more information please go to:

<http://www.refugeecouncil.org.uk/eventsandtraining/training/service/fulldetails.htm>.

Free Training for RCOs

Welsh Refugee Council is working with Children in Wales and Displaced People in Action to run free training events for Refugee Community Organisations from June to September.

For more information, please visit:

<http://www.welshrefugeecouncil.org/events.php>

Immigration Advisory Service Conference 2009

The Immigration Advisory Service (IAS) conference 2009 will be held on Tuesday 21st July in London at South Bank University from 9:30 am to 5 pm.

The daylong conference will be concentrating on the most significant legal issues and trends in immigration, asylum and human rights and barriers to access to quality legal advice and representations. Speakers will include leading experts in their respective fields including those involved in recent leading cases. The conference is expected to attract 5 CPD Points from SRA and BSB. OISC registered practitioners will be able to claim CPD points. For more information, please go to:

<http://www.iasuk.org/home.aspx>

REDRESS and Allen & Overy – Meeting the needs of Torture Survivors

A Conference on Meeting the Needs of Torture Survivors in the UK, organised by REDRESS and Allen & Overy will take place on 26th June in London. Contact Dikey at

dikey@redress.org by the 29th May if you wish to attend. For more information, please go to:

<http://www.redress.org/>

5th Annual Trauma Seminar: Giving Evidence in Asylum and Immigration Proceedings

The Annual Conference is due to be held on Friday 3 July 2009 at the Tavistock Centre, London. This seminar will discuss the areas that need to be addressed in reports and will offer suggestions as to the way this kind of evidence can be presented, particularly focusing on issues of credibility and predicted psychiatric and psychological consequences of forced return.

For more information, please go to:

<http://www.tavi-port.org/conferences/forthcoming-conferences/5th-annual-trauma-seminar-giving-evidence-in-asylum-and-immigration-proceedings.html>