

# Asylum Support Partnership newsletter

No 78



Welcome to the November Edition of the Asylum Support Partnership Newsletter.

For further updates asylum support policy and practice changes please visit the following ASP websites: [www.refugeecouncil.org.uk](http://www.refugeecouncil.org.uk) , [www.migranthehelpline.org.uk](http://www.migranthehelpline.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)

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

### New Home Office Immigration Minister is announced

Phil Woolas MP joins the Home Office as Minister of State for borders and immigration, replacing Liam Byrne. Mr Woolas is the lead minister for all the work of the UK Border Agency and is also HM Treasury Minister of State with responsibility for revenue protection at the border. He was previously Minister of State for the environment at the Department for Environment, Food and Rural Affairs.

### UKBA announces the publication of Quarter Three Immigration Statistics

The Home Office has announced the publication of the 3<sup>rd</sup> Quarter immigration statistics. Key findings included:

- The number of applications for asylum was 12 per cent higher in Q3 2008 (6,620) compared with Q3 2007 (5,885). This is the 5<sup>th</sup> successive quarter there has been a year on year increase.
- In the 12 months to the end of September 2008 there were 25,800 applications for asylum.
- In Q3 2008, 5,220 initial asylum decisions were made. 72 per cent of initial decisions were refusals, 17 per cent granted asylum and 11 per cent granted Humanitarian Protection or Discretionary Leave.

For the full report please go to:

<http://www.homeoffice.gov.uk/rds/pdfs08/mmiiq308.pdf>

### New Asylum Support Tribunal Procedures in place from 3<sup>rd</sup> November

Asylum Support will move into the First-tier Tribunal, Social Entitlement Chamber on 3 November and new rules will come into effect on the same day. The new rules will apply to appeals received by the Tribunal after 3 November. The Asylum Support Tribunal will then become known as 'First-tier Tribunal (Asylum Support)'. A new Asylum Support Notice of Appeal form has been issued by UKBA and must be used in all appeals lodged on or after 3 November. The Chief Adjudicator has requested UKBA to issue copies of this form with all negative asylum support decisions made on or after 29 October. The AST will continue to accept appeals made on the old form for a period of 4 weeks from and including 3 November. Thereafter, appeals received on the old form will be treated as invalid. For more information contact Cheryl Marzetti at Asylum Support Tribunal Service on 020 8588 2508.

### Home Office publishes Asylum Performance Report

The UK Borders Agency has published Asylum Performance - 2007 in which it compares performance to targets, particularly in relation to removals. The report claims the number of refugee claims is at its lowest level since 1993. The report is available at:

<http://ukba.homeoffice.gov.uk/>

## **Update from UKBA on Case Resolution**

The Case Resolution Directorate (CRD) is doing work to review cases of those currently supported under Section 4. Asylum support cases were supposed to be reviewed regularly and UKBA are now working to make such reviews 'business as usual' once again. CRD plan to review the cases of failed asylum seekers to determine whether they are still eligible for support. If an individual has support discontinued they will be asked to return home (although they do have the right to appeal against removal from support). Where someone does not leave, UKBA will take steps to remove them, forcibly if necessary. UKBA will however not discontinue support for families. In a small number of cases leave may be granted, giving that individual the ability to work and support themselves and to claim mainstream UK benefits.

There used to be a letter requesting further information that went before the letter saying that a review had been carried out and support stopped. UKBA propose just sending the second letter from now on. The letter gives clients 21 days to seek the necessary advice. If you would like to receive a copy of the revised letter then contact Suzanne Farrell at:

[suzanne.farrell7@homeoffice.gsi.gov.uk](mailto:suzanne.farrell7@homeoffice.gsi.gov.uk)

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## **Points Based System goes live**

From 27 November employers wishing to bring non-European Economic Area migrants to the United Kingdom under tiers 2 and 5 will need to be a licensed sponsor. Sponsors will be responsible for issuing certificates of sponsorship to migrants and ensuring that their sponsor obligations are fulfilled. Migrants can then use the certificate of sponsorship to apply for entry clearance. More information is available at:

<http://ukba.homeoffice.gov.uk/sitecontent/newsfragments/tiers2and5employers>

## **Inquiry into mistreatment or abuse by security and detention staff**

Following the publication of 'Outsourcing Abuse', a report by Birnberg Peirce & Partners, Medical Justice and the National Coalition of Anti-Deportation Campaigns, the Home Secretary, Jacqui Smith, has announced an independent inquiry into claims by asylum seekers that they were mistreated or abused by security and detention centre staff. The report found that:

- There were nearly 300 cases of alleged physical assault and racial abuse in the past four years
- In all cases, what may have started off as 'reasonable' force, turned into what was considered to be excessive force.
- Many of those assaulted made allegations of racism against the escort.

The full report can be found at:

<http://www.ncadc.org.uk/emmaginnsfolder/emmaginnsfolder/july%2008/Outsourcing%20Abuse.pdf>

Jacqui Smith has appointed Nuala O'Loan, the former Police Ombudsman of Northern Ireland, to conduct the investigation into mistreatment allegations.

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## **Proposals for immigration removal centre in Oxfordshire**

UKBA has laid out plans to build a new detention centre for failed asylum seekers and illegal immigrants awaiting deportation near Bullingdon prison, Bicester. UKBA said the Immigration Removal Centre (IRC) at Bullingdon was "a critical part of plans to speed up the removal of illegal immigrants, failed asylum seekers and others who come to the UK and "break the rules". The IRC would be almost four times the size of Oxfordshire's other detention centre - Campsfield House in Kidlington - housing up to 800 men. For more details please go to:

<http://news.bbc.co.uk/1/hi/england/oxfordshire/7689115.stm>

## News from the Partnership Agencies

### Refugee Council publish report 'More Token Gestures'

The Refugee Council published a new report on 6 October into the consequences of a government policy that forces some asylum seekers to live on vouchers while they are in the UK. Individuals, couples and families with children whose claims have been refused but who are still in the country, either because they are waiting to return home voluntarily or because it is not safe for them to return home, are being given £35 in vouchers per week to support themselves.

In 2000, the government introduced vouchers for people seeking asylum, but was forced to end this policy eighteen months later following widespread condemnation that it was inhumane. Since then it has continued this policy, giving vouchers to people who are at the end of the process and only entitled to limited support. The Refugee Council's report reveals the devastating impact this policy has had..

The full report is available at:  
[www.refugeecouncil.org.uk/s4vouchers](http://www.refugeecouncil.org.uk/s4vouchers)

### Scottish Refugee Council Welcomes New Children's Policy Officer

Clare Tudor, formerly Training Counselor at the Immigration Advisory Service, has joined Scottish Refugee Council in the newly funded post of Children's Policy Officer. The post has been funded for three years by the Princess Diana Memorial Fund. The aim of the post is to positively influence policy centering around refugee and asylum seeking children, to look at any gaps in service provision and to identify contradictions between what may be in the best interests of children and the general asylum system. Clare's currently looking at issues surrounding the alternatives to detention pilot, age assessment and the notion of guardianship.

For further information call Clare Tudor on 0141 223 7973 or email  
[clare.tudor@scottishrefugeecouncil.org.uk](mailto:clare.tudor@scottishrefugeecouncil.org.uk)

### Scottish Refugee Council's Family Reunion Service Update

Scottish Refugee Council have recently managed to secure funding for their family reunion service until March 2009 and so have been able to start taking a new intake of cases for the first time this year. In order to establish which cases they can realistically take on they have developed a fair and objective system of assessment criteria for potential applicants. This criterion assesses 3 main areas:

1. The likelihood of success
2. How urgent the need for reunification is
3. How vulnerable are the applicant(s) abroad

Scottish Refugee Council are currently only working with those who have refugee status and the strength of the application lies in how much evidence the applicants can supply. Scottish Refugee Council are about to launch a translated information leaflet that explains this process in greater detail. For more information in the mean time please contact Laura Dargie, Information Officer at:

[Laura.Dargie@scottishrefugeecouncil.org.uk](mailto:Laura.Dargie@scottishrefugeecouncil.org.uk)

### Refugee Council, Birmingham - Change to OSS Opening Hours

Refugee Council One Stop Service in Birmingham is moving the days that it sees emergency cases only from Tuesday to Wednesday from December 08. For a number of years, OSS West Midlands has opened for clients on an emergencies-only basis each Tuesday. From December, to ensure consistency with other Refugee Council offices, Wednesdays will replace Tuesdays as the day in which emergency cases are seen. All other operational hours remain the same.

For more information please contact Hilary Thorndike, Operations Manager on 0121 234 1952.

### **New RCO fundraising e-forum**

The BASIS project has set up an e-forum (as a Google Group) for the exchange of information about refugee community organisation (RCO) fundraising. Anyone can view the discussions but joining the Group will enable you to make your own posts and comments. The hope is that there will be discussion and sharing of information to help all RCOs with their fundraising.

The group can be found at:

<http://groups.google.com/group/rco-fundraising>

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### **Refugee Integration and Employment Service (RIES) programme update at Refugee Action in Plymouth**

There was much anticipation over the start of the Refugee Integration and Employment Service which had been awarded to Refugee Action in 3 regions including the South West. Recruitment took place in August, hiring a new part time caseworker and a part time Employment and Mentoring worker. These workers started in late September. At the same time Refugee Action, Plymouth organised meetings with service delivery partners and with the local CAB to firm up organising the sub contract to refer complex benefit cases. Refugee Action, Plymouth gave presentations to various forums, inducted the new workers, commissioned some local training for the team from Shelter and paid a visit to the local Job Centre to set up links and see how they work.

The team's first client was referred within days: a young single Eritrean man followed a few days later by another. The next clients were a seen a Tamil lady, a single Pakistani lady with 5 children and a Somalian man. The caseworkers have taken well to the computerised system, with referrals already being made to CAB. The Employment worker has also been supporting one of the Eritreans into temporary work. Quite a satisfactory first month! For more information about the work please contact Jane Robinson - Area Manager.

### **Refugee Council joins Campaigning Alliance for Lifelong Learning**

The Refugee Council has joined the Campaigning Alliance for Lifelong Learning (CALL), which had its public launch last week in London.

CALL has been set up to campaign for the right for everyone to access learning, in light of recent cuts in the provision of adult education. Since 2005, two million places have been lost from further and adult education. Among those who have lost out in this process are refugees, who no longer entitled to free English language classes, and their communities who benefit from range of courses that adult learning can bring.

For more information about CALL, please go to their website:

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

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### **Joint response to the UKBA consultation on 'Strengthening the Common Travel Area'**

The Refugee Council, Scottish Refugee Council and Welsh Refugee Council have submitted a joint response to the UK Border Agency's Consultation on 'Strengthening the Common Travel Area'. The UK proposes to introduce immigration checks on air and sea routes between the UK and the Republic of Ireland. Our response highlights the UK's legal obligation to ensure access to the asylum system when they intercept individuals that are in need of international protection. We advise that refugees should be able to use the Convention Travel Document and be exempt from obtaining a visa when travelling within the Common Travel Area. We further ask the UK and the Republic of Ireland to consider making refugee status and its conditions transferrable within the Common Travel Area. To see the full document please go to:

[http://www.refugeecouncil.org.uk/Resources/Refugee%20Council/downloads/policy\\_responses/CTA%20final.pdf](http://www.refugeecouncil.org.uk/Resources/Refugee%20Council/downloads/policy_responses/CTA%20final.pdf)

## News from outside the Partnership Agencies

### **Children's Commissioner for Wales produces Annual Report**

Wales's Children's Commissioner Keith Towler in his Annual Report highlighted that Children in the asylum and immigration system are being subjected to fundamental breaches of their rights. "They have returned to Wales traumatised by the experience, suffering physical symptoms such as weight loss and psychological symptoms such as nightmares, bedwetting, and behavioral problems." All the children he has represented had complained about the healthcare, food and searches at Yarl's Wood detention centre in Bedfordshire, and about not being allowed to go to the toilet on long journeys. Mr Towler said he had raised the matter with ministers and intended to visit and inspect the conditions in which children who were ordinarily resident in Wales are held. While many children seeking sanctuary had positive experiences about genuine care and support in their communities and schools, the commissioner said: "I have been shocked by the lack of respect and the fundamental breaches of children's rights in the asylum and immigration system." The average length of time children were being held had almost doubled from eight to 15 days in the last two years, it found. He pointed to a "gap" between praiseworthy policies for children and their inconsistent delivery.

[http://www.childcom.org.uk/publications/Annual\\_review08\\_english.pdf](http://www.childcom.org.uk/publications/Annual_review08_english.pdf)

### **New Research from Institute of Public Policy Research**

Moving Up together is a new study by the Institute of Public Policy Research examining 'why some migrant and minority communities in the UK are falling behind' and relevant policy interventions. It focuses on people born in Bangladesh, Iran, Nigeria and Somalia. To see the full report go to:

<http://www.ippr.org/publicationsandreports/publication.asp?id=633>

### **Launch of 'Relocation, Relocation – The impact of internal relocation on women asylum seekers'**

The Refugee Women's Resource Project (RWRP) run by Asylum Aid have published a qualitative research project called 'Relocation, Relocation' looking at how internal relocation is being applied to women's asylum and human rights claims. The project provides an insight into legal representatives' views and practical experiences of representing women asylum seekers where internal relocation is applied to their case. Alongside this, the research explores the perspectives of women asylum seekers and considers the impact internal relocation has upon their claims, emotional well-being and futures.

To find out more about the report please go to:

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

### **Shelter publications**

The housing charity Shelter has published a new policy discussion paper - No Place Like Home? The paper examines the debate on housing and migration, including the housing needs of asylum seekers. Shelter believe "there must be a process of planning and managing the housing and welfare needs of those who come to the UK, as well as those already resident. There are opportunities to bring about improvements to the housing conditions in which both migrant and non-migrant communities find themselves.

Shelter has also published a new guide: Asylum seekers and refugees: Accessing accommodation and housing support. The guide is an introduction to the law in England and Wales and explains the general help and housing support you are entitled to if you are an asylum seeker, a refugee, or an appealing or unsuccessful asylum seeker

Please find the reports and guide at:  
<http://england.shelter.org.uk/>

## Upcoming Courses, Training and Workshops

### Scottish Refugee Council's AGM

Scottish Refugee Council's next AGM will be held on the 15 January 2009 at Edinburgh City Chambers. John Vine, Chief Inspector of the UK Border Agency will give a keynote speech. If you would like to attend or want further information please contact the Membership and External Affairs Officer Graeme Corbett on 0141 248 9799 or email [graemecorbett@scottishrefugeecouncil.org.uk](mailto:graemecorbett@scottishrefugeecouncil.org.uk)

### Safeguarding the Most Vulnerable: Supporting Victims of Private Space Violence

The House Magazine, written for and by Parliamentarians is to hold one of its regular Westminster Briefings which aims to provide a forum for practitioners, local policy makers and civil servants to debate key issues with leading figures from within Westminster, Whitehall and Local Government. The conference will be held in Westminster on Wednesday, 10 December 2008 from 10.00am – 4:15pm. For more information please contact Luke Espin at:

T: 020–7096 2922 F: 020–7096 2946

E: [luke.espin@westminster-briefing.com](mailto:luke.espin@westminster-briefing.com)

W: [www.westminster-briefing.com](http://www.westminster-briefing.com)

### “Outsourcing Abuse” - a public discussion

Diane Abbott MP has organised public meeting to discuss the findings of the "Outsourcing Abuse" report published in July. "Outsourcing Abuse" describes an alarming number of injuries sustained by asylum deportees at the hand of private "escorts" contracted by the Home Office.

This discussion will be held on Wednesday 10th December 2008, 11.00am - 1pm in Committee room 14, House of Commons.

Key issues will focus on:

- \* Are immigration detainees being removed from the UK treated with Dignity?
- \* Will those who claim to have been assaulted have access to Justice?

Speakers include: Lord Avebury (chair), Diane Abbott MP, Baroness Helena Kennedy, Harriet Wistrich, Birnberg Peirce & Partners, Dr. Frank Arnold, Medical Justice, Sarah Maguire - international human rights lawyer, Mafungasei Maikokera - alleged assault victim and the Home Office.

There is no need to book and travel expenses are available if a receipt is provided (including Oyster top-up) for those without the right to work travelling from within London. Please contact: [emma.ginn@medicaljustice.org.uk](mailto:emma.ginn@medicaljustice.org.uk) / 07904 778365

### Refugee Council – Regional Workshops

Refugee Council is hosting a series of regional workshops in November and December as part of the Inclusive Secondary Schools Project, which aims to encourage partnership work between schools and Refugee Community Organisations (RCOs). The events will discuss the findings of the research and introduce the inclusive education resource pack: "Hand in Hand: a resource pack to help meet the needs of refugees and asylum seekers in secondary school." For more information please go to:

<http://www.refugeecouncil.org.uk/eventsandtraining/inclusiveschools.htm>