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Welcome to the Advocacy Network newsletter

February 2018

This is the February newsletter of the Refugee Council's Advocacy Network. The aim of the Advocacy Network is to provide a direct link between the Refugee Council's Advocacy Team and other individuals and organisations working with refugees and people seeking asylum in the UK. The network is based on a principle of information sharing and collective working in order to achieve positive policy change for refugees and people seeking asylum.

You can become a member [here](#).



Latest asylum and refugee statistics

Despite the need for protection being greater than ever, with war in Yemen unravelling on our TV screens, Syrian children being evacuated from Eastern Ghouta and over 650,000 Rohingya Muslims having to flee their homes in Myanmar, according to Government [migration statistics](#), covering period up to September 2017, **asylum applications in the UK actually decreased by 21% to 26,617 in the year ending September 2017**. Out of this number **15,618 people received protection status in the UK**. The UK government still refuses to put a time limit on how long a person can spend in an immigration detention. The UK government still allows for children to be detained despite promising to end the practice in 2010. **In the twelve months up to September 2017, 69 children were locked up in immigration detention, including fourteen under the age of 5 years old**. Read our [statistics on refugees and asylum](#), and [latest statistics briefings](#) for more information.



Private Member's Bill on Refugee Family Reunion – update

The Refugee Council, along with partner organisations, are supporting a Private Member's Bill introduced in the House of Commons by Angus MacNeil, MP. This Bill is instrumental in changing current rules on refugee family reunion, which are unfair and restrictive. The only family members explicitly allowed to join adult refugees in the UK are their spouse/partner and their dependent children who are under the age of 18. **Separated children who are found to be refugees have no right to reunite with even their closest family members.**

We are calling for:

1. Child refugees in the UK having the right to sponsor their family so they can rebuild their lives together and help them integrate in their new community
2. An expansion of who qualifies as family so that young people who have turned 18 and elderly parents can live in safety with their families in the UK
3. The reintroduction of legal aid so refugees who have lost everything have the support they need to afford and navigate the complicated process of being reunited with their families

The second reading is scheduled for 16th March 2018. We need your help to ensure that MPs attend this important debate and support our Bill. You can use our [website](#), in order to see who your local MP is and to send them an e-mail which we have prepared. **It will take less than 5 minutes but can make a huge change in the lives of refugees who wish to reunite with their loved ones.**

More to come:

- There is another Refugee Family Reunion Bill going through the Houses of Parliament. Bill was introduced by Baroness Hamwee, and is currently under the debate in the House of Lords. Second reading took place on 15th December 2017. There was a cross-party support for the Bill, you can see the record of discussion [here](#). The motion was agreed to and Bill now moved to the committee stage.
- Together with Oxfam UK, **on 31st January 2018, we launched a report [Safe but not settled](#) on how family reunion and ongoing forced separation from loved ones affect the ability of refugees to successfully integrate into the UK.** Our report is based on interviews conducted with the Refugee Council staff over the summer of 2017, it highlights the experiences of 44 resettled refugee families who are currently living in Yorkshire and Humberside, and Hertfordshire. More information [here](#).
- **We like to invite other organisations to join us in this important campaign.** Please be in touch if you are interested in supporting the Refugee Family Reunion campaigning work and Private Member's Bill.

Please contact us on:

- parliamentary@refugeecouncil.org.uk if you would like to discuss or support our work around the Refugee Family Reunion Bill
- media@refugeecouncil.org.uk if you know people with lived experience, who would like to share their stories of refugee family reunion with us
- kama.petruczenko@refugeecouncil.org.uk if you like to get involved or know more about this campaign



Guidance on Dublin Regulation finally published

For many years we have been calling for the Home Office to issue guidance on Dublin III and we highlighted this in our [briefing](#) of November 2015. **Last month the government finally released [guidance](#) to its staff on how to implement Dublin III – almost four years after its implementation in law.** A small section deals with adult family members and some guidance has been given on the dependency and discretionary clauses.

When Regulation (EU) No 643/2013 came into force in January 2014 not many of us could foresee how much this piece of EU law would find itself in the newsrooms and courtrooms of the UK. The aforementioned regulation is more commonly known as **Dublin III – the agreement amongst EU Member states (and associated Schengen states) to determine which of them should make a decision on a person’s asylum claim.** Prior to Dublin III, there was little to celebrate about the Regulation – it is an administrative tool to shunt people around Europe depending on which country ‘let them in’ and therefore becomes responsible for their asylum claim. However, **this version of the Regulation contains provisions to move people in order to protect family unity. Separated children can request to be joined with immediate family, usually in the country where the adult lives. They can also be transferred to a country on the basis that a relative (e.g. aunt or uncle) is able to look after them.** It is these clauses that have seen some of the high profile cases and campaigns, particularly relating to children living in dreadful circumstances in Calais, who have been brought to live with relatives in the UK.

Less well known are the clauses that seek to reunite adult family members. **As well as spouses (and unmarried couples in most of Europe), adults can ask to be reunited on the basis of dependency e.g. where a person is ill or pregnant; in these cases states are informed that they should keep wider family members together** e.g. parents and adult siblings. In addition, states are allowed to detract from the usual transfers, or to transfer exceptionally, to bring together any relatives, or for any other humanitarian reason. **There is quite a lot of scope then to ensure that adults as well as children can benefit from the Dublin Regulation.**

We would be interested to hear if anyone works with adult family members affected by these clauses, particularly if they have requested that the family be kept or brought together under this Regulation.

Please contact Kama on kama.petruczenko@refugeecouncil.org.uk in order to share these experiences with us.



Good news about the National Insurance Number (NINo)

We have an exciting announcement to make: following years of advocating for the prompt issuing of National Insurance Numbers to newly recognised refugees, the Home Office has informed us that **from 8th January 2018 all individuals (including dependants) over the age of 16, who are issued with a Biometric Residence Permit (BRP) will have their NINo printed on their BRP.**

This further means that people seeking asylum will no longer be asked, at the application stage, if they want the Home Office take their details in order to pass them on to Department for Work and Pensions (DWP). **From now on, the Home Office will simply take all the information needed by the DWP to issue a NINo.** Those people, who had NINo prior to claiming asylum, will have their existing NINo printed on their BRP.

As far as we know the guidance wasn't yet updated, however in a meantime you can refer to statement made by the Immigration Minister in the House of Commons on 5th December 2017, available [here](#).



Major reforms needed to ensure quality asylum support accommodation

In January 2017 the Home Affairs Select Committee (HASC) published a [report](#) into COMPASS contracts for the provision of accommodation to people seeking asylum in the UK. In this damning report, **MPs described existing asylum accommodation conditions 'disgraceful' and 'shameful' and called on the Government to take immediate action to rectify this situation.** The long awaited response from the Government was published on 10th November 2017, and it is available [here](#). Unfortunately, **the Government failed to engage with the majority of the points raised by the HASC, their response is disappointing and wholly inadequate** leading to the Chair of the HASC, Yvette Cooper, leading a Westminster Hall debate on the issue. You can read our briefing for Westminster Hall debate [here](#). We have to remember that people seeking asylum are not allowed to work and depend solely on a basic support provided to them by the Home Office. Forcing people to live in an unsuitable accommodation (infested with rodents, damp, overcrowded, unsafe and one that does not meet their health and living needs), impedes on their rights to dignity, security and makes it harder for them to start to rebuild their lives. You can read our comments on the Government's response [here](#) and our Submission to the HASC [here](#).



Safeguarding strategy - update

You may remember that in our previous newsletter, which is available [here](#), we signalled that the Department for Education and the Home Office (the two departments responsible for policies affecting unaccompanied children), were developing a safeguarding strategy soon. [Safeguarding strategy – unaccompanied asylum seeking and refugee children](#) was published on 1st November 2017. **This new strategy, in a comprehensive way, introduces systems that promote safeguarding and welfare of children and young people.** It should be read in conjunction with another policy, which was published on the same day: [Care for unaccompanied migrant children and child victims of modern slavery](#). We were involved throughout the consultation process, and you can see our full comment [here](#).



Horrors of the UK detention system

We all remember horrendous footages from the Brook House IRC presented by the [BBC Panorama](#) whistleblowing document last September. It revealed not only prison like conditions, but showed a systematic abuse, prevalence of drugs, chaos and incompetence. Many of the people who were filmed were visibly vulnerable, distressed and in need of a specialist help. It is yet another reminder why there should be no place for detention in the British immigration system. **This year Stephen Shaw, a former Prisons and Probations Ombudsman, is due to publish his follow-up report on 64 recommendations for the UK detention system.** We have provided [our opinion](#) to this report and we will keep you informed about future developments in this area.

November brought another [report](#) into detention, this time by the HM Chief Inspector of Prisons, Peter Clarke, who made an unannounced visit to the Yarl's Wood IRC in June 2017. He notes, that situation improved since the last visit, however there are still areas that need improvement (the quality of Rule 35 reports, women who had been tortured are still detained, and there are general concerns about correct implementation of adults at risk policy). **It is important to stress that around 70% of women detained at Yarl's Wood are released back into the community.** Please see our full comment [here](#).



How well is the Home Office handling asylum claims?

On 28th November 2017, the Independent Chief Inspector of Borders and Immigration (ICIBI), David Bolt, published his [report](#) on the Home Office's asylum intake and casework process. Mr. Bolt found many flaws in the process of dealing with asylum claims up to the point of initial decision, and issued 7

recommendations. [The Home Office](#) has accepted six of these recommendations in full and one in part. You can read our full analysis [here](#).

News from our members

We like to invite you to share your policy and influencing updates with the Advocacy Network members. Please be in touch if you like to contribute to the next edition of the Advocacy Network Newsletter.

Please see contribution from our colleagues at **the Asylum Matters** below:

**Department of Health Formal Review of
'NHS Charging Regulations'**

asylum matters

The Department of Health are conducting a formal review of 'The National Health Service (Charges to Overseas Visitors) (Amendment) Regulations 2017', with a particular focus on the impact on vulnerable groups. The commitment to conduct a review was made by the Government during a [House of Lords debate](#) in which concerns were raised that the regulations could lead to increased barriers to healthcare for vulnerable individuals and breach equality legislation through the potential use of racial profiling as a means to identify chargeable patients. On 30th November 2017, DH announced the scope of a formal review of the Amendment Regulations to a select group of stakeholders and invited expressions of interest to participate in the review. On 22nd December 2017, DH released a list of review questions, unfortunately, **the deadline for input is tight with responses required by 31st January 2018.**

Asylum Matters and Doctors of the World have prepared [a guidance note](#) with key messages and examples of evidence that can assist with response to this review. We are encouraging our partners to make their own submissions but if you are not able to do so and still have some case studies you would like to share, please do get in touch and we can include this in our submission. You can contact Estelle at Asylum Matters (Estelle@asylummatters.org) in that case, or if submitting directly to the Department of Health, get in touch with Alex Sinclair Alexander.Sinclair@dh.gsi.gov.uk.

In other news

We would like to encourage you to support an international policy consultation which Turkish Refugee Council, iGAM (Asylum and Migration Research Centre, Turkey) and Oxfam UK launched in December 2017. **The aim of this consultation is to put the perspectives of refugees and the host communities that host them at the heart of international policy making on refugee issues.**

The deadline was extended beyond 25th January 2018. You can answer questions by clicking on one of the link below:

English: <http://bit.ly/2kGl2nO>

Arabic: <http://bit.ly/2jbRrSA>

French: <http://bit.ly/2AV56oI>

Turkish: <http://bit.ly/2Bahwx6>

Questions? Suggestions? We are looking forward to hear from you. Please get in touch with us by e-mailing the Advocacy network Co-ordinator, Kama Petruczenko, on kama.petruczenko@refugeecouncil.org.uk