

The Refugee Council submission to the Public Accounts Committee Inquiry on The Syrian Vulnerable Persons Resettlement Programme

October 2016

1. The Refugee Council is one of the leading charities working with refugees and asylum seekers in the UK. We were founded in 1951 in response to the UN Convention for Refugees. The Refugee Council has worked with the Government and local government on a number of the resettlement programmes during our history, and we share some of our experience in this submission.

2. Summary of response:

- Resettlement is a life changing event for refugees who have no prospect of return to their home country nor any prospect of integration in their host country. Resettled refugees also contribute an enormous amount to the communities that welcome them.
- At a time of the greatest refugee crisis since WWII, resettlement is an important tool to help States share responsibility for refugee protection.
- Refugees resettled through the Syrian Vulnerable Persons Resettlement Scheme should be recognised as refugees rather than given humanitarian protection.

3. Refugees are eligible for resettlement if they have no prospect of return to their home country nor integration in their host country. UNHCR describes resettlement as “a tool to provide international protection and meet the specific needs of individual refugees whose life, liberty, safety, health or other fundamental rights are at risk in the country where they have sought refuge.”¹ Resettlement is also a tangible expression of international solidarity and a responsibility sharing mechanism, allowing States to help share responsibility for refugee protection. This is of particular relevance today with more 21 million refugees worldwide, 86% of whom are in developing countries.

¹ <http://www.unhcr.org/3d464b239.html>

4. The Refugee Council first called for the UK to resettle Syrian refugees in response to the crisis in the summer of 2013. After the initial Vulnerable Persons Relocation scheme (as it was then called) was announced in the following January, we campaigned for it to be expanded and welcomed the announcement in September 2015 that the UK would resettle 20,000 refugees by the end of 2020.

5. This represents a significant and welcome increase in the number of resettlement places provided by the UK, which previously saw fewer than a thousand refugees resettled to the country per annum. The UK's significant increase in resettlement places should be viewed in the context of the largest refugee crisis since the Second World War. Given that the number of available resettlement places has historically been, and continues to be, dwarfed by need, we continue to urge the Government to make an on-going commitment to offer resettlement places at current levels, beyond 2020. Additionally, we argue that other safe and legal routes for refugees to seek protection should be better utilised, including through the introduction of humanitarian visas and expanding family reunion provisions.

6. The Syrian Vulnerable Persons Resettlement (VPR) programme builds on the experience the UK has gained from previous resettlement programmes, not least the Gateway Protection Programme (GPP). The Refugee Council has been involved in the Gateway Protection Programme for over 10 years, working with local authorities to support refugees resettled to the UK. Launched in 2004, the UK Government currently provides 750 resettlement places each year through the GPP for refugees from around the world. The programme operates in the North East, Bradford, and in Sheffield and Hull. The Refugee Council works in partnership with local authorities in Yorkshire and Humberside to ensure that resettled refugees are given the tailored support they need to settle in the UK. Since 2004 the Refugee Council has supported refugees from a variety of countries, including Liberia, Burma, Congo, Iraq, Somalia, Ethiopia, Sudan and Bhutan.

7. Since the VPR was launched, we have worked with a number of local authorities who are resettling refugees. Some of those local authorities have a history of resettling refugees, in particular in Sheffield and Hull, while others, including several in Hertfordshire, are resettling refugees for the first time. In both the GPP and VPR, the Refugee Council works in partnership with local authorities to provide intensive support to refugees who have been resettled to the UK. This includes meeting refugees at the airport when they first arrive, accompanying them to their new home, and helping to develop a personal integration plan for individuals to help them to access education, training, employment and connect with their local communities.

8. Our experience of working with resettled refugees is that resettlement changes lives; it is utterly transformative for the refugees given the chance to rebuild their lives in the UK but local communities that welcome them also report many benefits. One of the refugees who we have worked with is Hamed, who was resettled to the UK as part of the GPP. Hamed worked as a tailor for the British armed forces and then as an interpreter with United States army during the second Iraq war. After the troops left he began to receive death threats. People shot at his house and he and his family survived a number of attempts to kill them. They fled to Syria in search of safety but Hamed was not allowed to work as an Iraqi and they lived in poverty. Then war broke out there too.

9. Hamed describes the moment he heard that he and his family found out that they were to be resettled in the UK, and the difference it has made to their lives: *"After five years, everything we had was gone, our money had run out. We had reached the lowest possible point. We had nothing. Resettlement was our final hope. One day when my children were at school I got a call. We had been accepted to come to Britain. When my children got home they said – "We don't believe you! We don't believe you!" That day, we all could not stop crying tears of happiness. It was a historic moment. It was like something had come from heaven to save us. Resettlement changed our lives forever. Life in Iraq and Syria was so difficult. It was hard for children to go to school. There was no future for my kids. Hospitals are in very bad condition. You can't walk in the street. There is violence between the militias. They kidnap and rape every day. They shoot and they kill in the streets. Here we can live in peace. My children can get an education. Now, my two boys are studying at college and my daughter is set to go to university next year. I'm working as a taxi driver and as I am a huge history fan I am now working with the museums in Hull. I feel a deep connection between Hull and my home city as they are both historic port towns. I'm involved in making a film to celebrate Hull as the European capital of culture."*²

10. Ayham came to the UK in 2014 with his family. His father had been killed during the civil war in Syria and although he was about to start medical school, Ayham and his family fled to Egypt. While in Egypt, his younger brother was diagnosed with leukaemia. They were resettled to Bradford so that his brother could receive the medical treatment they needed. Thanks to the treatment Ayham's brother received, he is doing much better. Ayham is studying and taking UK qualifications so that he can continue to pursue his medical career.

² For more on Hamed's story, see http://www.refugeecouncil.org.uk/latest/blogs/4588_now_we_look_forward_to_the_future

Areas of concern regarding the Syrian Vulnerable Persons Resettlement Programme

11. The National Audit Office report on the VPR highlights that refugees resettled to the UK under the programme are granted humanitarian protection rather than refugee status. We are not aware of the Government ever explaining publically why this status is granted. The National Audit Office highlight a number of practical difficulties being awarded humanitarian protection creates for refugees. These difficulties can have a significant negative impact on the ability for refugees to integrate and settle in the UK.

12. The National Audit Office makes mention of the impact being awarded humanitarian protection rather than refugee status has on the ability for Syrian refugees to travel abroad.³ A number of the refugees we have supported through the VPR have spoken about their desire to visit family members in other European countries but have faced problems getting the necessary documentation and approval. A convention travel document, as would be given to someone with refugee status, usually allows travel to any country except the holder's country of origin and, if different, the country from which they sought asylum. A Syrian with humanitarian protection would need to either have a Syrian passport or a certificate of travel. For numerous reasons, many Syrians will not have had their passport when they arrived in the UK nor will they be able to renew their passport once it expires. A certificate of travel is not only more expensive than a convention travel document (£218 compared to £72 for adults) but also significantly limits travel opportunities. A number of countries do not recognise the certificate as a valid travel document and all countries require the holder to additionally apply for a visa.

13. An issue not raised by the National Audit Office report concerns access to higher education support. Whereas people with refugee status are able to access student finance and home fee status from the time they receive their status, those with humanitarian protection are treated differently. In order to qualify for student finance, young people will need to have been resident in the UK for three years at the start of the academic year.⁴ The lack of access to student finance is a considerable barrier – and in many cases an insurmountable barrier – to young people being able to attend university. For a Syrian arriving this autumn, they would not be eligible for student finance until the start of the academic year in 2020.⁵ This issue was recently the subject of debate during the Public Bill Committee stage of

³ See paragraph 3.19 of the National Audit Office report

⁴ See regulation 4(10) of The Education (Student Support) Regulations 2011

⁵ The situation in Scotland is different for resettled Syrian refugees. Since 1 August 2016, Syrians being resettled to Scotland through the Vulnerable Persons Resettlement programme have had immediate access to home fee status and student finance.

the Higher Education and Research Bill in the House of Commons, but the Government appeared unwilling to change the current legislation.⁶

14. There are a number of difficulties caused by Syrian refugees who are resettled to the UK being granted humanitarian protection and the Government have never publically explained why this should be the case. **We recommend that all resettled refugees should be awarded refugee status. Those refugees who have already arrived in the UK through the VPR programme should have their status changed from humanitarian protection to refugee status.**

15. Additionally, like those granted refugee status after going through the asylum process, resettled Syrian are given a UK residence permit that is valid for five years and renewable.⁷ This has been the UK policy since August 2005, before which refugees were granted indefinite leave to remain on getting their refugee status. The refugees that we work with who have either been resettled or who are granted refugee status after going through the asylum process, often feel uncertain about their future as they do not know what will happen at the end of the five years. They particularly express concern about disrupting their children's education. This has a considerable impact on the ability for refugees to settle in the UK. **We recommend that all refugees, including those who are resettled through VPR, should receive indefinite leave to remain.**

13. The National Audit Office raise the historic problem of neither those with refugee status or humanitarian protection being entitled to disability benefits such as Carer's Allowance or Personal Independence Payment, due to the application of the past present test. This was also the case for Disability Living Allowance until a recent case. The past present test meant that refugees had to have been living in the UK for at least 104 out of the last 154 weeks. For resettled refugees, including those resettled through the Syrian programme, this meant that they were prevented from receiving this support for the first two years they were in the UK. As resettlement is targeted at those refugees with particular medical needs or who are victims of torture, being unable to access this support was particularly problematic.

14. On the 30 March 2016, the Upper Tribunal ruled that applying the past present test was unlawful discrimination towards refugees.⁸ In September, the Department for Work and Pensions issued new guidance on both Disability Living Allowance and Personal Independence Payment stating that they would not appeal

⁶ Higher Education and Research Bill Deb 18 October 2016 c569-573

⁷ See paragraph 3.20 of the National Audit Report

⁸ See *MM and SI v Secretary of State for Work and Pensions (DLA)* [2016] UKUT 0149 (AAC)

the ruling.⁹ The guidance states that the past presence test will no longer be applied to claims for either disability benefit from refugees or those with humanitarian protection. **We welcome the Department for Work and Pensions' decision not to appeal the ruling, but urge them to ensure that decision makers are aware of the change in guidance and that it is applied correctly.**

Contact information

For further information on the issues covered by this submission, please contact:
Jon Featonby, Parliamentary Manager – jonathan.featonby@refugeecouncil.org.uk / 020 7346 1038 / 07780 664598

⁹ DMG Memo 20/16
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551837/m-20-16.pdf
and ADM Memo 21/16
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551872/adm21-16.pdf respectively