

# Briefing: Impact of the Illegal Migration Act on those working with refugees and people seeking asylum

This is one of two briefings that are the outcome of research by Sue Lukes and Richard Williams, commissioned by the Refugee Council in May 2023, into the implications of the Illegal Migration Act that gained Royal Assent on 20 July 2023. Firstly, the research assessed the implications of the Act for people seeking asylum, their principle needs to live with safety and dignity and to access protection, and barriers to addressing them, such as access to legal advice and representation, appropriate housing, and financial support. A briefing on this, which also includes background detail about the provisions of the Act, is available on the Refugee Council website.

Secondly, the research looked at the likely impact on the support organisations refugees and people seeking asylum rely on for their safety and other needs, and how they plan to sustain and adapt their activities. This is the subject of this briefing.

A third briefing for the Refugee Council only, assesses the implications for the future provision of the Refugee Council's asylum services and the impact on the organisation's services strategy, together with potential implications for the organisation's influencing priorities and activities.

Research was conducted in June- August 2023 and comprised:

- A review of relevant documents, including internal Refugee Council briefings;
- An online survey of key organisations in the sector, which received 41 responses;
- Six online discussion groups: three with Refugee Council staff and three with representatives of organisations across the refugee sector, of which one was targeted at legal practitioners
- Semi-structured interviews with senior Refugee Council staff and key representatives from the voluntary sector and local government.

These sources were then analysed thematically.

Respondents to the survey, as well as discussion group participants and interviewees, were assured that their contributions would not be attributed. Quotes from these are in *italics*. We would like to take this opportunity to thank publicly all those who contributed.

A decision was made not to consult directly people with lived experience after discussions with people involved in safeguarding.

## 1. The context

What is the “refugee sector”? It is clear it will need some redefinition in the wake of the Act. The distinction between refugees and migrants has been muddled by government and media, but was never easy to maintain. Recently, new organisations and services have started working with people seeking asylum, often impelled by the opening of hotels or other accommodation in their area, and the arrival of dozens of people without adequate clothing or access to basic nutrition.

Migration Exchange published a report on the UK refugee and migrant sector in July 2023.<sup>1</sup> They found 1,463 charitable organisations working on refugee and migrant issues. 44% of the funding for the sector was controlled by 3% of the charities in it, with the top five charities taking in over a third of the total funding. In England and Wales, the 419 charities with annual incomes of less than £100,000 received about 6% of the resources for the sector. Many of these work specifically at a local level, within one or more local authority areas, or even within one neighbourhood. Most charities were worried about financial sustainability.

We also surveyed organisations, in June 2023, to ask how they expected the Illegal Migration Act to affect them and the people they work with, and received responses from 41 organisations currently working with Refugee Council in some capacity. Most of these were larger and more focused specifically on refugees, although 48% did provide services to other migrants, but only one worked with people who had been refused asylum and one with people in detention. Only just over half (55%) had sufficient resources for the next year. Most expected to change their services in response to the Act, including prioritising people whose asylum claims are deemed inadmissible. But most were also uncertain about when and how they would make those changes or about the detail of those changes.

Survey respondents and those in our discussion groups told us “The main feeling is *“we just don’t know”*. *“We don’t know what it’s going to look like so it’s hard to have a response”*. The uncertainty was mixed with fear: *“There’s a sort of tenseness amongst all organizations or professionals who work with this particular client group.... a culture of fear.”* The reframing of many people seeking asylum as undocumented migrants has practical consequences, not just in terms of access to services. Some organisations are now reviewing their strategic purpose and/or charitable objects to include work with people who are seeking refugee protection but have become undocumented.

Organisations in the sector reported running at capacity and beyond, from facing several years of a hostile policy environment and successive crises, even before the Illegal Migration Act is implemented. They worried about burnout and losing experienced staff who could no longer face the stress and exhaustion. Far right activities and increasing aggression, online and in person, increase this. This has reduced their capacity to think and act strategically to respond to the new challenges posed by the Act.

*“The sector feels at capacity in most places. There is a pervasive feeling of adding to fear, feeling of being dehumanised, [...] not knowing how long people are going to be lingering for and what the outcome might be.”*

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<sup>1</sup> M Kaye & R Grove-White, People, power and priorities: Insights into the UK refugee and migration sector. Migration Exchange, July 2023

*“We are starting mental health cafes to discuss problems, training staff, set up a safeguarding point, being careful about social media and how to use and about openness, and ensure volunteers are never alone”.*

## 2. Legal advice

Everyone shared concerns about access to decent legal advice and legal aid. People apply for asylum within a complex, changing and adversarial system. If they do not get legal assistance at the outset they risk failing to provide the necessary evidence and/or getting poor decisions made by the Home Office. If they then need to appeal (and last year 43% of appeals were successful<sup>2</sup>) legal representation is even more necessary.

Even before the Act comes into force, the legal landscape facing people seeking asylum needing advice is one facing multiple challenges. Legal aid is provided on contracts described as “bureaucratic and complex<sup>3</sup>” that have failed to keep pace with need.

The deficit of legally aided advice available to people making an asylum application now means it is estimated that 45% of them will not be able to get that crucial advice<sup>4</sup>. An average of two legal aid offices a month closed last year. Those that remain open find retention and recruitment difficult<sup>5</sup>. One organisation stated:

*“We have had calls from people to whom all the different versions of the rules apply to – old, new, potentially new. We notice increased distress and difficulty accessing legal advice. People are in remote areas where there are no services or cities where services are full.”*

This results in whole areas of the UK with no provision at all, even though the Home Office has moved to full dispersal (placing people in all local authorities across England, Scotland and Wales, including those where people haven’t historically been placed), so that there are areas where large numbers of people are currently placed in hotels or may be sent to former military bases where there is no accessible legal advice. Even where there are offices open, some firms now refuse to work on appeals because they are not financially viable, as legal aid pays a fixed fee for appeals.

Organisations also relayed their concerns that when they do find firms willing to take cases, they may not be those they trust to do the work well. Lawyers representing separated children tend to fare better because work on their cases is paid at an hourly rate and so is more viable for solicitors, but children and their advocates also struggle to find quality representation in the specialist areas needed such as trafficking and modern slavery.

If the Act is implemented, these difficulties will multiply as interviewees and discussants reported:

- Time limits for a suspensive appeal for those issued with a removal notice are very tight: eight days from decision. Few people believe that firms can actually run a case in that time.

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<sup>2</sup> <https://www.refugeecouncil.org.uk/information/refugee-asylum-facts/top-10-facts-about-refugees-and-people-seeking-asylum/#:~:text=5.,from%2029%25%20in%202010>).

<sup>3</sup> <https://publiclawproject.org.uk/content/uploads/2023/09/Adrift-explainer.pdf>

<sup>4</sup> From data provided by Dr Jo Wilding to Refugee Action Insight Hub, but see also the more recently published report by Public Law Project: <https://publiclawproject.org.uk/content/uploads/2023/09/Oceans-of-unmet-need-Sep-2023.pdf> which provides detailed evidence area by area.

<sup>5</sup> Ibid

- Organisations which currently refer for legal advice will have to triage, to filter those who need urgent advice and those who can maybe wait, and this is a significant administrative burden that will also add to the current stressors.
- There will be no suspensive appeal from inadmissibility decisions, so firms and organisations that derive significant income from routine appeal work on asylum may no longer survive. One NGO estimated they might lose 45% of their income.
- Within the time limits, in some cases lawyers will have to seek further funding from the Legal Aid Agency, commission and review medico-legal reports to challenge the removal notice which routinely take weeks to compile and assess and seek advice on options for judicial review or recourse to the European Court of Human Rights. The costs involved in taking the recent cases against removal to Rwanda have been considerable and many firms worked night and day to bring them.
- Currently, lawyers taking routine asylum cases have a specific set of skills required to run the case. Working on cases deemed inadmissible will require new skills and sets of knowledge for which retraining may be needed.
- The Act is highly likely to increase the numbers of people detained, including children, which will make access to legal advice even more difficult. There are doubts about how well the current system for duty legal advice for people in detention functions and it is unlikely to improve with more people detained.
- NGOs are also concerned that options for those covered by the Office for Immigration Services Commissioner (OISC) regulated advice may reduce because challenging inadmissibility will require a higher level of expertise and so endanger another layer of service provision.

It is not obvious how to tackle this multi-layered, complex and deep-set knot of problems. It is the considered view of many involved that it has gone significantly beyond what can be addressed by having a pan-sector strategy or better coordination. Clearly more money and resources are needed: not just an uplift to rates but a comprehensive overhaul of how legal aid is funded. But even if that were done quickly, there is still a lot to be addressed. Meanwhile, the rest of the migrant and refugee sector is trying to ration, fill in gaps, and support those let down by the significant short fall in legally aided immigration advice.

### 3. What is the sector doing?

Many participants talked about the challenge of just not knowing: *“We are juggling jelly with uncertainty.”*

This derived particularly from the experience of the last couple of years. The Nationality and Borders Act 2022 has not been fully implemented, and some provisions that were initially brought into force have since been suspended.<sup>6</sup> Organisations supporting people seeking asylum had carefully told those who were due to lose rights under it, only to find they had to go back and say it had changed. *“We are not having routine conversations with clients. We are only just starting to have conversations about [the Nationality and Borders Act]. We only had one conversation about group 1, group 2 refugees before it went.”*

So, organisations were cautious about using precious capacity in preparing for changes or investing in developing new areas of expertise that depended on implementation of the Act. Meanwhile frontline advisers were cautious about scaring newer arrivals unnecessarily because

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<sup>6</sup> One of the key provisions in the Nationality and Borders Act, that of treating refugees differently depending on how they entered the UK, was paused in July 2023. <https://questions-statements.parliament.uk/written-statements/detail/2023-06-08/hcws837>

of concerns that they might react by doing things that made them less safe, such as “going underground”.

*“We try to counteract fearmongering about Rwanda. People don’t understand the difference between a Bill and an Act, so we publish explainers saying that it’s not an Act yet, nobody has been sent to Rwanda.”*

Almost all our survey respondents believed the Act would result in people seeking asylum finding it more difficult to find protection as refugees, housing, financial/welfare support, and the legal advice that is so necessary to secure all of these. Several said that most or all of their clients had reached the UK via irregular routes. For example:

*“All the young people we see have arrived via an irregular route. In our 15-year experience we have never encountered an unaccompanied minor seeking asylum who had arrived via a so-called “legal route”. All are therefore at risk of being significantly marginalised by this bill and their access to all relevant social, financial and legal services reduced. The work we are doing, of supporting them in building resilience and working to their rehabilitation, will be made impossible.”*

A significant proportion of survey respondents (43%) did not know how the Act would affect the number of clients accessing their services, but about a quarter (24%) expected to see a lot more users. Survey respondents expected to see more clients in detention and more experiencing destitution.

Three quarters of survey respondents thought the Act would affect how clients accessed their services and most (81%) thought they would have to change their services as a result. Around a third of organisations (32%) reported significant increases or decreases in their service uptake or number of service users since the Illegal Migration Act was first published. Others highlighted that the needs of service users had increased rather than the actual numbers.

More than half (57%) expected to prioritise people seeking asylum with inadmissible claims even though they were unsure what they would be able to do for them. Most were unsure how the Act would affect resources, but many expressed concerns about the lack of availability of legal aid noted above. Some organisations, especially those working in areas where people have turned up in large numbers in hotels, have moved to get qualified as regulated immigration advisers. Others are considering it. This, of course, may meet some needs of people who had sought asylum prior to the Act coming into force, but would not necessarily be of so much use to those with inadmissible claims because those will be more complex, and are likely to need high level legal representation and knowledge.

In discussions, NGOs talked about a range of issues:

- working with people in hotels, barges and detention centres and the difficulties these posed
- issues about how users access services and trust
- how to develop different services and/or work with different or new groups of people
- how to develop legal challenges to the Act
- how to work with organisations, including those in the statutory sector, which shared their concerns but had not yet developed so much work with people seeking asylum.

One organisation stated:

*"Further down the line...we are looking at what our role might be in detention and institutional accommodation settings, the front door to services, the need for increased capacity for front-line casework and advice services. We may need to review things such as destitution support criteria and strengthen our knowledge base and technical expertise"*

## Hotels, barges, barracks, bases and detention

The extension of dispersal to the whole of the UK, and the increase in the use of hotels to accommodate people seeking asylum, often in parts of the country that have not hosted them before, presents new challenges and opportunities for the sector. There are around 400 hotels currently in use.<sup>7</sup> Refugee organisations are working in and around at least half of these although the numbers and places in use change significantly over time.

Most organisations we surveyed currently support people seeking asylum who reside in hotels, accommodation sites and immigration detention centres with the majority supporting people in hotels. 84% of organisations provide emotional and mental health support followed by access to healthcare and English language training. 29% of organisations had already put in place or made plans to support people seeking asylum at the new sites with many highlighting the increase in numbers, the increase in homelessness, and the need for legal support which they often felt unable to provide.

There were grave concerns about how the Home Office has commissioned hotels and how contractors run them, many of which have been reported in the media, and/or are the focus of legal action. People in hotels report inadequate food, long delays in getting the cash payments needed to buy toiletries etc, accommodation that is dangerous, unhealthy or unsuitable for people's needs, no space for children to play or study, and examples of harassment and abuse from hotel staff<sup>8</sup>.

Many areas have responded by putting support in place. One community network set up to help with a hotel brought into use in a rural area was offering, within two months of being set up:

- Places to play football with a local team
- Volunteering opportunities for a forthcoming pantomime
- Cooking and helping at a local community garden
- Support with English lessons
- Fundraising for bikes
- Money and help in kind to provide transport from remote areas

These new volunteers bring huge goodwill but most have no knowledge of the asylum system, how to find good legal advice, etc. If or when elements of the Act are implemented this will present them with more difficulties and new situations.

Hotels are also the focus for action by far-right extremist organisations, and this creates dangers for residents and those supporting them. The head of one charity showed us a "wanted" poster with his face on it, issued by one such organisation. He also pointed out that donations and offers of volunteering went up when hatred was at its worst.

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<sup>7</sup> In October 2023, the Home Office announced plans to end the use of 50 of those hotels by January 2024 <https://www.bbc.com/news/uk-politics-67201589>

<sup>8</sup> [Children in England's asylum hotels suffering from malnutrition](#). The Guardian. 17 June 2023. [Refugee Council. Lives on Hold. July 2022](#).

The introduction of new forms of accommodation on barges and bases are also challenges for the sector. The Bibby Stockholm barge in Portland is in a secure port environment. The Wethersfield and Scampton bases are some miles from the nearest towns of any size, fenced off and have guards at the gates. The first Wethersfield residents have been moved there directly from the coast, and so have not established prior contact with any support agencies. Volunteers walked around the wire to talk to them and were confronted by the guards, but eventually managed to give out leaflets about services and establish a base in a nearby church.

The level of security in these places puts them “*effectively on the cusp of being detention centres*”. Currently there is a maximum of about 3,000 places available in Immigration Removal Centres (detention centres) in the UK<sup>9</sup>. In 2021 81% of those detained were people who had claimed asylum and the rest were other migrants<sup>10</sup>. The implementation of the Illegal Migration Act demands many more places: Refugee Council estimates nearly 200,000 people will be liable to be detained in the first three years after full implementation, including about 40,000 children<sup>11</sup>. Haslar and Campsfield are due to reopen by the end of 2023, but their combined capacity of up to 1,000 is substantially exceeded by the potential demands of the Act. Given the difficulty of setting up new detention centres, these military bases and barges could potentially get redesignated by the Home Office as needed.

Few organisations are set up to work with those held in detention sites, and it is a difficult area of practice. Access to detention centres is strictly controlled, people detained often find it difficult to engage even with their legal representatives. Detention often triggers or exacerbates a range of mental health problems, and issues of consent, confidentiality and safeguarding are all more fraught.

*“Visits to the detention centres will be very hard for us to do and that would be one of the gaps that needs to be filled. There’s very little or no legal support for this group of service users. I am also anticipating there will be no little or no wellbeing support, English classes for adults or education in general for children, welfare of people will be very poor, trauma and other mental health needs, women’s health, children’s health”.*

Most of those we surveyed and interviewed had not yet made any specific plans for how they might work in detained settings. There was a general recognition that they needed to learn from and work with those who already did, such as visitor groups, the small number of advice and support organisations and those providing other services such as music, that have access. These organisations, however, are generally smaller and poorly resourced. There were concerns about how such work could be done, the boundaries to be set, the difficulties in negotiating access and what compromises might be required to do that.

#### In person vs remote: access

A theme that recurred several times in discussions was how the introduction of the Act would not only increase demand for services, often from remote locations or places difficult to access, but also undermine trust in the organisations people need for help and support.

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<sup>9</sup> Although as at March 2023 there were 1,591 people in detention

<https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-march-2023/how-many-people-are-detained-or-returned>

<sup>10</sup> <https://migrationobservatory.ox.ac.uk/resources/briefings/immigration-detention-in-the-uk/#:~:text=In%202021%2C%2081%25%20of%20those,up%20from%2066%25%20in%202020.>

<sup>11</sup> [Refugee Council Illegal Migration Bill – Assessment of impact of inadmissibility, removals, detention, accommodation and safe routes. March 2023](https://www.refugeecouncil.org.uk/immigration/illegal-migration-bill-assessment-of-impact-of-inadmissibility-removals-detention-accommodation-and-safe-routes-march-2023)

For organisations facing increased demand from wider areas, the obvious response is to provide more remote access services, especially since models have been established for this during the pandemic.

*“Because of the increasingly remote nature of Home Office accommodation sites, we anticipate people will need to access our phone service rather than attend clinics in person.”*

*“We will likely need to provide an entirely virtual service with no or little face to face contact.”*

Some organisations, however, had reverted to in person access after the pandemic, because they were concerned at how the profile of their users had changed.

*“We are an in-person service. We did phone lines for 2 months during pandemic. It changed the profile of clients. Those who contacted us online were people who would not have bothered to come and queue and just wanted free support for their application”.*

The issue is not just the types of users that get included and excluded: it is the quality of relationships established by in person versus remote contact. Several organisations expressed strong convictions that the Act and all the associated issues underlined the need for people seeking asylum to be able to build up trust with those who support and advise them.

Given the timescales, other pressures, and the life and death decisions about seeking protection that need to be made, trust becomes essential. That is unlikely to be established via phone calls. Organisations providing drop ins and face to face services tend to have much more solid relationships. Many, however, rely on volunteers and may not have the knowledge, support or experience to offer the services needed safely.

This requires real respectful partnerships: between them, organisations with established procedures and experience and those with daily contact with asylum seekers need to agree on what safe, quality practice looks like. Frontline organisations will need support and resources to embed this.

## Work with different groups of people/doing different things

If the Act is implemented the majority of those seeking protection in the UK are likely to be affected because they fulfil the conditions to be deemed inadmissible. Of course, this leaves 165,411 people still in the current backlog of asylum decisions<sup>12</sup>, and the other people who claim asylum and will continue their claims as at present and need services from the sector as before.

The Act moves people who previously would have been in the asylum system into a range of new situations and processes. Each of these presents the sector with new dilemmas and decisions. Each also creates needs for learning and training, new partnerships, legal guidance, new procedures and processes. As noted above, these new needs arise in sectors that are already under extreme pressure.

## Those who decide not to claim because they fear being removed

Many of these will be people with well-founded claims to asylum or protection as victims of trafficking. NGOs said they are concerned that there is little they can offer that will give any

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<sup>12</sup> Immigration System Statistics, year ending September 2023, Asylum and Resettlement - Asylum applications awaiting a decision <https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-september-2023>



hope. *“We may need to redeploy resources to monitor and track, and that might help reassure people if they know that their deepest fear has been logged.”*

*“So if a potential victim (of modern slavery) or member of the public contacts us about someone they are concerned about, if we don’t know their status and haven’t talked to them, we won’t know what’s best for them. At the moment we would still refer (to the National Referral Mechanism (NRM)), but that may change. We have talked about sharing anonymised aggregate data with police forces, but not specifics. It doesn’t feel like it’s enough. Where does safeguarding overtake concerns? Perhaps if the person is at risk of physical harm? We are hoping other services will appear for people we’ve assessed as a victim but can’t access the NRM. Currently there are lots of small local services doing this work, but it’s a postcode lottery. They can’t meet the need now, let alone if the number snowballs. “*

Organisations across the sector highlighted that they are grappling with how they might meet the needs of people who decide to “go underground”:

*“Some communities sleep rough in a particular area. If we alert the local authority will the Home Office come and pick people up?”*

*“We would have to be careful about the legalities of helping people staying illegally in the country”.*

*“It will push people underground. There will be a lot more community hosting and destitution support.”*

### **Those who need help to prevent or contest a possible “inadmissible” decision**

*“It won’t be about the asylum claim, but about assessment of vulnerability,” a participant in a discussion group said, “we provide (medico legal) reports usually in response to a request by a legal rep. But they won’t have legal advice until the removal stage. We will need to think super carefully about what we can meaningfully do for people in that process, moving that quickly [...] We may need to provide in different environments, in tighter timescales”. “Also “coming directly” will be a key area where people will need help and advice on gathering evidence and presenting it”.*

### **Those deemed inadmissible who may be removed to a third country**

Apart from some international NGOs, which have operations in the relevant countries, most organisations in the sector did not believe that they could offer meaningful support or services to people once they were out of the UK.

### **Those deemed inadmissible who cannot be removed but are left in detention**

Many organisations had decided previously not to work in detention, but some are now reconsidering this as noted above.

### **Those deemed inadmissible who are neither removed or detained but left in limbo with no options on longer term leave, family reunion, settlement or citizenship**

A participant in a discussion group from a national organisation said, *“Are we going to be holding people in unsustainable situations? What are we going to collude with? Are we going to support people in abhorrent accommodation?” “We will have more difficult conversations: how do we frame that? People will have no rights, so (they will be) concerned about sharing information”.*

Another participant said, *“Most services look at two categories: asylum seekers and refugees. Maybe there’s a new category who need special services: “undocumented asylum seekers”. They will need specialist advisers.”*

*“Clients will be more traumatised, at risk of serious harm, and become disengaged.”*

Given the Act has yet to be implemented organisations are considering what decisions they will have to make, which groups they should prioritise and why, what partnerships they should develop, what new skills and systems will be needed, for each of these groups. And, meanwhile, they are concerned to continue holding safe spaces for all existing service users. A legal practitioner said clear messaging was needed for people affected, *“so people know who is and who isn’t affected etc - so that panic is not wider than necessary.”*

## New entrants to “the sector”?

The “sector” researched by Migration Exchange are not the only organisations dealing with the Act. The challenges created by the Act point to the need to build and work with as wide a coalition of partners and people as possible to respond to it. Other organisations are already seeking to do this.

The homelessness sector has been working with migrants for some years, recognising the contribution that no recourse to public funds and complex rules for EU citizens has made to street homelessness. The creation of thousands more people who may believe they have no alternative but to remove themselves from the asylum system facing the possibility of homelessness and destitution could be a huge challenge. Some migrant-focused organisations such as Praxis and some others grouped in The No Accommodation Network (NACCOM) are already working in the homelessness and housing sectors and have developed partnerships, referral pathways and resources that the refugee sector can learn from. The Act may accelerate this move to join up these two sectors.

Charities whose focus is on local emergency assistance have also got involved in supporting people in asylum hotels. This has drawn in churches, and sometimes trade unions and campaigning groups.

Some local health services have also become much more involved in working in partnership with the refugee sector, again, particularly in relation to asylum hotels, and also the concerns about young people going missing from hotels. A participant in a discussion group for organisations in the sector said, *“I was worried about young asylum seekers becoming a hidden underclass, the destitution under our noses. Home Office people tell me informally that “once they are gone they are gone” and aren’t bothered about them.”*

Local councils have also become involved. They recognise that the Act itself will have severe consequences for them once implemented. Some have approached larger refugee organisation to ask for training on the Act and its implications.

*“Local authorities were really concerned about cost and legality impacts for them. The Act will likely create a huge increase in [support under section 17 of the Children Act 1979] support for children in need – and they just don’t have it in their budget.”*

Those working directly with young people are particularly concerned.

*“Social workers have come to me, concerned about the Bill and implications for their young person. Local Authorities are worried and that’s become clear in the planning. There’s a general feeling that they don’t feel positive about the future for young people”.*

Regional Strategic Migration Partnerships are also beginning to engage and organisations in the sector are considering asking them to get involved in collecting data on the impact of the Act.

#### 4. Coordinating the sector

Discussion of “the sector” implies a much greater degree of coordination and joint action than actually exists in what may be called the migrant/refugee sector. As noted above, the sector is very varied: ranging from organisations with multi-million budgets operating nationally to small unincorporated associations of volunteers in one locality. This diversity is a source of strength, enabling multi-level responses and huge flexibility, but the organisations do not necessarily work well together. In fact, there is a degree of suspicion: smaller, poorer organisations worry about the fundraising capacity of the big ones, while organisations that have invested heavily in professional and safe systems worry about volunteers who do not have the same standards. The arrival of new organisations also poses new challenges to coordinating action.

The Act, however, creates a huge challenge that demands a response from all. It is a critical change in how the system needs to operate to ensure that people who need refugee protection can access it and are safe while doing so.

Some have asked whether we should now be applying the techniques of emergency disaster management to the UK refugee sector.

*“Can we learn from disaster management but is it too early to press the disaster button?”* asked one interviewee. These echoed findings of a Migration Exchange study:<sup>13</sup> *“Coordination and crisis response support for service delivery organisations. The sector could benefit from more structured guidance and support when external crises or challenging policies affect frontline work. This could usefully help NGOs (including smaller, local NGOs) to adapt their services to meet changing needs.”*

The interviewee continued, *“I’d like to see a dashboard drawing on experience of work in disaster settings, identifying watch points/signals, for example, actually detained pregnant women. It would include a risk matrix. [...] Could the sector be better geared up to be resilient to this and other major changes, in the same way that humanitarian organisations prepare for emergencies?”*

There is certainly a need to support the system to adapt: to map local services and identify connections and gaps, with a view to ensuring that new referral pathways are developed that can keep people safer.

*“I think now more than ever the overarching ecosystem for people in the system needs to be mapped - not just refugee services, but on a real community grassroots level, to understand the different organisations interacting with the different client groups (particularly those most at risk of going underground and lost to visibility)”*

The other area where there is a demand for coordination is in the provision of information at a national level. This faces two ways:

- People working at the frontline want information about the national picture, the policy changes or the progress of legal challenges to support their ability to provide good advice and other services.

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<sup>13</sup> Ruth Grove-White and Mike Kaye, [People Power and Priorities](#). Migration Exchange. July 2023

- People working at a national level to develop policy and campaigning, including strategic litigation, want information from the frontline to guide that work and feed into it.

Both “ends” require time and resources to be able to specify their needs well, and feed back on the results, and this needs to be an iterative process to be flexible enough to cope with on going developments.

What is less clear is how these levels of coordination can be achieved. The larger organisations could play a role, acknowledging the need for sensitivity in relation to the smaller and less resourced. In some areas the Strategic Migration Partnerships have the resources, trust and reach to do this, but not all areas because the regional Strategic Migration Partnership model varies significantly based on local ways of working and resources.

Aside from this coordination there is clearly a role for larger organisations, with the support of funders, to:

- Work with frontline organisations to develop guidelines on how to work with people in the new situations created by the Act, including any ethical questions raised and the legal context.
- Liaise with the Home Office and its contractors about access to provide services in accommodation and detention centres.
- Develop training programmes on the Act and its effects for both NGOs and local statutory services.
- Build local alliances between NGOs and health and local authorities, as a necessary part of analysing the gaps in services and building referral networks.
- Ensure that all organisations in the sector receive timely information about the implementation of the Act and the implications of it for all groups of affected. Many interviewees and those in discussion groups talked about information overload, but short, clearly identified, targeted information sent out through all available networks, including guidance on ethical and legal issues arising for frontline workers and the ways in which they can help with influencing government would be welcomed.
- Coordinate campaigning and advocacy on individual provisions of the Act as well as for repeal of the Act in its entirety, and, in particular ensuring that the many local and smaller organisations are linked into the work done by Asylum Matters and the Together With Refugees coalition.