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It would
have been
a catastrophe
if ASAP had
not existed.

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CAROLINE GOTTARDO
TRUSTEE

asaproject.org

ASAP
ASYLUM
SUPPORT
APPEALS
PROJECT

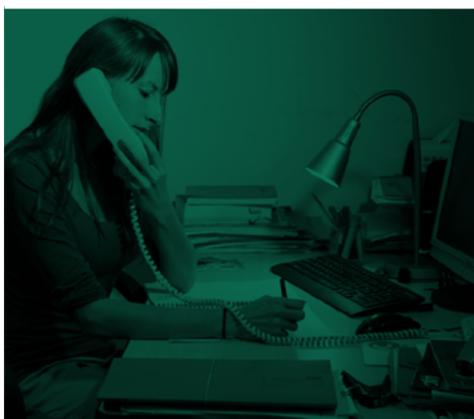
TIMELINE

FROM 2000–2015

SHOWING MAJOR CHANGES AFFECTING
ASYLUM SEEKERS AND THEIR SUPPORT

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May 2016
Written by: Marie-Anne Fishwick,
ASAP Legal Researcher and Advisor



58.00 million persons of concern to UNHCR (end June figure).

32,414

34,363

2,525

2015

Immigration Bill 2015 – proposes to significantly reduce the support entitlements for refused asylum seekers.

Further submissions must now all be made in Liverpool rather than at a local reporting centre. Home Office pull all AVR work in-house.

The weekly carry over limit (£5) for single people on S4 is scrapped. Significant reductions in the support rates for families on S95 support.

The Court of Appeal overturns the High Court finding that the proposed 'residence test' is unlawful in Public Law Project v Lord Chancellor [2015] EWCA Civ 1193.

54.95 million persons of concern to UNHCR. Increasing conflict in Libya.

25,033

29,753

3,655

2014

Immigration Act 2014.

Home Office calculation of asylum support rates found to be unlawful in R (Refugee Action) v SSHD [2014] EWHC 1033 (Admin). Despite defeat in courts UKVI announces no change to asylum support rates. Immigration Act 2014 creates a new offence of renting houses to people without status and prohibits those without leave from opening a bank account.

End of the OSS system and beginning of a single national advice contract run by Migrant Help. Advice now largely provided over the phone. The proposed legal aid 'residence test' is found to be unlawful by the High Court (R (Public Law Project) v SSJ, Office of Children's Commissioner (Intervener) EWHC 2365 (Admin)).

42.86 million persons of concern to UNHCR. Beginning of conflict in South Sudan.

23,584

23,459

3,401

2013

Home Office abandons New Asylum Model and restructures asylum system now called Asylum Operating Model (AOM). July – Home Office run the "Go Home" campaign.

Alcohol and tobacco is added to the list of items that people on S4 support can't buy. Local Authority Support for asylum seekers with care needs is restricted SL v Westminster [2013].

LASPO – Legal aid is no longer available for immigration work (except for asylum & immigration detention).

35.85 million persons of concern to UNHCR.

21,843

20,182

2,757

2012

Home Office's policy of delaying decisions on s4 support in further submissions cases for 15 working days breaches human rights. MK & AH v SSHD (Refugee Action intervener) [2012] EWHC 1896 (Admin). Accommodation is now provided by 3 private contractors (G4S, Serco and Clearsprings).

35.44 million persons of concern to UNHCR. Start of Arab spring, start of Syrian civil war.

19,865

20,894

2,310

2011

Legacy cases review completed.

Refused asylum seekers on S4 support added to the list of people entitled to free healthcare. Local Authorities must provide support to children of refused asylum seekers who are "in need" R (VC) v Newcastle City Council [2011] EWHC 2673 (Admin).

Cuts to the asylum support advice contracts, services make greater use of phone advice. Assisted Voluntary Returns taken over by Refugee Action (previously administered by IOM).

33.90 million persons of concern to UNHCR.

17,916

22,039

3,560

2010

Local authorities must support refused asylum seeking families with children when an "arguable" Article 8 claim is outstanding (Birmingham City Council v Clue [2010] EWCA Civ 460). Permission to work after 1 year of a claim being undetermined for those with further submissions (R (ZO (Somalia) & others) v SSHD [2010] UKSC 36). Home Office restricts right to work to the shortage occupation list.

36.46 million persons of concern to UNHCR.

24,487

28,518

11,655

2009

Borders, Citizenship and Immigration Act 2009.

Asylum claims can only be made at the ASU in Croydon, further submissions to be made in person in Liverpool (for Legacy Cases) or at a local reporting centre. Duty to safeguard and promote the welfare of children introduced under 2009 Act.

Azure card replaces supermarket vouchers for people on S4 support.

34.45 million persons of concern to UNHCR.

25,932

31,339

10,296

2008

Appointment of first Chief Inspector for Home Office

Additional payments granted to people on S4 support. Support given to asylum seekers by the local authority is restricted to people who need someone to help them care for themselves. (R(M) v Slough Borough Council [2008] UKHL 52).

31.68 million persons of concern to UNHCR.

23,608

43,052

9,141

2007

UK Borders Act 2007; Immigration and Asylum (Provision of services or facilities) Regulations 2007.

21.05 million persons of concern to UNHCR.

25,712

49,430

5,145

2006

Immigration, Asylum and Nationality Act 2006.

Home Office is declared not fit for purpose, creation of the New Asylum Model (NAM) and review of 450,000 backlog (legacy) cases.

32.84 million persons of concern to UNHCR.

23,431

47,774

6,554

2005

Immigration and Asylum (Provision of Accommodation to Failed Asylum Seekers) Regulations 2005 – (provides framework for S4 support).

Refugees are no longer given Indefinite Leave to Remain.

S4 now giving supermarket vouchers.

Declared there is no viable route of return to Iraq entitling many refused asylum seekers to support under S4.

Asylum seekers who have been waiting for a year for a decision can apply for permission to work.

Destitution case in which Home Office policy on S.55 found to be unlawful R(Limbuela & Others (Shelter intervener) v SSHD [2005]).

21.86 million persons of concern to UNHCR.

2000 – 80,315 / 2001 – 71,027
2002 – 84,132 / 2003 – 49,407
2004 – 33,960



2000-2004

Immigration and Asylum Act 1999 comes into force Asylum Support Regulations 2000.

2003 – Family amnesty announced resulting in asylum seeking families accessing protection.

2000 – marks the start of the asylum support system as we know it, S.4 and S.95.

2002 – S55 Nationality Immigration and Asylum Act bars asylum seekers from support if they didn't claim asylum "as soon as reasonably practicable".

2003 – Removal of the right to work after six months for asylum seekers.

2004 – Introduction of an appeal right for S4 by the Asylum and Immigration (Treatment of Claimants etc) Act 2004.

2000 – Interagency Partnership created (IAP – Refugee Council, Refugee Action, RAP, Migrant Helpline, Scottish Refugee Council, Welsh Refugee Council) and advice through Government funded One Stop Services (OSS).

Number of Persons of Concern to UNHCR and Significant World Events

Number of Asylum Applications in UK

Numbers Supported on S95 at 31st December

Numbers Supported on S4 at 31st December

Key Legislative Changes

Major Changes in Immigration Law and Policy

Major changes in asylum support provision

Major changes in the advice sector and access to legal advice