

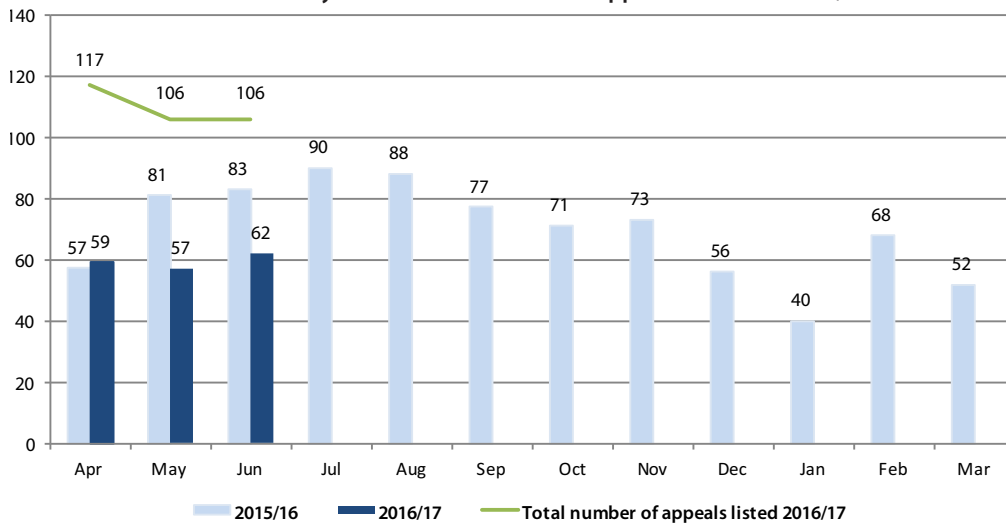
ASAP quarterly monitoring report

DUTY SCHEME

TOTAL NUMBER OF APPELLANTS ASSISTED

In Q1 we helped 178 appellants. Including dependants the total number of people helped was 269. We assisted 75% of appellants who had oral hearing (excluding cases that we could not have helped with, even if we had been able to).¹

Duty scheme: total number of appellants assisted in Q1



NOTES

- 1** These are cases that are withdrawn or adjourned prior to the hearing, cases that are designated by the Tribunal as being "ASAP barred" (the Tribunal prohibits us from assisting when an appellant is represented by a law firm unless they received written consent from the firm) or cases where the client failed to attend or refused our assistance.
- 2** There is some overlap in these categories as some cases concerned more than one subject (for example they may have related to both destitution and further submissions).
- 3** Judicial review.
- 4** This figure is adjusted to take into consideration clients whose appeals were withdrawn or who didn't attend their hearings.

APPEAL OUTCOMES

	Q1	Q2	Q3	Q4	2016/17	2015/16
% Allowed	57				57	55
% Remitted	15				15	16
% Dismissed	25				25	25
% Other	3				3	4

The vast majority of cases that were remitted were appeals against discontinuation decisions. A decision to remit in these circumstances means that the appellant will keep their support so we consider this to be a successful outcome. By adding this proportion to our allowed appeals, our 'success rate' was 71%.

APPEAL SUBJECT

- 78% of cases related to Section 4 (s4) support; 22% of cases related to Section 95 (s95) support.
- s4 cases were more likely to be allowed or remitted (75%, compared with 62% of s95 cases). s95 appeals were marginally more likely to be dismissed (27% of s95 cases were dismissed compared with 24% of s4 cases). We believe this difference was due to the fact that the majority of s95 appeals related to complex destitution appeals.

TOP 5 ISSUES IN Q1:²

1. s4 regulation 3(2)(e) – further submissions cases (72 cases = 46% caseload):

- 64% allowed, 19% dismissed, 17% remitted
- 87% of appeals were allowed where further submissions had been rejected and the JR³ was at pre-permission stage
- We won 56% of appeals where the client was preparing further submissions but these had not been handed to the Home Office yet. A further 16% of these cases were also remitted.

2. s95/s4 destitution cases (48 cases = 30% caseload):

- 70% allowed, 23% dismissed, 2% remitted
- s4 and s95 destitution cases had different outcomes; 81% of s4 destitution appeals were allowed compared with 55% of s95. This reflects our experience that s95 cases have been getting increasingly complex and difficult to prepare.

3. s4 regulation 3(2)(a): reasonable steps cases (8 cases = 5.1% caseload):

- 62.5% allowed, 37.5% dismissed





- There were still relatively few cases in this category compared with a few years ago. However, this quarter has seen an increase in these types of appeals (in contrast, there were only 3 such appeals in the last six months of 2015/16). The rise may be due to the fact that the new AVR system has embedded and people are starting to apply again.

4. s95/s4 breach of conditions cases (7 cases = 4.5% caseload):

- 71.4% allowed, 14% dismissed, 14% remitted.
- #### 5. s4 regulation 3(2)(b): medical cases (7 cases = 4.5% caseload):
- 29% allowed, 29% dismissed, 43% remitted
 - These cases have got more difficult to win in the last six months.

REFERRALS

We received 171 referrals from 61 different agencies. We were able to meet 89% of these referrals.⁴

CLIENT PROFILE

- The top 5 nationalities of appellants were Iraqi, Iranian, Pakistani, Zimbabwean and Palestinian
- 69% of appellants were men, 31% were women
- 16% of cases concerned families with children
- Most appellants lived in the North West (19%), London (15%) and the West Midlands (15%)
- 54% faced situations that would increase their vulnerability. Most commonly these were health problems with 13% suffering from mental health difficulties, 12% from physical health problems and 7% from both physical and mental health problems.



ADVICE LINE



We took 158 calls this quarter from 65 agencies:

- A large proportion of calls came from agencies based in London (35%), followed by Scotland (16%), the West Midlands (9%) and the South East (9%)
- Calls related mainly to s4 support (37%) and s95 support (25%). Other calls concerned to a variety of different issues such as Home Office or Tribunal procedures, community care law, s4(1) support and s98 support or a combination of these issues
- Most calls related to an individual's case rather than a general query. 39% were women, 57% were men
- The top 5 nationality of clients were Iraqi, Iranian, Zimbabwean, Pakistani and Libyan
- 22% of calls related to families with children
- 57% of calls related to people who were not receiving statutory support. 5% had no support whatsoever, 15% were supported entirely by charities. 26% were receiving support from a variety of sources (friends, family, charitable...etc.)
- 51% of clients experienced factors which would increase their vulnerability.

WOMEN'S PROJECT

Duty scheme: We helped 55 women at the tribunal. 37 (67%) women faced circumstances which increased their vulnerability. In particular, 2 reported being a victim of domestic violence, 1 of sexual violence and 1 of trafficking. 11 women were single parents.

Advice line: of the 62 calls that related to women 8 were recorded as having been trafficked, 12 reported being victims of domestic violence and 1 of sexual violence. In total, 38 women (61%) experienced circumstances that increased their vulnerability; 19 women were single parents.



ASYLUM SUPPORT ADVICE NETWORK (ASAN)



The ASAN Google group was launched at the end of March 2016 and is a national network of advisers who help asylum seekers, refused asylum seekers and irregular migrants access food and shelter.

Currently there are 623 members. In Q1, ASAN members started 75 discussion topics generating 213 posts. Certain topics generated a lot of discussion. One discussion generated 15 posts among 12 different people; another, 11 posts among 9 people; and a further 2 generated 10 posts among 9 people.