

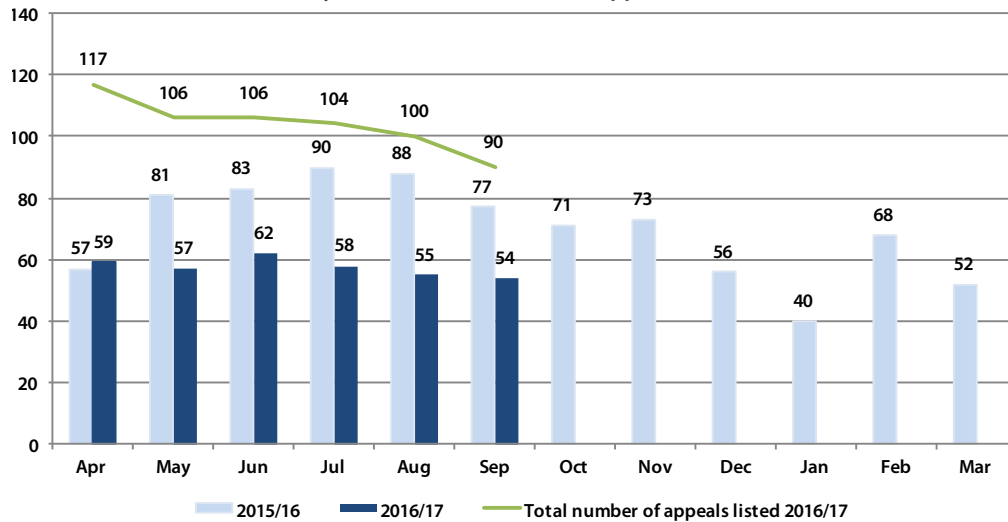
ASAP quarterly monitoring report

DUTY SCHEME

TOTAL NUMBER OF APPELLANTS ASSISTED

In Q2 we helped 167 appellants. Including dependants the total number of people helped was 264. We assisted 82% of appellants who had an oral hearing (excluding people who we could not have helped, even if we had been able to).¹

Duty scheme: total number of appellants assisted Q1-Q2



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- 1 These are cases that are withdrawn or adjourned prior to the hearing; cases that are designated by the Tribunal as being 'ASAP barred' (the Tribunal prohibits us from assisting when an appellant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 As far as possible we've checked our figures going back to 2005.
- 3 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).
- 4 Judicial review.
- 5 This figure is adjusted to take into consideration clients whose appeals were withdrawn or who didn't attend their hearings.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	54			55	55
% Remitted	15	11			13	16
% Dismissed	25	28			26	25
% Other	3	7			5	4

The slight drop in the proportion of allowed appeals is probably due to increased difficulty in winning Section 4 (s4) appeals for people who have made further submissions, particularly where these have not yet been submitted to the Home Office. 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' stood at 63%.

APPEAL SUBJECT

In the last 12 months we have noted a rise in Section 95 (s95) destitution appeals and this quarter this trend has continued. As a result, the proportion of s4 to s95 cases has dropped below 70% for the first time.² At present 66% of our appeals concerned eligibility to s4 support and 34% to s95 support. These appeals tend to be complex, making advanced referrals to the duty scheme more important.

TOP ISSUES IN Q2³

1. s95/s4 destitution cases (60 cases = 38% caseload):

- 63% allowed, 25% dismissed, 7% remitted
- As with last quarter, s4 and s95 destitution cases continue to have different outcomes: 79% of s4 destitution appeals are allowed, compared with 56% of s95 destitution cases.

2. s4 regulation 3(2)(e) – further submissions cases (59 cases = 38% caseload):

- 53% allowed, 29% dismissed, 14% remitted
- Compared with last quarter there has been a noticeable drop in the number of cases in this category. We anticipated this change as the Home Office has now wound down its review of further submissions cases.



- We are finding these appeals more difficult to win. Although we continue to win the vast majority of cases where further submissions have been rejected and the JR⁴ is at pre-permission stage, the allowed rate has dropped from 87% to 77%. The same thing has occurred with cases where the client was preparing further submissions but these had not been handed to the Home Office yet. In this category, only 38% of appeals succeed compared with 56% in the last quarter.

3. s4 regulation 3(2)(b): medical cases (9 cases = 6% caseload):

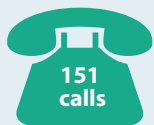
- 22% allowed, 44% dismissed, 22% remitted
- These cases continue to be increasingly difficult to win.

REFERRALS

We received 157 referrals from 51 different agencies. We were able to meet 91% of these referrals.⁵

CLIENT PROFILE

- The top 5 nationalities of appellants were Iraqi, Iranian, Pakistani, Zimbabwean and Afghani.
- 66% of appellants were men, 34% were women.
- 21% of cases concerned families with children.
- Most appellants lived in the North West (30%), West Midlands (15%) and London (14%).
- 56% faced situations that would increase their vulnerability. Most commonly these were health problems, with 12% suffering from physical health problems, 11% suffering from mental health difficulties and 10% from both.



ADVICE LINE



We took 151 calls this quarter from 61 agencies:

- A large proportion of calls came from agencies based in London (33%), followed by Scotland (15%), Yorkshire and Humberside (13%) and the South West (9%)
- Calls related mainly to s4 support (34%) and s95 support (29%). Other calls concerned to a variety of different issue 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. 34% were women, 61% were men
- The top 5 nationality of clients were Iranian, Iraqi, Pakistani, Nigerian and Sri Lankan
- 33% of calls related to families with children
- 57% of calls related to people who were not receiving statutory support. 11% had no support whatsoever, 13% were supported entirely by charities. 28% were receiving support from a variety of sources (friends, family, charitable... etc)
- 54% of clients experienced factors which would increase their vulnerability.

WOMEN'S PROJECT

Duty scheme: We helped 56 women at the tribunal. 35 (64%) women faced circumstances which increased their vulnerability. In particular, 6 reported being a victim of domestic violence, 1 of sexual violence and 1 had experienced an exploitative relationship. 11 women were single parents.

Advice line: Of the 52 calls that related to women, 5 were recorded as having been trafficked, 9 reported being victims of domestic violence and 1 of sexual violence. In total, 33 women (63%) experienced circumstances that increased their vulnerability. Almost half the women were single parents (48%).



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 619 members.

In this quarter members started 98 topics generating 483 posts among 392 people. Two discussions each generated 26 posts among 18 and 19 people. One of these topics was about a new procedure for communicating with the Home Office's asylum support teams. We helped by obtaining information from the Home Office and disseminating it through ASAN.