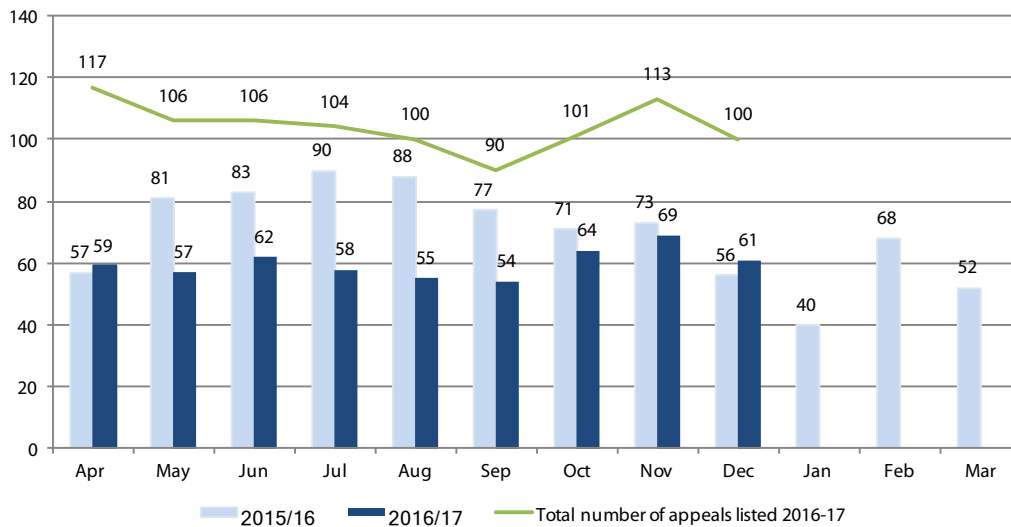


ASAP quarterly monitoring report

DUTY SCHEME

TOTAL NUMBER OF APPELLANTS ASSISTED

In Q3 we helped 194 appellants. Including dependants the total number of people helped was 295. We assisted 85% of appellants who had an oral hearing (excluding people who we could not have helped, even if we had been able to).¹



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1 These are cases that are withdrawn or adjourned prior to the hearing; cases that are designated by the Tribunal as being 'ASAP barred' (the Tribunal prohibits us from assisting when an appellant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 These decisions don't usually carry a right of appeal but in certain limited circumstances the Tribunal makes a decision that it has jurisdiction.

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4 This figure is adjusted to take into consideration clients whose appeals were withdrawn or who didn't attend their hearings.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	55
% Remitted	15	11	19		15	16
% Dismissed	25	28	19		24	25
% Other	3	7	6		6	4

The vast majority of cases that were remitted were appeals against discontinuation decisions. A decision to remit in these circumstances means that the appellants 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 70%.

APPEAL SUBJECT

We have continued to see a rise in Section 95 (s95) appeals, which now represent almost half of our appeals. This rise is due to an increase in destitution and breach appeals as well as an increase over the last 6 months in appeals against decisions not to entertain an application for s95 support.²

TOP ISSUES IN Q2³

1. s95 destitution cases (55 cases):

- 69% allowed, 7% remitted, 20% dismissed
- The increase in s95 destitution cases continues this quarter. The proportion of allowed appeals has gone from 56% last quarter to almost 70% in Q3.

2. Section 4 (s4) regulation 3(2)(e) – further submissions cases (42 cases):

- 57% allowed, 19% remitted, 19% dismissed.

3. s4 destitution cases (22 cases):

- 50% allowed, 9% remitted, 41% dismissed
- Where destitution was the sole issue in the appeal (11 cases) the allowed rate was higher, at 64%. The other half of our caseload concerned cases where destitution was not the only issue. These are much more likely to be unsuccessful, with only 36% appeals being allowed.

**4. s95 and s4 breach of conditions cases (15 cases):**

- 40% allowed, 47% remitted, 13% other
- There has been a noticeable increase in breach cases this quarter. Most are s95 breach cases and not one appeal was dismissed.

5. s4 medical cases (13 cases):

- 38.5% allowed, 38.5% remitted, 23% dismissed.

REFERRALS

We received 190 referrals from 54 different agencies. We were able to meet 89% of these referrals.⁴

CLIENT PROFILE

- The top 5 nationalities of appellants were Iranian, Iraqi, Pakistani, Zimbabwean and Afghani/Nigerian.
- 63% of appellants were men, 37% were women.
- 21% of cases concerned families with children.
- Most appellants lived in the North West (15%), Yorkshire and Humberside (14%), West Midlands (13%) and London (13%).
- 58% faced situations that would increase their vulnerability. Most commonly these were health issues, with 14% suffering from mental health problems, 11% from physical health problems and 5% from both.

**ADVICE LINE****We took 167 calls this quarter from 70 agencies:**

- 30% of calls came from agencies in London, followed by Yorkshire & Humber (16%) and the North West (9%)
- Calls related mainly to s95 support (31%) and s4 support (30%). Other calls concerned a variety of 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; 47% were men, 41% were women
- The top 5 nationalities of clients were Iraq, Pakistan, Iran, Eritrea and Nigeria
- 31% of calls related to families with children
- 61% of calls related to people who were not receiving statutory support. Most were supported by a combination of friends, family and charities. But 5% were supported entirely by charities
- 45% of clients experienced factors which would increase their vulnerability.

WOMEN'S PROJECT

Duty scheme: We helped 73 women this quarter. We have noticed an increase in the proportion of female appellants at the tribunal over the year. Currently 37% of appellants are women. We believe this is probably linked to the increase in s95 destitution cases where women are disproportionately represented (45% of appellants in s95 not destitute cases are women). This is likely to be because women, particularly those with children, will need more resources to travel and will therefore have more complex financial situations.

- 64% of women faced circumstances which increased their vulnerability. Most of these issues surrounded mental or physical health problems but we have noted an increase in reporting of gender based violence which affected 19 women. This may be linked to better monitoring by our advocates.
- 29 women had children, 22 of whom were single parents; 4 women were pregnant.

Advice line: in 25 (35%) of the 72 calls relating to women, agencies reported instances of gender-based violence. 38 women (52%) experienced circumstances that increased their vulnerability. 27 were single parents.

**ASYLUM SUPPORT ADVICE NETWORK (ASAN)**

ASAN welcomed 59 new members in Q3. Membership currently stands at 612 advisers throughout the UK. There were 107 topics generating 269 posts among 219 people. The issues that generated the most discussions were about new Home Office initiatives and how these affected asylum seekers.