

THE WOMEN'S PROJECT AT ASAP



ABOUT THIS REPORT

This report is a summary of the work of the women's project at ASAP from 2008 to 2014. It explains why the project was set up, what it has achieved over six years, and what more there is to do

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www.asaproject.org.uk

WHY WAS THE WOMEN'S PROJECT SET UP?

The impetus came from witnessing the vulnerability of women at the asylum support tribunal. Women like Yasmin:

Yasmin had endured an abusive marriage in her country of origin. She was subsequently abused by a British man in the UK. He was prosecuted and imprisoned as a result. Yasmin's extended family in the UK rejected her, saying that she had brought shame on them. Her application for basic accommodation and financial support was rejected by the Home Office. We represented her during her asylum support appeal, assisting her to win her appeal and escape destitution.

Over the past six years, ASAP legal representatives have stood alongside some of the most vulnerable women in our society at asylum support hearings. We have used our expert legal skills to make sure that these women have the best possible chance of avoiding destitution.

We represented women who had engaged in relationships with men in return for accommodation and financial support. Some had been trafficked into the sex trade in the UK. Others were being exploited in situations where they were doing domestic tasks in return for a roof over their head.

As with Yasmin, a high proportion of these women had already experienced sexual abuse in their country of origin. Many women had poor mental health which was at risk of deterioration as a

result of the stress caused by living in destitution.

Most of the mothers we saw at the tribunal were lone parents, struggling to meet their children's basic needs. We witnessed women in tears because they were unable to afford essential items such as nappies.

In many of these cases, the Home Office had made poor decisions to stop or refuse support to these women, misapplying their own policies and the law in the process.

We became aware that women were finding it particularly challenging to exercise their right of appeal against Home Office support decisions.

The tight timescale for appeals and the location of the tribunal in London caused difficulties for all appellants, whether male or female. But women, in particular, faced additional barriers:

- Childcare responsibilities and pregnancy caused practical, physical and emotional difficulties in accessing advice about how to appeal and in travelling to London for the appeal itself.



Meeting with a service user



- The lack of childcare at the tribunal meant that women had to bring children into the hearings.
- For cultural reasons, women tended to speak and understand less English than their male counterparts and, consequently, found it more difficult to get advice in their own language and understand the appeal process.
- Some women came from cultures where they did not generally engage with public authorities and lacked self-confidence about their ability to navigate the appeals process. Many were very fearful of appearing before a judge in a tribunal setting.
- For some women, receiving advice and representation from a male legal representative at the tribunal made it

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Home of the tribunal – and ASAP

more difficult to talk freely about their personal circumstances.

- Health problems, both physical and mental, affected the majority of women attending hearings.

OUR IMPACT

Service users: "Your work is very important because I felt that I was not alone during the hearing. That helped me to be calm about the situation."

Having someone on the side of clients at the asylum support tribunal while they fight to keep a roof over their head and food on the table makes a huge difference. They feel less alone, less intimidated, more confident to state their case and better able to understand what's happening. Crucially, it increases their chances of having somewhere to sleep that night.



ASAP operates a duty scheme helpline for agencies needing asylum support advice

WHAT WERE OUR AIMS?

We wanted to:

- ✓ *Reduce the destitution of female asylum seekers by supporting them to exercise their legal rights to housing and welfare support.*
- ✓ *Reduce the anxiety and stress that women felt while at the tribunal.*

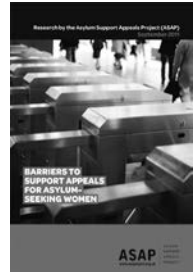
We hoped to achieve these overall aims by:

- ✓ Prioritising legal representation for female appellants at the tribunal and providing this representation, as far as possible, by female legal representatives.
- ✓ Developing legal arguments at the tribunal that were particularly relevant to women and investigating strategic litigation (judicial review) as a way to establish positive case law for women.
- ✓ Increasing the ability of partner agencies around the UK to give asylum support advice to women.
- ✓ Influencing the Home Office to change asylum support policies so they were more favourable to women.

WHAT DID WE DO TO ACHIEVE THESE AIMS?

Over the six years of the project:

- ✓ We represented or advised 733 women at the tribunal.
- ✓ We provided asylum support advice on the cases of 689 women through our advice line.
- ✓ We provided expert training on asylum support law to 366 individuals from 195 organisations.
- ✓ We produced eight factsheets and five briefing papers on the legal rights of asylum seekers, putting them on our website and emailing them to over 200 agencies that support asylum seekers.
- ✓ We worked with the Women's Asylum Charter group on asylum support policy issues affecting women, producing a research report into the barriers that women face when accessing asylum support advice and lodging asylum support appeals.



Gerry Hickey founded the women's project

WHAT DIFFERENCE DID WE MAKE?

On average, 60% of the women that we represented at the tribunal over the six years of the project avoided destitution.

Service users: *"Your work is very important because without you I would not have anyone to represent me. I am very grateful. Thank you very much."*

"It has been very helpful as I had to go by myself; they explained what was going to happen and what would happen next. It is really good to have someone to talk to openly."

Scottish Refugee Council: *"Providing support to people who attend the tribunal from different parts of the UK is really valuable. Knowing that there will be someone from ASAP there at the other end to support a vulnerable woman who has travelled down from Scotland is really important."*

Female appellants told us that being represented by a woman made a positive difference to their experience of being at the tribunal.

Service users: *"Better for me to have a woman; I am more comfortable to reveal my situation to a woman."*

"I relate more to a woman, you understand. I feel comfortable to say certain things about my health. I feel much more comfortable telling a woman about that aspect than a man."

We broke new legal ground for women at the tribunal. Among our most important successes have been winning



An ASAP barrister volunteer at the tribunal

appeals for destitute women in the early stages of pregnancy and then encouraging our partner agencies to use the same legal arguments.

London Refugee Support Service, British Red Cross: *"Prior to ASAP's work on Section 4 support for pregnant women before 34 weeks of pregnancy, we did not make applications. We now do this routinely with a relatively high degree of success."*

Our nationwide training and factsheets on asylum support increased the ability of partner agencies in the sector to advise women and prepare them for asylum support appeals. It also increased the number and quality of referrals to ASAP for representation.

Trainee, Women's Aid: *"The training was packed with lots of relevant info. It really is very informative and useful."*

Trainee, Just for Kids Law: *"A huge wealth of important information. Could have stayed for days!"*



Scottish Refugee Council: *"We have always used ASAP as a point of reference on support matters. We always pick up the phone to ASAP if we need to."*

Refugee Council: *"ASAP factsheets are really useful. Asylum support is complex and confusing and the factsheets explain it clearly and in an easy-to-digest format."*

Our policy work successes, conducted in conjunction with our partners in the Women's Asylum Charter group, included:

- Agreement from the Home Office that it would pay the costs of a taxi to hospital for women in labour.
- Agreement from the Home Office and the Ministry of Justice that vulnerable appellants could apply for travel costs for someone to accompany them to the tribunal.

Asylum Aid: *"The Women's Asylum Charter relies on organisations like ASAP to focus on the support issues that have a*

We provide training on women's issues

differential impact on women compared with men. ASAP has had and continues to have a major role in the Women's Asylum Charter group. It contributes to policy work, partnership projects and to strategic litigation."

More pregnant asylum seekers were given up to date information about their asylum support rights. This was a result of our strong partnership with Maternity Action which used its communication networks to send out information to midwives around the UK.

Maternity Action: *"We have worked in partnership with ASAP on improving support for destitute asylum seeking women. We have found ASAP's women's project to be an invaluable source of knowledge during this process."*

Also in partnership with Maternity Action, we commissioned a report by a

pregnancy expert that supports the case for women to be able to access Section 4 support earlier in pregnancy. This report is being used at the asylum support tribunal to support the cases of pregnant, destitute women. It will be made public shortly, with the hope that it will also be a useful tool for advisors in the community.



Alice Webb is the current head of the women's project

Our research report, 'Barriers to support appeals for asylum-seeking women', led to greater understanding within the sector about the particular problems that women face.

Refugee Council: *"ASAP reports, particularly on barriers to support appeals for asylum-seeking women, have really deepened my understanding of the challenges facing women in the asylum support system."*

WHAT MORE CAN WE DO?

We remain committed to supporting vulnerable women at the asylum support tribunal and in the wider community. We know that the problems that led us to set up the project six years ago have not gone away. We want to continue to make a difference in the lives of women who need our expert advice and representation on asylum support.

But asylum-seeking women are facing challenges that mean we have to renew

and adapt the way that we have been delivering our women's service. The challenges include:

- Nationwide changes to advice services have reduced the availability of asylum support advice, particularly in the area of appeal rights.
- Legal aid changes have reduced access to immigration advice and representation.

We need to increase our efforts to reach women in order to counteract these negative developments. We will do this by:

- ✓ Establishing supportive relationships with organisations that we do not already work with, helping them to develop and increase their capacity to advise female asylum seekers.
- ✓ Trialling the use of webinars and podcasts on asylum support issues so that advice workers can access our expertise more easily.

At the tribunal, we will develop and improve our service for women by:

- ✓ Providing more in-depth training on gender issues for our volunteer advocates so that they are better able to support women attending appeal hearings.

On policy issues, we will:

- ✓ Work with our partners to improve asylum support policies for women, particularly in relation to how the Home Office responds to reports of domestic violence from women who need safe accommodation.

THANKS TO THE FUNDERS OF OUR WOMEN'S PROJECT

Without your ongoing support we would not have been able to improve the lives of destitute asylum seeking women

COMIC RELIEF

JP GETTY

STRATEGIC LEGAL FUND

And to all the other funders who support the work of ASAP

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