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Free Legal Representation at the Asylum Support Tribunal in Croydon

Does your client have an appeal hearing at the Asylum Support Tribunal?

If your client has an oral hearing at the Asylum Support Tribunal in Croydon, ASAP could represent their case.

ASAP Duty Scheme runs on **Mondays, Tuesdays and Thursdays**. We are normally able to represent 2 - 3 cases a day.

Please call **0845 603 3884**.

It helps us to have as much information as possible before the hearing.

Sometimes we are also able to take on cases on other days. Currently, we are prioritising vulnerable women asylum seekers.

New Research Paper: 'Unreasonably Destitute?'

How UKBA is failing to support refused asylum seekers unable to leave the UK through no fault of their own

The latest report by Asylum Support Appeals Project shows that some categories of refused asylum seekers are forced into destitution through no fault of their own, because UKBA is enforcing unreasonable and impractical eligibility criteria for section 4 support. Click [here](#) to download the report.

The report, 'Unreasonably Destitute', investigates the effect of one of the most demanding Section 4* eligibility criteria, Regulation 3(2)(a)**, which requires applicants to prove they have taken 'all reasonable steps to leave the UK'. The report examines the difficulties individuals face while attempting to meet this criterion and demonstrates how they remain unable to meet it, in some cases for years, despite their best efforts. The report also makes recommendations which will make the provision of Section 4 support more reasonable.

[Read more](#)

Notes:

* Section 4, Immigration and Asylum Act 1999. Section 4 allows for the provision of support for former asylum seekers in the form of accommodation and vouchers with no cash support

** Regulation 3(2)(a), The Immigration and Asylum (Provision of Accommodation to Failed Asylum-Seekers) Regulations 2005

The Declining Value of Section 4 Support

Section 4 support does not increase with inflation, leading to a decline in the real value of Section 4 vouchers

The real value of Section 4 support is being steadily eroded as the Secretary of State fails to increase the value of the vouchers in line with inflation. Unlike social security and Section 95 support, Section 4 does not increase with inflation. Destitute refused asylum seekers who are entitled to vouchers are being made gradually worse off as the value of their support declines.

Section 4 support is currently set at £35 per week. The amount of s95 support has increased by 7.145% since 2005 in line with inflation (see the table below). If the Secretary of State had applied the same inflationary increase to s4 support, a single destitute refused asylum seeker would be receiving £37.50 instead of £35.

Value of s95	2005/06	2006/07	2007/08	2008/09
Qualifying Couple	61.71	63.07	64.96	66.13
Lone parent aged 18 and over	39.34	40.22	41.41	42.16
Single person aged 25 and over	39.34	40.22	41.41	42.16
Single person aged at least 18 but under 25	31.15	31.85	32.80	33.39
Person aged at least 16 but under 18 (except a member of a qualifying couple)	33.85	34.60	35.65	36.29
Person aged under 16	43.88	45.58	47.45	48.30

As of March 2008, there were 9365 people on Section 4 support. These people are now £2.50 worse off per week than they would have been, had they received support in 2005.

This is particularly disturbing because UKBA (formerly NASS) has maintained since 2005 that the Section 4 is intended to be 'a limited and temporary form of support' ([Joint Committee on Human Rights 'The Treatment of Asylum Seekers' 2006-07](#)), implying that the vouchers only just cover the cost of living. A decrease in the real value of the vouchers is therefore making surviving on Section 4 increasingly difficult.

ASAP Welcomes New Staff Member and New Volunteer

ASAP is pleased to welcome its new Communications and Training Administrator and its new Volunteer Assistant to the Coordinator

Abi Brunswick, a former volunteer for ASAP, started work as the new Training and Communications Administrator in June. Abi's role will include increasing communication with ASAP members and distributing information.

If you have any questions about ASAP or would like to find out more about the services we offer, email abi@asaproject.org.uk or call **020 8686 1888**.

Tom Copeland began volunteering at ASAP in July. Tom says 'I am grateful for the opportunity to work with ASAP and am looking forward to helping out as much as possible throughout 2008 with ASAPs important work'.

ASAP's Free Training on Support Options for Refused Asylum Seekers

ASAP is holding free training sessions in Cardiff in October 2008 and Manchester in early 2009

The training is for advice agencies and refugee community organisations advising destitute asylum seekers. The details will be confirmed soon.

ASAP's legal advisers are also available to give in-house training sessions for organisations advising people on Section 4 support. Due to limited resources, ASAP generally has to charge for these events.

For more information, please contact abi@asaproject.org.uk or call 020 8686 1888

New Project: Duty Scheme for Londoners

ASAP's Duty Scheme at the Asylum Support Tribunal (AST) is focusing on clients from within Greater London

If you have a client from London with an appeal at the AST in Croydon, ASAP could give them free legal representation and advice at their appeal hearing.

ASAP is launching a new London Project, and aims to represent more London-based clients at the Asylum Support Tribunal. If your organisation is based in London and works with destitute asylum seekers, please contact us for more information on **020 8686 1888** or call our Advice Line on **0845 603 3884**

Our Duty Scheme representation is

- **Available on a first-come, first-served basis.** We regret that we have limited capacity and may not be able to take on all referrals at busy times
- **Clients need to be living / staying in the Greater London area**
- **Priority is given to appeal hearings which take place on Mondays, Tuesdays and Thursdays.** This is likely to change in the future, so please visit our website to check the latest information: www.asaproject.org

Call us on **020 8686 1888** to make a referral.

If you have any questions about asylum support or asylum support appeals issues, please call our Advice Line on **0845 603 3884** on Mon, Wed and Fri.

ASAP's Women's Project

Update on ASAP's Women's Project, focussing on destitute female asylum seekers

Our April newsletter included an article about ASAP's new Women's Project targeting the needs of destitute female asylum seekers who have been victims of sexual violence. For the past 3 months we have been trying to ensure that we reach those women who need our help. This has included contacting organisations across the UK who work with asylum seeking women and submitting articles outlining the service to specialist newsletters from Asylum Aid and the Women's Resource Centre.

Since April 2008 we have advised and represented 29 women at the Asylum Support Tribunal. Most of the women we helped were destitute. Many were also suffering from physical or mental health problems. Several had young children and were surviving on food parcels and small amounts of

money they received from local charities. One of the cases we dealt with concerned a mother and daughter who had been the victims of torture in their country of origin. Their story is outlined below.

They had applied for Section 4 support on the grounds that they were destitute and had made a fresh claim. At the time of the application they had been living at a friend's accommodation. The property was in a very poor state of disrepair and was infested with mice. Their friends and the local community had also been providing them with food and small amounts of money when they could. UKBA had refused them Section 4 support on the grounds that they did not meet the criteria.

During the course of our interview with them it emerged that both the mother and daughter had significant mental and physical health problems. They were receiving support from a number of health providers including their GP, their local mental health team and from a specialist organisation working with survivors of human rights violations. All of the agencies working with them had expressed serious concerns for their welfare.

Their health problems stemmed from the torture and abuse they had suffered whilst detained in their country. As a consequence of their ordeal the mother had developed serious mental health problems and chronic back pain. She had recently undergone surgery as a result of internal bleeding and was still in recovering when we met her. She was having difficulties functioning on a day to day basis and required help with both washing and dressing.

The daughter was suffering from frequent and disabling panic attacks and had a history of self harming. At one stage her mental health had deteriorated to such an extent that she was treated at home by the local community mental health team.

ASAP represented them in their appeal and argued successfully that they should be awarded support. We also ensured that the family were provided with accommodation in London so as not to disrupt the treatment they were receiving there. In addition we assisted them to find a new solicitor who specialised in women's asylum claim and they are now in the process of submitting new evidence to the Home Office.

We will continue to update you on the work of the project over the coming months. For more information on the women's project please contact Gerry Hickey on **020 8686 1888**.