

Research by the Asylum Support Appeals Project (ASAP)

About ASAP

ASAP is a small national charity specialising in asylum support law. Our aim is to prevent the destitution of asylum seekers and refused asylum seekers by defending their legal entitlement to food and shelter.

We do this by running a full-time duty scheme at the First-tier Tribunal (Asylum Support) in East London, which provides free legal advice and representation to destitute asylum seekers and refused asylum seekers who have been refused housing and subsistence support or had support withdrawn.

We also run an advice line and training on asylum support law for advice workers and legal practitioners, and engage in policy work, advocacy and litigation to influence and change policy and practice.

Set up in 2003, ASAP staff and pro bono legal advocates now assist about 650 asylum seekers at the Tribunal every year, significantly increasing their chances of securing support.

Research reports

- Destitution: Unchecked, unbalanced. Home Office decision making on asylum support (2015)
- The next reasonable step: Recommended changes to Home Office policy and practice for Section 4 support granted under reg 3(2)(a) (2014)
- ASAP audit on UKBA decision making: One year on still 'no credibility' (2013)
- Barriers to support appeals for asylum seeking women (2011)
- No credibility: UKBA decision making and Section 4 support (2011)
- The waiting game: Delays in providing asylum support after appeals

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ASYLUM
SUPPORT
APPEALS
PROJECT

The provision of advice on asylum support appeals in the UK

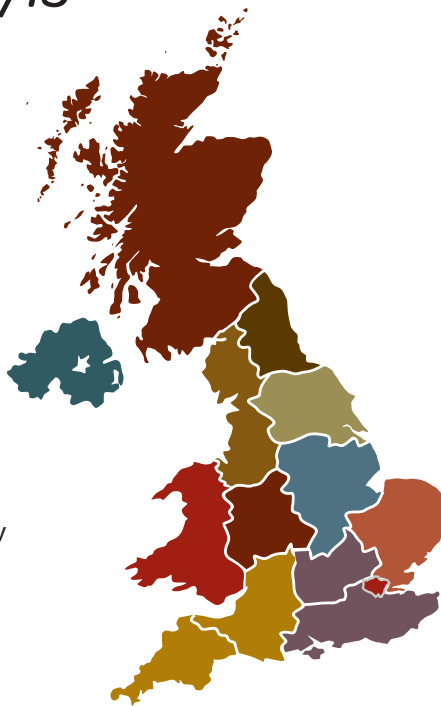
2013/14 and 2014/15

Context

In April 2014 the Home Office introduced new contracts for the delivery of asylum support advice services. Under the previous contract a number of voluntary sector agencies, spread across the country, were funded to provide help through One Stop Services. The new contract was only granted to one provider and contains a crucial restriction: advisers are not permitted to provide advocacy services to their clients.

Assistance is now limited to form filling and passing on information provided by the client. Advisers cannot, for example, make their own arguments as to why a person may be entitled to support. This is concerning because by their very nature appeals require advocacy. It's also very unlikely that individuals within the asylum process will have sufficient knowledge of asylum support law to formulate the legal arguments that are required in an appeal.

As a result, we were concerned there would be a drop in appeals, and already overstretched advice and destitution services would experience even more demand – without additional funding. To determine what happened and how the advice sector responded we compared the agencies listed as representatives in every appeal in the same six month period (October to March) before and after the new contracts were introduced.



Key findings

Asylum support appeals continued to rise
We didn't find that there were fewer appeals being lodged. On the contrary, there were 101 more appeals listed in the 6 months in 2014/15. However, this could be due to an increase in the number of appealable decisions rather than an increase in the provision of advice services.

Appeals from government funded advice services dropped

As we expected, the proportion of appeals made by government funded advice services plummeted. Under the previous system, 43% of appeals were prepared by One Stop Services compared with 8% the following year. Other voluntary sector agencies, largely within the asylum sector, took on the extra work (30% to 53%), as did solicitors (9% to 13%). There was also a concerning increase in people preparing their own appeals (17% to 24%).

There was significant regional variation in appeal numbers

- The North West, in particular, increased its proportion of appeals from (10% of appeals to 17%).
- There was a noticeable decrease in the number of appeals from Yorkshire and Humber (15% to 7%), the North East (12% to 5%) and the West Midlands (17% to 11%).

All this indicates that the change in contracts has had a significant impact on the advice sector in the UK and on the asylum seekers who depend on these services.

AGENCIES HELPING ASYLUM SEEKERS WITH THEIR ASYLUM SUPPORT APPEALS: 2013/14

SCOTLAND: 14

ONE STOP SERVICES:
 – Scottish Refugee Council: 6
 OTHER:
 – Unity Centre: 1
 SOLICITORS: 4
 REP UNKNOWN: 1
 NO REP: 2

NORTH EAST: 70

ONE STOP SERVICES: 63
 – NERS: 62
 – Refugee Action: 1
 SOLICITORS: 5
 NO REP: 2

YORKSHIRE/HUMBER: 89

ONE STOP SERVICES: 70
 – Northern Refugee Centre: 26
 – Refugee Council: 44
 OTHER: 10
 – Bradford Action for Refugees: 5
 – Solace: 2
 – ARKH: 1
 – Doncaster Conversation Club: 1
 – Kirklees Citizens Advice: 1
 SOLICITORS: 4
 REP UNKNOWN: 1
 NO REP: 4

NORTH WEST: 57

ONE STOP SERVICES:
 – Refugee Action: 38
 OTHER: 14
 – ASHA: 9
 – Asylum Link Merseyside: 3
 – Gorton South Sure Start Children's Centre: 1
 – Member of the public: 1
 SOLICITORS: 1
 REP UNKNOWN: 1
 NO REP: 3

EAST MIDLANDS: 41

ONE STOP SERVICES:
 – Refugee Action: 25
 OTHER: 12
 – British Red Cross: 11
 – Nottingham and Nottinghamshire Refugee Forum: 1
 NO REP: 4

NORTHERN IRELAND

NONE

WEST MIDLANDS: 103

ONE STOP SERVICES:
 – Refugee Council: 19
 OTHER: 71
 – Lifeline Options: 61
 – Coventry Refugee and Migrant Centre: 4
 – ASIRT: 2
 – British Red Cross: 2
 – Hope Projects: 1
 – Independent advocacy: 1
 SOLICITORS: 5
 REP UNKNOWN: 2
 NO REP: 6

EAST OF ENGLAND: 6

OTHER:
 – Suffolk Refugee Support: 2
 SOLICITORS: 3
 NO REP: 1

WALES: 16

ONE STOP SERVICES:
 – Welsh Refugee Council: 13
 OTHER:
 – Refugee Action: 1
 NO REP: 2

SOUTH WEST: 8

ONE STOP SERVICES:
 – Refugee Action: 2
 OTHER: 6
 – GARAS: 5
 – Devon and Cornwall Refugee Support: 1

SOUTH EAST: 12

OTHER: 9
 – Reading Refugee Support Group: 3
 – Clear Project: 2
 – Asylum Welcome (Oxford): 1
 – British Red Cross: 1
 – Hazlar Visitors Group: 1
 – Samphire: 1
 NO REP: 3

LONDON: 106

ONE STOP SERVICES:
 – Refugee Council: 9
 OTHER: 50
 – British Red Cross: 37
 – Migrant Help: 4
 – Notre Dame Refugee Centre: 3
 – RAMFEL: 3
 – St Mungo's: 3
 SOLICITORS: 30
 REP UNKNOWN: 4
 NO REP: 6

REGION UNKNOWN: 77 (Refugee Action: 4; Refugee Council: 2; Rep unknown: 6; No rep: 65)

Data is from 6 months (October to March) in 2013/14. Numbers represent appeals listed at the First Tier Tribunal (Asylum Support)

AGENCIES HELPING ASYLUM SEEKERS WITH THEIR ASYLUM SUPPORT APPEALS: 2014/15

SCOTLAND: 37

MIGRANT HELP: 2
 OTHER: 5
 – British Red Cross: 2
 – Unity Centre: 3
 SOLICITORS: 26
 REP UNKNOWN: 2
 NO REP: 2

NORTH EAST: 38

MIGRANT HELP: 3
 OTHER:
 – NERS: 24
 SOLICITORS: 5
 NO REP: 6

YORKSHIRE/HUMBER: 49

MIGRANT HELP: 2
 OTHER: 26
 – PAFRAS: 9
 – Northern Refugee Centre: 6
 – Solace: 6
 – Bradford Action for Refugees: 2
 – British Red Cross: 2
 – Assist: 1
 SOLICITORS: 2
 NO REP: 19

NORTH WEST: 122

MIGRANT HELP: 6
 OTHER: 98
 – ASHA: 55
 – Refugee Action: 24
 – Asylum Link: 16
 – RAPAR: 2
 – Bolton CAB: 1
 SOLICITORS: 7
 REP UNKNOWN: 3
 NO REP: 8

EAST MIDLANDS: 40

MIGRANT HELP: 3
 OTHER: 26
 – Refugee Action: 10
 – British Red Cross: 9
 – Nottingham and Nottinghamshire
 Refugee Forum: 5
 – Derby Refugee Forum: 2
 SOLICITORS: 1
 NO REP: 10

NORTHERN IRELAND: 4

SOLICITORS: 4

WEST MIDLANDS: 77

MIGRANT HELP: 1
 OTHER: 62
 – Lifeline Options: 53
 – Refugee Action: 4
 – British Red Cross: 2
 – Hope Projects: 2
 – CAB: 1
 SOLICITORS: 6
 NO REP: 8

EAST OF ENGLAND: 9

OTHER: 2
 – British Red Cross: 1
 – Suffolk Refugee Support: 1
 SOLICITORS: 4
 NO REP: 3

WALES: 21

MIGRANT HELP: 9
 OTHER: 6
 – Trinity Project: 4
 – Asylum Justice: 1
 – Welsh Refugee Council: 1
 SOLICITORS: 1
 NO REP: 5

SOUTH WEST: 39

OTHER: 32
 – Refugee Action: 20
 – GARAS: 6
 – Devon and Cornwall
 Refugee Support: 6
 SOLICITORS: 3
 NO REP: 4

SOUTH EAST: 14

MIGRANT HELP: 4
 OTHER: 6
 – British Red Cross: 3
 – Brighton Housing Trust: 1
 – Clear Project: 1
 – Folkstone Rainbow Centre: 1
 SOLICITORS: 1
 NO REP: 3

LONDON: 142

MIGRANT HELP: 5
 OTHER: 86
 – British Red Cross: 55
 – Refugee Action: 8
 – Freedom from Torture: 7
 – Notre Dame Refugee
 Centre: 6
 SOLICITORS: 32
 NO REP: 19

REGION UNKNOWN: 108 (Migrant Help: 24; Refugee Action: 1; Rep unknown: 5; No rep: 78)

Data is from 6 months (October to March) in 2014/15. Numbers represent appeals listed at the First Tier Tribunal (Asylum Support)