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ASAP's Responds to UKBA Consultation

In November 2009, the UKBA published the Draft Immigration Bill 2009 at the same time as launching a public consultation exercise. Part 11 of the Bill relates to Asylum Support and aims to introduce a new asylum support system.

The proposal largely replicates the structure of the existing support system. There would still be two types of support: one for those whose claims for asylum are still outstanding, another for those whose claims have been refused but who are unable to leave the UK. However, the Bill introduces some key changes which we believe, if adopted, will lead to increased destitution.

Some of the key concerns we raised were:

- Overall, the lack of detail contained in the proposed legislation and the amount of law making power the UKBA is proposing to take in this area.
- The continued use of asylum support as an immigration enforcement tool.
- The fact that the proposals maintain the bar on support for those who claimed late (the existing "Section 55" rule)
- The changes suggested in the support offered to families whose claims have been refused
- The proposal to significantly curtail appeal rights against Home Office support decisions
- The time limit to the support offered to those taking steps to return home.

To read ASAP's full consultation response click [here](#). ASAP has also taken the opportunity to raise our key concerns with the Parliamentary Joint Committee on Human Rights. Click [here](#) to read this document.

Newsflash: Voluntary Returns to Iran

In February this year we spoke to the International Organisation for Migration (IOM) who confirmed that they are currently **unable** to assist with voluntary returns to Iran and that they did not know when the situation would change. We asked IOM the reasons why they were unable to assist and they replied that it was a policy decision.

As we understand, if individuals from Iran are applying for Section 4 support on the grounds that they are 'taking all reasonable steps to return' they will still be expected to sign up with IOM in order to get support. IOM will put their application on hold and their support should continue up until IOM are able to assist them to return Iran.

Please note that all individuals who are applying for Section 4 support will need to prove that they are destitute. This means that they will have no housing and no money to buy food within the next 14 days.

For further information on the suspension of returns to Iran or on Section 4 in

general, please call our advice line on 0845 603 3884. It is open Mondays, Wednesdays and Fridays from 2- 4pm.

Liverpool Fresh Claims Policy Update

ASAP's Colin McCloskey has published an article regarding the new Liverpool fresh claims policy entitled, "Still Humane? The Government's latest attempt to stop failed asylum seekers claiming support could breach human rights", in the Spring 2010 edition of *The Joint Council for the Welfare of Immigrants*:

The UKBA has brought a new compulsory procedure for failed asylum seekers to lodge fresh representations. Introduced without notice or consultation in October last year, the new procedure has caused serious and sometimes insurmountable problems for failed asylum seekers.

For a full copy of the article, please [click here](#).

The London Legal Support Trust Sponsored Walk 17th May 2010

Every year, the [London Legal Support Trust](#) organises a 10 km sponsored walk to raise money for legal advice agencies across the capital. ASAP is taking part in the walk as always this year to raise money for some of the most vulnerable people in the UK - destitute asylum seekers. Last year the £4,000 raised from the walk was used to fund our free Duty Scheme at the First-tier Tribunal (Asylum Support).

Help us to match this by sponsoring our 2010 team by [clicking here](#).

To join the ASAP team, please contact our office at office@asaproject.org.uk or call 020 8686 1888.

Increased Number of Appeals at the First-tier Tribunal (Asylum Support)

The number of appeals being heard at the Asylum Support Tribunal has increased to up to 30 hearings each day.

ASAP has been very busy over the last few months with work on its Duty Scheme as the numbers of appeals heard at the First Tier Tribunal (Asylum Support) have dramatically increased. Cases listed each week have increased from an average of 23 cases in September 2009, to an average of 68 cases a week so far in March 2010. On some days the Tribunal has decided up to 30 cases. ASAP has not been able to determine precisely why such an increase has occurred.

We are coping as best we can with the increased demand on our services that flows from this change. Our Duty Scheme runs every week day with one advisor who can pick cases up. However, our capacity is limited so our service is under pressure. If your service users need help with an appeal please refer in the usual way by faxing the UKBA decision, Notice of Appeal and Tribunal Directions with the date and time of the appeal. We will prioritise referred cases. Every day we do our best to represent as many appeals as we can, but can't guarantee we can help in every case.

Women's Project Update

Pregnancy and Destitution

ASAP, in partnership with Maternity Action, have been exploring how best to lobby UKBA to change their policy on when they provide support to refused asylum seeking women who are pregnant. At the moment, UKBA will only normally provide support to women who are six weeks from their expected due date. As a pregnancy can last anything from 37 to 42 weeks, many refused asylum seeking women will be without support for most of their pregnancy. This has serious risks both for the health of the mother her unborn child.

We are pleased to announce the Royal College of Midwives have agreed to sign a joint letter to UKBA asking that they provide support to women earlier in their pregnancy. We are asking that section 4 Support be made available to all pregnant women from 28 weeks but also that section 4 Support be made available to pregnant women whose midwife or doctor certifies that they have a complicated pregnancy. Many of the pregnant women see have health problems such as stress and depression, HIV, TB and anaemia. Research shows that Asylum seeking women also face underlying social problems which may have an affect on their health during pregnancy. Maternal mortality statistics reflect the poor risk profile of these women. Refugee and asylum seeking women make up 12% of all maternal deaths in the UK despite constituting less than 0.3% of the population as a whole.

In conjunction with colleagues from other refugee agencies we are also asking UKBA to considering increasing the amount of Section 4 support given to pregnant women. At the moment they received £35 a week in food vouchers. We consider this to be wholly insufficient to meet the nutritional needs of pregnant women.

We will let you know when we receive a response from UKBA. In meantime if you need any additional information on this issue please call Gerry Hickey on 020 7686 1888 or email her on gerry@asaproject.org.uk

London Destitution Advice Network (LDAN)

Dates for your diaries:

The next LDAN meeting will be on **Tuesday 25th May**. Thereafter, we will meet on:

- Thursday 2nd September
- Monday 6th December

The meetings will continue to be held at the offices of the Red Cross in Angel (5 Berners Road, London N1 0PW) between 3 and 5 pm. ASAP is grateful to the Red Cross for continuing to let us use their premises.

What is LDAN?

LDAN is a network of voluntary sector organisations in London working with destitute asylum seekers. We meet quarterly to exchange information about policy changes, project updates and other news so that we can together be as effective as possible in our work with this group. LDAN also sends regular email updates. LDAN is facilitated by ASAP and receives funding from London Councils for this project.

If you want to join the group or find out more information, please get in touch with Marie-Anne Fishwick at marie-anne@asaproject.org.uk or on 0208 686 1888.

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Asylum Support Rate Changes

The asylum support rates for 2010/11 have now been set and will come into force on 12 April 2010. Support rates have been increased across the board by 1.1% including Section 4 support, which has not been raised since it was introduced. The rates are summarised below. For more information see the [Office of Public Sector Information](#).

Asylum Support Rates for 2010/11:

Qualifying couple	£70.34
Lone parent aged 18 or over	£42.62
Single person aged 25 or over (where the decision to grant support was made prior to 5 October 2009 and the person reached age 25 prior to that date)	£42.62
Any other single person aged 18 or over	£35.52
Person aged at least 16 but under 18 (except a member of a qualifying couple);	£38.60
Person aged under 16	£51.37

ASAP Welcomes New Volunteer

ASAP is pleased to welcome our new office volunteer Jackie Feldman and sadly says goodbye to Office Assistants Tom Copeland and Sophie Lemberger

ASAP recently said goodbye to Office Assistant Tom Copeland who is leaving to begin work as a Caseworker with BarWorks. Tom has worked tirelessly at ASAP over the years and we would like to thank him for all his hard work. His enthusiasm and positive attitude will be missed.

Office Assistant Sophie Lemberger has also recently left ASAP to live in Thailand. Sophie's dedication and sunny disposition will also be missed.

A recent addition to the team is our new office volunteer Jackie Feldman. She is currently undertaking a Master's at King's College. Jackie said "I feel invigorated volunteering at a charity organisation such as ASAP; it underscores the importance of assisting asylum seekers in the maintenance of their basic rights, a crucial element in the general movement to protect the most vulnerable people among us."

We are also pleased to welcome another volunteer Liana Wood who will begin working with us this month.

Asylum Election Pledge

Remind your General Election candidates to make a pledge to ensure a fair and balanced debate on Asylum and Immigration

The [Refugee Council](#), [Liberty](#) and the [Scottish Refugee Council](#) are calling on all candidates to sign their [Asylum Election pledge](#). This calls on candidates from all parties to ensure a fair and balanced debate on Asylum and Immigration remembering the importance of providing safety to those fleeing war, torture and persecution whilst avoiding xenophobia and racism.

Pressure from voters is crucial in order for this to be effective. Please make sure that your candidates know that local people reject xenophobia and racism, and believe that the right

to seek asylum must be protected.

To contact your candidates about the pledge please [click here](#).

Charting our work

Some of the things ASAP has done from January 2010 – April 2010

DATE	ACTIVITY
11 th January	HIG Meeting
20 th January	Colin Speaking at London Refugee Voice AGM
29 th January	ASAP Submission to London Council's Funding Priorities Consultation
1 st February	London Destitution Advice Network Meeting
2 nd February	LGBT Training
4 th February	ASAP submission to UKBA asylum support consultation
5 th February	Meeting with Southwark Law Centre
16 th February	Refugee and Migrant Justice Meeting
19 th February	Meeting with UKBA regarding Women's Project
22 nd February	CRD Meeting
1 st March	First-tier Tribunal (Asylum Support) user group meeting
10 th March	BAN Meeting
11 th March	CRD Meeting
23 rd March	ASAP Management Committee Meeting

END OF APRIL 2010 NEWSLETTER
