

In This Issue

- **The First-tier Tribunal (Asylum Support) is relocating**
- **Upcoming free training in London & Glasgow**
- **New advice line opening times**
- **ASAP's daily Duty Scheme Launch Party 28 September 2009**
- **ASAP's AGM**
- **Newsflash on new Section 4 Application Form and Medical Declaration Form**
- **New multilingual leaflets**
- **Update on the Section 4 Payment Card**
- **UKBA is failing to support dependents under Section 4**
- **Women's Project: A preliminary profiling of women asylum seekers April – June 2009**
- **ASAP Job vacancy: Director**
- **ASAP Welcomes new staff member and new volunteer**

Contact Us

office@asaproject.org.uk

The First-tier Tribunal (Asylum Support) is relocating

The Asylum Support Tribunal has moved from its offices in East Croydon to Anchorage House in the Docklands area of East London.

The move has now taken place with the first appeals being heard at the new location. The tribunal will become part of a new Tribunal Service Centre which will also serve as Employment, Social Security and Child Support tribunals. The new address is:

2nd Floor
Anchorage House
2 Clove Crescent
East India Dock
London
E14 2BE

For a map, directions and travel information to the tribunal [click here](#)

Upcoming free training in London & Glasgow

ASAP is offering free training sessions on support options for refused asylum seekers for small advice agencies and RCO's

When	Where
12 November 2009	London (Quaker Meeting House, 173-177 Euston Road, NW1 2BJ) *FULLY BOOKED*
16 November 2009	Glasgow (Quaker Meeting House, 38 Elmbank Crescent, Glasgow, G2 4PS.) *LIMITED PLACES AVAILABLE*

These sessions will include:

- An introduction to asylum support
- S.4 and S.95 criteria
- How to apply for asylum support
- How to appeal negative decisions.

ASAP's training sessions are open to advisers from refugee community organisations and small advice agencies. They are particularly suited to those advising destitute asylum seekers on accessing support.

advice@asaproject.org.uk

[18 Barclay Road](#)

[Croydon](#)

[CR0 1JN](#)

[Tel: 020 8686 1888](#)

[Fax: 020 8686 1899](#)

[Advice Line: 0845 603 3884](#)

www.asaproject.org/web

Places are limited to two participants per organisation. For more details, to register your interest and to receive a [booking form](#), please email Tom Copeland at office@asaproject.org.uk or call 020 8686 1888.

The London training session is now full. However, if you would like to be added to the reserve list please contact us. Keep an eye out for new training dates in 2010.

Please note the Glasgow session was originally scheduled for 6th November but has been rescheduled to the 16th November. There are still places available so get in touch now to book your place.

New Advice Line Opening Times

The Advice Line offers advice on asylum support to advice agencies and organisations involved with asylum seekers. The Advice Line will be open on **Mondays, Wednesdays and Fridays** between **2pm and 4pm**.

Advice Line: 0845 603 3884

ASAP's daily Duty Scheme launch party 28th September 2009

ASAP held a launch party in celebration of the daily Duty Scheme, which provides free advice and representation at the First-tier Tribunal (asylum support) five days a week.

-ASAP started a small voluntary Duty Scheme in July 2004 in which a small group of barristers provided free legal advice and representation at the Asylum Support Tribunal each fortnight.

With thanks to LawWorks and a dedicated group of volunteer solicitors from Clifford Chance, Herbert Smith, Simpson Thatcher Bartlett and Freshfields Bruckhaus Deringer, ASAP now runs a full time Duty Scheme.

In celebration of this achievement and to thank everyone who helped us to develop the Scheme we held a party on 28 September 2009.



ASAP's AGM

ASAP's members and supporters are invited to attend the AGM.

The meeting will take place at **6.30pm on Tuesday 3rd November 2009** at:

Doughty Street Chambers

54 Doughty Street

London

WC1N 2LS

We will send further information about the meeting soon. To RSVP the event, please contact Tom Copeland at office@asaproject.org.uk or call 020 8686 1888.

New Section 4 Application Form and Medical Declaration form.

The July newsletter contained information concerning the new Section 4 application form. We also published a newsflash on this subject in August.

A copy of this newsflash can be viewed by clicking [here](#).

The newsflash draws attention to the new Medical Declaration Form which must now be completed every time someone makes an application for Section 4 support on grounds that they are unable to leave the UK for a medical reason. The UKBA have indicated in their policy that they will only consider medical evidence for these types of applications, if they are submitted in this format. ASAP is concerned that the practical difficulties involved getting the form filled out may create an unnecessary obstacle for destitute asylum seekers in obtaining support.

New multilingual leaflets

Information leaflets about ASAP's representation services are now available at the First-tier Tribunal (Asylum Support) in six languages

The leaflet provides a useful outline of ASAP's work, what we do and how people can access our services either at the Tribunal or in advance of their hearing. The leaflet is available in English, French, Amharic, Mandarin, Arabic, Sorani and Farsi.

The leaflets can be found at the Asylum Support Tribunal. If you would like a copy please contact Marie-Anne@asaproject.org.uk

Update on the Section 4 Payment Card

In our July newsletter we reported that the UKBA was planning to launch a new payment card, called the Azure Card, to replace the existing supermarket vouchers system used to provide people with Section 4 support.

Refugee agencies have recently received updates on this new initiative. ASAP was disappointed to learn that the UKBA has gone back on its promise to allow asylum seekers to

keep all the money that may be left over on the card at the end of each week. This change will only apply to people without children. For this group, any unspent balance will be reduced to £5 on Sundays before the card is automatically credited with their next week's allowance. Families with children however, will be able to keep any unspent money from week to week, although spending will be monitored to ensure "excessive" balances are not accumulated.

The UKBA has also confirmed that the launch of the card has been pushed back from 28th September '09 to 16th November '09. The card should then be rolled out in six phases over a three month period, starting in Glasgow. The regional UKBA teams will contact stakeholders to organise local presentations closer to the time. This delay has been caused by difficulties in reaching agreements with participating supermarkets.

The card will no longer be piloted, as originally envisaged. Instead, Sodexo, who are running the scheme, will carry out technical tests and gather feedback from the supermarkets. Questionnaires will be issued to the people receiving the initial batch of cards. Local stakeholders should also be consulted.

ASAP is encouraged that the UKBA wants to ensure people, living on the limited allowance given under Section 4 support, are offered a greater choice of where to shop. However, we are uneasy about the announcement not to carry over unspent support and their proposal to monitor people's spending generally. We are also concerned the card may lead to stigmatisation as they will only be used by people on Section 4 Support. We are hoping that the UKBA will make public the outcome of the feedback they receive and any evaluation they make of the impact of this scheme.

[Click here](#) to read the ASAP article in the July newsletter.

UKBA is failing to support dependents under Section 4

ASAP has noticed an increasing trend for the UKBA to refuse Section 4 support to dependents of destitute refused asylum seekers. We believe the UKBA is failing to apply the law correctly and is wrongly denying dependents support.

ASAP recently helped Mr X to appeal a UKBA decision to refuse his wife support. On arrival in the UK he claimed asylum but his wife was never added as a dependent to his claim. She entered the UK on a visa and had never claimed asylum in her own right. Mr X applied for s.4 support for himself and his wife. He was granted support as it was accepted he was destitute and had a fresh claim, but his wife was refused support on the grounds there was no evidence she was a failed asylum seekers and so did not meet the Section 4 criteria.

The judge allowed the appeal accepting ASAP's interpretation of the regulations. Section 4¹ states support can be granted to failed asylum seekers and their dependents. Dependent has the same meaning under Section 4 as it does under Section 95 which defines a dependent as a spouse (husband or wife) or civil partner, a child under 18, an adult with serious physical or mental health problems or an unmarried partner, where you can prove you lived with that person for the last two out of three years.

Dependents do not need to meet any other section 4 requirements such as being a failed asylum seeker, only the main applicant must do so. If the applicant meets the criteria both the applicant and their dependent are entitled to support regardless of the dependents' immigration status.

¹ Immigration and Asylum Act 1999

Currently, the UKBA's policy documents used by officials assessing applications for support are contradictory. One explains the rules correctly² whereas the other erroneously states dependents must meet the s.4 criteria³. ASAP will write to the UKBA to ask them to amend these guidelines so they are in line with the law.

Unmarried couples' may also face difficulties in getting Section 4 support, including couples with children. The UKBA often refuses to support the partner of an applicant on the grounds they cannot prove they have lived together for two out of the last three years. ASAP has assisted many couples in this situation and is aware those who have been without formal support for some time have difficulty in meeting this requirement.

ASAP is creating a Fact Sheet with advice on the types of evidence couples can use to prove the existence of their relationship, and also on their rights to live together as a family under Article 8 of the European Convention on Human Rights.

If you have any queries about adding a dependent to a support application please call our advice line on **0845 603 3884**.

Women's Project: A preliminary profiling of women asylum seekers April – June 2009

A recent profiling exercise of women asylum seekers represented by ASAP at the First-tier Tribunal (Asylum Support) has shown women to be ill equipped to cope with the asylum system.

As part of the Women's Project, ASAP conducted a profiling exercise of women asylum seekers assisted by ASAP at the First-tier Tribunal. The exercise looked at the case bundles of 35 women aged between 20 and 69 who were assisted by ASAP between April and June 2009. By identifying common trends and characteristics we hoped to provide a more detailed picture of the experiences of female asylum seekers and the specific problems they encounter. We examined a number of factors such as country of origin, health problems, experiences of violence, destitution, pregnancy and dependents, representation and advice.

The exercise showed that women might be subject to different pressures to those experienced by male asylum seekers. Many of these women were victims of gender related violence either in their home country or as a result of exploitative relationships they had entered into once in the UK. Just over half of the women suffered from mental and physical health problems, some as a result of the violence they had been subjected to, and one third of the women had multiple health problems. Almost half of the sample had children and five of them were pregnant. The majority of females in the sample met the legal test of destitution and many had been without secure accommodation for long periods of time, their need being critical due to factors such as pregnancy and serious health problems.

The exercise revealed that the majority of females assisted by ASAP during this period had to deal with the responsibility of a child or dependent, or being pregnant, whilst at the same time suffering from serious health problems, being destitute or surviving by precarious means. This illustrates the serious problems destitution causes for female asylum seekers perhaps beyond those faced by male asylum seekers.

The exercise points out that a further investigation is necessary to find out if gender has an impact on the person's ability to appeal at the tribunal. If you would like a copy of this

² 'Dependents on Asylum Support Application'

³ 'Section 4 Instructions'

exercise, please contact Gerry Hickey at gerry@asaproject.org.uk

We wanted to share our findings with other organisations working with asylum seeking women and to get some feedback from you about whether you think our findings reflect your own experiences of the needs of this group. We are particularly interested in having your feedback on whether women have problems accessing advice when they are refused support and on any difficulties they might have in relation to asylum support appeals. To help us collect this information we would be very grateful if you could fill in the short survey which only takes a few minutes to complete.

[Please click here to complete the online survey.](#)

We thank you in advance for taking the time to complete the above survey – we really appreciate your feedback.

ASAP Job vacancy: Director

ASAP Director Eiri Ohtani is sadly leaving ASAP at the end of November 2009. We are therefore currently recruiting to fill this post.

ASAP is looking to recruit a new Director to replace Eiri who has been with ASAP for 4 years. We would like to wish her all the very best for the future.

ASAP is looking for an exceptional individual who can lead ASAP into the next stage of its development and continue its success.

If you are interested in applying for this position you can find the job description and further information about this role by clicking [here](#).

To download an application pack click [here](#).

The closing date for applications is **noon Monday 19th October**. If shortlisted, interviews will take place on Tuesday 27th October.

ASAP welcomes New Staff Member and New Volunteer

ASAP is pleased to welcome a new Temporary Office Assistant and Office Volunteer but sadly says goodbye to Communications and Training Administrator, Abi Brunswick

ASAP recently said goodbye to member of staff, Abi Brunswick. We would like to thank her for all her hard work and we wish her all the best in her future endeavours.

Previous volunteer Tom Copeland has returned to ASAP as an Office Administrator. Tom says "I am very happy to be back and can't wait to help out with ASAP's work over the coming months."

Another recent addition is Sophie Lemberger, who is undertaking an office internship with ASAP until January next year. Sophie says "I am delighted to have the opportunity to work with ASAP and look forward to getting involved and learning about all aspects of the charity."

If you are interested in volunteering with ASAP you can read more information on our [website](#) or email office@asaproject.org.uk

Charting our work

Some of the things ASAP has done from July – October 2009

Date	Activity
2 July	London Destitution Advice Network meeting
13 July	Delivering training to Slough/Reading Refugee Services
15 July	Delivering training in Leeds
20 July	National Asylum Stakeholders Forum pre-meeting
21 July	Case Resolution Directorate meeting
30 July	Delivering training in Newcastle
4 August	NASOF meeting
12 August	Asylum Aid Women's Charter meeting
12 August	Delivering training to the Office of Chief Inspector of the UK Border Agency
13 August	London Destitution Advice Network meeting
7 September	Volunteer meeting for new volunteers at Herbert Smith office
8 September	Meeting with London Churches Refugee Network
11 September	Asylum Rights Campaign meeting
15 September	Meeting with Greenwich College
24 September	Meeting with Barnett Refugee Centre
28 September	Daily Duty Scheme Launch Party
29 September	Case Resolution Directorate meeting
30 September	BMER Advice Network meeting
30 September	Meeting with the organiser of Joint National Pro Bono Conference
30 September	Attending London Refugee Voice event