

Access to advice on asylum support and asylum support appeals

Executive Summary

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ASAP

ASYLUM
SUPPORT
APPEALS
PROJECT

DEFENDING ASYLUM SEEKERS

LEGAL RIGHTS TO FOOD AND SHELTER

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Access to advice on asylum support and asylum support appeals

Asylum Support Appeals Project (ASAP) commissioned research on access to advice on asylum support and appeals to gain an overview of the challenges faced by those in the asylum support system in accessing their entitlements, and to investigate a reduction in the numbers lodging an appeal against refusals.

The research was conducted by Ceri Hutton and Sue Lukes (On the Tin) during the latter half of 2023.

Findings are based on fieldwork comprising a document and statistical review, interviews with 15 people seeking asylum, 64 semi-structured interviews with people working at national and local level and a survey.

The research shows that the current system of support is having a severely negative impact on those needing support as well as those trying to assist them. The catalogue of systemic failures the research uncovers leaves people seeking asylum often desperate, traumatised and more at risk of destitution and homelessness, whilst those in frontline organisations find themselves having to unscramble and interpret a disconnected and often inaccurate system in order to try and support their users. Overall, meanwhile, the numbers of people needing support has risen, often in areas with few experienced and accredited advisors, and many frontline organisations now only prioritise the most urgent cases. Increasingly, people are navigating both the asylum application and the asylum support system alone.

The research gives an overview of gaps in current provision, factors helping and preventing people from getting advice and support; the impact of the system failings; and recommendations. The research also included a detailed regional mapping of services supporting people seeking asylum drawing on extensive desk research and interviews. A brief overview of this can be found in the appended table.

Context

Disclaimer: Statistics relating to asylum applications and decisions are fast-moving and have changed since this research was written. However though currently the backlog of people waiting for a decision on their initial asylum claim has reduced,¹ numbers are still high and new challenges are emerging, for example around a growing backlog in asylum appeals.²

Asylum support is the housing and other support available to destitute people seeking asylum. Most are prohibited from working and they cannot claim mainstream benefits. The numbers of people needing such support have risen dramatically over the last decade. The asylum backlog of cases waiting for a decision had grown from under 10,000 in 2012 to 125,173 cases (165,411 people) by June 2023, as decision-making decreased dramatically and applications rose. Most of those waiting needed asylum support and accommodation, and about 4,000 received support but not accommodation.

The Home Office offers this within a legal framework that provides support during initial assessment (S98), longer term accommodation and support while the asylum claim is considered (S95), and support for people who have been refused asylum but cannot leave the UK or who can make a fresh claim for asylum (S4).

Contracts for accommodation and support (the Asylum Accommodation and Support Contract, AASC) are held by three providers across different areas of the UK: Clearsprings, Mears, and Serco, who accommodate people seeking asylum within hotels and privately rented flats, sometimes via subcontracts. Other “mass” sites (in a barracks, a base and a barge) are managed on separate contracts.

Decisions on asylum support are made by the Home Office.

A further contract (Advice, Issue Reporting and Eligibility, AIRE), to help people make support applications and navigate the support system, is held by the NGO Migrant Help.

Over the past couple of years, the backlog has grown significantly with significant impact on both people seeking asylum and those supporting them.

*“The backlog cannot be ignored. Before wasn’t zippy, but people were getting through the system. It was unusual to face a delay of three years. The majority of my PAPs³ were to the Home Office saying ‘this individual is a survivor of trafficking and they have been waiting for three years, and we are going to JR’ and that zapped the Home Office into action. Now it doesn’t, as **everybody** is waiting.”*

– National organisation

In most cases where support is refused or withdrawn there are rights to appeal against this to the Asylum Support Tribunal. This demands a level of expertise and knowledge. Legal aid is available in Scotland for this, but in England and Wales only for advice and assistance to apply and prepare the appeal, not for representation.

1. <https://www.bbc.co.uk/news/uk-68435629>

2. <https://righttoremain.org.uk/a-new-crisis-the-asylum-appeal-backlog/>

3. A Pre-Action Protocol (PAP) is a legal letter setting out a procedure to resolve a dispute prior to issuing court proceedings. It is sometimes referred to as a ‘letter before action’, and serves as a warning that legal proceedings will be issued unless steps, set out in the procedure, are taken.

Identifying ‘advice deserts’ of provision nationally

It was challenging to map the provision of advice and guidance on asylum support in order to identify where ‘advice deserts’ are. Organisations, and their capacity, change frequently. The research identified the following key factors as influencing the advice available in an area, and also noted that identifying individual regions as advice deserts may not always be helpful, as there can be pockets of ‘desert’ even in areas deemed relatively well served – London, for example.

- **Legal aid and lawyer availability.** Work by Dr Jo Wilding highlights the failure of the legal aid system to ensure that people seeking asylum have access to a lawyer. This impacts on asylum support because some lawyers help with asylum support issues (although legal aid will not cover representation) and many lawyers, even if not helping directly, spot and refer them to NGOs.
- **Input by national organisations.** Some national organisations offer advice and casework, outreach to hotels and work in mass sites. Some are specialists, and some support other NGOs in challenging statutory decisions. Where national organisations are present this can take the pressure off smaller, regional or local agencies to act.
- **Traditional dispersal areas vs ‘new’ areas.** Within areas originally designated for asylum dispersal there are organisations with skills and experience in asylum support issues. The Home Office’s use of hotels in new areas, or in remoter locations has created pockets of acute need with no, or embryonic, services.
- **Nature of established services.** Some areas, like Scotland and Manchester, have developed strong working partnerships, which sometimes include second tier advice and training. In some areas organisations have developed expertise in helping people with asylum support appeals.
- **Institutionalised and temporary accommodation.** The expansion of the Home Office’s use of temporary accommodation has been chaotic and piecemeal, with little, if any, notice across the country, of opening or closures of hotels. New quasi detention facilities like the Bibby Stockholm barge and Wethersfield base produce further pressures. As a result it is difficult to know exactly where the need for advice on asylum support is going to be as hotels and other forms of temporary accommodation might open or close at a moment’s notice.
- **AASC contractors’ variable practice in letting NGOs access accommodation.** In some areas what is going on in hotels is pretty unknown as access is so poor. In others, accommodation and welfare officers seem to be far more approachable and are working with the available NGOs to try and resolve issues.

Factors helping and preventing people from accessing advice and support

The current stresses and strains on advisors trying to support people seeking asylum are worse than many of those interviewed could remember. As one national organisation noted: “I would say in the last few years it is shocking how bad it has got. Before there were very few people who didn’t have a lawyer at all. But now that has changed and some are going through the whole system with nothing.”

Given this, the vast majority of factors raised during the research related to the **challenges and barriers** which prevent people seeking asylum from accessing asylum support or appealing its refusal. However, a few factors emerged as helping people to access advice and support:

Factors helping people access advice and support

a. Strong and experienced organisations at national level	
b. Sectoral problem solving and resourcefulness	
c. Networking and peer support	(e.g. the Asylum Support Advice Network - ASAN)
d. Sectoral capacity building and support including ASAP.	Refugee Action’s FIAP, Right to Remain workshops and emerging networks such as Care4Calais. <i>“Niche issues pop up in each area, and often volunteers are very switched on. But they don’t know the rights which are anyway constantly shifting... I always link them into ASAN.”</i> – National organisation
e. Ingenuity and perseverance of people in the asylum system itself	One person staying with a family under the ‘subs only regime who had not received any money for months described how they looked up the nearest Red Cross office and walked several miles in order to get help.
f. Local authority engagement	<i>“We have definitely seen the Greater London Authority being very proactive. They have a strong working relationship. And Greater Manchester Combined Authority and local governments in Scotland and Ireland as well are agreeing this as a priority. So there is a good collaborative way of working to respond to the challenge in some places.”</i> – National organisation

Factors preventing access to advice: capacity of services

<p>a. Use of new dispersal areas where there is no support</p>	<p><i>“In 2019, the organisations which helped was Sanctuary when the Home Office made me move, and the Red Cross told the Home Office I should not leave as had medical problems, and [the Home Office] withdrew the letter. This year I did everything myself. No organisation raised their hand to help.”</i></p> <p>– PWLE</p>
<p>b. Loss of face to face services which has continued after the pandemic</p>	<p><i>“I think another reason why people are not appealing is that there used to be a lot of drop ins – I used to work in one. It happened a fair bit that people would show up and you’d spot that they were nearing end of asylum support. If somebody phones me now saying ‘I have an asylum support appeal’ I would probably give the details of a drop in.”</i></p> <p>– Frontline organisation</p>
<p>c. Shortage of experienced workers, and a skills and experience drain from the sector</p>	<p><i>“Capacity feels bad right now. Part of that feels like a recruitment issue – three years ago when I first applied, I didn’t get the job because there was somebody more experienced than me. But the last few rounds of advertising, we have been hiring people with very little experience of asylum seeker casework. And that seems to be common – others I have spoken to are noticing that – they are not getting the same experience.”</i></p> <p>– Frontline organisation</p>
<p>d. Lack of skills and confidence around more complex work</p>	<p><i>“There are additional top ups but we got the sense that nobody is applying for them.”</i></p> <p>– Lawyer</p>
<p>e. Loss of lawyers supporting clients</p>	<p><i>“There are only 5 solicitors with a legal aid contract in the whole of Wales and waiting lists for an initial meeting are exceeding eight months so this inevitably has an impact on peoples’ ability to appeal a decision.”</i></p> <p>– Survey respondent</p>
<p>f. Lack of skill and experience amongst some recently established groups</p>	<p><i>“Hotels are being used in other parts of the country where there isn’t a voluntary sector which is skilled up. Sometimes you will Google for an organisation in an area and it’s one which has helped with resettlement schemes. We are not sure how adversarial they are, and you have to be in the system.”</i></p> <p>– National organisation</p>
<p>g. Difficulties in advisors accessing accommodation</p>	<p><i>“The number of people in the asylum system has more than doubled in the last few years and they are spread all over. There should be proper advice in each hotel to support that. We find that hotels are reluctant to let people in if they are giving advice, however.”</i></p> <p>– Frontline organisation</p>
<p>h. Overwhelming scale of need</p>	<p><i>“[In the past] I have managed an initial accommodation centre with 250 beds, and they were only there for about 28 days. We had 14 caseworkers and admin and a health team, all on site, and all kinds of activities and massive community links. When I look at what is happening now I cannot imagine how people cope and access advice. There must be a huge deterioration of people’s mental health in large sites.”</i></p> <p>– National organisation</p>

Factors preventing access to advice: the reality of the lives of people seeking asylum

<p>a. Lack of knowledge about rights and entitlements</p>	<p><i>“When I was evicted, it was in a letter. I didn’t have legal representation and there was no hint that I could appeal anything. They didn’t mention Migrant Help. It was very rigid, very harsh, they said ‘you will not be able to rent, to work, best to go home’. Very harsh letter. Basically it made it clear that I would have no option but to go back home and life would be hell if I stayed. Even when I applied for my fresh claim, although it was a failure, even so during that period I could have applied for Section 4 and I didn’t know that. The Home Office didn’t tell me, Migrant Help didn’t tell me”</i></p> <p>– PWLE</p>
<p>b. Without guidance, people easily fall foul of procedural points</p>	<p><i>“I went to the tribunal alone though, but it didn’t go well as basically it came down to this: ‘we don’t know that you are preparing a fresh claim’. So if I had, ... – if I had taken anything, like a draft copy to show them the fresh claim it would have been sufficient. The Home Office lawyer and the judge really stressed that they just needed to see something. At that point I had had no asylum support since 2019.”</i></p> <p>– PWLE</p>
<p>c. Information not provided</p>	<p><i>“The majority of people are getting asylum support but some people slip through the cracks. When they claim asylum at the screening unit in Croydon I think there’s nobody to tell them that they are entitled to asylum support. Nobody has confirmed that officially but I get a number of queries each month saying I’ve had my interview but now am sleeping on a bench. They’ve had no information.”</i></p> <p>– National organisation</p>
<p>d. System highly complex</p>	<p><i>“The process very difficult and the form is not familiar. I wonder how people do it if not educated, or don’t have guidance or support. Lots of people cannot access easily.”</i></p> <p>– PWLE</p>
<p>e. Lack of phones or internet (phones may be seized at borders)</p>	<p><i>“We definitely experience an increase in individuals who do not have access to a phone which of course presents as a barrier in accessing services for support. We are lucky to have a small service within (frontline organisation) to refurbish old phones and hand them out but demand for this far outweighs capacity.”</i></p> <p>– Survey respondent</p>
<p>f. Hostile environment makes people afraid of engaging with any system</p>	<p>This can make people afraid of engaging with the system. One example is the “Rwanda letters” issued to over 24,000 people between January 2021 and March 2023.</p> <p><i>“Such notices are often arriving at hotel accommodation on the Friday before a bank holiday, causing maximum distress and ensuring minimum chance of being able to find anybody to advise.”</i></p> <p>– Frontline organisation</p>

“The worst time was when the Rwanda flights were talked about a lot in the press and people started getting letters. One young man who got a letter saying ‘you will be on the first scheduled flight to Rwanda’ – he walked to the top of the building, fortunately the security guard followed him who he was friendly with, and tried to jump off. Fortunately he was caught by the security guard, then dispersed here. But the fear that those Rwanda letters gave people - he was from Sudan. He very quickly got his support and I am sure he will get his status soon but at the time he was petrified beyond belief. The thought of going to Rwanda for him was beyond, beyond, beyond. Particularly clients who have been to Libya or anywhere - they just think they will be raped and tortured there. They don’t think they will be treated in any way like they have been treated here. The fear factor is massive. I can’t imagine how many people have absconded who have gone to ground. If you don’t have a group saying ‘we are right there, we will help – I cannot imagine what they are doing. It must be so terrifying.”

– Frontline organisation

g. Disjointed system means information falls through cracks

As people move from one hotel to another, the Home Office does not update addresses, letters do not arrive, people miss interviews, their claim is treated as withdrawn and they are evicted.

“I was told to leave the hotel last month because I was refused asylum. I went to [hotel manager] and she arranged a meeting with solicitor and court date arranged and I was informed with apologies it was not my mistake, the Home Office had sent the letter to wrong address. It was sorted out by tribunal. I’m now back in the hotel and getting asylum support. My asylum claim is still continuing and the Home Office is sending an appointment for interview but I haven’t received that yet.”

– PWLE

Reduction in asylum support appeals

The research also looked at the **reasons for the decline in appeals against withdrawals or refusals of asylum support**. Since 2020 the percentage of people appealing against Section 4 refusals has gone from 40% to 10%. Asked why in the survey, 76% of organisations' responses mainly focused on the lack of available services to assist or encourage people to appeal.

“My feeling is that it is likely partly down to the fact that since 2020, people have been far less able to get advice on asylum support and appealing negative decisions, partly because of the way services have pivoted due to the Covid-19 pandemic. I think it was already difficult to obtain adequate advice and casework support on this issue before 2020 (due to capacity within the sector, but also the isolation/ability of people’s ability to find appropriate support in the time required to submit an asylum support appeal), but that this situation has surely worsened since the pandemic.”

– Frontline organisation

Interviews identified a range of different factors that possibly contributed to this drop in appeals, including systemic and structural problems, poor communications, bad advice and a lack of capacity and knowledge in the sector. Overall, it was not possible to identify one specific reason which could explain the drop in appeals.

Systemic issues

<p>a. No grounds for appeal for many post-Covid refusals and withdrawals</p>	<p>Whilst not explaining the reduction in the proportion of appeals, many noted that there were a significant number of refusals and withdrawals post-Covid which had no grounds for appeal.</p> <p><i>“[After July 2021] There would have been a huge number of discontinuations where there wouldn’t have been the grounds to appeal. So that would have accounted for a large number of decisions which wouldn’t have had grounds to appeal even if they had the right to appeal.”</i></p> <p>– National organisation</p>
<p>b. Reduced delay in ‘fresh claim’ appointments</p>	<p>Some appeals previously were by people waiting for an appointment to make a fresh claim, and these appointments are now being made with fewer delays</p>
<p>c. Collapse in numbers of people supported by lawyers</p>	<p>Even if lawyers were unable to do asylum support appeals, they were still able to signpost and explain deadlines.</p> <p><i>“Where there isn’t asylum advice there is no asylum support advice. And there are no lawyers to serve as a guiding light. And with nobody having a lawyer there’s not even the Chinese whispers where one asylum seeker passes on their intel to others.”</i></p> <p>– National organisation</p>

“Before if somebody came to a drop in with a negative decision you’d say ‘have you spoke to your solicitor, are you making a fresh claim?’ and I imagine that’s not happening at all and there’s no support with appeals and there are virtually no drop ins anyway.”

– Frontline organisation

d. Confusion around whether lawyers are or are not providing support

Some lawyers do apply for asylum support and some do not, and the legal aid eligibility tests look at financial means, as do asylum support applications, meaning that people can sometimes get confused.

“We do a fair bit of asylum support and feel quite confident doing it, but I think people think ‘this is my asylum claim’ and they don’t understand why their solicitor wouldn’t also help with the asylum support. It’s from the Home Office, it reads very legally, so I don’t think there’s much distinction in their mind between asylum claim comms and asylum support comms. And they are thinking the solicitor will sort it out and they are not.”

– Frontline organisation

e. Pressure on health services makes providing supporting evidence difficult

“Difficulties in accessing supporting evidence - more and more GP surgeries in Glasgow and surrounding areas are charging for medical letters. It is also more difficult to access mental health services and therapeutic services- which is therefore reducing evidence available for relocation requests and requests for suitable accommodation. This is of real concern with the move (to room sharing) maximisation in Scotland.”

– Survey respondent

f. Change in Voluntary Return criteria

People applying for the Voluntary Return Service (formerly AVR) may no longer be appealing against refusals of support while they wait.

“There’s also the change in the AVR criteria in terms of how many applications you can make. So people would get a discontinuation of their Section 4 but then make a second AVR application and then appeal the refusal on the basis of the second AVR application. Whereas now I think you are limited to one AVR application, so don’t get the grounds to appeal.”

– National organisation

Poor communications and advice

a. Migrant Help stopped doing appeals in 2020

“Almost certainly the number one issue is around Migrant Help and appeals being taken out of their contract.”

– National organisation

b. Lack of clarity about the advice now given by Migrant Help

Many felt that the advice now given by Migrant Help – who should refer potential appellants to third parties – is piecemeal at best. Though information about appeals is included in the script used when completing applications for asylum support, many felt that this may be forgotten.

“Migrant Help don’t do appeals. I don’t know if they tell people that they are entitled to appeal. Often when people come to us, they just have a notice to quit from Serco or a cessation letter from the Home Office. Nobody has ever come to me and told me that Migrant Help had told me to come for an appeal.”

– Frontline organisation

c. Letters unclear or not received

Letters about asylum decisions which impact on asylum support are sent direct to the applicant, who may not understand them or the deadlines involved. Letters are also being sent to the wrong address.

“It’s really cheeky – people don’t know that they have to update the address themselves, people think the Home Office does it. But they have to tell the Home Office that they have moved or changed lawyers. If they don’t, letters are sent to the old address. I’ve had two cases where they didn’t get letters – one missed his interview and got his case withdrawn.”

– Frontline organisation

“I have had a couple of people who were not even aware that a decision was made on their asylum claim. I did a duty service call and the client asked for a letter to follow up on her asylum decision. She hadn’t received anything, and her solicitor hadn’t received anything. But then her Aspen card stopped working. That was the first indication she had that there had been a decision.”

– Frontline organisation

d. Letters inaccurate or incomplete

“I have come across a few clients who have advised of their right to appeal, but the appeals form has not been included in the letter. This confuses the appeals process and may result in an appeal not being lodged in time.”

– Frontline organisation

“I think some people are being given incorrect information – one person had a letter which said ‘you can’t appeal this’ when you can.”

– Frontline organisation

e. Migrant Help does not always submit applications for support, and may be withholding some that might win on appeal

“Migrant Help gatekeep applications and they are not passing them to the Home Office assessment teams. Some applications where we knew the Home Office would refuse but that we would win on appeal are not being passed through.”

– Frontline organisation

f. Communications from accommodation providers can be poor and/or inconsistent

“We have come across issues with accommodation providers not being aware of policies in relation to how long someone is allowed to stay away from supported accommodation for - this has particularly been an issue in hotels and for people on S98. We have been liaising with them about this to confirm what the times are.”

– Frontline organisation

g. Applicants may be encouraged to ask for a reconsideration rather than appeal against a decision

This was a query from a number of frontline organisations, who said that anecdotally people seeking asylum are being told to resubmit their applications rather than appeal their refusal, which may leave them destitute whilst waiting for a decision, whereas an appeal would not.

Lack of voluntary sector advice and guidance

<p>a. Without advice, people are far less likely to appeal given complexity of system</p>	<p><i>“I think it cannot be underestimated how complex it is and how it needs specialist advice and somebody knowing a fair bit about asylum support. People refused S4 appeals cannot do them themselves.”</i></p> <p>– Frontline organisation</p> <p><i>“People really need support to appeal. If they have to do it by themselves will not do it and capacity of organisations to support with appeal and the complex casework and even liaising with ASAP is a barrier. It is not straightforward. Cannot do by themselves.”</i></p> <p>– Frontline organisation</p>
<p>b. Experienced groups have decreasing capacity and are having to prioritise and ration</p>	<p><i>“Take our refugee team in [region] - you can ring up and ask for an appointment but it takes several weeks for an appointment. By then, you might be out of time or not meet the threshold for support”</i></p> <p>– National organisation</p>
<p>c. Timescales for appeals (three days, although they can be submitted later)</p>	<p><i>“Lot of people come to us last minute and the three-day deadline is tricky – people are not always guaranteed a volunteer to support them in their appeal.”</i></p> <p>– Frontline organisation</p>
<p>d. Advisers are nervous about doing S4 appeals</p>	<p><i>“I don’t know whether there’s a confidence thing, or a capacity thing to think of the more creative ways to put an appeal in, as though it might not be successful you can refer it on to ASAP. Here we have done some S4 applications and they have been messy and the fresh claims were not ready, but we have put the application in and then when they were refused put in an appeal on the grounds of mental health. And what makes it succeed at appeal is that we could show the steps we were following. I don’t think normal support organisations would have a sense of what is needed to succeed via that route.”</i></p> <p>– Frontline organisation</p>
<p>e. S4 appeals are inherently complex</p>	<p><i>“I am not surprised that it is Section 4 applications in particular that have dropped off. In our experience of appeals, it has almost always been Section 4 applications that are refused. For obvious reasons of additional eligibility, these applications are usually inherently more complicated. In my experience, people applying for Section 4 support are usually more embedded in the community, and therefore more likely to have much more evidence to provide to the Home Office to frontload their application as best as possible, and to hopefully achieve a positive outcome. I.e., they may have been able to open a bank account and been using it for several years, living amongst a precarious and/or complex set of accommodation networks of friends/family/acquaintances (and people are frequently supported by communities who are migrants, and potentially undocumented themselves, and therefore even more reluctant than usual to provide supporting evidence).”</i></p> <p>– National organisation</p>
<p>f. Lack of face to face advice</p>	<p>Already mentioned, the lack of face to face advice was cited by many as being a reason why people are neither ‘spotted’ as needing asylum support advice, or supported to do appeals.</p>

g. New organisations in the field do not know or understand about appeals *“There’s definitely been a growth in new players. For instance – the barge, the people responding to that were not from the mainstream migration or homelessness sector, they were a local community group. And that will mean that they do not necessarily know the formal routes and the formal process and if they can access support and that sort of things. At our last round of regional meetings we talked about the need to get information out to a whole range of new organisations – foodbanks, community groups where people may be going for support.”*
– National organisation

Knowledge and experience of people seeking asylum

a. People simply do not know they can appeal *“One of the big things our community researchers heard was ‘if only I knew what I know now, five years ago’. At different parts of the asylum journey people are not getting the information which tells them their rights and responsibilities, in the right format and language.”*
– National organisation

“I would like to say that there is lack of awareness on appeals - I believe most people don’t know that they can access an appeal. They might not know that they can still appeal after refusal of claim. Leaflets are useful.”
– PWLE

b. Pandemic hiatus in refusals has eroded community knowledge *“I wonder if part of the issue is numbers– if there are increased numbers of refusals, as was the case before, word of mouth plays a part. So if you don’t have a friend who was refused you don’t know to do it.”*
– Frontline organisation

c. People keeping under the radar because of fear of the hostile environment *“I would say that there is generally more fear about how anything [people seeking asylum] may do could have a negative impact on their asylum claim / ability to stay in the UK.”*
– Survey respondent

“The lawyer finishes your case and you have a horrible feeling you may be put on that boat. You could go to town and come back and the door is locked. Never easy feeling. The lawyer finishes your case and moves on. Every knock is a scary knock, the housing manager opens your bedroom with his key.”
– PWLE

d. People have lost faith in the system and are too ground down by it to appeal *“This is my personal opinion: a lot of people on Section 4 support, because they have been refused a few times, and waiting a few years within the asylum process, tend to be discouraged, lack of motivation, and maybe no willingness to continue fighting with the Home Office. We meet people who are entitled to asylum support but are not looking to access it necessarily because they are mentally tired, physically exhausted, and have friends’ connection who are looking after them. I also believe some people might be sceptical and fear to be eventually deported from the UK if they remain on asylum support and are eventually refused by the Home Office.”*
– Lawyer

“If you appeal you can lose and be homeless also so [people seeking asylum] worry about that. If you appeal the Home Office may throw you away completely. And people don’t trust the Home Office - they think the accommodation is not nice, they will send me outside London so they try to compromise. People are scared - there’s a story that if refused Home Office will arrest you and send to detention so some people don’t even apply for asylum support because they are scared if refused they will be detained. Because if you apply and are refused asylum it is easy for Home Office to arrest and detain. Lots of people in hotels know about people being detained.”

– PWLE

e. Hotels are a deterrent to pursuing support

People seeking asylum know that the hotels represent sub-standard accommodation, sometimes in actively hostile locations, many far from any town or services.

“[In the hotels] It’s not just the food being bad and the financial support being pittance, but also demonstrations by the far right outside hotels in some areas.”

– National organisation

f. Some fear that asylum support appeals will affect their asylum claims

“They think it would affect their asylum claim. We do try and explain rights to people, but we need a caseworker to have capacity. [Clients] have no idea about the Asylum Support Tribunal. They do know they have a right to housing but people get freaked out when leaving asylum accommodation that may affect their asylum claim think being in hotel is vital.”

– Frontline organisation

g. Rwanda is a factor

“Grapevine on Rwanda and the barge - people are going underground. That could also be a reason for decline in appeals. Fear is a big issue here. You would expect people to queue for destitution support but it has reduced. We have an organisation here which gives money and food to destitute and [the queue] has reduced as well. There used to be a queue from 10 but not now - we are not sure what it is. There is a problem somewhere.”

– Frontline organisation

h. May be particular issue for women

One frontline organisation told us that women seemed more likely to go underground rather than appeal a decision

“It is not clear why, but there is often a history of violence in their country of origin, on the journey.”

– Frontline organisation

Barriers to advice on asylum support from Migrant Help under the AIRE contract

There were extensive issues raised during the research both concerning the nature of the AIRE contract as well as Migrant Help's performance under this contract.

There were some positive experiences reported by people seeking asylum:

"I am happy with my experience of MH though staff can be dismissive about small issues, and asylum seekers don't know what to do. But if it doesn't work I called the Red Cross."

– PWLE

"Migrant Help are doing HC2 certificate to help us access doctors and hospitals. They help us with housing, solicitors, foodbanks. They help us with language (interpreters), they provide us with safe houses, electricity, heaters."

– PWLE

And it was also recognised that Migrant Help was often in a difficult and highly pressurised situation, with people often trying to do their best in spite of difficult constraints.

"We have a good working relationship with Migrant Help. But generally I try not to contact them – only if something is drastically wrong will I will contact them. But I have a good working relationship. Migrant Help is like everybody else in the industry – understaffed, underpaid, they haven't got enough staff as the phones lines are always horrendous. I suppose that's the Home Office wanting everybody to work on a shoestring. And the Home Office is constantly changing their rules as well."

– Frontline organisation

Overall however there were many concerns, broadly divided into the following categories:

Concerns regarding role and positioning, as created by the contract

- Lack of advocacy function and ownership of outcome
- Intermediary role between Home Office and person applying for support wastes time and resources
- Intermediary role between accommodation provider and person on asylum support
- Intermediary roles not being understood by people applying for/on asylum support who can feel that Migrant Help has a more determinative role than is in fact the case.
- Communication gaps and lack of internal systems to ensure e.g. lack of central tracking of a client meaning that one team within Migrant Help does not know what another team has done/is doing.
- Failure to provide information on asylum support appeals

Concerns regarding the model and structure

- Under-resourcing given the scale of need
- Helpline forms the backbone of the offer, however this is the wrong model for this client group
- Helpline is chronically inefficient (calls taking hours)
- Phone inaccessibility has a serious knock-on impact both on frontline organisations and the people they are assisting
- Unclear and confusing web of contact numbers, emails and portals which frequently change
- Need for constant sector 'workarounds' illustrates inefficiency of the structures
- Reliance on referrals to organisations outside as proof of the system failings
- Lack of outreach where outreach is clearly needed (where outreach is provided, Migrant Help is felt to be more effective)

Concerns regarding performance

- Several examples of inaccurate or misleading information being given out
- Failure to deal with safeguarding concerns
- Delays and failures to keep track of applications/ reports of issues mean that people are becoming destitute whilst waiting for their case to be dealt with
- Lack of paper copies of applications or online access to them means clients, and those helping them, do not know what has been done on their case
- Issues around identifying trafficking: ASF1 form question on trafficking not being asked well can have a knock on implication for claims; NRM referrals not being made
- Staff attitudes (both good and bad reported by people with lived experience)
- Problems with failures to provide information in appropriate languages (e.g. phone messages in English)
- Failures to submit subsistence only applications, delays in submitting S98 and some S95 applications
- Failures to inform people on support of options for emergency or extra cash payments

Impact of current system failings

Failings within the system result in significant impacts on both people seeking asylum and on the sector seeking to support them.

Impact on people seeking asylum

Many reported the impact on people seeking asylum as devastating, resulting in:

- Rising desperation as people try to find the help they need,
- More destitution and homelessness, especially with more negative decisions on claims as part of the backlog clearance, which interviewees worried would feed an increase in exploitation.
- Increasing isolation and people with a marked deterioration in mental health

“We see significant impacts in terms of mental health and suicidal ideation ... over a year we had 450-500 case files with concerns of suicidal ideation in asylum accommodation.”

– National Organisation

“We have a client who was talked down from the bridge over the motorway earlier this week after his support was discontinued. No reason was given for this. He has no lawyer so any letters should have come to him. Following massive escalation of his case he has been allowed to remain but I have now submitted a SAR (subject access request) as we have no way to place an appeal without information. Whether the SAR will come in time to help is another matter.”

– Frontline Organisation

Retraumatism among people seeking asylum and a deterioration in physical health is also a key concern:

“Things we see triggering people is the fact that they are in institutional accommodation, queueing for dining, uniformed officers, corridors. It reminds them of torture.”

– National organisation

“Because of the lack of nutritious food people are developing scabies and all sorts because of the conditions and they are not allowed to save up their money for a microwave. They are being given raw eggs or a handful of pasta each day They are not allowed to take pictures. I will send you the reports which highlight this as they say it in a more adequate way than I can. But the conditions inside once they have support are just shocking”

– National organisation

“When I was on support I tried a lot to get better accommodation. My solicitor was always chasing the Home Office to move us. My son had a terrible pain in his feet and I had records from his surgeon that he needed urgently surgery for his toes as he had terrible pain. The surgeons recommended surgery but said that they couldn’t do the surgery unless he was in a house. He had to be in a safe environment, not in a hotel accommodation, as he had to be in a cast for two months afterwards. So he needed some kind of things to help him move - crutches, walking frames – whilst putting on the casts. So my lawyer sent a letter to the Home Office that he needed to be moved. And nothing happened. For a year and a half he was on painkillers. Until we moved to a home, he couldn’t have the surgery.”

– PWLE

The lack of information means people seeking asylum take decisions based on the best information they have which is often inadequate or inaccurate.

Impact on the not-for-profit sector

In her study of the legal aid market in 2019,⁴ Dr Jo Wilding coined the phrase ‘failure demand’ to mean the demand for work to deal with the failures of the system they are engaging with. Interviewees echoed this, providing not just advocacy to sort out the problems created by a chaotic system but also having to provide clothes, food and funding in order to help people survive. The increase in sub-standard accommodation in hotels similarly creates new advice issues

“A lot of the issues [we are dealing with] are problem solving issues of those living in hotels: people get no cash or £9 a week, there are challenges of accessing pregnancy support, subsistence only support. There are loads of issues regarding the Aspen card: we had to set up calls at weekend because of volume of calls from people not receiving payments”

– National organisation

The dispersal into new areas creates **new strategic challenges** working with new organisations, in new areas, with new statutory agencies.

“Organisations who provide face to face advice are unable to access additional funding to expand their support geographically.”

– Survey respondent

“Dispersal policy and change has led to a dramatic expansion to all areas and use of hotels and other temporary accommodation and problems with access to services. Local authorities knew nothing about these clients and we were seeing a lot of these sites managed by hospitality staff, there is lots written about that, access to advice is very difficult, it’s really been challenging”

– National organisation

Delays and failures in the system force a reshaping of models of destitution support because people need accommodation for longer. The shortage of lawyers has driven groups to fill the gaps by becoming OISC accredited to give asylum advice.

“The initial idea for us was that we wouldn’t take on asylum claims themselves as in principle there was legal aid available but what has been happening is that we have increasingly found we need to step in as they cannot find anyone. So we are doing the asylum claims in spite of not wanting to and not having the legal aid contract...It’s terrible – we are not trained lawyers, we don’t want to be doing this. We want to provide a lot of support – we do destitution, asylum support, community care and now suddenly we are ending up trying to take witness statements.”

– National organisation

Organisations have had to prioritise and turn away cases they previously assisted. The rapid rate of change means that needs and demand evolve constantly. Inevitably this affects morale negatively and causes burnout.

4. Droughts and deserts: a report on the immigration legal aid market, Dr Jo Wilding, 2019

Recommendations

This system is consistently denying people their basic human rights at an extremely challenging stage in their lives.

Longer term it must be completely overhauled, with decision-making by competent and qualified individuals being sped up in order to minimise the numbers of people waiting in the asylum system with their lives on hold. Access to legal advice, so profoundly eroded over the past few years is also a prerequisite if people seeking asylum are to have their rights upheld, both to asylum and to fair treatment whilst they wait for a decision.

Our recommendations focus specifically on what would enable people seeking asylum support to challenge wrong decisions, and are for the short and medium term, to deliver patch repairs to improve the lives of people now. We set out **five core aims** to frame recommendations, as follows:

-
1. The asylum support system is run by contractors who have a clear and enforceable remit to work effectively together and with others to meet the needs of those they are paid to support

 2. Asylum support includes access to essential means of communication such as mobiles, computers and related information technology

 3. People seeking asylum and those supporting and advocating for them have access to clear accessible information about how the system works and about their progress through it

 4. The Home Office and all its contractors include information about asylum support appeals, the right to them and how to exercise that in all interactions with people seeking asylum

 5. ASAP sets itself the objective of maximising the chances of appealing asylum support decisions wherever people seeking asylum are living.

Priority 1: Contractual changes

The **Home Office** to rewrite the AIRE and AASC contracts (and **AASC and AIRE contractors** to rewrite their sub-contracts with providers) to embed requirements around working effectively together to meet the essential needs of people seeking asylum and those supporting them.

- a. Contract design:** The **Home Office** to lead a process of co-design of these new contracts that actively involves people seeking asylum and those advocating for them in defining the core needs and the standards to be met. From this research, some core elements for the AIRE contract would be:
- i.** For the contract to be focussed on outcome for people seeking asylum (to access the entitlements which they are entitled to)
 - ii.** For face to face work to be prioritised and funded
 - iii.** For transparent safeguarding work which is immediately available in emergencies to be prioritised and funded
 - iv.** For asylum support appeals to be brought back into contract scope
 - v.** For Schedule 10 to be brought into contract scope
 - vi.** For enforceable KPIs to be set for answering phones which relate to the delay between phoning and speaking to an appropriate adviser
 - vii.** For KPIs to be set around passing on documents to the Home Office, (including submitting incomplete applications where requested by the applicant) and that this is monitored and tracked with penalties for delays
 - viii.** For there to be a dedicated communications channel for agencies/caseworkers/solicitors external to Migrant Help to access the service
 - ix.** For KPIs to be set for all the types of applications that the AIRE contractor is managing, including for subsistence only support
 - x.** For KPIs to be set for providing copies of support decisions (and for this to be routinely done – see Priority 3, on the next page)
- b. Staff recruitment: Home Office** to ensure that AIRE and AASC contracts and any subcontracts include:
- i.** the engagement of appropriately qualified staff on, as relevant, asylum regulations and safeguarding issues
 - ii.** appropriate training for all staff employed on contracts and sub-contracts
 - iii.** that this is tested and forms part of KPIs
 - iv.** where criteria for recruitment are superfluous (as is the case at present with higher security counter-terrorism clearance for new staff) these should be ditched in order to speed up recruitment.
 - v.** Training on the inter-relationship between the ASF1 form and asylum applications particularly in relation to trafficking responses, and a requirement that only those workers trained in identification of these issues assist with the completion of those forms
- c. Enforcing KPIs: Home Office** to ensure that all KPIs are enforceable, and include timescales, how to put failures right and effective penalties.
- d. Relevance of KPIs: Home Office** to ensure that contracts have an annual review of usefulness of KPIs, involving people seeking asylum, to ensure they remain relevant and useful.
- e. Sufficient information for contractors: AASC and AIRE contractors** to ensure that their contracts include receiving all necessary information from the Home Office so they can meet the essential needs of people seeking asylum, this to include all relevant decisions passed on in a timely manner and all information necessary for safeguarding.

Priority 2:

Ensuring people seeking asylum can communicate

- a. **Provision of cellphones.** The **Home Office** to include provision of cellphones, data and SIM for individual use to all those seeking asylum who do not already have one, in the asylum support specification and contract accordingly.
- b. **Access to computers.** The **Home Office** to include access to computers and Wifi with sufficient bandwidth in the specification for all asylum accommodation and **AASC** to include in all subcontracts for such accommodation.

Priority 3:

Accessible, timely information for and about people in the asylum system

- a. **Location of accommodation:** The **Home Office** to create a register which is available to AASC and AIRE contractors and the sector more broadly on the location of temporary accommodation throughout the UK by borough/county.
- b. **Stopping support:** The **Home Office** to provide quarterly information on predicted discontinuations of support in order that AIRE and AASC contractors and relevant statutory authorities can plan for next steps
- c. **Waiting times for phone support:** The **AIRE contractor** to streamline the way in which its services are provided to make it clearer for people seeking asylum and those working on their behalf to access and to minimise waiting times for phone help.
- d. **Guidance and requirement on understanding on asylum support:** The **AIRE contractor** to be made responsible for not only producing simple guides in appropriate languages and media covering how the asylum support system works, who is responsible for what and what to do if things go wrong or standards are not met, but for ensuring these are understood. A KPI for both AIRE and AASC contractors to cover the awareness of these guides and their contents by people seeking asylum.
- e. **Tracking progress:** The **AIRE contractor** or the **Home Office** to set up and run a secure website, accessible by mobile phone, that enables all people seeking asylum to track their progress through the asylum and asylum support system with links to all relevant documentation (such technology exists and is widely available). Entering and tracking people on this system to be made as easy as possible for people seeking asylum and for workers supporting them.
- f. **Copies of documentation:** The **AIRE contractor** to provide copies of all submissions made to the individual who they have been made about, and for this to be a KPI.
- g. **Address accuracy:**
 - i. All **Home Office** decisions about asylum and asylum support to be confirmed in writing immediately to the person seeking asylum, using the latest registered address, and with a requirement for AASC providers to confirm the address is correct and check that it has been received and
 - ii. The **Home Office** to urgently invest in an accurate address database for all asylum supported applicants, checked by accommodation providers and linked to the asylum decision making team's data.
- h. **Decisions in writing:** All **AASC contractor and subcontractor** decisions about accommodation and support, including moves, responses to complaints and concerns, etc to be confirmed in writing immediately to the person seeking asylum with a copy sent to the Home Office for their records, and enforceable KPIs to this effect. All **AIRE contractor** decisions and interactions to be confirmed in writing immediately to the person seeking asylum and enforceable KPIs to this effect.

Priority 4:

Ensuring people seeking asylum know about asylum support appeal rights

- a. **Accessible information.** The **Home Office** to prepare accessible information about rights to appeal asylum support decisions in consultation with ASAP and people seeking asylum.
- b. **KPIs to be included in all contracts** which specify that this information must be included in all interactions between people applying for asylum support (and their advocates), those who have been refused asylum support (and their advocates), and **AIRE and AASC contractors/subcontractors** and the **Home Office**.
- c. **Face to face services prioritised. Funders and service providers** to recognise the critical need to ensure face to face services where people seeking asylum can gain a holistic diagnosis of their issues and be signposted on to appropriate support. Telephone advice is not enough.
- d. **Legal aid for asylum support appeal preparation.** The **Legal Aid Agency** to include legal aid for the preparation of asylum support appeals within the immigration legal aid contract as well as the housing contract.

Priority 5:

Maximising the chances of appealing wrong asylum support decisions

- a. **Funders** to support a mechanism which enables a fuller identification and connection of local groups across the country which are waxing and waning about the provision of advice and guidance on asylum support and asylum support appeals. This may be deliverable within the AIRE contract/ by ASAP/ASAN or by another partner but needs to be constantly updated, relevant and accessible. Such a mechanism/map can be built on the research in this report and added to through liaison with Strategic Migration Partnerships, FIAP network and others.
- b. The **AIRE contract** to include a requirement to maintain an up to date list of all organisations within each region who can provide advice, guidance, support and advocacy on asylum support appeals, and to share this on request with service users, their advocates, and local Strategic Migration Partnerships.
- c. **ASAP** to contribute to discussions around funding and resources to host and update such a map, and feed back the information from it to funders and commissioners. This map to be included in AIRE contractors' websites and referenced in all interactions (as above).
- d. **ASAP** to fundraise for capacity to increase the support offered via its second tier advice line and publicise the availability of this. Many want this to be five days a week.
- e. **ASAP** to consider extending as a pilot direct support to people seeking asylum to fill out and submit appeals, or to skill up others to do so. For people in the temporary accommodation system, this is going to be the quickest way of accessing skilled support in some areas.
- f. **ASAP** to develop more tools which can be used by people seeking asylum to help them understand their right to appeal, the fact that this does not compromise their asylum claim, and how and when to go about submitting appeals. This could be done in conjunction with Right to Remain and promoted through a range of networks. The tools would need to link to Bail for Immigration Detainees to include guidance on making applications for bail if these are required.
- g. **ASAP** to identify from the mapping provided in this report regional/country plans which encompass intensive training and support for targeted organisations along the lines of the DPG PAP project. These organisations to be partners committed to improving and disseminating skills and knowledge about asylum support appeals. The project would be in order to build regional/country capacity where this does not currently exist which could then in turn be accessed by smaller groups as they come and go in the area. Training would be about building understanding, competence and confidence in the conduct of appeals and to reinforce messages about the need for expert and specialist advice.

- h. Funders and the Legal Aid Agency** to consider how they can support and underpin an effective right of appeal against adverse asylum support decisions.
- i. ASAP** to open discussions with Strategic Migration Partnerships about how to develop and reinforce resilience amongst local organisations in the face of constant change in the asylum support system, and, in particular, how to ensure that the core right to appeal (and to support, advice and advocacy with appeals) is defended for all. This is in the context of the Government's commitment to end street homelessness and local and national authorities' public sector equalities and community cohesion duties.

Final note: most interviewees simply wanted **ASAP** to continue with its 'brilliant work', citing current resources, advice and support as invaluable to their work.

Appendix:

Summary table of regional and national asylum support and gaps

The research collected information via survey, interviews, reports, statistics and consultation on the provision of advice and guidance at regional level on asylum support. The resulting overview provides a reasonably detailed snapshot of provision at the time of the research (July-December 2023) though cannot claim to be a complete mapping, relying as it did on selected interviews. This table summarises key data and themes from this mapping work.

	No. PSA ⁵ in Sept 2020 & 2023	Location of PSA	Support and gaps
East of England	Sept 2020: 1,080 Sept 2023: 8,490	<ul style="list-style-type: none"> ■ 686% PSA population increase, Sept 20 – Sept 23 ■ Rapid and ongoing rise in hotel accommodation, many isolated (est. 62 hotels) ■ Wethersfield base + Tendring in region 	<ul style="list-style-type: none"> ■ Advice desert across region ■ Acute dearth of legal advice, particularly in Norfolk, Suffolk and Essex ■ Clusters of services in Luton, Peterborough, Norwich. ■ RAMA covers Colchester and North of Essex – very active but limited geographically. ■ Some London-based groups called on (RAMFEL) but overwhelmed with London numbers already ■ Both ‘sides’ of the region (Hertfordshire and Norfolk) have very little support
East Midlands	Sept 2020: 2,997 Sept 2023: 7,464	<ul style="list-style-type: none"> ■ 149% PSA population increase, Sept 20 – Sept 23 ■ Rapid rise in hotel accommodation, many isolated (est. 50 hotels) 	<ul style="list-style-type: none"> ■ Advice deserts outside main urban hubs of Leicester, Nottingham and Derby, and services in those are struggling with capacity ■ Legal advice in short supply even in main cities and sole OISC 3 provider ‘inundated’. Significant concerns about quality as well. ■ Red Cross in Leicester strong service but struggling with capacity ■ Nottingham capacity very limited, Derby capacity unclear

5. PSA in this table = People seeking asylum in receipt of local authority support

	No. PSA ⁵ in Sept 2020 & 2023	Location of PSA	Support and gaps
Greater London	Sept 2020: 7,991 Sept 2023: 24,383	<ul style="list-style-type: none"> ■ 205% PSA population increase, Sept 20 – Sept 23 ■ Crisis in asylum accommodation illustrated by increase in numbers in London, with rapid rise in hotel population (est. 100+ hotels) ■ Concern that London may have many “hidden” PSA who are destitute/sofa surfing 	<ul style="list-style-type: none"> ■ Not advice desert but demand vastly outstrips supply, and provision in Outer London areas where many hotels located is sparse to non-existent. ■ Significant national as well as local organisations located in capital, including specialist organisations such as Helen Bamber Foundation ■ Approx 40 hotels in Outer London - frontline orgs cannot cope with demand and many people navigating system alone.
North East	Sept 2020: 4,897 Sept 2023: 7,438	<ul style="list-style-type: none"> ■ 52% PSA population increase, Sept 20 – Sept 23 ■ Fewer hotels than other areas reflecting fact that area of mainly dispersed accommodation (est. 12 hotels) 	<ul style="list-style-type: none"> ■ Newcastle relatively well provided for but Stockton, Chester-le-Street and Ashington all cited as areas with few to no service. ■ Legal aid services concentrated in Newcastle, Gateshead and Middlesborough. Outside these areas = legal advice deserts ■ Freedom from Torture’s office only OISC 3 org cited in North East ■ Strong partnership in Tees area (Ariadne Partnership) and NERS operates in Newcastle
North West	Sept 2020: 11,119 Sept 2023: 22,379	<ul style="list-style-type: none"> ■ 101% PSA population increase, Sept 20 – Sept 23 ■ Large population of people in dispersed accommodation ■ Rapid recent rise in hotel temporary accommodation (est 66 hotels) 	<ul style="list-style-type: none"> ■ Not advice desert in Greater Manchester/Liverpool area which is relatively well served given history of dispersal. However scant provision in Cheshire, Lancashire, Cumbria ■ Strong and long-established players (Refugee Action, GMIAU, Asylum Link) but extremely stretched given high numbers and rapid pace of change. Having to prioritise and triage rigorously. ■ Strong partnerships exist in Manchester/Liverpool and long history of co-working.

	No. PSA ⁵ in Sept 2020 & 2023	Location of PSA	Support and gaps
South East	Sept 2020: 1,033 Sept 2023: 9,372	<ul style="list-style-type: none"> ■ 807% PSA population increase, Sept 20 – Sept 23 ■ Rapid rise in hotels (est. 87) ■ Most hotels in urban areas, though 11 in rural areas ■ Napier Barracks + Bexhill (former prison) 	<ul style="list-style-type: none"> ■ Area below London and along the coast is advice desert ■ Region circles London and some return to access services in capital ■ Asylum Welcome was the only org cited in Oxfordshire, long-established ■ Voices in Exile is key organisation working across Sussex and in Surrey ■ Kent has cluster of organisations offering support, many involved in running drop ins for Napier Barracks in Folkestone ■ Difficult to find organisations in region to interview ■ Region is not cohesive and cannot be treated as whole entity, makes more sense to look county by county
South West	Sept 2020: 1,181 Sept 2023: 5,349	<ul style="list-style-type: none"> ■ 353% PSA population increase, Sept 20 – Sept 23 ■ Established numbers in dispersed accommodation longer term ■ Rapid rise in hotels (est 37 hotels) ■ Several hotels in remote/rural locations, poor transport links ■ Bibby Stockholm barge in Portland, Dorset ■ Large region with poor transport links for people with PSA 	<ul style="list-style-type: none"> ■ Advice desert across region but pockets of expert and established provision in key cities/towns (Bristol, Plymouth, Gloucester, Swindon) ■ Outside those, people seeking asylum largely on their own ■ Availability of legal advice poor (except Bristol) ■ All established providers dealing with people seeking asylums in temporary accommodation and trying to find ways to support or manage need

	No. PSA ⁵ in Sept 2020 & 2023	Location of PSA	Support and gaps
West Midlands	Sept 2020: 6,550 Sept 2023: 14,724	<ul style="list-style-type: none"> ■ 125% PSA population increase, Sept 20 – Sept 23 ■ Established dispersal area ■ Rapid rise in hotels (est 66 hotels) ■ Increasing location in rural areas with no services at all 	<ul style="list-style-type: none"> ■ Advice desert across significant areas of the region outside Birmingham/Wolverhampton/Coventry conurbations ■ Even in major conurbations, very poor access to legal aid advice for most people seeking asylum ■ Significant and established players in urban areas – CELC, RMC, Refugee Action - but limited what they can do ■ Western counties of Herefordshire, Worcestershire, Shropshire and parts of Warwickshire (outside Coventry) = advice deserts and hotels now being commissioned in those areas ■ Stoke (particularly south of Stoke) is an area of particular need with little to no support and hotels with far right protests ■ Various volunteer groups springing up to try and meet gaps but struggling
Yorkshire and Humber	Sept 2020: 6,499 Sept 2023: 11,490	<ul style="list-style-type: none"> ■ 77% PSA population increase, Sept 20 – Sept 23 ■ An area of dispersed accommodation previously ■ Rise in numbers due to hotels (est 66 hotels) ■ Hotels being placed round dispersal areas, some in rural areas ■ Catterick barracks planned in North Yorkshire 	<ul style="list-style-type: none"> ■ Advice deserts within region, especially in North Lincolnshire, and North Yorkshire ■ Poor access to legal aid services with significant legal aid deficit ■ Some strong organisations in dispersal locations, though none of the size of those found in e.g. Birmingham or Manchester. ■ Generally one organisation per town/city of dispersal which are now trying to deal with hotels, often by deciding they cannot extend services ■ Strong Strategic Migration Partnership ■ Less evidence of small local groups springing up

	No. PSA ⁵ in Sept 2020 & 2023	Location of PSA	Support and gaps
Northern Ireland	Sept 2020: 961 Sept 2023: 3,220	<ul style="list-style-type: none"> ■ 235% PSA population increase, Sept 20 – Sept 23 ■ Separate Asylum Intake Unit – PSA traditionally concentrated only in Belfast ■ 2021 onwards, hotels commissioned outside Belfast in rural areas (est 20 hotels) 	<ul style="list-style-type: none"> ■ Not advice desert in Belfast, but hotels in ‘new’ areas are major concern given lack of services and hostile culture ■ Strong legal aid provision until recently though now getting more stretched ■ Strong players in the sector in particular Red Cross Northern Ireland and Starling Collective: former is doing a considerable amount of work on policy and monitoring, including on asylum support ■ However concerns about grassroots and frontline groups around new hotel areas
Scotland	Sept 2020: 4,871 Sept 2023: 6,090	<ul style="list-style-type: none"> ■ 25% PSA population increase, Sept 20 – Sept 23 ■ Glasgow traditional dispersal area ■ Rapid rise in initial (hotel) accommodation in latter half of 2023 (not reflected in figures) to areas which are without provision and/or remote ■ 25 local authorities estimated to be receiving PSA by Dec 2023 	<ul style="list-style-type: none"> ■ Limited advice around new contingency and dispersal areas outside Glasgow BUT ■ Legal advice and support more readily available, and work on asylum support including appeals is in scope in Scotland. ■ Substantial expertise in strong, committed and co-ordinated sector in the Glasgow region with organisations such as SRC, Red Cross, Govan Community Project and Latta Law. ■ Some ‘new’ areas gearing up with committed and engaged organisations (especially Aberdeen) but elsewhere there are more concerns ■ Heavy reliance on volunteers outside Glasgow (including Aberdeen) ■ Scotland’s size and rural nature make the issues outside Glasgow more difficult to access and coalesce services around.

	No. PSA ⁵ in Sept 2020 & 2023	Location of PSA	Support and gaps
Wales	Sept 2020: 3,254 Sept 2023: 3,275	<ul style="list-style-type: none"> ■ 0% PSA population increase, Sept 20 – Sept 23 ■ Traditional dispersal areas – Cardiff, Newport, Swansea, Wrexham ■ Hotels located in remote locations outside main town and cities (est 17 hotels) ■ Penally Barracks in Tenby opened and then closed in 2021 	<ul style="list-style-type: none"> ■ Legal advice desert with only five firms now doing legal aid work on immigration advice in the whole of Wales ■ Only OISC 3 organisation is Asylum Justice, now attempting to fill gaps on complex and vulnerable cases given law firm closure ■ Wales Sanctuary Service funded by Welsh Govt and in theory provides support for PSA but estimates only seeing one in seven of those dispersed to Wales and service operates at fairly basic level of support and advice ■ Anything complex on asylum support would be referred to Asylum Justice or ASAP

Asylum Support Appeals Project (ASAP)
Studio 11/12
Container City Building
48 Trinity Buoy Wharf
London E14 0FN

Tel: 020 3716 0284

www.asaproject.org

Registered Charity number: 1105625

Company number: 04763838