



Position Statement Concerning Refugees and Asylum Seekers

Introduction

The 1951 United Nations Convention Relating to the Status of Refugees defines a refugee as:

“A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”

In the UK, a person is officially a **refugee** when they have their claim for asylum accepted by the government. An **asylum seeker** is a person who has left their country of origin and formally applied for asylum in another country but whose application has not yet been concluded.

RRSG supports a robust defence of the 1951 United Nations Convention Relating to the Status of Refugees. Refugees should not be returned to their country of origin or any other country to face persecution, danger or abuse. Refugees should be protected without discrimination of any kind that is based on their characteristics, beliefs or origin.

RRSG's work

RRSG is a frontline service helping refugees and asylum seekers to become settled and integrated in their new communities with advice, training and general support.

We seek to raise awareness of the needs of refugees and asylum seekers locally and nationally, based on our experience of working with them and of the impact of legislation on refugees and asylum seekers. We are aware of and fully accept the “Campaigning and Political Activity Guidance for Charities” issued by the Charity Commission. We are an independent organisation and do not exist for a political purpose but we are mindful of the Commission's view that “campaigning and political activity can be legitimate and valuable activities for charities to undertake” so long as they are undertaken in pursuit of the charity's purposes.

We will therefore seek to influence government policy and legislation when it is clear that it is in the interests of our beneficiaries. We will also support national organisations for refugees, such as the Refugee Council and Refugee Action, which campaign for changes that will assist our main purpose of meeting the needs of refugees and asylum seekers. We believe there are a variety of factors within the UK system of support for refugees and asylum seekers which hinder

their successful integration and have harmful effects on their welfare and that of their families.

The Key Issues

Applying for asylum

Applying for asylum (refugee status) is highly complex and difficult for a traumatised person to navigate with the hope of a fair and considered decision. Long delays are also common during the process. Home Office figures show that more people than ever before were waiting longer than the six-month target for a decision on their claim. At the end of 2017 this comprised almost half of all people waiting for an initial decision on their asylum claim. The uncertainty and fear for what the future might hold puts immense strain on the health of people seeking asylum and that of their families.

Nationally, over a third of appeals against refused asylum applications are successful. For some nationalities, Home Office decisions are shown to be wrong for over half of those who appeal.

Right to Work

Asylum seekers are not permitted to work whilst their claim for asylum is being considered. This process frequently takes longer than the target of 6 months and in some cases takes years. Joblessness reduces morale and heightens risks to mental health. It affects later effective integration into the workforce and community.

Destitution

The asylum support benefit of £37.75 is not sufficient to live on and meet basic needs (Ref. Joseph Rowntree Basic Income Calculator). Asylum seekers are not entitled to claim public funds i.e. most welfare benefits and social housing but may be able to get help with housing and financial support from the Home Office if they are destitute.

When asylum seekers are granted refugee status, they must leave their accommodation immediately and begin to find work or claim benefits. They will generally have no savings to fall back on whilst the system responds to their new situation and will often experience a period of destitution at this point also.

Temporary leave to remain

When asylum seekers are accepted as refugees they are given 5 years leave to remain as resident in the UK. This temporary permission can be reviewed at any time, producing anxiety and affecting the ability to travel outside of the UK for fear they will not be allowed to return.

Detention

The United Nations High Commission for Refugees has spoken out against the arbitrary use of detention for those seeking asylum. Many are locked up in prison -like conditions with no recourse to legal oversight and no indication of how long they will be locked up. Detention is intended as a resource for those awaiting deportation generally at the end of a prison sentence but its use in the UK includes detention of people later released back into the community. RRS

rejects the use of detention for those seeking asylum and supports the use of community-based measures.

Social Cohesion and Integration

RRSG believes that public agencies must ensure that services and activities are provided that actively promote social cohesion and integration of refugees and asylum seekers in all communities across Britain. Failure to actively pursue an integration agenda carries major risks of community conflict.

Recommendations

RRSG endorses the recommendations contained in the “Waiting in the Dark” report produced by Refugee Action. They are as follows

Quality of the Process

The Home Office must gather the right information from asylum applicants during interview, and use this to make correct decisions the first time around.

Information and Advice.

The Home Office should improve information provision to people seeking asylum. The Government must ensure a comprehensive and public review of current legal aid provision.

Waiting in Dignity.

The Government should make decisions far more quickly, and achieve the targets it sets for the time taken to make decisions. People seeking asylum, and their adult dependants, should be given the right to work after 6 months of having lodged an asylum claim or further submission, unconstrained by the shortage occupation list. They should have access to education – including free ESOL classes – from application. If people have to wait 12 months for a decision, they should be granted Discretionary Leave to Remain.

Accountability.

The Home Office should listen to people seeking asylum and act upon their feedback.

In addition to these recommendations RRSg will press for the UK government to introduce a second phase of the Syrian Vulnerable Person Resettlement Programme. The SVPRP is a programme for the resettlement of 20,000 Syrian refugees in the UK taken from refugee camps in Jordan, Lebanon, Iraq, Egypt and Turkey over the period from September 2015 to May 2020. Given the millions of Syrian refugees in camps in Europe and the Middle East and the ongoing Syrian conflict we believe that it is vital to extend the programme beyond 2020.

Reviewed by board of trustees on 26.6.19