Written Evidence from

- Refugee Survival Trust

Introduction

The Refugee Survival Trust (RST) is a Scottish based charity which was set up in 1996 to respond to the issue of asylum seeker destitution. From then until now, we have been working in an increasingly hostile legislative and policy environment along with relentless negative media coverage of immigration, asylum and migration issues. Despite this, we have had great support and dedication from our donors, supporters and volunteers in Scotland who have succeeded in rising money year on year to fund our destitution grants programme, providing a lifeline to many individuals and families experiencing destitution.

RST is the only organisation in Scotland dedicated to providing last-resort short-term financial support to destitute individuals and families. RST also uses the information and experience gained from providing these grants to lobby government agencies for changes that will tackle the root causes of destitution.

Destitution is a human rights violation which has devastating effects on the individual and implications for the local community and wider society. Many aspects of the current UK asylum system put refugees and asylum seekers in Scotland at risk of destitution. Asylum seekers are not allowed to work and get only Home Office asylum support (about 70% of mainstream benefits), which is often delayed by bureaucracy. Asylum applications and all documentation have to be submitted in person in England and no support with travel costs is provided. Once granted refugee status there is a 28 day period before support stops and mainstream benefits apply, but bureaucratic delays mean that refugees are often left without financial support for weeks or months.

Although RST’s focus is on supporting refugees and asylum seekers, we recognise that destitution is also experienced by other groups, namely, those with insecure immigration status and some EU nationals.

A short animated film about destitution scenarios can be seen at www.rst.org.uk
In answer to the Inquiry’s specific question:

“Have you assisted destitute asylum seekers in a voluntary or charitable basis?”

RST provides the following services and support:

1. Destitution grants

Our destitution grants programme is designed to provide short term financial help to individuals and families in destitution when no other forms of support are available. Grants are available to anyone living in Scotland at any stage of the asylum process and to refugees who have been granted leave to remain within the last 6 months. The main grants we provide are:

- Essential living expenses

These grants are for people who have been left without financial support, often due to some bureaucratic error or a delay in transferring from Home Office to DWP support after refugee status has been granted. The grant is calculated at asylum support rates which are currently £36.95 per week per person. The grant can be provided for 2 weeks and can be claimed twice only. Additional awards are only made in exceptional circumstances, for example, a young woman had received two previous grants from RST but then experienced a fire at her NASS accommodation and was not allowed to return to her flat to collect her belongings. An additional grant was made to her so she could buy a change of clothes and other essentials.

This grant is also given to people who have had their asylum appeal refused. Once an appeal is refused, financial support is cut off after 21 days and the asylum seeker is given notice to quit their Home Office accommodation. The grant is available for two weeks and gives people in this situation “breathing space” while they seek advice about their next steps. Decisions on destitution grant applications are made within 24hrs.

- Travel grants

The Home Office requires that initial asylum claims are made in Croydon but does not provide support with travel costs to get there. At the other end of the asylum process, people submitting fresh asylum claims need to travel to Liverpool. Our travel grants, which are around £50, cover the cost of return travel to these destinations by the cheapest mode of transport. RST also provides travel grants to London if this helps to obtain evidence needed for a fresh asylum claim. (E.g. from an embassy)
RST grant applications are made through our partners in Glasgow and Edinburgh: Scottish Refugee Council, Central and West Integration Network, Govan Community Project and St Rollox Church in Glasgow and The Welcoming in Edinburgh.

Over a 9 month period, from April to December 2016, we distributed 619 grants, supporting 1030 people, including 307 children.

Most of these grants were essential living expenses. We also gave 162 travel grants, the majority of which (106) were for travel to Liverpool. Our monthly spend on grants so far this year has been £5,991.05, giving an average grant of £87.11 and a total spend to date of £53,991.45. Based on these figures, we anticipate spending around £72,000 in 2016-17.

2. **Bus pass scheme**

This scheme is open to destitute asylum seekers only and provides one all-day bus pass per week. The scheme enables people to travel to essential appointments such as hospital or lawyer’s appointments. The majority of destitute people stay with friends and acquaintances in different part of the city and as they have no income, they have to walk many miles to sign at the Home Office or go to the hospital which is exhausting and
debilitating. A one day bus pass offers some alleviation and is particularly welcome in the winter months. A daily bus pass costs £6 in the Glasgow area.

Funds for the destitution grants, travel grants and bus pass scheme are raised through events organised by our volunteers such as Ceilidhs, Carol services and comedy nights. Other groups and organisations also fundraise on RST’s behalf.

It’s difficult to raise funds for the destitution grants from larger trusts and foundations as most won’t give funding for redistribution but smaller funds which donate to the destitution fund to keep it topped up. Most of the grants are distributed in the Glasgow area but a number of partnerships have now been developed in Edinburgh so there may be an increase in demand for these grants in the future.

3. Destitute Asylum Seeker Service

RST is one of the partners in the Destitute Asylum Seeker service (DASS), a four year project designed to respond to the issue of long term asylum seeker destitution in Scotland. The project is holistic in its approach and provides the following services:

- Destitution Advice/Casework-provided by Scottish Refugee Council
- Legal advice and case preparation-provided by Strathclyde Law Clinic
- Emergency shelter (for men)-provided by Glasgow Night Shelter
- Temporary Accommodation (4 male places/4 female places) - provided by two faith based groups, Rehoboth Nissi Ministries and Fasgadh. Accommodation support is provided by RST.

The project launched in June 2015 and has assisted more than 250 people to date. The following data from the period June 2015 to March 2016 provides an insight into the scale of destitution and who it affects.

Based on project data from 2015-16, most DASS clients were aged between 25 and 34, with 5% aged 55 or older. Most were single and 68% were male. The highest referral numbers came from people from Nigeria, Iran, Iraq, Zimbabwe and Eritrea although clients from 38 nationalities accessed the service. On average, people had lived in the UK for 2-5 years when they started working with the project and most had been destitute for less than a year.
The majority of DASS clients became destitute when their asylum appeal was refused and all statutory support and accommodation was removed. However, 32% had previously been in receipt of Section 4 support, awarded on health grounds or as a result of a fresh asylum claim but later discontinued.

In terms of living arrangements 41% of clients reported that they were living with friends or “couch surfing” in Glasgow and while some people felt safe and supported with this arrangement, others moved from place to place, negotiating accommodation with friends and acquaintances on a daily or weekly basis and sporadically sleeping rough. Although only a small percentage of people were sleeping rough regularly when they started working with DASS, it was an ever present risk. Those people staying in Home Office accommodation were either within the 21 days move on period (after refusal) or continued to stay in their accommodation beyond the 21 days move on period because the accommodation provider delayed evicting them.
Given the short term nature and uncertainty of living arrangements post eviction, the project experienced huge demand for emergency shelter and longer term accommodation during this period. Although DASS provided night shelter or temporary accommodation to 27 people over this period the project was unable to respond to many of the requests it received. The need for emergency shelter/ temporary accommodation for women was particularly high, exacerbated by the lack of a women’s night shelter in the city.

The DASS project helps link destitute people to key services such as foodbanks and hot food provision, health services and emergency shelter, all of which help to mitigate the effects of destitution, but it also works to assist people to ultimately resolve their situation and get out of destitution altogether.

DASS staff spend considerable time supporting clients to collect evidence for Section 4 applications, which if successful, restore Home Office accommodation and provide a basic income via the Azure (now Aspen) card scheme. Access to legal advice, support with preparing fresh claim claims and liaison with solicitors also assists DASS clients to work towards resolving their asylum cases.

Case Study 1 - Destitution Casework

Mr A is a single male from Iran who came to the UK in August 2013 and applied for asylum and asylum support on arrival. He became appeal rights exhausted in November 2015. Mr A is destitute and he presented at the Scottish Refugee Council drop-in session in March 2016 looking for support. Mr A speaks English and he does not require an interpreter. He does not have any family in the UK and is currently sofa surfing. Mr A has no known health problems although he presented with a very low mood and expressed his frustration at his destitution situation.

Mr A reported that he has been working with his solicitor to submit further submissions and he had an appointment in Liverpool the following week to submit the further submissions.

The adviser explored all support options with Mr A and explored his immigration and legal history. The adviser completed a Refugee Survival Trust destitution application on behalf of the client for a travel grant which was approved and given to the client that day.

The destitution adviser explained the night shelter referral to Mr A however he stated that one of his friends could still accommodate him for the time being. The adviser also explained Section 4 criteria to the client and the importance of submitting destitution information to Home Office when he applies for Section 4 support. The adviser gave the client written information on the documents required to prove destitution. Mr A was also given a list of food places in Glasgow where he could go and get dry food.

After a week, Mr A returned to SRC after his appointment in Liverpool and brought some documents to support his Section 4 application including bank statements and address
history. The adviser explained the importance of gathering all destitution evidence required to minimise the chances of getting additional information requests from Home Office.

After another week the client returned with all the required information for his Section 4 and the destitution adviser assisted him to complete his self-statement.

A further RST application was completed for a destitution grant, and the client was informed of the timescales for Section 4 application. The destitution adviser assisted the client to contact the Migrant Help phone line who completed an application over the phone. The destitution adviser then faxed all the support documents. Mr A’s application was approved after 6 weeks and he is now receiving Home Office support and is happily settled in his accommodation.

**Case Study 2- Law Clinic**

An individual was referred to us and came to their first appointment in a depressed state, not making eye contact and appearing very disengaged. The person has instructed at least two other solicitors in the past but was currently without legal representation. The person has been unsuccessful on appeal some years ago, and had made two fresh claims since then, both of which were rejected. We went through the paperwork with an interpreter in a three hour appointment. We explored the reasons why the claim has been refused in the past and what type of evidence would be necessary to make a further attempt at a fresh claim. At the end of the process the individual thanked us for our ‘good work’ and said it was the first time they had ever had their case explained to them in depth. We have met the individual again recently to discuss next steps and the person is happy that the case is progressing. We are supporting the person by arranging for them to come to the law clinic to make phone calls to obtain evidence, and by researching up to date country guidance.

“What assistance do you think is required to help address the issue of destitution?”

Asylum destitution is a direct outcome of UK Government policy. The longer destitution continues, the more likely that an individual will suffer long term physical and mental health damage. Destitution also brings a higher risk of becoming involved in crime, illegal working or exploitation. This will ultimately impact on the Scottish purse, whether through the need for intensive and long term health support, social work costs or the criminal justice system.

Where possible, a preventative approach is needed to stop people falling into destitution whenever possible. This can be achieved for some groups affected by destitution, particularly refugees who sometimes experience destitution when transferring from Home Office to DWP support.

For others, destitution is less easily avoided as it is a consequence of UK asylum policy. It is important, therefore to mitigate the effects of destitution by providing a safety net of practical support, ensuring that rights and entitlements can be exercised and taking steps to
make the destitution experience as short as possible. To achieve this, the following assistance is required:

- **Information and advice**- This should be provided by an independent body and not by any group or organisation which is a Home Office contract holder. There should be a holistic approach to assessing need, covering health, living arrangements, legal support and social connections. Ideally, support will be provided on a face to face basis as in our operational experience through the DASS project, this is more effective than a telephone based service.

- **Advocacy**- This is needed to ensure that destitute people can access their entitlements. Our experience with the DASS project has made us aware of the workload involved making a Section 4 application, a process which has become much lengthier and demanding. Limited help is available from official channels but for the most part, the work of collecting and collating evidence and dealing with additional requests for information has fallen to the voluntary sector. Likewise, advocacy in relation to accessing health services and social work services has been key along with liaison with legal representatives.

- **Public Sector Response** There needs to be a greater understanding of destitution and No Recourse to Public Funds (NRPF) within the public sector. Responses to destitution across the board are currently inconsistent. There need to be clearer guidelines for the statutory sector on their responsibilities towards destitute people. Too often the immigration status of an individual is used as a reason to refuse support. This may be because practitioners lack clear guidelines about their role and responsibilities.

- **Emergency shelter provision**: The living arrangements of most destitute people are precarious and when they fall through, they are faced with the prospect of rough sleeping. Safe emergency shelter provision for men and women is essential, particularly as there is no entitlement to access mainstream homelessness shelters. Night shelters provide a safe space for men and women and reduce the danger of people being compelled into ‘transactional’ arrangements in order to get accommodation. A suitable premises would have a sleeping area, a kitchen area and washing facilities. Local authorities could be more proactive in donating suitable premises which would then be run by an existing voluntary sector agency or grassroots group.

- **Temporary Accommodation**: The provision of shared flats or houses for accommodation of 6 months-1year. There is a lot of evidence to suggest longer term accommodation (up to 1 year) improves the health and well-being of a destitute individual and crucially, enables them to focus on their legal case. There are many successful examples of this around the UK. Properties are donated by individuals or local housing associations and are managed by a voluntary sector organisation. Charities such as the Hope Project in Birmingham, [www.hope-projects.org.uk](http://www.hope-projects.org.uk) or the
Arimathea Trust in Nottingham, www.nottinghamarimathea.org.uk are using this model to assist destitute people to resolve their situation. The Arimathea Trust uses a “mixed model” approach in which the houses they manage are shared between destitute asylum seekers who pay no rent and newly recognised refugees who do or who are entitled to Housing Benefit. There is no reason why a similar model could not work in Scotland. So far, approaches made to the Wheatley Group and the Scottish Federation of Housing Associations have yielded no results so some encouragement or endorsement of this model of support from the Scottish Parliament would be very welcome.

- **Legal advice and support**- It is important to understand the barriers faced by legal practitioners in relation to preparing fresh asylum claims. In particular, the limitations of legal aid and how this impacts on the progress of asylum cases.
- **Social connections**- Isolation is a huge issue for destitute people. Having no money means the ability to participate in social activities is very limited. Involvement in activities can provide respite from the stress and worry of destitution and can help to build mental resilience. There should be opportunities for destitute people to engage in adult education and community based activities and funding for this should be maintained.

**Any other comments**

Glasgow, as a major asylum dispersal city, has a well-developed destitution support network, made up of voluntary sector organisations, grassroots groups and faith based groups (all faiths), which do a fantastic job of supporting destitute people. An equally strong network is fast developing in Edinburgh too.

Local authorities who are considering accommodating asylum seekers as part of the “widening dispersal” initiative, need to be aware that destitution will be a reality for them too and they need to consider their response to it. Given that outwith Glasgow and possibly Edinburgh, there are very few asylum support organisations, there is concern that when people become destitute, they will not have access to the specialist information and support needed.

The new asylum support arrangements in the 2016 Immigration Act are likely to lead to an increase in destitution. The new regulations will apply to families as well as individuals so the likelihood of families becoming destitute is much greater. It is thought that these regulations will come into effect in autumn 2017.

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