
Asylum Review

By John Murphy, May 2014

Still leaving the most vulnerable destitute

A fantasy for something better. Imagine if the whole process of managing migration had been handed to a non-governmental, independent body... But why should it be fantasy to remove party politics from decision-making and align the UK with the Geneva Convention for Refugees and the European Convention on Human Rights? Or to replace the crude target of reducing overall migrant numbers with a policy clearly based on justice and fairness? Or to change the way our UK media reports on asylum? Although asylum claims currently make up less than 4% of all migration, asylum seekers still rank much higher in the popular mind than do students, who make up around one third; so, according to polls, it is the numbers seeking asylum that many people wish the Home Office to cut¹.

The events which force people to leave their homelands are not at the discretion of UK politicians and it makes no sense to set arbitrary targets for the flow of refugees. The number of asylum applicants fell dramatically over the past 10 years but recent conflicts, such as in Syria, have led to a slight increase: 23,500 in 2013, up from 21,840 in 2012. Also in 2013, 63% of initial decisions were refusals, a figure typical of recent years.

Poor legal representation, refusal and administrative failure all result in destitution, which is the single concern of LCRF. The Home Affairs Committee's Report on Asylum in October 2013 states, '*People in all stages of the asylum system experience destitution*', including those granted refugee status who, once asylum support is ended, often have to wait weeks for mainstream benefits. The report quotes from its hearings: '*British Red Cross told the Committee that they assisted around 6,000 destitute clients a year... Over half were destitute due to administrative failings or delays within the asylum system*'.²

Destitution of children and young people. The Children's Commissioner, Dr Maggie Atkinson, in a new report³ highlights the problem of young people who arrive unaccompanied, have their claim for asylum refused and yet remain in the UK. Very few return voluntarily or are removed and so there is a growing body of young people in a form of limbo. Migrants' Rights Network notes: '*They*

cannot be returned home, yet they cannot gain legal employment or claim benefits. Too many of them fall into destitution, illegal work or possibly crime...' The Commissioner's report emphasises the risks for these young people in the community. The facts make grim reading: in 2012, 1,125 unaccompanied children applied for asylum in the UK, making the UK only the fifth-largest EU destination after Sweden (3,580), Germany, Belgium and Austria.

The Coram Children's Legal Centre draws attention to another highly vulnerable group: the children of undocumented migrants, including refused asylum seekers. Restrictions in legal aid have increased the barriers to this group gaining access to health and education to which they are entitled. *'Undocumented migrant children are amongst the most vulnerable in the UK and the most at risk of exceptional poverty and destitution'*.⁴

The (national) Churches' Refugee Network released a statement on 5th April 2014⁵ which, under the heading ***Destitution and the need to permit paid work***, said: *'A civilised society should allow no-one to become destitute. The refusal to allow those who have been waiting many months for a decision on their asylum status to obtain work to support themselves or their families is demeaning'*. Even without the fantasy of an independent institute to manage migration, surely it is not too much to ask for a civilised response to such need, one which prioritises adult and children's health, development and well-being?

Sources:

¹ 'A Fair Deal on Immigration for the UK', para 2.2.5, IPPR March 2014 (www.ippr.org)

² www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/71/7104.htm (para 84)

³ 'What's going to happen tomorrow? Unaccompanied children refused asylum',

⁴ 'Growing up in a Hostile Environment', Coram Children's Legal Centre, Nov 2013

⁵ The statement may be viewed on a number of websites, including at http://www.ctbi.org.uk/pdf_view.php?id=923