

Destitution of asylum seekers in the UK

The Government defines an asylum seeker as destitute if they do not have adequate accommodation or any means of obtaining it or if they cannot meet their “other essential living needs”, such as food clothing and toiletries.

In 2010, the British Red Cross alone assisted around 10,000 destitute asylum seekers in need of emergency assistance. A survey of Red Cross clients found that 28% slept rough at some stage and nearly 90% survived on one meal a day.

Destitute asylum seekers fall into two groups: those who are supported by the government, but the level of support is too low for them to meet their basic needs, and those who have been refused asylum and receive no support at all.

Asylum seekers waiting for decision on their claims

Asylum seekers waiting for an initial decision on their cases or the outcome of an appeal can access what is called Section 95 support (after the relevant Section of the 1999 Immigration and Asylum Act).

Single adults get £36.62 a week on Section 95 support. Accommodation and fuel bills are paid for separately for those who have nowhere to live. As around 70 per cent of asylum seekers are single adults this means the vast majority of asylum seekers have to survive on just over £5 a day.

In 1999, the Government reduced asylum support from 90 to 70 per cent of Income Support on the basis that the support was temporary in nature and utilities bills would be paid for separately. The rationale for reduced payments remains unchanged, with the Home Office stating: “I want to make it absolutely clear that the Government does not have a policy of destitution. The UK’s asylum support policy is properly balanced and sufficient to meet essential living needs.”

However, in practice the Home Office have reduced support rates for lone parents to 66 per cent of Income Support and support rates for single adults aged 25 or above to just 55 per cent of Income Support.

Still Human believes that most asylum seekers will not be able to meet their essential living needs of food, clothes and toiletries and pursue an asylum application on the current levels of support.

In seeking to calculate how much an asylum seeker would need to meet their essential living needs in the UK, Still Human used the 2008 detailed budget spreadsheets of basic

goods which have been compiled by the Joseph Rowntree Foundation as part of their research for minimum income standards in Britain and then took out items that would not generally be considered essential to avoid absolute poverty.¹

The basic goods included 56 food items which would provide a balance diet, a small number of clothes items, household cleaning items, toiletries, cold/flu remedies, paracetamol, phone charges (£1), travel costs and one first class stamp. This analysis found that the minimum level of support (over and above providing housing and paying utility bills and council tax) required for a single adult asylum seeker to meet their essential living needs in 2009 would be just under £45 a week. This was the equivalent of 70 per cent of Income Support in 2009.

Refused asylum seekers

Refused asylum seekers who have had their appeal rejected have to leave their accommodation and have their support cut off after 21 days. The main exceptions to this are families with children who continue to receive Section 95 support and those asylum seekers who the Government accepts cannot return temporarily through no fault of their own (e.g. they have agreed to return voluntarily, they are too sick to travel or there is no route of return to their country).

The latter group gets Section 4 support, but they receive £1.23 less than they did on Section 95 support and it is delivered through a plastic payment card rather than in cash, making it impossible for asylum seekers to access vital services like making phone calls or taking buses. Most asylum seekers either do not meet the criteria for Section 4 support or do not apply for it because they are afraid to sign up for voluntary return.

Still Human believes that many refused asylum seekers should have been granted some form of protection in the UK. This view is supported by the fact that in 2010, 27% of appeals were allowed. That is to say that in more than one in four cases the UKBA got the initial decision wrong. For some nationalities the overturn rates on appeal were even higher. For example, 50% of Somalis won their appeals in 2010 and 36% of Eritreans and Zimbabweans were also successful. However, success at appeal is largely dependent on having good quality legal representation, which is in increasingly short supply.

The consequence of this is that some groups of asylum seekers are refused any form of status and come to the end of the process, but cannot be returned to their country of origin because it is not safe to do so. This was the case for Zimbabweans between 2002 and 2011, with the exception of an eight month period in 2004. There were no removals during this time, but thousands of refused Zimbabwean asylum seekers were left destitute and in limbo in the UK.

Impacts of destitution

¹ The minimum level is about *needs*, not *wants* and was identified by the UK general public. The groups who came up with this definition were drawn from all walks of life: www.minimumincomestandard.org
For the full budget spreadsheets see: http://www.minimumincomestandard.org/budget_summaries.htm

The current policy leaves people with either inadequate support or completely destitute, but prohibits asylum seekers from working to support themselves unless they have been waiting for an initial decision on their claim for more than one year. It causes severe hardship for the individuals affected and leads to a higher incidence of physical and mental health problems, with consequent costs for the NHS.

Destitution also forces asylum seekers to find other survival strategies like illegal work, prostitution, begging or street homelessness – all of which have social and financial consequences for policing, local authorities and the voluntary sector. In addition, destitution makes voluntary returns more difficult as people cannot properly consider return when they are focused on day to day survival.

Proposed policy solutions

There is less pressure on the asylum system than there has been for more than 15 years. This is due to the fall in asylum applications which have fell to less than 18,000 in 2010 - the lowest level since 1989. This gives us the opportunity to make the system work in a humane, efficient and fair way. As part of this process the Government should:

- Ensure that all asylum seekers who would otherwise be destitute are adequately supported from the point of application until they are either given status or returned to their country of origin.
- Provide asylum seekers with support rates equivalent to at least 70% of Income Support, paid in cash. The support rate for lone parents should be increased to 70% of Income Support immediately as they are a particularly vulnerable group.
- Link all future annual increments for asylum support to annual increments to Income Support rates.
- Grant asylum seekers permission to work if their cases have not been resolved in 6 months or they have been refused but cannot be removed through no fault of their own.