

THE
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Joseph Rowntree

JOSEPH ROWNTREE CHARITABLE TRUST INQUIRY INTO
DESTITUTION AMONG REFUSED ASYLUM SEEKERS

Commissioners' Report

Moving on from destitution to contribution



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Introduction

Destitution is shaming. Both for the individual and for the society that tolerates it.

This report is specifically intended to offer solutions to destitution among refused asylum seekers in the UK. While noting that the policy which has brought about this situation needs reform, the report focuses on what we believe to be positive and beneficial suggestions founded on practicality.

Hungry and homeless people who lack any sense of purpose in their lives, who cannot, will not or fear to return to their country of origin ought not to disappear into a murky twilight on the fringe of society. It benefits no one. It has a negative impact on the economy, on public health, on community relations. These ‘invisible people’ need to be brought out of the shadows so that they may be both treated humanely – and enabled to contribute to our society.

Ignoring the problem will only add to it: so far, it has only resulted in causing thousands to rely on charity or to work illegally. How many thousands is not known – the present system fails to track, supervise or support such people efficiently.

Absolutely no one gains from the present state of affairs. Neither government, community, tax-payer nor refused asylum seeker. Reform would be for the greater good of all.

Kate Adie

Chair, JRCT Inquiry into Destitution among Refused Asylum Seekers

“Doing nothing is not an option for a humane society.”

Teacher

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Quotes: quotes from asylum seekers are taken from the Inquiry research report ‘Destitution in Leeds’ (see Appendix 2). Other quotes are from Inquiry discussion groups (see Appendix 3).

Asylum seeker: in this report, we use the term ‘asylum seeker’ to include people who have claimed asylum and are awaiting a decision, and those whose asylum claim has been refused.

The Inquiry

In September 2006, in response to concerns and requests in West Yorkshire, the Joseph Rowntree Charitable Trust appointed five Commissioners to look into the problem of destitution among refused asylum seekers. This is the report of their Inquiry, with their recommendations. It draws on research the Trust commissioned into destitution in Leeds (summarised in Appendix 2), and on other background reading. In particular, it is based on face to face meetings between Commissioners and destitute asylum seekers; a wide range of professionals, policy makers, politicians and volunteers (see Appendix 4), and discussion groups in Leeds involving people not connected to asylum (see Appendix 3). Our thanks go to everyone who helped or made a contribution.

The report is offered to politicians, to policy makers and many others with the aim of helping to resolve an inhumane and counterproductive situation: to move from destitution to contribution.

The Commissioners



Kate Adie OBE

Kate Adie is a journalist and writer who has reported for the BBC from war zones around the world. More recently, she has published three books: an autobiography, an account of women and war and *Nobody's Child*, which explores the history of abandoned children and their treatment.



Julian Baggini

Julian Baggini is a writer and journalist. He is the author of several books including, most recently, *Welcome to Everytown: A Journey into the English Mind* (2007), and is a co-founder and editor of *The Philosophers' Magazine*. He is also author of a book of thought experiments: *The Pig that Wants to be Eaten* (2005).



Courtenay Griffiths QC

Courtenay Griffiths is widely recognised as one of Britain's leading QCs. He specialises in all aspects of criminal justice, and has been involved in many high profile trials including the Damilola Taylor murder trial. He is Joint Head of Garden Court Chambers.



Bill Kilgallon OBE

Bill Kilgallon is Chief Executive of the Social Care Institute for Excellence. His experience includes working as Chief Executive of St Anne's Shelter and Housing Action, serving as a Leeds Councillor for 13 years, and being Chair of the Leeds Community and Mental Health NHS Trust and then the Leeds Teaching Hospitals NHS Trust.



Sayeeda Warsi

Sayeeda Warsi has a long-standing interest in racial justice, and has served on the Joseph Rowntree Charitable Trust's Racial Justice Committee. She worked as a solicitor in West Yorkshire, specialising in immigration law. Since June 2005, she has worked full time as Vice Chairman of the Conservative Party with responsibility for cities.

The Commissioners' report

In Britain today there are people who have no recourse to public funds or services, but do not have the right to work either. With no source of income they are forced into destitution, forced either to rely on charity or work in the shadow economy. They sleep rough, in squats, in charity shelters or on the floors of friends' homes. What makes this a scandal is that they find themselves in this position as a direct result of government policy.

There is little sympathy for these people however, because they belong to the most stigmatised group in the country: asylum seekers. Furthermore, few know about their plight, because destitution makes them invisible to the very authorities who are supposed to be keeping tabs on them.

With the help of the Joseph Rowntree Charitable Trust, numerous national bodies, and organisations and individuals working to tackle the problem of destitution in Leeds, we have been looking into solutions to this problem. We believe that there is now an opportunity for politicians of all political stripes to come together and stop using asylum as a political football. It has become abundantly clear to us that the appropriate response to this issue does not depend on whether you are a soft-hearted "asylum-seeker hugger" or a tough-minded defender of Britain's borders. The current system fails by the standards both of human decency and of those who want to "get tough" on asylum.

We believe that to end destitution among asylum seekers (by which we mean both those awaiting decisions and those who have been refused claims but remain in the country), and to help create a better asylum system for all, changes need to be made to ensure:

- that the asylum claims process keeps people in the system, and does not drive them from it
- that asylum seekers can contribute to host communities whenever possible rather than being a burden on them
- that all asylum seekers have access to the basic necessities of life

"I wish I could go to go back to my country, live with my family the rest of my life. Nothing else."

Refused asylum seeker

Principles

We believe that the correct policy response to the increasing problem of destitution among asylum seekers should be informed by several principles which are widely shared.

→ **Making a contribution**

At every stage in the process, asylum seekers should, as far as is practically possible, be encouraged and enabled to make a contribution to the society in which they seek sanctuary, rather than relying on handouts.

→ **Monitored not disappearing**

The authorities should always know where asylum seekers are and they should not be allowed to slip away into the shadow economy.

→ **Genuinely fair, fast and firm**

The asylum process should be as swift as is compatible with fairness, as determined by historic British values as well as international and national conventions; and once decisions have been made, they should be implemented. No one should be left in administrative limbo.

→ **Cost-effective not wasteful**

Dealing with asylum should cost the tax-payer as little as is consistent with fairness.

→ **Support for the host population**

Resources should be available for all people in neighbourhoods where asylum seekers are living. Members of the host population should not have their quality of life diminished.

→ **Decisions must be meaningful**

In order for the asylum process to be meaningful, those whose cases are still being assessed or have been refused asylum cannot be expected to have the same entitlements and privileges as those whose claims have been accepted.

→ **Rights and responsibilities go together**

Those who claim asylum and the rights which go with it assume certain responsibilities. The rights and responsibilities link, however, is meaningless unless asylum seekers are given the rights which enable them to take full responsibility for themselves.

→ **No one should be left without recourse to basic resources**

However the asylum process is arranged, it will have failed if it has the consequence that significant numbers of people are left without legal means to feed and house themselves, or deal with medical problems.

→ **Based on British values**

The policy on asylum seekers should be creditable and a benefit to the country, and avoid creating need and instability.

*“If we allowed them to work legally,
they would be paying taxes.”*

Sixth form student

Practice

We believe that these principles do or can command a consensus of support from those on all sides of the asylum debate. Current policy, however, is working against all of them. To change this we recommend:

→ **Contribute through working**

Asylum seekers should be given a revocable licence to work while their claim is being processed, and during any period after a claim is refused but before return can take place. The licence is conditional upon maintaining contact with the authorities and keeping a clean criminal record. It is important that the licence is valid from start of process until they are either granted asylum or leave the country. If it is not, then asylum seekers will be left for periods without any such licence, which means they are more likely to drop out of the system altogether, enter the shadow economy and make themselves invisible to the authorities.

For those who cannot work, a reasonable level of assistance should be provided to ensure that they have access to the basic goods of food, shelter and healthcare.

If refused asylum seekers have been in the country for extended periods, unable to return, and have demonstrated their lawfulness and ability to contribute to society, then extended, perhaps indefinite, leave to work and remain should be considered.

The idea that allowing asylum seekers to work takes jobs from host communities does not stand up to scrutiny. Many employers report a need for more workers for the kind of menial jobs that many asylum seekers are willing to do, but which host communities are not. Furthermore, sometimes asylum seekers have specific skills, such as in medicine, which are in short supply.

It might also be objected that asylum seekers should not have the exact same rights to work as citizens. We accept this, but believe that the way to address this is to attach conditions to the licence to work, not to deny it completely.

Licensing of asylum seekers (including those refused) to work helps keep them in the system, properly monitored. It is also more cost effective, as it allows them to contribute. It is also fairer on host communities. When people cannot work and don't receive benefits either, they are a drain on services provided by local voluntary groups, who would otherwise be helping disadvantaged citizens. They also help sustain the shadow economy, in which they are forced to work, and which undercuts legitimate work. It also increases the likelihood of asylum seekers resorting to crime, although the evidence suggests this is remarkably rare, given the desperateness of their plight.

“I think the illegal workers are contributing to the economy of the country. The government knows about this.”

Member of Bangladeshi women's group

→ **A better asylum process**

The New Asylum Model offers the hope that the poor quality of decision-making in the asylum process will be improved, although there are early concerns that haste is still contributing to error. It is a laudable aim that decisions are made fairly and swiftly, and that those whose claims have been refused leave promptly.

However, the idea that refused asylum seekers can always be returned immediately is false but widely believed. The system needs to recognise that there will always be a category of refused asylum seekers who cannot be returned swiftly, for numerous reasons. Often there is no safe passage, or authorities in the country of origin refuse to provide the necessary paperwork. Asylum seekers can also have well-founded fears, even if they are not technically eligible for asylum.

The right time to withdraw support or licenses to work is when the case is finally resolved in practice, not decided in principle.



A TATTERED SAFETY NET

Authorities will often deny that there is any need for destitution among asylum seekers, because of the existence of Section 4 or “Hard Case” support. Asylum seekers whose claims have been refused are expected either to leave the country straight away or apply for Section 4 support, which gives basic accommodation and £35 in voucher support, usually on condition that they make arrangements for voluntary return. However, the majority of refused asylum seekers do not sign up to Section 4. Some are unaware that it is available, while others believe that if they sign up for voluntary return, the authorities who have let them down will deport them whether it is safe or not. Others who do apply are refused it.

The existence of different categories of support for pre-decision (Section 95) and post-decision cases (Section 4) has had the unintended effect of exacerbating the problem of losing people from the system. It creates a rupture in the relationship between the authorities and the asylum seeker at a very vulnerable time, and makes tough demands on those required to re-establish it. Whatever the theoretical justice of the Section 4 system, it has demonstrably failed to do what it was intended to do.

“We let them in, they are refused entry, we just let them go into the black economy. You can’t let them go walkabout.”

Angler

→ **End culture of denial**

There is strong evidence of a “culture of denial” in the Home Office, in which asylum applications are refused if it is seen that there is any reasonable means to do so. As a result, people are being denied asylum who cannot return to their country of origin, swelling the ranks of those who live here in limbo, without the right to stay, and without the possibility of return. It must be accepted that the culture of denial, as well as being unjust, is counter-productive and wasteful, in that it leads to more appeals and does not lead to more removals.

One way of resolving this may be to separate decision-making from the Home Office and thus from political interference. We therefore support calls for an independent decision-making body that gets decisions right first time. Such a body will enable both government and opposition to achieve what both claim they want: an end to asylum being used as a political football.

→ **Put voluntary return at the heart of the system**

Forced return is not only very expensive, it is not even possible for the government to repatriate all refused asylum seekers swiftly. The threat of forced return is also a major motivator for refused asylum seekers to drop out of the system and disappear.

International experience suggests that it is much more effective to make a system of voluntary return readily available to refused asylum seekers, and that it should be made clear from the very start of asylum process that this is an option. It may sound tough to favour forced deportations, but if the result is actually fewer deportations than would occur under a voluntary system, the toughness is mere posturing.

Of course, forced deportation has to be an option, but it should be a last resort.

→ **Bring those lost from the system back in**

No one knows how many asylum seekers whose applications have been refused or not concluded remain in the country, but estimates suggest it could be up to half a million. There is an urgent need for the government to regularise this large mass of people, many of whom have been lost from the system. (The majority of these are “legacy cases” who claimed asylum before the introduction of the fast-track New Asylum Model.) Unless this is done, they can neither be returned to their countries of origin nor contribute to the society in which they live.

Estimates suggest that returning all these people would take between 10 and 18 years at a cost of £4.7 billion. Therefore there needs to be a mechanism by which people who have been trapped here for years and have lived as good members of their communities can be granted leave to remain with as little red tape as possible.

→ **Grant access to healthcare**

Although we recognise that resources are finite, asylum seekers should always be assessed on medical need, not on legal status. Refusing this not only leaves individuals unjustly disadvantaged, it also contributes to public health risks and diminishes yet further the ability of asylum seekers to contribute to the host community.

“Destitution means they are left to do the things people criticise them for doing.”

Student nurse

→ **Detention as a last resort**

Detention of asylum seekers who have not committed any crimes (other than technical ones due to means of entry) is expensive and, in the case of people who cannot be deported, unjust. It further isolates and alienates people. It is another policy that sounds tough but actually fails to meet any of the rational desiderata of a tough policy.

→ **Support local agencies**

In addition to our national focus, we have also looked at the local situation in Leeds. We have been hugely impressed by the work being done by voluntary agencies, including many church groups, and some statutory bodies. However, all this work is essentially fire-fighting: an attempt to ameliorate the damage done by national policy. It is clear to us that the biggest help to local bodies is a shift in national policy. The only real solution to local difficulties will come from national changes.

→ **Challenge asylum myths**

Politicians need to make it clear that adopting more efficient, humane policies towards asylum seekers is not a soft option. The truth is the exact opposite: the changes we propose will allow for more efficient repatriation, decrease the burden asylum seekers place on society and reduce criminality. The issue of asylum also needs to be distinguished from that of economic migration, with which it is too often conflated.

It also needs to be explained that there is no simplistic relation between how well we treat asylum seekers and how many attempt to come here. Trends in asylum applications are most closely correlated with political events in countries of origin. Very few asylum seekers know what will happen when they arrive in the UK, and many don't even know where they are going and are simply taken where smugglers choose. Indeed, the lack of an ability to work in the open may actually encourage smugglers to bring people to the UK, where they may have no choice but to work for unscrupulous employers in the shadow economy.

“We’re here. We need to live, survive. The government has to give jobs. If, mentally, people are busy it will help them. If not they lose their minds.”

Refused asylum seeker

Conclusion

We have made our recommendations brief because we do not want the central message to be lost in a welter of detail. We are also aware that many other agencies have done excellent work in this area, and we in particular commend the recent reports of Refugee Action and Amnesty International to policy makers when considering the details of how change should be made (see Appendix 5). The accompanying research report by Hannah Lewis also provides more detailed evidence for how the system is failing, what its consequences are, and how things may be improved (see Appendix 2). In Appendix 5, we list some sources for more detailed proposals for how policies such as encouraging voluntary return and granting the right to work may be implemented in practice.

We strongly believe that government response to this report should be judged on the basis of whether it deals with the central issues we have highlighted, namely:

- the need for the asylum process to keep people in the system, not drive them from it
- the need for asylum seekers to contribute to host communities whenever possible rather than being a burden on them
- the need to ensure that all asylum seekers have access to the basic necessities of life

At present, the system is failing on all three counts. This is contrary to the stated aims both of those who argue for compassion towards asylum seekers and those who want a firm hand in dealing with them. In this instance, firmness and fairness can and should go together. We hope that political leaders have the courage to acknowledge this and act accordingly.

“One of the problems is that people on low incomes in this country feel very let down, and asylum seekers are an easy target for their anger.”

Teacher

Appendix one: About the Inquiry

In September 2006, in response to local requests, the Joseph Rowntree Charitable Trust commissioned an Inquiry to find out the extent of the problem of destitution among refused asylum seekers in Leeds, and its impact. Our aim was to highlight the plight of destitute asylum seekers and to make practical proposals for new approaches which may improve the situation for both settled communities and new arrivals.

Steering Group

The project was designed and overseen by a steering group of local people with a particular interest in the problem. The group provided contact with projects in Leeds, information and advice; but remained separate from the Commissioners who were asked to reach their own conclusions.

Inquiry Commissioners

The Trust appointed a small group of people from different walks of life to be Commissioners. They have a range of skills and experience, and share a concern for the plight of destitute asylum seekers and refugees. Their names are listed at the beginning of this report.

Each Commissioner met different agencies and individuals in Leeds, including people who are destitute. They attended a small number of briefing sessions in London, to enable them to meet national experts. They also met four of the central Leeds MPs. (See Appendix 4 list for a full list of those involved.) In addition, six discussion groups were held with people in Leeds who were not connected to the asylum process (see Appendix 3). This phase of the Inquiry took place between October and December, 2006.

Finding out the facts

To aid the work of the Commissioners, we commissioned research in Leeds. Leeds was chosen as a focus because of the size of its asylum seeker population and its importance as a regional centre (including being a regional base for the Immigration and Nationality Directorate, the Yorkshire and Humberside Consortium for Asylum Seekers and Refugees, and the Refugee Council).

The summary of the research report is included in Appendix 2 of this report, and the full report is available from the Trust or can be downloaded from www.jrct.org.uk.

A Day of Solutions

On 8 January 2007 some 60 delegates from very diverse agencies and areas joined the Commissioners in Leeds to look at ways forward. We welcomed a mix of people, from front line agencies working with destitute people to senior policy makers; from representatives of regional government to people with European and international expertise. Private industry, the local media, health bodies, community groups, the police, legal experts and others attended (see Appendix 4 for a full list of delegates).

This meeting generated a list of possible solutions at national, regional and local level, which the Commissioners included in their consideration of the way forward.

Liaising with politicians and policy makers

It has always been the Trust's intention to hold an Inquiry which is of practical use to government. We understand that politicians and policy makers have a difficult task and that there are no easy solutions. After the launch of the Commissioners' Report, we will continue to work with policy makers and politicians to bring about positive change based on the Inquiry findings.

Appendix two: Research summary

To inform the Commissioners, and to provide a resource for others, the Joseph Rowntree Charitable Trust commissioned Hannah Lewis to carry out research in Leeds, as part of the Inquiry. The following is a summary of the research, which was undertaken between September and December 2006.

Destitution in Leeds: the experiences of people seeking asylum and supporting agencies

Destitution among asylum seekers – in particular those whose case has been refused – persists across the UK and has been a cause of great concern to a wide range of individuals and agencies in Leeds. The research provides a timely exploration of the impact of destitution on both asylum seekers and agencies in a major dispersal city. Focusing on experiences in Leeds, it explores how people attempt to meet their basic needs, the challenges for agencies and the possible solutions.

The research found that:

- People whose asylum cases have been refused form the main group experiencing destitution. Despite government expectations that the fast-track New Asylum Model (NAM) will improve the asylum process, the research found that some destitute people in Leeds had been processed through the NAM pilot since April 2006.
- Destitute asylum seekers rely upon friends and charity from voluntary organisations and churches to try to meet their basic needs of shelter, food, health, income and safety. Others are forced to find undocumented work to survive. All sources of support are highly precarious.
- People remain in this vulnerable position for protracted periods during which time they experience differing degrees of destitution that have an acute impact on their wellbeing, and can lead to self-harm and suicidal thoughts. Periods of rough sleeping are common for some.
- The response to destitution in Leeds has involved campaigning and provision of support. However agencies are severely hampered by the lack of resources, reliance on donations and the restrictions on refused asylum seekers' entitlements.
- Charities and asylum seekers in receipt of government support provide a vital lifeline to destitute asylum seekers. However, the provision of this overstretched resource may conceal the seriousness and extent of destitution from decision-makers.
- While some destitute asylum seekers benefit from support 'in the community', dependency on others can also facilitate exploitation.
- Agencies and community organisations face numerous challenges in providing services for destitute clients. Limited options for support leave staff demoralised. Attending to the complex needs of destitute people is emotionally draining and diverts from integration-focused activities.
- Overwhelmingly, giving asylum seekers the right to work was the favoured solution identified by refused asylum seekers, refugee community organisations, and voluntary, statutory and political representatives.

Background

Destitution experienced by asylum seekers surviving with no statutory support and no right to work has been a serious concern in the UK for several years.

If an asylum seeker receives a negative decision on their asylum claim, their accommodation and cash support are withdrawn within 21 days. The Home Office expects refused asylum seekers to leave the country, but many are unable or unwilling to return to their country of origin. They remain in the UK without statutory support or the right to work, and lack the means to meet their own basic needs: they are destitute.

The research considered the impact of destitution on individuals and services in Leeds. It focused on refused asylum seekers – the largest group subject to destitution. The research included: a four-week survey of destitute clients involving five key agencies; interviews with eight refused asylum seekers; 23 interviews, two focus groups and a questionnaire with agencies; and participant observation at two drop-ins.

Destitute asylum seekers in Leeds

The actual number of destitute asylum seekers in Leeds is impossible to quantify because of the lack of data, the mobility of the population and changing support experiences.

To understand more about this hidden group, the research aimed to survey destitute asylum seekers and refugees attending five key agencies. In a four-week period the survey counted 101 individuals. Five adult dependents and 12 child dependents were recorded. **This represents 118 destitute asylum seekers and refugees.** This is a baseline figure: the actual number of destitute asylum seekers and refugees in Leeds is likely to be much higher. Many destitute people rarely attend services and so remain hidden.

The survey counted **251 visits** made to five agencies between 16 October and 12 November 2006, and recorded the following:

- **38** individuals had been destitute for one year or more; a further 21 had been destitute for between six months and one year
- the destitute people surveyed came from 21 countries: the largest groups were from **Eritrea (25%), Sudan (14%) and Iran (12%)**
- **84%** were **refused asylum seekers**; 6% were awaiting a decision; 5% had a positive decision on their asylum claim; 5% had unknown status
- **eight destitute families** with children under the age of 18 attended services for help with basic needs
- **five** of the destitute individuals surveyed had been processed through the **New Asylum Model (NAM)**
- there were **68** instances of **rough sleeping**; 128 instances of staying with friends; 14 instances of staying with a charity or faith group
- **29 individuals** were recorded as having **slept outdoors** or in the bus station, including three women

The survey findings demonstrate that:

- refused asylum seekers remain in the UK, destitute, for long periods
- the countries strongly represented are known for conflict and human rights abuses, making it difficult or dangerous to arrange return
- families with children under 18 in Leeds are being made destitute
- some individuals had been processed by NAM, showing the potential for the new system to continue to result in destitution

- rough sleeping among destitute asylum seekers accessing services is common, despite there being no official record of asylum seekers rough sleeping
- in a month of cold weather at least 26 men and three women were forced to sleep on the streets of Leeds

The experiences of destitute people

The research found that destitute asylum seekers rely upon friends and charity from voluntary organisations and churches to try to meet their basic needs. We interviewed eight people who had been destitute for periods between six weeks and four years and found the following:

- **silence and forgetting are a means of survival**
For the destitute asylum seekers we interviewed, deciding to take part in the research was a difficult decision as they used silence and forgetting as a way of getting through daily life. However, they wanted their stories to be heard, and they exposed the experience of destitution as complex and distressing.
- **support 'in the community' conceals the seriousness of destitution**
Some destitute people spoke about staying with friends, sharing food, and surviving on small, irregular cash gifts. However, this support may be found through chance meetings in the street, not a close-knit network of supportive relationships. Agencies and refugee community organisations were concerned that this type of support 'in the community' means decision-makers can readily ignore the seriousness of the situation.
- **destitution renders people vulnerable**
While some benefit from vital 'community' support, the absence of state provision places people in a vulnerable position. To survive, one woman had to exchange household chores for shelter. Another had a miscarriage and was forced to search for alternative medicine through friends, believing she would be deported if she accessed NHS health services.
- **despite the regional demand for labour, asylum seekers cannot work**
The people we interviewed relied on friends and charities to keep them alive but were keen to support themselves through work. Despite a growing economy in Yorkshire providing a high demand for unskilled and semi-skilled workers, asylum seekers are no longer given permission to work. Experts in business and the council leader agreed that new workers would benefit Yorkshire and could easily be absorbed.



LEEDS AS A RESEARCH FOCUS

Leeds was chosen as a focus because of its importance as a regional centre and as one of the main asylum seeker dispersal cities. The city is a regional base for the Immigration and Nationality Directorate and was a pilot area for the New Asylum Model and 'Section 9' family exercise.

Individuals, voluntary organisations, churches and political representatives in Leeds have responded strongly to destitution among asylum seekers both through campaigning for change and the provision of frontline services.

In addition, the Joseph Rowntree Charitable Trust has a particular interest in West Yorkshire where it runs a Racial Justice Programme.

→ seeking safety: facing destitution or danger

All eight interviewees felt they could not return to their country of origin. Some desperately missed their family and country, but stayed in the UK to safeguard their lives fearing death and persecution if they returned. This fear meant they felt unable to take up the basic support ('Section 4') offered on condition of agreeing to voluntary return. Some spoke of how they had thought that the UK was a fair, democratic country that respected human rights, but that their experiences reversed this view. Two people said they felt they could die in the street and no-one would know or care.

Managing responses: challenges faced by agencies

Services for destitute asylum seekers in Leeds benefit from good networking and a considerable contribution of energy and time from staff, volunteers and individuals. In difficult circumstances, voluntary organisations, churches and other individuals (including refugees and asylum seekers) offer shelter, food, subsistence cash payments and help with access to health services. This basic provision of donated goods is a vital lifeline.

However, with limited funding and reliance on volunteers, Leeds agencies struggle to meet demand. Agencies identified numerous challenges in providing services for destitute clients, including:

- insufficient services put staff under constant pressure and leave them feeling demoralised and helpless
- meeting urgent basic needs takes up time and resources that could otherwise be used to develop integration work with asylum seekers, refugees, and long-term residents
- the difficulties in getting funding for work with destitute, refused asylum seekers makes it difficult to manage services – agencies are unable to meet the high level of need and are constantly looking for sources of support
- clients present with complex needs leaving staff emotionally drained
- policy-induced destitution contradicts numerous other policies including those aimed at reducing poverty and homelessness, and at promoting community cohesion and child welfare

What are the solutions to destitution?

We spoke to people from a wide range of statutory and voluntary agencies, inside and outside of the refugee sector, and destitute asylum seekers. All felt that the current situation is unsustainable. They suggested a number of solutions, including:

- regularisation – give asylum seekers the right to work
- improved legal representation and decision-making for asylum claims
- provide clear guidance on support and improve communication between refugee agencies, statutory bodies and the Home Office
- monitor New Asylum Model outcomes – early indications suggest the need for improvements to quality of decisions; timeframes; training for staff, and presentation of options for voluntary return

Appendix three: Discussion groups

Some of the Commissioners' study visits were to groups of people in Leeds with no direct experience of the asylum issue. We wanted to hear from a range of ordinary citizens about what principles they thought should underlie policy towards refused asylum seekers. However, because the asylum issue is so emotive, we started the discussion with a hypothetical "thought experiment" (see box) which enabled key principles to be elicited from an analogous case without reference to the asylum issue.

The groups were very varied: white, working class men from an angling club; a Bangladeshi women's group; student nurses; medical and social work lecturers; sixth-form students and school teachers.



THE THOUGHT EXPERIMENT

You're on a ship crossing an ocean. A day into the journey a stowaway reveals himself. He says he is escaping persecution and had no choice but to sneak out his country. The captain allows the stowaway to stay on board but decides that he must leave the ship at the next port, which is in another country. However, once the ship docks, the stowaway hides again. When the ship is out at sea, he once more goes to the captain explaining that he did not believe he would be safe in the country where they wanted to leave him.

The ship is not due to dock again for another month. What should the captain do with the stowaway?

Reactions to the thought experiment were very similar across all groups. "My first thought is throw them overboard. But its better put them to some use, to help on the boat, to pay for their way," was a typical response. These words are actually from a British Bangladeshi woman, but similar sentiments were expressed in all groups: participants tended to believe that the stowaways should earn their keep, with some concern expressed for how this could be done safely and fairly.

Once the discussion switched to asylum, people had no trouble seeing how the analogy worked, and the broad thrust of the discussion was the same, except that in some groups, other adverse perceptions of asylum seekers made discussants more wary than they had been of the stowaway. But in general, the basic principles remained the same: the uninvited guests should contribute to their keep and should also have their movements monitored. Punitive measures were generally not supported.

On stowaways:

"They can't sponge along, there's no free ride."

Angler

"You are responsible, but you don't want that responsibility."

Member of Bangladeshi women's group

"Make them work on the ship. You can't just give them a room and food.

So they pay their passage."

Sixth form student

On refused asylum seekers:

"They should work. They should not be allowed to roam free."

Angler

"Destitution is wrong and ridiculous. It encourages people to do what's wrong."

Student nurse

"The government should look after their own first."

Member of Bangladeshi women's group

"Not letting them work is stupid when this leaves it so people say they are lazy and yet they want to work."

Sixth form student

"When I come here I was 32. Now I'm 38. I spent my youth here. I lost it in this country. Did I make any money? Did I have a nice life? Did I? If I could go I would have gone five years ago when I lost my case."

Refused asylum seeker

Appendix four: Who the Commissioners met

Thanks to the following who met with Commissioners on their study visits to Leeds, or at briefing sessions in London:

Anonymous asylum seekers

Inspector Graeme Archer,
West Yorkshire Police

Wendy Bartlett, Volunteer Development
Worker, East Leeds Health for All

John Battle MP, Leeds West

Catherine Beaumont, Chair,
Manuel Bravo Project

Dinah Beckett, Deputy Manager,
Induction Centre Team, Refugee Council

Dave Brown, Chair, Positive Action for
Refugees and Asylum Seekers

Sandy Buchan, Chief Executive,
Refugee Action

Ruth Bunday, partner,
Harrison Bunday Solicitors

Simon Cahill, Team Leader,
New Asylum Model Team,
Immigration and Nationality Directorate

Charlotte Cooke, Regional Manager,
Refugee Council

Pauline Cooke, Befriending Co-ordinator,
Leeds Asylum Seekers' Support Network

Sekina Dario, Advice and Information
Worker Choices, Refugee Action

Alice Downes, Registrar,
Leeds General Infirmary A & E

Professor Peter Dwyer, Professor of Social
Policy, Nottingham Trent University

Bridget Emery, Leeds Supporting People
Accountable Officer, Leeds City Council

Neil Evans, Director, Neighbourhoods and
Housing Department, Leeds City Council

Olvia Fellas, Manager, No Recourse to
Public Funds Team, Islington Council

Nadine Finch, barrister, Garden Court
Chambers and part-time Immigration Judge

Dr Chris Forde, Senior Lecturer,
Leeds University Business School

Yvonne Galley, Assistant Care Centre
Manager, St George's Crypt

Mark Gamsu, Associate Director of Public
Health, Government Offices Yorkshire
and the Humber

Dave Garrett, Deputy Director Asylum
Advice, Refugee Action

Gill Gibbons, Manager, Leeds Asylum
Seekers' Support Network

Professor Alan Gilbert, Head of Geography,
University College London

Sharon Hague, Manager, Refugee and
Asylum Service, Leeds City Council

Aiden Hallett, Deputy Manager Choices,
Refugee Action

Fabian Hamilton MP, Leeds North East

Jeremy Harding, journalist

Councillor Roger Harrington,
Leeds City Council

Councillor Mark Harris, Leader of
Leeds City Council

Taj Hassan, Consultant in Emergency
Medicine, Leeds General Infirmary

Ailsa Holland, Assistant Director,
LankellyChase Foundation

Chris Hudson, Regional Director,
North East, Yorkshire and the Humber,
Immigration and Nationality Directorate

Superintendent Richard Jackson,
Chief Community Safety Officer,
West Yorkshire Police

Anne James, Head of Child Services,
Refugee and Asylum Service,
Leeds City Council

Cherry Lander, Befriending Co-ordinator,
Leeds Asylum Seekers' Support Network

Pauline Lomas, Hardship Fund
Administrator, St Vincent Support Centre

Dr Robert MacKenzie, Senior Lecturer,
Leeds University Business School

Christine Majid, Manager, Positive Action
for Refugees and Asylum Seekers

Rehan Majid, Client Support Worker,
Health Access Team

Sarah McCormack, Human Resources
Manager, Northern Foods

Anne McKillop, Assistant Director Asylum,
North East, Yorkshire and the Humber,
Immigration and Nationality Directorate

George McPadden, Head of Asylum,
North East, Yorkshire and the Humber,
Immigration and Nationality Directorate

Robina Mir, Manager, East Leeds Health
for All

George Mudie MP, Leeds East

Greg Mulholland MP, Leeds North West

Lisa Nandy, Policy Advisor, Children's
Society and Chair of Refugee Children's
Consortium

Maya Narabi, Consultant at Leeds General
Infirmary A & E

Dr Jo Newell, GP, Health Access Team

Dave Norman, Head, Community Cohesion
and Faith, Government Offices
Yorkshire and the Humber

Norman Pickavance, Corporate Services
Director, Northern Foods

Right Reverend John Packer, Bishop of Ripon
and Leeds

Glynn Rankin, Head of Legal Services,
UK Human Trafficking Centre

Alison Raynor, Senior Community Nurse,
Health Access Team

Dr Martin Schweiger, Director of
Communicable Diseases, Health Protection
Agency

Matthew Sharp, Recruitment Manager,
Independent RPO

Adrian Smith, Head of Refugee and Asylum
Services, Islington Council

Gary Stott, Manager, St George's Crypt
Councillor Alan Taylor, Leeds City Council

Marie Uwitonze, Client Support Workers,
Health Access Team

Frances Webber, barrister, Garden Court
Chambers

Charlotte Walton, Centre Manager,
St Vincent Support Centre

Alex Warren, Manager, Refugee Legal
Centre

Liz Westmorland, Manager, Yorkshire and
Humberside Consortium for Asylum Seekers
and Refugees

Sue Willman, solicitor, Pearce Glynn
Solicitors

Group sessions:

ippr seminar on communicating asylum

Leeds Destitution and Asylum
Steering Group

Leeds and District Amalgamated Society
of Anglers Club

Members of the asylum and refugee
ecumenical meeting, Leeds

Members of squat

Shoukeeta Women's Group

Student nurses, School of Healthcare,
Leeds University

Students, Notre Dame Sixth Form College,
Leeds

Social work and nursing lecturers,
Leeds University

Teachers, Notre Dame Sixth Form College,
Leeds

Day of Solutions, 8 January 2007: participants

Tony Beswick, St George's Crypt

Rhian Beynon, Joint Council for the Welfare
of Immigrants

Mary Blanche, Kent County Council

Andi Briggs, MAID Project

Dave Brown, Positive Action for Refugees
and Asylum Seekers

Shari Brown, Restore

Richard Byrne, Refugee Council

Patricia Coelho, European Council for
Refugees and Exiles (ECRE)

Peter Coltman, Joseph Rowntree Charitable
Trust

Peter Dwyer, Nottingham Trent University
 Shelagh Fawcett, Leeds Diocesan Justice and Peace Commission
 Nadine Finch, Garden Court Chambers
 Janet Fyle, Royal College of Midwives
 Don Flynn, Migrants' Rights Network
 Mark Gamsu, Government Office for Yorkshire and Humberside
 Rev Ray Gaston, All Hallows' Church
 Gill Gibbons, Leeds Asylum Seekers Support Network
 Maureen Grant, Joseph Rowntree Charitable Trust
 Paula Grizzard, Back to Work Company
 Anne James, Leeds Social Services Department
 Alyas Karmani, Joseph Rowntree Charitable Trust
 Peter Lazenby, Yorkshire Evening Post
 Hannah Lewis, JRCT Destitution Inquiry
 Katherine Marshall, (formerly: Hothman Mission)
 Alan Matthews, Yorkshire Forward
 Marion McNaughton, Joseph Rowntree Charitable Trust
 Lay Naing, The Survivor Group
 Elvis Nduhukire
 Jo Newell, Health Access Team
 Detective Inspector Oldham, West Yorkshire Police
 Juliet Prager, Joseph Rowntree Charitable Trust
 James Paton, Yorkshire and Humber Assembly
 Mel Pickett, Refugee Action
 Lisa Power, Terrence Higgins Trust

Debbie Roe, The No Fixed Abode (NFA) Health Team, Leeds
 Nick Scott Flynn, consultant
 John Short, International Organization for Migration
 Dave Smith, Boaz Trust
 Paul Snell, Assist
 Steve Symonds, Immigration Law Practitioners' Association (ILPA)
 Joseph Taswonezvi, steering group member
 Mani Thapa, Refugee Action
 Alan Thornton, Church Action on Poverty
 Frances Tilling, Northern Foods plc
 Hugo Tristram, British Red Cross, UK Office
 Inspector Grenville Ward, West Yorkshire Police
 Vicky Williams, Yorkshire and Humberside Consortium for Asylum Seekers and Refugees
 Ruth Wilson, JRCT Destitution Inquiry
 Susan Wright, Medecins du Monde UK
 Asmeron Woldegebriel, Centrepont

Other visits:

In addition to the above, the Inquiry Co-ordinator met a number of agencies for background briefings. These included meetings with:

Amnesty International; Asylum Aid; British Red Cross; Church Action on Poverty; Citizens Advice; European Council for Refugees and Exiles; Garden Court Chambers; Independent Asylum Commission; ippr; Joint Council for the Welfare of Immigrants; Nick Scott Flynn (consultant); Northern Foods; Refugee Action; Refugee Council; Still Human, Still Here Campaign; Trades Union Congress; Yorkshire and Humberside Consortium for Asylum Seekers and Refugees.

"I sleep parks or any place to protect from coldness – bus station, train station. If you sleep in town people can make trouble. In the mornings I go to bookies to be warm."

Refused asylum seeker

Appendix five: Further reading and useful websites

There are a number of reports that give more detailed information and proposals that should be consulted when determining how precisely to fulfil the objective of this report.

The following are some of the most recent:

Amnesty International (2006) *Down and out in London: the road to destitution for rejected asylum seekers* www.amnesty.org.uk

Home Office (2005) *Controlling our borders: making migration work for Britain* www.ind.homeoffice.gov.uk

Joint Council for the Welfare of Immigrants (2006) *The case for regularising irregular migrants* www.jcwi.org.uk

Joseph Rowntree Charitable Trust (2007) *Destitution in Leeds* www.jrct.org.uk

Refugee Action (2006) *The destitution trap* www.refugee-action.org.uk

Refugee Action (2006) *The destitution trap briefing paper* www.refugee-action.org.uk

Refugee Council (2006) *First do no harm: denying healthcare to people whose asylum claims have failed* www.refugeecouncil.org.uk

The following websites are also useful starting points for finding out more about the asylum system and destitution:

Asylum Destitution Support Network www.destitution.net

Immigration and Nationality Directorate www.ind.homeoffice.gov.uk

Independent Asylum Commission www.independentasylumcommission.org.uk

Information Centre about Asylum and Refugees www.icar.org.uk

Just.Fair Refugee Council www.refugeecouncil.org.uk/gettinginvolved/campaign/just_fair/

No Recourse to Public Funds Network
www.islington.gov.uk/Health/ServicesForAdults/nrpf_network

Still Human, Still Here Campaign www.stillhuman.org.uk

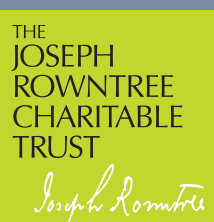
“There is no community here because I was living on the streets for one year. If there was community, people helping, that would not happen.”

Refused asylum seeker



“Treat them like human beings.”

Member of Bangladeshi women's group



Joseph Rowntree Charitable Trust
The Garden House
Water End
York
YO30 6WQ

Tel: 01904 627810
www.jrct.org.uk