



scottish  
refugee  
council

# They Think We Are Nothing

A survey of destitute asylum seekers  
and refugees in Scotland

**Executive Summary**

Mhoraig Green August 2006

Scottish Refugee Council conducted this research in response to the growing number of destitute asylum seekers who were arriving at our offices looking for help. Other charities are experiencing the same problem and they became involved in collecting data for the project.

Destitution refers to the absolute and severe poverty that is experienced by asylum seekers when they do not have access to statutory support or the right to work to support themselves. The research focused on the responses of the voluntary sector, since people who are not allowed to work and are not entitled to support from the state inevitably become dependent on charity and the goodwill of others.

The aim of the research was to capture a snapshot of the number of destitute asylum seekers and refugees presenting to voluntary sector agencies in Scotland during a one-month period and to find out more about their experiences and what had led to them becoming destitute. A quantitative survey took place in Glasgow, where the overwhelming majority of Scotland's asylum seekers live, between 30 January and 28 February 2006.

# Key Findings

The survey revealed that at least 154 asylum seekers, refugees and their dependents were destitute in Glasgow between 30 January and 26 February 2006.

This number includes 25 destitute children under the age of 18.

These numbers are likely to significantly under-represent the actual number of destitute people because of the methods used and the problems associated with reaching a hidden population.

27 people surveyed were asylum seekers with active claims, 7 were refugees and 78 had been refused asylum status and were at the end of the process. However, only 33% were satisfied with legal support indicating that people may have been let down by the well-documented failings of the asylum system.

The people surveyed came from 24 different countries, with the largest numbers coming from Iraq (21.6%), Iran (18.6%) and Somalia (8.8%).

Of the people surveyed 68% were male. 36% were in their twenties, almost 10% were under 20 years old and 17% of those surveyed were older than 50.

The largest group of people (46.5%) had been destitute for longer than six months. 21.8% of people had been destitute for less than two weeks. There is a link between people at the end of the asylum process and long-term destitution, and it is likely that short-term destitution is caused by administrative errors.

## Causes of destitution

76.5% of people surveyed were destitute because they were a refused asylum seeker. 26.5% were destitute despite the fact they still have an active asylum claim (8.8% because of an administrative error), and 6.9% were destitute because they had recently received asylum status and had yet to access mainstream support.

The only support available to asylum seekers at the end of the process is provided under Section 4 of the Immigration and Asylum Act 1999. 41 (52.6%) of the people surveyed at the end of the process had not applied for Section 4 support either because they were unwilling to sign up to the conditions (which include voluntary return) or because they did not meet the criteria. A further 19 (24.4%) had applied for Section 4, but had become destitute while they waited for a decision on their application or for their support to start.

## What support is available?

The most commonly used sources of support amongst those surveyed were charities like Scottish Refugee Council (60.8% had received support) and Positive Action in Housing (29.6% had received support). Friends and family also provided support to 34.7% of those surveyed and 13.3% received support from community centres.

Family, friends and neighbours also provided shelter to 49.5% of the people surveyed, so the impact on community resources is clearly great. 41.3% of people surveyed remain in their National Asylum Support Service (NASS) accommodation.

The most common form of support given by the agencies involved in the research was information and advice. 60.8% of people received this during the visit on which they were surveyed. Only 24.0% received a small cash payment of less than £50 for a week. This is largely because of the limited resources available to allow charities to provide material support.

There was a very low level of signposting by the agencies involved in the research. This is likely to be because there are very few resources available for asylum seekers who are destitute in Scotland or elsewhere in the UK.

## Recommendations

### Ending the destitution of asylum seekers

- The only way to prevent the destitution of asylum seekers is to revise asylum policy to allow for durable solutions. Reinstating the right to work for asylum seekers, particularly those at the end of the asylum process, is one potential solution.
- The responsibility of supporting destitute asylum seekers must be shifted from the voluntary sector, charity and social networks to the state, since only they are capable of providing sustainable support.
- Asylum seekers should not be penalised by NASS or any other authority for offering shelter to destitute friends and family.

### Avoiding unnecessary destitution caused by administrative errors

- Administrative errors lead to short-term, unnecessary destitution. Statutory providers such as NASS must improve their processes to avoid the unnecessary, short-term destitution that arises as a result of administrative errors.
- NASS's decision making should be regionalised in order to minimise the risk of people losing their support before they reach the end of the asylum process. Both the Restart Investigation and Cessation Enquiries (R.I.C.E.) and Section 4 support decision making should be regionalised.
- Decision-making times for Section 4 support need to be reduced to prevent people waiting extended periods, such as six weeks or more. The quality of decision-making should also be improved.

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## Preventing children from becoming destitute

- The government should commit itself to guaranteeing that families with children should not be forced to become dependent on the charitable support of friends and family.
- All families with children should continue to be supported while they remain in the UK, regardless of whether the children were born after their parents became fully refused asylum seekers.
- Refused asylum seekers should be brought back into the NASS system if they have a baby or if a child joins them in the UK.

## Legal provision and support during the asylum process

- Asylum seekers must have good quality and timely legal support to enable them to pursue their asylum claim. It is important that people have good quality legal support to take advantage of opportunities to appeal against negative decisions.
- Legal representatives should ensure that their clients fully understand the asylum process, their position within it and the options available to them.
- Legal representatives should access training on asylum support to ensure they understand what is required of them for support to be reinstated.
- Asylum seekers should be properly supported to challenge bad quality or misleading legal advice.
- Legal aid for asylum seekers in Scotland should be maintained at current levels.

## Avoiding unnecessary destitution at the end of the process

- The government must accept that some asylum seekers cannot be immediately returned and that the support offered at the end of the process needs to be reassessed.
- There is a need for suitable means of support for the end of the process that will prevent other asylum seekers having to support their friends and put their own support at risk.
- The process of applying for Section 4 support should be reviewed to avoid destitution occurring while people wait for their support to start. Emergency bridging support should be provided for people who apply for Section 4 support after their NASS support has ended.
- NASS should produce and widely distribute good quality information on Section 4 support in community languages to ensure that asylum seekers fully understand their options.

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is to revise asylum policy to allow for durable solutions.**

## Better service provision

- Joined up working across the voluntary and public sectors would improve the support available to each destitute asylum seeker by ensuring they access all of the most appropriate services.
- Statutory service providers should be encouraged to consider their response to the problem of destitute asylum seekers to make sure they meet their obligations, particularly where children and people with care needs are involved, and relieve pressure on the voluntary sector where possible.
- Accommodation providers should take into consideration the vulnerability of all of their tenants when pursuing evictions.
- Housing providers should explore creative housing solutions to ensure that destitute asylum seekers are able to access safe accommodation.

## Better service provision for new refugees

- NASS Scotland should visit every asylum seeker who receives a positive decision to ensure they are aware of their rights regarding continued support and to ensure that the transition from NASS support to mainstream benefits is smooth. New refugees should be directly referred to the Sunrise programme during these visits. (Sunrise is a government-funded programme to assist the integration of refugees. In Scotland it is run by Scottish Refugee Council).
- NASS and the Department for Work and Pensions (DWP) should work together to ensure all new claims are processed within the 28 day move-on period.
- NASS and HM Revenue and Customs and local authorities should work together to ensure that claims for child benefit and child tax credit are processed promptly.

## Understanding the issues in more depth

- Destitution has a negative impact upon the physical and psychological health of asylum seekers, especially when it becomes a long term problem. Further research should be conducted into the impact this has on people.
- Inter-Agency Partnership should coordinate data collection on destitution to build a nationwide picture of the issue. Inter-Agency Partnership (Refugee Council, Refugee Action, Migrant Helpline, Refugee Arrivals Project, Scottish Refugee Council, Welsh Refugee Council).

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For the full text of this report, and for more information about the work of Scottish Refugee Council visit [www.scottishrefugeecouncil.org.uk](http://www.scottishrefugeecouncil.org.uk)

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