

Building a better future for refugees in Scotland

Scottish Refugee Council Manifesto
Scottish Parliament Elections 2016

scottish
refugee
council

30
years

▶ In 2015, Scottish Refugee Council celebrated 30 years of helping those who have fled from wars, conflict or persecution in their homeland, to rebuild their lives by providing essential information, advice and support. Throughout this time Scottish Refugee Council, as an independent human rights charity, has been advocating and campaigning for the rights of refugees.

Our vision is for a Scotland in which all people seeking refugee protection are welcome and are able to rebuild their lives. It is a place where women, children and men are protected, find safety and support, have their human rights and dignity respected and are able to fulfil their potential to the benefit of all.

Based on our Key Principles of a Fair and Humane Asylum System, this manifesto sets out five practical recommendations for the new Scottish Government to be elected in May 2016.

1. Bring forward a Refugee Integration (Scotland) Bill.
2. Remain at the vanguard of Syrian resettlement, maintain the commitment to welcome more refugees, and develop national standards for the integration of those resettled.
3. Work with the UK Government to secure the policy devolution of asylum support, accommodation and advice as set out in the Smith Commission.
4. Create a destitution fund to mitigate the impact of restrictions on access to public funds for those with insecure immigration status.
5. Establish a national register of interpreters in Scotland and a mechanism for independent monitoring of interpreting and translation services.

1. Enshrining and protecting refugee rights in Scotland for the future



Photo: Angela Caitlin

Scotland has proven that it can be a beacon for refugee protection. Since the creation of the Scottish Parliament, Scottish Governments have consistently put human rights, dignity and fairness at the heart of how refugees fleeing persecution should be treated. Most recently, Scotland has played a vanguard role in the UK in welcoming displaced Syrian families to communities across the country.

Decision-making on claims for asylum is reserved to the UK. However, the public services, such as health, education and legal representation pivotal to the lives of asylum seekers and refugees who live in Scotland are devolved. Persistent changes in UK legislation and confusion around reserved and devolved powers create instability for people seeking asylum, refugees and public bodies in Scotland. The tone and content of recent UK legislation increasingly jars with the largely welcoming public attitudes in Scotland towards refugees and with its progressive integration policies.

We are calling for a Refugee Integration (Scotland) Bill that would clearly set out refugees' rights to access and enjoy the full benefit of Scottish public services, enshrine national standards for integration in law, and simplify the many provisions in Scots law that are relevant to refugee integration. A Bill would also act as a bulwark against the impact of further reductions in rights stemming from UK legislation.

► We are calling for a commitment to:

Bring forward a Refugee Integration (Scotland) Bill to crystallise Scotland's status as a beacon for refugee protection and provide a legislative framework for refugee integration policies that are grounded in principles of prevention, early intervention and human rights.

2.

Continuing to welcome, resettle, and integrate refugees



Photo: Iman Tajik

Scotland has been leading the way in the resettlement of refugees from Syria. Nearly 400 people were welcomed in local authorities across the country in November and December 2015, one third of the total arrivals to the UK under the Syrian Vulnerable Persons Resettlement (VPR) Scheme. We want this to continue in the future.

To ensure that refugee resettlement enriches towns and cities across the country, Scotland must work to bring communities together, encourage understanding and facilitate integration, for example, by ensuring access to appropriate language support.

We recommend that Scottish Ministers lead the development of national standards for refugee integration in the context of refugee resettlement programmes. These standards can be a clear pathway for resettlement and integration in Scotland, providing clarity on what local, public and charitable bodies need to do, and be a model of good practice for the rest of the UK on how to organise refugee resettlement.

Scotland has demonstrated its commitment and proven that welcoming and integrating women, men, and children in new communities can be done. Glasgow has shown this for many years and now Scotland enters a new phase of enrichment with the arrival of new Scots throughout the country.

► We are calling for a commitment to:

Maintain the commitment to welcoming and resettling refugees from Syria as part of the UK Government's Syrian Vulnerable Person's Resettlement Scheme, and develop national standards for the integration of those resettled.

3.

Improving the lives of asylum seekers and refugees in Scotland

The Smith
Commission

Report of the Smith Commission
for further devolution of powers
to the Scottish Parliament
November 2014

The Smith Commission for further devolution of powers to the Scottish Parliament recommended exploring how policy devolution of accommodation, financial support and advice for asylum seekers could be used to improve the lives of people seeking asylum in Scotland, while retaining UK Government control of asylum decision-making.

Further devolution of welfare powers is enabling the Scottish Parliament to develop a more equal and fair social protection system based on the needs of its population. Women, men, and children seeking asylum and refugees living in Scotland are integral to this, and should not be marginalised in a parallel system governed by the UK Home Office. Social protection for asylum seekers and refugees can help to facilitate integration from day one.

Many of the powers governing how refugees are supported in our society are already devolved, such as health, education, community planning, justice and legal aid. Allowing for policy devolution in asylum housing, advice and financial support is in line with the devolution settlement and is a sensible and logical step to take. The case for such policy devolution rests on common sense not constitutional arguments.

Policy devolution would empower councils, health boards and communities and many others to weave these aspects of asylum policy into existing local arrangements. This will enable greater clarity on who is responsible for what and better coordination and joined-up provision locally; harmonised accommodation standards; community cohesion; and the development of specialist services that are tailored to local needs and complementary to existing mainstream services.

It would enable fairer sharing of the responsibility for housing asylum seekers across Scotland, and therefore the UK, by empowering local decisions and control.

► We are calling for a commitment to:

Continue to implement the Smith Commission Agreement that the UK and Scottish Governments work together to consider policy devolution of asylum support, accommodation and advice to improve the lives of refugees and asylum seekers living in Scotland through the development of more tailored and integrated welfare and reception provisions.



4. Ending destitution

Hundreds of men, women and children live hungry and homeless in Scotland today because UK asylum and immigration policy and legislation fails to protect them. No one should be left destitute. This runs counter to Scotland's approach to social policy more broadly and specifically principles of prevention, early intervention, human rights, integration from day one, and refugee protection.

Refused asylum seekers, newly granted refugees and women with insecure immigration status experiencing domestic abuse are just some of the groups disproportionately affected by destitution. Migrant women, including asylum seekers and those refused asylum, are put at significant risk by policies that restrict access to publicly funded services, such as refuge places.

The impending Immigration Act 2016 threatens to further increase destitution of vulnerable migrants, removing the automatic right to financial support and accommodation from families refused asylum. The Act will also take away the right to appeal to the Asylum Support Tribunal against Home Office decisions to refuse or discontinue such support, despite over half of such appeals currently being successful.

Years of opposition to end destitution in Scotland have seen little impact on UK policy in this area. Scotland now has a unique opportunity, with the devolution of new social security powers, to mitigate the impact of abject destitution through the creation of a destitution fund. No one should be destitute on the streets or in the long-term limbo of temporary accommodation. Women, children and men from Scotland as well as those from other parts of the world, including asylum seekers refused protection by the UK Government, need the dignity and safety of a home.

This can be done. Northern Ireland piloted an emergency fund for vulnerable migrants in 2011-2012 and this led to the establishment of a crisis fund for vulnerable migrants in January 2015. Eligibility to take part in both the pilot and the new scheme includes refused asylum seekers, newly granted refugees and women with insecure immigration status experiencing domestic abuse.

► **We are calling for a commitment to:**

The creation of a destitution fund to mitigate the impact of restrictions on access to public funds for those with insecure immigration status, in particular those who are destitute, experiencing domestic abuse, or at risk of exploitation.

5.

Improving the professional framework and quality of interpreting and translation services

Photo: Jenny Wicks

Many men, women and children living in Scotland seeking or granted international protection will require language support in order to access essential services and present their claims for protection. To guarantee fair and equal access to services and access to justice, it is essential that quality, professional translation and interpreting provision is available.

Yet there are no Scotland-specific standards for translation and interpreting, no national register of interpreters and translators, no protection for the professions of interpreting and translation, no independent monitoring or oversight of provision, and limited accredited, affordable, professional training available to speakers of many community languages, who are acting as or may wish to become interpreters or translators.

As a consequence, although there are many excellent, highly qualified interpreters and translators in Scotland, there are also many examples of poor practice and the lack of monitoring and regulation means that quality and professionalism cannot be guaranteed and professional translators and interpreters have limited protection from unscrupulous agencies. For refugee and migrant communities requiring language support, the impact of this is a risk that they may not be able to access essential services or fully realise their rights and entitlements in Scotland.

► We are calling for a commitment to:

Establish a national register of interpreters in Scotland and a mechanism for the independent monitoring of interpreting and translation services and provision, to enable professionals to fulfil their roles safely and effectively, and to guarantee fair and equal access to services for speakers of other languages.

Q&A

What do the terms asylum seeker and refugee mean?

An asylum seeker is a person who says that he or she is a refugee but whose claim for refugee status under the UN Refugee Convention to a state that has signed that Convention has not yet been definitively settled.

A refugee is someone whose individual application for asylum has been granted. They have been recognised as needing protection under the 1951 UN Refugee Convention.

A migrant is anybody who moves from one region or country to another.

What is reserved and devolved in this area?

Under the constitutional settlement, immigration and nationality are reserved matters under schedule 5 of the Scotland Act 1998. Decision-making on international protection, including whether to recognise an asylum seeker as a refugee is reserved to the Home Secretary.

The UK Government through the Home Secretary and the Home Office exercise power across a range of policy areas that impact on the protection, welfare and integration of refugees.

These include access to the United Kingdom; the determination of asylum claims; the provision of welfare and accommodation to asylum seekers who would otherwise be destitute; granting immigration leave and citizenship; and detention and removal.

The dispersal of asylum seekers and designation of reception zones are areas of joint working between the Home Office and Scottish Government.

The Scottish Government and Scottish Parliament have executive and legislative competence in a range of areas of social policy, welfare and justice functions which affect the reception and integration of people seeking asylum and refugees in Scotland. These include health, education, housing, **community planning, policing** and through the forthcoming Scotland Act 2016 aspects of social security.

The Scottish Government also exercises competence in matters with particular relevance to the asylum process, such as the provision of legal representation including legal aid as well as child welfare and protection and prevention of violence against women.

What share of the world's refugees have come to Scotland?

The UK is home to less than 1% (0.0026%) of the world's refugees – out of more than 59.5 million forcibly displaced people worldwide.

About 86% of the world's refugees are living in developing countries, often in camps.

Scottish Refugee Council estimates the total numbers of refugees and asylum seekers in Scotland is 15,000 to 20,000.

Where do refugees in Scotland live?

Since 2000, the UK has operated no-choice dispersal of asylum seekers who would otherwise be destitute through voluntary arrangements with various local authorities. This dispersal policy was designed to share the responsibility for housing asylum seekers who require accommodation across the UK and to discourage long-term settlement in London and the South East.

Glasgow City Council is currently the only asylum dispersal local authority area in Scotland. Two-thirds of refugees dispersed to Glasgow stayed in the city, according to research into onward migration carried out in 2012-14 by the University of Strathclyde.

In response to the refugee crisis and widespread pressure to do more to help refugees, the Prime Minister announced in September 2015 that the UK will resettle up to 20,000 Syrians living in countries bordering Syria by 2020 through the Syrian Vulnerable Persons Relocation Programme, which gives its beneficiaries up to 5 years' leave to remain in the UK.

From October to December 2015, nearly 400 Syrian refugees were welcomed to Scotland and were received by half of Scotland's local authorities.

Scottish Refugee Council is an independent charity dedicated to providing advice and information to people who have fled horrific situations around the world.

In 2015 Scottish Refugee Council celebrated 30 years of working to ensure that all refugees in Scotland are treated fairly, with dignity and that their human rights are respected.

To find out more, please visit our website:
www.scottishrefugeecouncil.org.uk

Scottish Refugee Council
5 Cadogan Square
(170 Blythswood Court)
Glasgow G2 7PH

T 0141 248 9799
F 0141 243 2499
E info@scottishrefugeecouncil.org.uk

 [@scottishrefugeecouncil](https://www.facebook.com/scottishrefugeecouncil)

 [@scotrefcouncil](https://twitter.com/scotrefcouncil)

Scottish Charity Number: SC008639

The logo consists of the words "scottish", "refugee", and "council" stacked vertically in a white, lowercase, sans-serif font. The text is enclosed within a light blue square border.

scottish
refugee
council