

October 2003



As of September 2, the Home Office has radically changed the procedures for applying for asylum in Scotland. People seeking asylum are being told they need to travel to Liverpool, Solihull or Croydon to lodge their claim. No provision has been made to help them pay for transport. In effect, the government is no longer allowing single asylum seekers arriving in Scotland to lodge claims here. In response to Scottish Refugee Council (SRC) queries the Immigration Service has given a commitment that exceptions will be made for unaccompanied minors, families with young children and individuals with "special needs". The SRC believes that Scotland should play a full part in the UK asylum system. This should include taking responsibility for providing the facility for people to lodge their asylum claim when they arrive in the country. We are calling on the government to reinstate the right of all asylum seekers to ask for protection from persecution in Scotland.

What has happened?

- The Immigration Service in Glasgow has decided to stop allowing certain categories of asylum seekers to register their claims at its offices in Govan. Officials had initially told us this would apply across the board. The Home Office has now given an undertaking in writing that it will continue to lodge the claims of unaccompanied minors, families with young children and those with "special needs".
- People seeking asylum who do not come under one of the above categories are being told to make their way south of the border, to Asylum Screening Units (ASU's) in either Liverpool, Croydon or Solihull. Officials are not providing any money to help them do so as current legislation states that no travel costs should be met.
- Home Office reasoning behind this decision is that by allowing applicants to lodge their claims in Scotland, with screening interviews held days or weeks later in another location, they are seriously jeopardising Home Office targets. The Home Offices current target is to process 75% of all new asylum decisions within 2 months.
- Screening Units in Solihull, Liverpool and Croyden have at the same time reduced their opening hours. Our worry is that this will create an additional backlog in these areas and as there is no accommodation or support offered to people awaiting appointments the numbers of destitute asylum seekers will rise.
- The Home Office is arguing that the Scottish Enforcement Unit (SEU) do not have a role to provide screening services in Glasgow. Over the past few years the SEU in Glasgow has expanded dramatically. The Home Office has frequently stated their intention to further develop asylum screening services in Scotland.
- The Home Office is also saying that asylum seekers can still make their claim at their port of entry in Scotland. In fact, our experience as a refugee agency is that people who try to apply at their port of entry have sometimes been sent to the SEU in Glasgow, which is now saying it will not provide a facility in Scotland to lodge claims. In any event only 6% of asylum claims in Scotland are made at ports.

Why is this wrong?

- This policy is sending a message that people who have fled persecution are not welcome in Scotland.
- How are asylum seekers expected to make their way to England if they are not provided with any money to do so?
- ASU's in Liverpool, Croyden and Solihull are now operating a priority system by reducing opening hours and are already suffering significant backlogs. Without being able to lodge claims asylum seekers have no access to support and could become homeless and destitute.

- Why are people being penalised for trying to apply in Scotland? At the end of a long, traumatic journey, they are being told to head south of the border. People will often arrive in Scotland in lorries and will have no control over their final destination. They have to resort to these means as the government has made it increasingly difficult for victims of persecution to enter the UK legally.
- The Home Office is saying that people should claim asylum at their port of entry. In our experience, this is an unrealistic expectation. There are many factors that contribute to people making a claim at a later stage. They might for instance be suffering from trauma, unaware of the procedures, unable to communicate in English or unwilling to trust the authorities (having been subjected to state persecution in their country of origin).
- Section 55 of the Nationality, Immigration and Asylum Act 2002 requires asylum seekers to make their claim "as soon as reasonably practicable". Making people travel south of the border to lodge their claim clearly makes it much more difficult for them to meet this legal requirement.
- We find it disturbing that the government is making it harder for people to claim asylum at the precise point in time when it is promising to reduce the number of asylum claims made in the UK.
- Given that the primary objective of the Scottish Enforcement Unit is to keep track of asylum seekers in Scotland and enforce asylum policy they are subsequently not fulfilling their own objectives.
- Given that the asylum application process can currently take months and sometimes years it seems that the Home Office is determined to meet it's 2 month processing target at any cost.

What needs to happen?

- The SRC is urging the Home Office to reconsider this decision and restore the facility for all asylum seekers to lodge an asylum claim in Scotland and to expand provision to allow screening.
- We are seeking reassurance that asylum seekers who claim at port in Scotland will actually be able to do so and are not directed elsewhere.
- This measure means that the government is making it impossible for certain asylum seekers to lodge their claim in Scotland. This is a serious Scottish issue and should be taken up urgently by the Scotland Office and MPs representing Scottish Constituencies. We would also welcome the intervention of MSPs, Local Authorities and the Scottish Executive.
- Scotland needs to play its part in meeting Britain's obligations to provide a refuge from persecution under the Geneva Convention on refugees. Individuals and organisations should take up this issue with MPs and MSPs and ask them to demand that the Home Office ensures that asylum claims can be lodged in Scotland.